

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0619/RM 05.08.2015	Emtrek Limited 1 St Christophers Close Church Street Bedwas Caerphilly CF83 1BW	Construct 14 No. two bedroom apartments Gledyr Bungalow - Selway Gardens Nantgarw Road Caerphilly CF83 1BW

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: This application is in respect to the development of an irregular shaped area of land sited on the northern side of Nantgarw Road, Caerphilly. The land is currently occupied by a large detached bungalow with extended gardens. Access to it is from the east where it junctions with the road into the housing development known as Sunningdale.

Site description: The site is bounded to the east, west and north by existing residential development. To the south it borders the B4600 (Nantgarw Road), on the other side of which lies the Western Industrial Estate. The land is located on the western side of Caerphilly Town Centre, being approximately one mile from the centre. The site slopes gently from west to east but has a different profile when viewed from north to south. This shows relatively steeply sloping gradients on either side. That on the southern boundary runs up to the verge adjacent to Nantgarw Road, which itself is rising steadily towards the Penrhos Roundabout. To the North the site borders the Castlegate housing development which sits on a plateau some 3 to 4 metres above the application site.

Development: The application is a Reserved Matters submission following on from an outline approval for 14 apartments granted in 2012. That outline as well as establishing the principle of the development, also dealt with two detailed matters namely access and siting. The reference for this outline approval is 07/1153/OUT.

The scheme will involve the demolition of the existing dwelling thereby allowing the new building to be constructed towards the northern boundary of the site. The forecourt area will be laid out to provide for 31 spaces, with access to be achieved by way of an improved internal highway to adoptable standards linking the parking area to the existing highway to the east.

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The ground floor building footprint shows two staggered, but linked, blocks of different sizes. The ground floor of the larger of these blocks accommodates two flats, the entrance hall and lift along with 10 undercroft car-parking spaces, whilst the smaller block accommodates 8 such covered parking spaces. Above this level the layout drawings show two floors of six apartments each (four in the larger block and two in the smaller one). Each apartment has two bedrooms, a kitchen, a living room.

Dimensions: The site has an approximate area measuring 0.25 of a hectare. The footprint of the building is shown as 305 square metres. The height to the apex of the roof is 13 metres, with the width of each block measuring roughly 16 metres. The overall length of the building is 37 metres approximately.

Materials: The walls are mostly completed in painted render with panels of stained boarding on the front and rear elevations. The roof is covered in man-made slate.

Ancillary development, e.g. parking: As indicated above the development is served by 31 car-parking spaces. The application site also contains a seated amenity area with a small pond at its centre and external bin and cycle stores.

PLANNING HISTORY 2005 TO PRESENT

07/1153/OUT - Construct 14 No. 2 bedroom apartments - Granted 09.08.12.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The application is located within the settlement limit contained in the Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010. The site is not however allocated for a specific purpose within that plan.

Policies: Bearing in mind the fact that this development is a reserved matters submission relating to appearance, landscaping, layout and scale the main policy of relevance is CW2 (Amenity). Additional details have also been provided with regard to the highway position and as such CW3 (Design Considerations Highways) is also relevant, albeit the means of access was approved at the outline stage.

NATIONAL POLICY Planning Policy Wales (Ed. 7 July 2014), Technical Advice Note 12 (Design).

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ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No. The site is below the threshold of 0.5 Hectares of development area for consideration for such an assessment.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site falls outside the area where coal mining legacy issues are present.

CONSULTATION

CCBC - 21st Century Schools - have not commented on this application.

Head Of Public Protection - raised no objection to the application subject to the imposition of conditions relating to dust and noise control, as well as a scheme of acoustic glazing on the properties facing Nantgarw Road.

CCBC Housing Enabling Officer - confirmed that as the Section 106 had been signed at the outline stage they had no further comments to make on the proposal.

Senior Engineer (Land Drainage) - made a number of comments on the land drainage issues, which were to either be conditioned or passed on to the applicant by way of written advice.

Outdoor Leisure Development Officer - commented that the open space shown should be kept in a good condition so it could be used continuously.

Head Of Public Services - commented on the kerbside collection aspects of the development. The advice provided is required to be forwarded to the applicant if permission is granted for this scheme.

