

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0656/FULL 27.07.2016	United Welsh Housing Association C/o Asbri Planning Mr D Green Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect a residential development of 10 no. dwellings and associated works Land To The East Of Eastview Terrace Bargoed

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of East View Terrace.

Site description: The application site comprises a single rectangular field parcel measuring 0.15 hectares. The site has until recently been heavily grazed by horses, however is now vacant and consists of semi improved grassland.

The only built structures within the site are 2 no. corrugated iron sheds located towards the site's north-eastern boundary, adjacent to the access point. These are in relatively poor condition and appear to be associated with the property at 7a Eastview Terrace. The sheds are single storey and used for storage purposes.

In topographical terms, the site slopes relatively evenly from Eastview Terrace, down towards the north-eastern corner and a low point towards its south-eastern boundary. The site itself is below the road level to the front of the site.

Apart from the northern boundary which comprises the southern elevation of the neighbouring property at 7a, Eastview Terrace, the site is fully enclosed from its surroundings by mature hedgerows and boundary trees.

Both vehicular and pedestrian access to the site is currently obtained from the north-east via a small break in the field boundary, adjacent to the 2 no. corrugated iron sheds. The field access comprises a corrugated iron gate and is heavily overgrown along its eastern side and is bound by the above construction along its western side.

Access down towards this entrance point is achieved via a narrow access lane which is diverted eastwards from Eastview Terrace, immediately to the north of the property at 1a Eastview Terrace. The access lane is then directed southward and runs adjacent to the rear curtilage areas of the properties at 1a to 7a Eastview Terrace.

The site is in a mainly residential area with dwellings to the north and west of the site. There is a railway line at a lower level to the east of the site with a lane and playing field to the south.

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Application 16/0656/FULL Continued

Development: The applicant seeks full planning consent for the construction of 10 no. residential dwellings and associated works on land to the east of Eastview Terrace. The proposed residential accommodation comprises a mix of walk-up flats and houses, as follows:-

4 no. 2-bed split level houses;

6 no. 1-bed walk-up flats.

The applicant states that all of the proposed units will be secured as affordable in perpetuity.

The properties are proposed to front onto East View Terrace with the curtilage area to the rear. The 6 no. walk up flats are located towards the northern end of the site with the 4 no. houses located towards the southern end. The flats will present two storey elevations to East View terrace and three storey to the rear with the houses being single storey to the front and two storey to the rear. On-site parking areas interspersed with some hard and soft landscaping including the planting of new trees and hedgerows along the front elevations of the properties is also proposed.

The 4 no. houses will have rear curtilage areas bounded by close boarded fences with the flats having a communal amenity area to the rear. Access to the communal area will be provided along the northern boundary of the flats via a set of external steps. Bin stores and cycle sheds will also be provided to the front of the units.

Dimensions: The site has overall dimensions of 65m by 30m. Each of the flats measures 7m wide by 7m deep by 7.8m high from road level with each of the houses measuring 5.5m wide by 8.5m deep by 5.4m high from road level.

Materials: Walls - Through coloured render (colour to be confirmed) and facing brick colour to be agreed.

Roof - Blue/black imitation slates.

Windows - White pvc-u.

Window surrounds and cills - Reconstituted stone.

Fascias/soffits - Pvc -u. Colour: white.

Rainwater goods (gutters + downpipes) - Pvc-u. Colour : white.

Entrance canopies - Glass reinforced plastic.

Porch - Coated aluminium. Colour: White.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

None.

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Application 16/0656/FULL Continued

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target) CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodlands and Hedgerow Protection), CW11 (Affordable Housing Planning Obligation) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 Car Parking Standards sets out parking requirements for all developments.

Supplementary Planning Guidance LDP6 Building Better Places to Live sets out design guidance for all developments.

