

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0374/FULL 27.04.2018	Mr G Rees C/o Hurley & Davies 206 High Street Blackwood NP12 1AJ	Erect elderly persons living accommodation and associated works Pontllanfraith Youth Centre And Cyber Cafe Sir Ivor Road Pontllanfraith Blackwood NP12 2JH

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Sir Ivor Road, Pontllanfraith.

Site description: The site is currently occupied by a two storey detached stone building located at the southern extent of the site, with associated curtilage.

Development: It is proposed to demolish the existing building and erect a three storey apartment block with associated undercroft car parking provision. The apartment block will comprise 20 affordable apartments exclusively for the over-55's.

Dimensions: The proposed building has maximum dimensions of 32.6 metres in width, 16.2 metres in depth, with a height of 9.5 metres to roof level when viewed from Sir Ivors Road to the front, and 12.0 metres to ridge level from the rear undercroft parking area.

Materials: Brickwork and render walls and upvc windows and doors.

Ancillary development, e.g. parking: Off-street parking for a total of 16 cars is proposed. An area of amenity space is also proposed for future residents at lower ground floor level in the north-east corner of the site.

### PLANNING HISTORY 2005 TO PRESENT

16/0672/OUT - Erect residential development and associated works - Granted 08.02.17.

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Application No. 18/0374/FULL Continued

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary.

Policies: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW11 (Affordable Housing Planning Obligations).

NATIONAL POLICY: Planning Policy Wales, TAN 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. The site is located within an area classed as having a high coal mining legacy risk. Based on this designation, a Coal Mining Risk Assessment was submitted. The Coal Authority were consulted on this report and as a result raise no objection to the proposed development subject to condition.

### CONSULTATION

The Coal Authority - No objection subject to the imposition of a condition requiring an intrusive site investigation be undertaken to establish the ground conditions that should in turn inform the final structural design.

Rights Of Way Officer - No objection.

Strategic & Development Plans - No objection.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to condition.

Head Of Public Services - Provide advice regarding the required number of refuse vessels.

Transportation Engineering Manager - No objection subject to conditions.

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Application No. 18/0374/FULL Continued

Dwr Cymru - Provide advice to the developer.

Police Architectural Liaison Officer - No response.

Wales & West Utilities - Provide advice to the developer.

Ecologist - Based on the initial assessment of the building requests a bat activity survey. The result of this survey and related recommendations will be reported verbally at Planning Committee.

Landscape Architect - Provides advice regarding a tree in the south east corner of the site. This tree is not protected by a Tree Preservation Order.

### ADVERTISEMENT

Extent of advertisement: Eleven neighbouring properties were consulted by way of letter and a site notice was displayed near the application site.

Response: One objection has been received.

Summary of observations: - Impact of existing concrete plant to the east of the site on the amenity of future occupiers in terms of noise.

### 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?  
Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A bat and bird inspection of the building was undertaken by a qualified Ecologist. The survey confirmed evidence that bats are using the existing building. On this basis a bat activity survey has been undertaken to establish which species are using the building at present. The result of this survey as well as required mitigation measures will be reported verbally at planning committee. The development will be required to successfully apply for a development licence from Natural Resources Wales prior to demolishing the existing building onsite.

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Application No. 18/0374/FULL Continued

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, the proposal represents new residential development in the Mid CIL viability zone and is chargeable at a rate of £25 per square metre. However, as the application is for 100% affordable housing the development falls under a CIL exemption.

### ANALYSIS

Policies: The application site is located within the Settlement Boundary, and therefore the principle of residential development is considered acceptable providing material planning considerations do not indicate otherwise. In this instance the principal material planning considerations are the potential impact of the development on the visual amenity of the area, the potential impact on the residential amenity of nearby properties, and the impact on highway safety. Outline planning permission for up to 16 flats was approved at the site in 2016 and therefore the principle of residential development for a relatively large building has already been established at the site.

In terms of the potential impact on the visual amenity of the area, the area surrounding the application site is defined as having a broad range of building types both in terms of their scale and uses. For example, opposite the application site is a car sales garage, adjoining the site is a dental surgery, and to the east is a concrete works. In close proximity to the application site is an existing three storey block of flats with undercroft parking area at basement level. Therefore the principle of a large block of flats with undercroft parking is not considered to be unacceptable given the context of the surrounding area. Furthermore, a streetscene plan has been produced that shows the ridge level of the proposed development less than 0.5 metres above the ridge of the dental surgery that adjoins the application site to the north. This will ensure that whilst the building is large, it will not appear disproportionate in the existing streetscene.

In relation to nearby residential amenity, given the position of the proposed development, there will be very limited impact in residential amenity terms. Furthermore, as appropriate level of off-street car parking to serve the development can be provided, as well as an area of amenity space for future occupiers, the proposal does not represent over-development. A bin storage area will be created within the building at ground floor level. For these reasons, the proposed development is considered to comply with Policy CW2 (Amenity) of the Adopted Caerphilly Local Development Plan.