Transportation Engineering Manager - raises no objection subject to the imposition of a condition relating to the provision of on-site car-parking.

Dwr Cymru - do not object to the planning application but require details relating to the impact of the drainage on the adopted system to be conditioned. Other advice is also provided by Dwr Cymru which needs to be forwarded to the applicant.

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Police Architectural Liaison Officer - state that they have no objections to this application but would encourage the site to be developed in accordance with the standards found in "Secured by Design."

Wales & West Utilities - indicate that they have apparatus on the site which may be affected by the development.

Western Power Distribution - have made no comment on this application.

Natural Resources Wales - does not object to the application but makes a range of comments on drainage/pollution/waste management matters, which need to be passed on to the applicant.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by way of site, press and direct consultation with 36 neighbouring properties.

Response: Eight letters were received as a result of this consultation exercise. Of these four were outright objections to the application, three raised concerns that needed to be addressed, and one supported the scheme.

Summary of observations: The basis of the objections made are as follows:-

1. The access from Sunningdale onto Nantgarw Road is already extremely busy with waiting times up to 6 minutes to turn right.
2. This junction has been the scene of recent accidents as the result of speeding on the main road.
3. The signage relating to speed limitations on the main road is poorly positioned, it should be moved towards the west thereby slowing vehicles earlier as they approach the entrance to Sunningdale.
4. The construction traffic and the additional vehicles that will eventually use the junction, "will inevitably cause more chaos" there. Caerphilly is already known as a heavily congested area.
5. There has already been disruption, odour problems, dust and debris issues in this area as the result of redevelopment of the nearby Castlegate site.
6. The massing of the property shows a building which is overbearing in respect to the adjoining dwelling.
7. Habitable room windows in the flats will overlook the private areas of the garden of the neighbouring dwelling and thereby reduce the residential amenity of that dwelling.

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8. The existing tree screen between the site and the dwelling to the east will need to be removed as part of the contouring of the site, resulting in the exposure of that dwelling in privacy terms.
9. The landscaping proposals show inappropriate species for the locations proposed.
10. The drainage arrangements submitted are inadequate and incorrect.
11. The drawings show land and buildings belonging to an adjoining neighbour.
12. There is no footpath shown to the properties to the east. The access to those properties will be made dangerous by the additional vehicles that will be using the access to the flats.
13. The lack of traffic management involved with the development will reduce highway safety in the immediate area.

The basis of the concerns raised are as follows:-

1. A sign has already been erected announcing that the flats are for sale with a local estate agent and building work would begin in October 2015. Why bother consulting the public when the matter is a "foregone conclusion."
2. During construction will lorries attending the site be subject to management, also how will the impact on the residents of Sunningdale be minimised?
3. Will there be a traffic controlled junction/stop-go system in operation at the junction with Nantgarw Road?
4. Where will the site compound be?
5. Where will sub-contractors' park?
6. What will the hours of operation be?
7. Where will overspill car-parking be situated?
8. Are any traffic calming measures proposed?
9. Have all Sunningdale residents been consulted?
10. Will double yellow lines be used to prohibit parking near to the junction with Nantgarw Road?
11. The area around the junction will be very busy, as such additional signage relating to vehicle speeds should be erected.
12. Are additional road crossing proposals being considered on Nantgarw Road to assist pedestrians crossing this heavily trafficked road?

One letter of support was received, albeit within this letter reference was made to a privacy issue between certain flats that needed to be remedied.

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SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? It is considered that the determination of this application will have no material impact on the issues of crime and disorder within this area.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The outline application was accompanied by a bat survey which sought to address any potential issues regarding that protected species. Consent was subsequently granted for the principle of the redevelopment of the site.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No. The matter was determined prior to the Levy coming into effect. The matter was however the subject of a Section 106 Agreement for a contribution to strategic highway improvements totalling £70,447. Also there was a Deed of Covenant release payable to the Council of a further £10,000 prior to work commencing.