National Policy: Planning Policy Wales

Paragraph 1.2.2 - The planning system must provide for an adequate and continuous supply of land, available and suitable for development to meet society's needs. It must do this in a way that pays regard to:

overall sustainability principles, outcomes and objectives, paying particular attention to climate change as the Assembly Government's key sustainability concern; the Wales Spatial Plan; and

detailed policies on the different topic areas set out in this [PPW] document.

Paragraph 4.7.4 - Local authorities should adopt policies to locate major generators of travel demand such as housing, employment, retailing, leisure and recreation, and community facilities, including libraries, schools and hospitals within existing urban areas or in other locations which are, or can be, well served by public transport, or can be reached by walking or cycling.

Paragraph 4.11.9 - 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.

Paragraph 9.2.3 - Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types.

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Application 16/0656/FULL Continued

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

CONSULTATION

Principal Valuer - No objection.

Senior Arboricultural Officer (Trees) - No objection subject to the submission of a scheme for tree protection measures.

Head Of Public Protection - No objection subject to a condition requiring the submission of a noise attenuation scheme.

CCBC Housing Enabling Officer - No objection subject to the provision of 10% of the units as affordable. This equates to 1 no 2 bedroom flat.

Senior Engineer (Land Drainage) - No objection subject to the submission of a land drainage scheme.

Outdoor Leisure Development Officer - No objection.

Head Of Public Services - No objection.

Transportation Engineering Manager - No objections.

Dwr Cymru - Provides advice to be conveyed to the developer.

Police Architectural Liaison Officer - No objection.

Wales & West Utilities - Provide advice to be conveyed to the developer.

ADVERTISEMENT

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

Response: 11 Letters of objection were received including one from the AM for the area.

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Application 16/0656/FULL Continued

Summary of observations:

1. There are already parking problems in the area with cars and vans parked in front of the application site.
2. There are several businesses on or near the street that already contribute to the parking problems in the area.
3. As the site is located close to a bend in the road this will cause problems with refuse collections as the lorry will block off the road.
4. Emergency vehicles will not be able to enter the street with vehicles parked close to the corner.
5. The applicant states that the Town Centre is within walking distance but this is disputed, especially for elderly or infirm people.
6. A disabled access to the train halt has recently been created to the rear of the site, this should not be affected by the development.
7. Why can't the field be used as a play area for the children of the area?
8. The planned development is not in keeping with the street or area.
9. The removal of the barriers that are currently in place in front of plots 1 and 2 would be dangerous as these barriers have been hit on several occasions by vehicles in wet or icy conditions.
10. There is already too much social housing in Bargoed.
11. How will access be obtained to the site as it is at a lower level than the road?
12. The drives on the new dwellings will be dangerous to use as the visibility will be reduced by vehicles parked outside numbers 1A to 7A East View Terrace.
13. There are insufficient facilities (ie doctors, dentists etc) in the area to provide for these new dwellings.
14. The applicant states that there is no watercourse within 20m of the site but this is disputed as the field is often waterlogged during the winter.
15. Reduction in property value.
16. Effect on wildlife.
17. Potentially increase crime and anti-social behaviour in the area.
18. Cause dust and noise issues during construction.
19. Loss of view
20. Loss of natural daylight.

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? An ecological survey has been submitted in support of this application and this has been assessed by the Council's Ecologist. The findings of the survey are considered to be acceptable and no objection is raised subject to the imposition of suitable conditions.

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Application 16/0656/FULL Continued

Is this development Community Infrastructure Levy liable? No. The development has a total floor area of 653.36 square metres. However, the site is in an area where CIL is not payable.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the objections raised by local residents which will be considered in turn below:-

