

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0473/FULL 09.06.2017	McCarthy And Stone Retirement Lifestyles Ltd Mr Mantell (RMD) First Floor Blackbrook Gate 1 Blackbrook Park Avenue Taunton TA1 2PX	Erect part two, part three, part four storey building comprising 43 retirement apartments with associated communal lounge, guest suite, electric buggy store and other communal facilities including car parking, sub station and landscaped grounds Former Caerphilly Police Station Mountain Road Caerphilly

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Mountain Road and to the south of Bron Rhiw Fach.

Site description: The application site is located on the slopes of Caerphilly Mountain towards the southern edge of Caerphilly town centre. The site is 200 yards from the Caerphilly train station which serves as a bus interchange as well. The site occupies a prominent and elevated position on Mountain Road, a well regarded location, approximately a quarter of a mile to the south of the town centre.

The site occupies an area of 3,981m<sup>2</sup> / 0.98 acres and it was once occupied by a Police Station, now demolished. It is accessed from Mountain Road via Bronrhiw Fach. The site is bound to the west by a residential building, now converted into an office complex, and a grassed parcel of land beyond which lies Mountain Road. To the north and the east the site is enclosed by residential properties. To the south the site is bound by the vacant site of the former Magistrate's Court.

The Police Station buildings were recently demolished and the site is now cleared ready for development. The site appears secluded from the main street frontages onto Mountain Road (50m to the east). It is cut into the slopes of Caerphilly Mountain and is levelled, however it is bound to the north and the east by a 4 meter drop separating the

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site from the neighbouring residential buildings below and to the south by retaining walls holding the upper slopes.

The application site sits within a primarily residential area with Mountain Road acting as the main distributor from which all residential settlements are accessed. The immediate area is lined mainly with a variety of semi-detached two storey houses and bungalows. The wider area, as described below, mainly by terraced properties.

A quarter of a mile south of the site the residential area ends and opens up to the fields and woodlands of Caerphilly Mountain. 200 yards to the north the train lines and the parallel King Edward Avenue separate the site's immediate area from the town centre. From here Mountain Road changes its name into Cardiff Road and assumes a more commercial character with shops lining both side of the street all the way to the town centre frontage onto the castle.

The slope of Mountain Road is traversed via the slope from south to north with the main site section having been levelled as part of the previous site use. Due to the level changes, the main site section has a retaining wall to the south, and a steep offsite slope to the north down to the residential properties of Bronrhiw Fach.

Development: This application is seeking full planning permission for an age restricted retirement living scheme and associated facilities. The proposed development includes:

- Age restricted retirement living scheme (gross external area of 1048m<sup>2</sup>);
- 43 apartments (26 one bed, 17 double bed);
- 31 total car parking spaces;
- Refuse store and buggy store;
- Entrance Lobby and resident lounge;
- Landscaped gardens and other associated facilities.

The proposed building is a largely a large rectangular building with a mixture of two, three and four storey roof heights to reduce its massing. It has been set back into the site from Mountain Road and back from the slope at the northern end of the site in order to reduce its massing in the wider context. The four storey element of the building would also be towards its centre with the height then reducing down to the outer elements closer to the boundary of the site.

The building will be serviced by a car park, which is accessed via Bronrhiw Fach. One access point is proposed, allowing the entry and exit from the car park. It has been carefully considered to ensure that the correct visibility splays are achieved for vehicles arriving and leaving the site. It is 6 m wide, to easily allow the flow of the cars minimising disruption to the present and future traffic flow along Bronrhiw Fach.

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The building's main entrance is located on the ground floor fronting the main access from Bronrhiw Fach. The refuse store and motility scooter/bicycle store are both located adjacent to the main car parking area. Residents will enter the building direct via the main entrance. Secondary access points are available, coming off the two staircases and the corridors. The scheme proposes communal gardens to the frontage and rear.

Dimensions: The building has overall measurements of 62m by 22m by 14.2m high.

Materials: A mixture of face brickwork, render and timber cladding with a tiled roof.

Ancillary development, e.g. parking: Parking is provided for 31 vehicles together with the aforementioned electrical buggy store.