ANALYSIS

Policies: Policy CW2 states that development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:-

- A. There is no unacceptable impact on the amenity of adjacent properties or land;
- B. The proposal would not result in overdevelopment of the site and / or its surroundings;
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

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In consideration of the first of the criteria the outline approval previously granted specified a development of fourteen, two bedroom apartments. That approval contained a condition which restricted the height of the building to no greater than three storeys. The stated reason for this condition was to limit the development in the interests of residential and visual amenity. This reason related to both the impact of the building on its surroundings and also the impact of Nantgarw Road on the amenity of the residents of the apartments.

The current scheme contains the approved numbers and limits the height to the required three storeys.

In assessing the privacy implications of the development on its neighbours on either side, the habitable rooms of the apartments, some of which are located on the flank elevations on the first and second floors, were considered to present potentially unacceptable infringements, particularly on the property located to the east. As such amended plans were submitted which indicated that the windows concerned were to be fixed in design with obscured glazing. This is considered appropriate in addressing the potential privacy infringement that could arise.

With regard to the development at the rear (i.e. a block of flats on the Castlegate site) there is no privacy infringement, as the distance between habitable rooms is a minimum of 26 metres.

It is considered therefore that the development complies with Criterion A.

The issue of over-development was a matter that was dealt with at the outline stage as the issue of siting was approved then, as was the control over the height of the building (i.e. a condition restricted it to no more than three storeys in height). The issue of scale and layout is therefore addressed, as is the appearance of the building which is based on the illustrative drawing submitted with the outline application. The roof design to be employed shows a hipped solution on either end of the apartments which slopes away from the boundaries and ensures that the adjoining properties are not bordered by gabled roofs which have a more over-bearing effect on adjoining property.

The requirements of Criterion B are therefore met.

Criterion C refers to the compatibility of the development with its surroundings. In this respect the site is currently occupied by a single dwelling, albeit a relatively large bungalow located on a generous plot. The housing development to the west and east of the site mainly comprises detached dwellings.

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The Castlegate housing site to the north however, includes a number of apartment blocks which form the backdrop to this site when viewed from Nantgarw Road. Three-storey apartment blocks have been found to be an acceptable form of housing in the area to accommodate the needs of the population in the Caerphilly.

The area will therefore remain homogeneously residential in nature and the plans submitted show a development which should not materially constrain the surrounding dwellings for their identified land uses. It is true to say however that at the time of the granting of the outline permission the principle of the impact of a large infill development was considered carefully.

With regard to the existing adjoining properties located to the east and west of the building, these are approximately 14 and 12 metres away respectively, and are gable-end on to the proposed building and located at a similar depth into the plot as those on either side. Consequently its direct impact on them is limited. With regard to relative height differences with these adjoining properties, it is acknowledged that the proposed building will be higher than those on either side. This difference will however be less on the western side due to the increase in ground level on that side. At that time the Planning Committee were satisfied that the reduced scheme that had been negotiated (i.e. from 20 apartments down to 14) reinforced by the condition restricting the building to three storeys, could be accommodated on site at a level which does not adversely impact on the visual and residential amenities of those adjoining properties.

This criterion is also complied with.

The final requirement of this policy refers to the impact of residential development on the viability of neighbouring land uses. In this regard all the surrounding uses are residential, and whilst there will be an impact, due to the larger building on the site, it is not one which it is considered will affect their viability.

For the above reasons it is accepted that Policy CW2 is complied with.

With regard to CW3, relating to highway design considerations, the details submitted by the applicant are considered to be acceptable to the Highways Division. All the work undertaken on the public highway will need to be subject to a highways agreement under Section 38 of the Highways Act. Whilst the up-graded access into the apartments will be undertaken to adoptable standards. The car-parking provision on site is also accepted as adequate to serve the development.

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The requirements of this policy are therefore considered to be met.

The National guidance seeks to ensure that a mixture of types of properties are provided to serve the needs of the housing market. This apartment block is part of that process. A number of older residents have contacted the Planning Department in respect to the proposal. The presence of the lift, within the lobby, makes the building accessible to older people.

There are no issues within the TAN advice or Planning Policy Wales which would result in an objection to this detailed application.

In the circumstances it is considered that there are no policy objections to this proposal.

Comments from Consultees: None of the Standard Consultees have raised an objection sufficient to support a refusal of permission. A number do voice issues which need to be controlled by the imposition of conditions attached to any grant of planning permission.

