

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0705/FULL 23.11.2015	Mrs C Evans Birchwood Caerphilly Road Llanbradach Caerphilly CF83 3HZ	Erect three bungalows on land adjoining the existing garden Land Adjoining Birchwood Caerphilly Road Llanbradach Caerphilly CF83 3HZ

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated on the western side of Caerphilly Road, Llanbradach.

Site description: The application site is an overgrown parcel of land between the highway and the main Rhymney Valley railway line. It is a relatively flat parcel of land that is elevated above the highway and fronted by a mature hedgerow. There is an existing five bar gate into the site which has the remains of a concrete hard surface in the middle. There is also a mature hedgerow between the site and the railway line with a wooded area to the south. To the north of the application site are a small number of bungalows with The Rise housing site on the eastern side of Caerphilly Road.

Development: The application seeks full planning consent for residential development. The scheme proposes the construction of three detached bungalows accessed via a private drive off Caerphilly Road. The dwellings are to be sited parallel to the highway with the access road entering the site between plots 2 and 3. Each plot will have two parking spaces and a garden. The bungalows will have two bedrooms, a living room, dining room, kitchen and bathroom.

The access also includes for a turning facility and a footway. The mature hedgerow to the front of the site is to be retained as part of the development and the hedgerow to the rear of the site is unaffected by the development. The plots are to be bounded by timber fencing.

Dimensions: The site has overall dimensions of 128m by 19m. The bungalows each measure 14.9m by 7.5m by 5m high.

Materials: Render with concrete tiled roofs.

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Ancillary development, e.g. parking: As described above.

PLANNING HISTORY 2005 TO PRESENT

No planning history from 2005 to present.

POLICY

Local Development Plan: Outside settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

CONSULTATION

Countryside And Landscape Services - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Senior Arboricultural Officer (Trees) - No objection subject to conditions.

Principal Valuer - No objection.

The Coal Authority - No objection.

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Natural Resources Wales - Provide advice to be conveyed to the developer.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: None.

Summary of observations: None.

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?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? Yes. Based on a floor area per dwelling of 99.4 square metres and a CIL rate of £40 a total CIL amount of £11928 is payable.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is the fact that the site is located outside of the defined settlement limits in the Local Development Plan and therefore falls to be considered against policies SP5 and SP6 of that document.

Policy SP5 of the plan states: -

The Plan defines settlement boundaries in order to:

- A Define the area within which development would normally be allowed, taking into account material planning considerations;

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- B Promote the full and effective use of urban land and thus concentrate development within settlements;
- C Prevent the coalescence of settlements, ribbon development and fragmented development;
- D Prevent inappropriate development in the countryside.

With regard to this application it should be noted that whilst the site is outside of the defined limits it is immediately adjacent to an existing group of similar dwellings that are also outside the defined limits and directly opposite the housing site known as The Rise. There is also a bus stop immediately to the front of the site with the main Rhymney Valley railway line to the rear. The site also exhibits some evidence of previous development with regard to the concrete hard surface which is still visible. The heavily wooded area to the south of the site should also be noted in that this provides a natural barrier between the application site and the wider community of Llanbradach further to the south. In that regard it is considered that whilst the proposal does not strictly comply with criteria A and B of the policy it does comply with criteria C and D in that it would not lead to the coalescence of settlements, ribbon development or fragmented development, and it would not be considered to be inappropriate development in the countryside in this instance.

Policy SP6 states: -

Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through:

- A An appropriate mix of uses that reflect the role and function of settlements;
- B A high standard of design that reinforces attractive qualities of local distinctiveness;
- C Design in accordance with best practice in terms of designing out crime;
- D A location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all;
- E The incorporation of resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation, and where appropriate the use of sustainable drainage systems;
- F The efficient use of land, including higher densities where development is close to key transport nodes;
- G The incorporation and enhancement of existing natural heritage features;
- H The incorporation of mitigation measures that improve and maintain air quality.

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With particular relevance to this application criterion D requires a sustainable location and criterion F requires development to be close to transport nodes. As stated above the site is located in close proximity to a bus stop that has a regular service throughout the day. In that regard it is considered that the application site is in a sustainable location.

With regard to the detail of the development it is considered that safe access can be achieved from the public highway, with adequate levels of off street parking and amenity space and the design of the dwellings is considered to be acceptable. The hedgerow to the site frontage is to be kept and it is considered that this would be in keeping with the semi rural character of the area. Whilst the site is situated between two noise generators in the road and the railway line it is considered that noise levels are acceptable subject to the mitigation proposed.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: In conclusion it is considered that the proposal represent acceptable rounding off development and therefore it is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Design and Access Statement, Coal Mining Risk Assessment, Proposed Site Plan, Phase 1 Habitat Assessment, Noise Assessment, Proposed Site Plan, Proposed Floor Plan and Elevations. (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 03) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 05) 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.
- 06) 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.
- 07) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

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- 08) Prior to the commencement of works associated with the development hereby approved, a 5-year hedgerow management plan, which shall include details of the timing of its implementation, shall be submitted to the Local Planning Authority for approval.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 09) The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
- 10) The driveway to serve the proposed development shall be not less than 3.65 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.
REASON: In the interests of highway safety.
- 11) 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.
- 12) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 13) The measures recommended in Noise Assessment for Planning Purposes - as per TAN11, shall be implemented before the development hereby approved is first occupied.
REASON: In the interests of the amenity of the occupiers of the development.

Advisory Note(s)

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 and CW4.

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Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