### PLANNING HISTORY 2005 TO PRESENT

SPA/17/0012 - Erect 43 unit retirement apartment scheme in part 2, part 3 and part 4 storey building with associated communal facilities and car parking - Planning permission required.

### POLICY

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints) and CW18 (Locational Constraints: Housing for People in Need of Care).

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

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

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National Policy: Paragraph 4.11.9 of Planning Policy Wales 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."

Paragraph 9.1.1 states that The Welsh Government's approach, set out in the National Housing Strategy, is to:-

- Provide more housing of the right Type and offer more choice.
- Improve housing related services and support, particularly for vulnerable people and people from minority groups.

Paragraph 9.1.4 stipulates Local Planning Authorities should ensure that development plan policies are based on an up-to-date assessment of the full range of housing requirements across the plan area over the plan period." This includes both private and public sector needs to produce Local Housing Market Assessments (LHMA). Para 2.2 also seeks to ensure that the level of housing provision to be proposed over a plan period must be considered in the context of viability and deliverability.

Paragraph 9.2.3 states that when Local Authorities determine an appropriate 5-year supply of land for housing "There must be sufficient sites suitable for the full range of housing types.

Chapter 4 explains that: The goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations. For decision making it means 'approving development proposals that accord with the development plan without delay.'

The PPW goes on to emphasise that Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development and sets out a criteria by which such proposals should be considered.

The PPW requires the planning system to deliver sustainable development; in Para 4.2.1 it is stated that "The planning system is necessary and central to achieving sustainable development in Wales." In Para 4.4.3 it is stated that: "Planning policies, decisions and proposals should:

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of

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suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites.

- Contribute to the protection and, where possible, the improvement of people's health and wellbeing.
- Locate developments so as to minimise the demand for travel, especially by private car.
- Ensure that all local communities - both urban and rural - have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.

National Planning Guidance contained in Technical Advice Notes 1 - Joint Housing Land Availability Studies, 2 - Planning and Affordable Housing and 12 - Design.

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes but a Site Investigation submitted with the application has adequately proven that the site would not be affected by previous mine workings.

### CONSULTATION

Head Of Public Protection - No objection subject to conditions.

CADW - No objection.

The Coal Authority - No objection.

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

Head Of Public Services - No objection subject to the provision of suitable refuse bin storage areas and adequate access for refuse vehicles.

Transportation Engineering Manager - No objection subject to conditions.

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

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Police Architectural Liaison Officer - No objection.

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

Countryside And Landscape Services - No objection subject to conditions.

### ADVERTISEMENT

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

Response: One letter of objection and three letters of support were received.

Summary of observations: 1. The objector argues that the proposed building is too large and that staggering the heights only accentuates this.

### 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? The application was supported by a Preliminary Ecological Appraisal, but raised no significant concerns at this stage.

Is this development Community Infrastructure Levy liable? Yes. Based on a total floor area of 3113.24 square metres a CIL amount of £124,526.60 is payable.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This is an unallocated brownfield site in the Caerphilly LDP, located within the settlement boundary (Policies SP5 and SP3). The proposal meets the criteria and the principle of development is therefore considered acceptable in this urban location.

Retirement Housing, because of its nature and concept, is invariably located within reasonable walking distance of shops and other essential services and close to public transport facilities. This site is well situated for retirement housing in this respect, being

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situated close to the main centre of Caerphilly with its wide range of shops, services and facilities and is therefore in compliance with policy CW18.

The site is not located within a conservation area and there are no locational planning constraints on the site, in accordance with policy SP3 and CW18. The existing site is partly screened by mature trees and its location set back from the main street. Detailed consideration has been given to the impact of the building upon the amenities of neighbouring occupiers with set backs from boundaries and reduction in the built form. Eg 2 storey development closest to 16—22 Bronrhiw Avenue. With regards to development facing Bronrhiw Fach, the current embankment and screening would need to be maintained in order to prevent overlooking, however given the elevations of the Police Station and distance (28—30m) any additional impact would be negligible. Minimal overlooking would also occur to any neighbouring properties. The adjacent building fronting Mountain Road has only secondary windows looking towards the application site and the net effect of the new building is likewise negligible. Accordingly, the proposed development would have no adverse impact on visual amenity into and out of the site, yet maintaining the character of the surrounding built environment. The proposed amenity space serving the retirement apartments, with high quality landscaped gardens is positioned centrally within the plot to tie in with the southerly views and moreover, the important healthy existing trees along the perimeter of the site are to be retained to maintain a level of security and privacy for future occupants. Car parking is provided at the front of the plot to limit the amount of hard standing on the site. Much of the site would not be visible from the public realm and so the impact on the character of the area would be negligible. Adequate distances have been maintained from the proposed building to neighbouring properties in to safeguard existing and future residential amenity.