Comments from public: The responses to the objections raised by members of the general public are as follows:-

- 1 & 2. The access into the site from Nantgarw Road is considered to be acceptable in highway safety terms. The Transportation Engineering Manager has raised no objections to the development of this site on safety grounds.
3. The issue of signage on the main road is a matter to be addressed by this Council, as the Highway Authority. This should be done separately to the determination of this application as it is a matter which has to be assessed in its own right. At this moment the Transportation Engineering Manager raises no objection to the application before Committee.
4. Construction vehicles will need to enter and leave the site as required. However in view of the relatively limited nature of the proposal this is unlikely to cause "chaos" at the junction.
5. During the construction phase it is likely that issues of noise, dust, odour may arise. These matters can be ameliorated by the use of conditions designed to control such emissions and also limit the hours of operation of the on-site activities. There have been no large scale construction works in the area for over five years, consequently it is not accepted that this area is continually experiencing such issues.

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- 6 & 7. The matters relating to the massing and over-bearing nature of the new building as well as the potential impact on the privacy of the adjoining properties, have been dealt with in the body of the report.
8. Some existing trees on site could be lost to facilitate the development however it is intended to plant 17 new trees and a number of planting beds to landscape the site area.
9. The level of landscaping proposed is considered to be adequate in respect to the development to be provided.
10. Neither Dwr Cymru/Welsh Water or the Council's Senior Engineer (Land Drainage) have objected to the application, and consider it acceptable subject to conditions being attached to any consent granted.
11. The initial drawings do show land outside the outline application site and owned by another party. Amended plans have now been submitted which address this matter. The applicants have further advised in writing that all land forming part of this application is owned by them.
12. There will be a footpath constructed into the site along most of the frontage of this development. It will not continue to the west to serve the two dwellings there; however, the existing arrangements will be unaffected to those properties.
13. The work on the public highway will be subject to a legal agreement and its conduct will be regulated and inspected. The disruption to existing traffic will be minimised as part of this process. It is however a matter that does not form part of the determination of this proposal but one that will be administered by the Council as highway Authority.

The responses to the issues of concerned raised as part of the consultation process are as follows:-

1. The Authority has no involvement in the erection of the sign referred to nor is it aware of the information contained on it. As such the matter of it being a "foregone conclusion" does not arise.
- 2 – 7. Are all matters that can be addressed by way of a condition relating to the submission of a Method Statement covering site management, including the demolition of the existing bungalow.
8. No traffic calming measures are shown on the submitted information, and indeed non are required by the Transportation Engineering Manager.

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9. Thirty-six properties in total were consulted of these seven were on Sunningdale. This conformed to the statutory consultation process followed by the Planning Department.
10. The matter raised relating to double yellow lines is not a material consideration in respect to the determination of this application.
- 11 & 12. Are matters which the Council, as Highway Authority, may wish to consider separately from the assessment of this application.

In conclusion it is not considered that any issues were raised by the general public which could sustain a reason(s) for refusal in respect to this reserved matters application.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area.
- 02) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area.
- 03) No part of the buildings shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from the building(s) and associated plant and equipment. This must include details of upgraded acoustic glazing for all remaining habitable room windows on the facade of the premises facing the B4600 Nantgarw Road. The glazing must be capable of achieving 30 dB(A) measured as an 8hr LAeq inside bedrooms and 35 dB(A) measured as a 16 hr LAeq in all other habitable rooms.

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The measures included in the approved scheme shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area.

- 04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 05) Notwithstanding the information submitted all the habitable room windows on the side elevations of the first and second floors shall contain fixed non-opening windows fitted with obscure glazing.
REASON: In the interests of residential amenity.
- 06) Details of land drainage shall be submitted to and agreed in writing with the Local Planning Authority before the works commence and shall be carried out in accordance with the agreed details before the development is brought into use.
REASON: In the interests of highway safety.
- 07) Prior to operations commencing on site a Management Method Statement shall be submitted relating to such matters as the conduct of the demolition operation, hours of operation, location of site compound, management of deliveries, on-site parking etc. This Statement shall be agreed in writing with the Local Planning Authority and shall thereafter be implemented concurrently with the development.
REASON: In the interests of residential amenity.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Head of Public Services and Natural Resources Wales that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3.