1. It is acknowledged that there are a number of businesses in close proximity to the application site that lead to on street parking in the area. Therefore and in response to concerns that the proposed development would exacerbate existing parking problems the developer was requested to submit a parking survey for consideration. That survey has now been carried out and has been submitted for consideration. It shows that there are a total of 74 parking spaces available in East View Terrace between its junction with Gilfach Street and its northern end outside number 46 East View Terrace. Parking surveys were carried out between 07.00 to 09.30 and 19.00 to 22.00 on a weekday and between 07.00 to 09.30 and 16.30 to 19.00 on a Saturday. The peak period for parking during the surveyed times was at 19.30 on a weekday where 24no. or 32% of parking spaces were available, and on a Saturday at 07.00 where 21no. or 28 % of parking spaces were available. Even at weekday morning peak times between 07.30 and 09.30 the availability of parking spaces was over 50% for the majority of that time. In that regard and bearing in mind that each of the proposed dwellings will provide 1 off street parking space it is not considered that the existing parking issues in the area are unacceptable in highway safety terms or that the proposed development would exacerbate the perceived problem to an unacceptable level.
2. The parking from surrounding businesses is addressed above. If those vehicles are causing an obstruction to the highway then that would be a Police matter.
3. Given that there are double yellow lines on both sides of the road at the bend it is not considered that refuse vehicles or other large vehicles would have difficulty in manoeuvring around the corner. Refuse vehicles collecting from the highway and causing short term delays is not an unusual occurrence and would not in itself justify refusal of this application. It should also be noted that refuse collection to the properties on the western side of East View Terrace are made from the rear lane and not to the front.
4. Emergency access to the street is addressed above.

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Application 16/0656/FULL Continued

5. The applicant has stated in a sustainability appraisal that the site is in walking distance of the town centre and this is not disputed by the Local Planning Authority. The distance from the town centre is also given different weight in determining the reduction in parking provision that is required. In this instance as the site is not within easy walking distance of the town centre it would not have garnered as many points as a site situated closer to the town centre. Nevertheless sufficient points have been obtained to secure a reduction in parking provision by virtue of the relatively sustainable location of the site.
6. Access to the train station will not be affected by the completed development.
7. The Local Planning Authority has to consider the application before it and cannot refuse an application on the basis that a site should be used for a different use unless the site is allocated for such use in the Local Development Plan.
8. Whether or not the development is in keeping with the area is a subjective opinion. Whilst it is accepted that there are no bungalows or flats in East View Terrace this is not in itself a justification for refusing the application. Indeed it is considered that the design of the development is acceptable in planning terms.
9. It is not considered that the removal of the barriers to the front of the site would pose dangers to highway safety. Responsibility for driving safely on the highway rests with the driver of any vehicle, and the arrangements at this street are similar to many other streets.
10. The level of affordable housing in Bargoed is not strictly a matter for the Local Planning Authority in this instance as it is for market forces to decide whether or not there is a need for development. However, the Housing Register and the Local Housing Market Assessment both evidence a requirement to provide and deliver affordable housing in the Bargoed area.
11. Access to the site has been considered extensively both by the developer and by the Local Planning Authority. The option of accessing the site from Angel Lane and providing parking to the rear of the plots has been considered and the developer has confirmed that this is not practical for financial and construction reasons. However a Construction Method Statement has been submitted showing that construction access to the site would be via Angel Lane.
12. It is not considered that the use of the drives on the new development would be dangerous from a highway safety perspective, and similar arrangements exist elsewhere.
13. It is for the market to decide whether or not new doctors or dentists are required in a particular area. Bodies such as the Local Health Board are asked to contribute to the development plan process and where a need for new facilities is identified, land is allocated. No such need was identified under the recent review into the Local Development Plan.
14. Records held by this Council also confirm that there are no watercourses within 200m of the application site. Whilst the application site may be susceptible to surface water flooding, this will be resolved as part of the development process through the submission and approval of any drainage scheme by the relevant statutory body.