Regard has been paid to LDP Policies CW10 and CW2, which requires proposals to accord to the objectives of good design. The proposal offers a single block of accommodation that is broken down into different elements, working with the elevated and cut in position on the hillside. The proposal successfully addresses each of the criteria contained within the policy and delivers a high quality design with a mixture of high quality materials.

The proposal offers 43 apartments spread over two to four storeys. The design picks up on the local material palette but in a more contemporary form. The building does not have a traditional street frontage but one where glimpses are achieved between the main frontage buildings along Mountain Road and from neighbouring properties where glimpses of the site are achieved. Extended views and photomontages demonstrate how the building will fit comfortably within its context and wider extended views.

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Specialised housing for the elderly, because of its very nature and concept, is invariably located within reasonable walking distance of shops and other essential services and close to public transport facilities. It can therefore be predicted that the level of car parking proposed, given the age of the intended residents, will adequately supply sufficient parking for the residents, house manager and visitors. In this instance, proposal provides for 31 car parking spaces at surface level in accordance with adopted standards.

This application is accompanied by a Transport Statement in accordance with policies CW3 and SP21. It concludes that the site is ideally located to maximise opportunities to travel by sustainable modes.

The proposed development will access the highway the existing vehicular access onto Bronrhiw Fach . The proposed development will be serviced from the internal car park, which refuse vehicles will be able to gain access and egress in forward gear. Cycle parking is to be provided in tandem with mobility scooter storage as it is unlikely that any one resident will require both a cycle and a mobility scooter. The Transport Statement demonstrates that the proposed development will not have a significant impact on the capacity or safety of the local road network.

However, it should also be noted that whilst the proposed development is near the Town Centre and main bus/rail interchange the location is likely to be difficult for elderly residents to access these facilities due to the steep gradient of Mountain Road.

The topography and layout of the town means that the development is up-hill from the main supermarket, banks, post office, and library etc. Whilst there is the ability to travel to the bus/rail interchange, the gradient and distance from the proposed development is still likely to be difficult for residents and therefore extremely likely to deter residents from walking. This may undermine the aims of the Travel Plan to encourage walking for residents of development. Therefore there needs to be consideration given to improving the proximity of suitable public transport. There is an opportunity to improve the existing bus service to Bronrhiw Fach and this type of development is more suited to a demand responsive service using a 16 seat minibus. The Council currently operates such a service (under the connect2 brand) whereby the bus is booked by residents and offers greater flexibility. Passengers can use their concessionary travel pass as they would on any other bus.

Based on experience elsewhere with similar developments a service three times each week offering a trip to/from a local supermarket or town centre would be appropriate for this development. There are opportunities to offer trips to social venues too. The cost of providing such a service would be approximately £40 per day. It is unlikely that the service would ever cover its costs but the ability to offer a service as soon as the

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development is occupied strengthens the long term viability. It is considered that this should be secured by a Section 106 Agreement contribution at a total cost of £31,200 for a 5 year service. As the site is located adjacent to a similar scheme at the adjacent Former Magistrates Courts site it would be reasonable to require a 50% contribution towards this.

It is also worth noting that the highway infrastructure within the area does not offer a step free route from the town centre to the development and as such suitable highway improvements in the form of pedestrian crossing points, with tactile paving, to the Bronrhiw Fach and King Edward Ave road junctions will be required. These works can be dealt with by condition should permission be granted.

In accordance with policy SP6 those trees on site that are of good health and significant amenity value are to be retained as they serve an important visual amenity function and add to the visual amenity of the area. A sympathetic landscaping scheme has been devised that incorporates and supplements the existing vegetation wherever appropriate, including a number of new trees that will be planted to replace any trees removed to accommodate the development in accordance with policy CW10, CW2 and SP6.

The application is supported by an Extended Phase I Habitat Survey and this has concluded that the ecological impacts of the proposal can be adequately mitigated by the imposition of suitable conditions. Therefore the proposal complies with Policy CW4 of the LDP.

Policies SP5 and SP3 support housing development within urban areas where the site has been previously developed.

The Council's Affordable Housing policy is CW11, which seeks to negotiate the inclusion of an appropriate element of affordable housing on housing developments of 10 or more dwellings. This Policy is supported by Supplementary Planning Guidance LDP1 Affordable Housing Obligations. The SPG states that:-

In accordance with Policy CW11, the Council will normally seek the following proportions of affordable housing on sites that accommodate 5 or more units or that exceed 0.15 Ha in gross site area:

- 40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley);
- 25% in the Northern Connections Corridor (excluding Newbridge); and
- 10% in the Rest of Caerphilly County Borough (including Aber Valley and Newbridge but excluding the Heads of the Valleys Regeneration Area).

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5.3 It is expected that the area-specific targets for affordable housing as set out in Policy CW11 will be provided. However, in exceptional circumstances, for example, where there are significant abnormal costs required to bring sites forward for development, the provision of affordable housing at the levels identified may result in the development of a site becoming unviable.

5.4 Where the viability of providing affordable housing is considered to be an issue, developers will be required to provide the local authority with a Viability Assessment to consider whether the provision of affordable housing is viable.

The SPG also states that the preferred method for delivery would be for on site provision of the units. However, unlike traditional residential housing, retirement housing of this nature would not be feasible for on site affordable housing provision. There is a significant element of communal facilities within the building with a house manager and relevant service charge. The creation of separate affordable units within a communal market retirement housing block cannot be secured effectively. On site provision of affordable housing is not physically possible due to the size of the site and amount of available land to create separate units or a separate block. In that regard it is considered that the best way of providing a contribution towards affordable housing would be through a commuted sum towards the provision of affordable housing in the locality.

Turning to the issue of viability a Viability Assessment was submitted by the applicants and this was independently assessed by The District Valuer in accordance with the SPG. After a number of discussions and re-iterations of this information were considered, the outcome of that assessment was that there was a residual value for the site (the difference between build costs/expenditure and revenues/sales) of £561,186. Further discussion then took place in respect of the acceptable land value for the site whereby an increase of the land value by £75,000 was agreed thereby reducing the residual value to £486,186.

The applicant's valuer has suggested that the sales values used by the District Valuer are significantly higher than those that they expect and as such they claim that the residual value for the land is £49,198. However in the interests of commercial expediency they have offered a S106 contribution of £100,000 which would contribute towards affordable housing and the improved bus service referred to above. It is considered that this is significant shortfall from the contribution that the District Valuer has calculated and would not meet the Council's aims in terms of providing adequate affordable housing for the area. The District Valuer is confident that the sales values they have used are an accurate representation of that which the developer can expect for this site given its proximity to Cardiff and good public transport links. In that regard it

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is considered that the offer from the developer does not comply with Policy CW11 of the LDP and advice contained in SPG LDP2 Planning and Affordable Housing.

Whilst the proposal would contribute towards the Council housing needs shortage, this would not outweigh the significant shortfall in affordable housing referred to above.

Comments from Consultees: No objections raised.

Comments from public: The objection raised in respect of the visual impact of the development is addressed above.

Other material considerations: None.

In conclusion it is considered that in the absence of an adequate level of affordable housing, the proposal would be contrary to Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 Adopted 2010 and guidance contained in Supplementary Planning Guidance LDP2 Planning and Affordable Housing.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

**RECOMMENDATION that Permission be REFUSED**

The reason(s) for the Council's decision is/are

- 01) In the absence of an adequate financial contribution towards the provision of affordable housing off site, the proposal would be contrary to Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and guidance contained in the Local Planning Authority's Adopted Supplementary Planning Guidance LDP2 Planning and Affordable Housing.