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Application 16/0656/FULL Continued

15. Loss of property value is not a material planning consideration.
16. The development has been considered by the Council's Ecologist and no objection is raised subject to the imposition of conditions.
17. There is no evidence to suggest that the development would lead to an increase in crime and anti-social behaviour in the area. In any event this would be a matter for the Police to comment on and no objection has been raised.
18. It is inevitable that any construction scheme would lead to noise and dust issues. However, conditions would be attached to any consent granted requiring the submission of mitigation schemes.
19. Loss of view is not a material planning consideration.
20. Given the distances between the properties and the orientation of the site it is not considered that there would be any unacceptable loss of light to any adjacent dwelling.

Comments from consultees: No objections raised. With regard to Land drainage it should be noted that this site is in an area served by mains drainage. As such any connection to the adopted drainage system would be a matter between the developer and Dwr Cymru/Welsh Water.

Comments from public: Addressed above.

Other material considerations: Policy CW11 of the Local Development Plan states that on a site that can accommodate 5 or more houses, the Council will seek to negotiate an element of affordable housing. However, as the application site is located in the Head of the Valleys Regeneration Area where the requirement is 0%, and as the application is for a 100% affordable scheme, it is not considered necessary to secure the provision of affordable housing by way of a legal agreement.

In conclusion it is considered that the application is acceptable in planning terms subject to the imposition of suitably worded conditions.

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.

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Application 16/0656/FULL Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents: (90)001, (SK)001, (SK)002L, (SK)003, (SK)004, (SK)005, (SK)006, (SK)007, (SK)008, (SK)008B, (SK)010B, S.7400-02, Planning, Design and Access Statement, Method Statement for Protection of Reptiles and Nesting Birds and Technical Note by Asbri Transport.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority for a glazing system which is to be fitted to all windows of habitable rooms facing the railway line. The glazing system shall be capable of achieving an internal LAeq level of 30 dB(A) measured over an 8 hour period (2300 - 0700) in bedrooms and 35 dB(A) in all other habitable rooms measured over 16hour LAeq (0700 - 2300). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.
REASON: To protect the residential amenity from noise from the railway line.
- 04) No development shall commence on site until such time as a scheme has been submitted for the approval of the Local Planning Authority which shall include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) or general landscape factors) must be shown.
 - b) the details of each tree as required at para. 4.2.6 of BS5837 in a separate schedule.
 - c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruning and other remedial or preventative work.
 - d) the details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring ground.
 - e) the details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development.
 - f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

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Application 16/0656/FULL Continued

- g) No tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998. In this condition a "retained tree" means an existing tree that is to be retained in accordance with the plan referred to at paragraph (a) above. The development shall be carried out in accordance with the approved scheme. REASON: To safeguard the vegetation that is considered to be worthy of retention in the interests of visual amenity of the area.
- 05) 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.
- 06) The development hereby approved shall be carried out fully in accordance with the Bat and breeding Bird Method Statement prepared by Dusk to Dawn Ecology Ltd dated July 2016. The development should be undertaken fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. REASON: To ensure adequate protection and mitigation for protected species.
- 07) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme. REASON: To ensure adequate protection to protected species.
- 08) Prior to the commencement of works on site, details of the garden boundary fence to be erected along the inside of the existing hedgerows in order to exclude the hedgerows from within the garden boundaries, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and shall be implemented before the new dwellings hereby approved are first occupied. REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) Tan 5 Nature Conservation and Planning (2009).

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Application 16/0656/FULL Continued

- 09) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new properties at Land to the east of Eastview Terrace, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 10) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, or Swift) in the new properties at Land to the east of Eastview Terrace, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 11) No works in relation to the approved development shall take place outside the hours of 08.00 to 18.00 Monday to Friday, 09.00 to 13.00 on Saturdays and no work at all on Sundays and Bank Holidays.
REASON: In the interests of residential amenity.
- 12) Prior to the commencement of the development hereby approved a scheme for the control of dust arising from construction works shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be implemented at all times to control dust at the site.
REASON: To prevent pollution.
- 13) 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.

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Application 16/0656/FULL Continued

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 SP10.

Please find attached comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Gwent Police and Wales and West Utilities together with the information from the Council's Ecologist.