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Application No. 18/0374/FULL Continued

Policy CW3 of the Local Development Plan relates to Highway considerations and states that development proposals should have regard for the safe, effective and efficient use of the transportation network. Based on the proposed tenure type, i.e. over 55's, the Transportation Engineering Manager raises no objection to the proposed development subject to conditions relating to visibility splays for vehicles exiting the site and parking provision within the site. Therefore it is considered that the proposed development satisfies Policy CW3. It should be noted that the required level of parking for an over 55's unit of accommodation is 1 space per 2-4 dwellings, as well as appropriate levels of visitor parking. The development proposes 16 parking spaces and ensures that the scheme accords with the parking guidelines.

Policy CW11 states that on sites accommodating 5 or more dwellings, or exceeding 0.15 hectares in gross site area, an element of affordable housing will be required. For the Pontllanfraith area, the target for affordable housing is 25%. Therefore of the fifteen proposed dwellings, four would need to be provided as affordable units. However, the application is for 100% affordable housing exclusively for the over-55's. This tenure type will be controlled by way of a Section 106 agreement.

Comments from Consultees: No objection is raised to the proposed development subject to conditions and advice.

Comments from public: In terms of the objection raised by the operator of the cement plant to the east of the application site, it is noted that the proposed development is no closer to the existing neighbouring use than the existing residential properties to the north of the application site beyond the dental surgery. Therefore if the existing commercial use were to create unacceptable noise levels this impact would be experienced by these existing properties and appropriate action would be taken accordingly. Therefore it is not considered that these objections would warrant a refusal of planning permission. A condition requiring the east facing habitable room windows to be fitted with acoustic glazing will be attached to the permission

Other material considerations: The proposal will provide 20 affordable dwellings in the settlement boundary in an area of established need for such accommodation. This development will contribute to the Council's housing land supply thereby reducing pressure of greenfield sites for development.

**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 No. 18/0374/FULL Continued

- 02) 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.
- 03) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the first occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the visual amenity of the area.
- 05) The proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m x 43m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.
- 06) The building shall not be occupied until the area indicated for the parking and turning of vehicles has been laid out in accordance with the submitted plans to the written satisfaction of the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.  
REASON: In the interests of highway safety.
- 07) The proposed parking area shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried on to the public highway.  
REASON: In the interests of highway safety.

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Application No. 18/0374/FULL Continued

- 08) The proposed access ramp serving the parking area shall have a maximum gradient not exceeding 1:8 and shall be completed in materials as agreed in writing with the Local Planning Authority prior to beneficial occupation of the development.  
REASON: In the interests of highway safety.
- 09) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.  
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.
- 10) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the building hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 11) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.
- 12) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.

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Application No. 18/0374/FULL Continued

- 13) 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.
- 14) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.  
REASON: In the interests of health and safety.
- 15) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No. HD2236/PL02A, Revision A, Site and Carpark Layout, received 05.07.2018;  
Drawing No. HD2236/PL01A, Revision B, Plans, sections and elevations, received 05.07.2018;  
Site Location Plan received 25.04.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 16) Prior to any works commencing on site (including any demolition works) a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing with the Local Planning Authority. The TMP shall specify the size of vehicles which shall be used for both exporting materials and for the delivery of construction materials, along with the routes to be used for deliveries and exportation, and the management of all staff parking during the works. The TMP shall be implemented in accordance with the agreed details for the duration of the works.  
REASON: In the interests of highway safety.

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Application No. 18/0374/FULL Continued

- 17) The area of Landscaped amenity space as shown on the submitted site layout plan shall be completed and available to future residents prior to first occupation of the approved development.  
REASON: In the interests of the amenity of future occupiers.
- 18) 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.
- 19) 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.
- 20) No part of the building shall be occupied until all east facing habitable room windows have been fitted with acoustic glazing. The glazing must be capable of achieving 30dB (A) measured as an 8hr LAeq inside bedrooms and 35 dB (A) measured as a 16 hr LAeq in all other habitable rooms. The measures shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be remain in place at all time unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interest of residential amenities.
- 21) The development shall not begin until a scheme for the provision of over-55's affordable housing as part of the development has been submitted to and agreed in writing by the Local Planning Authority. The over-55's affordable housing shall be provided in accordance with the agreed scheme. The scheme shall include:
  - a. The numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than one of the approved housing units.
  - b. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, except where tenants exercise the Right to Acquire under the Housing Act 1996.
  - c. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

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Application No. 18/0374/FULL Continued

d. Where the development is not carried out by a Registered Social Landlord (RSL) the arrangements for the transfer of the constructed affordable housing to a Registered Social Landlord.

e. The timing of the construction of the over-55's affordable housing and its phasing in relation to the occupancy of the market housing (unless no market housing is provided within the development hereby approved).

REASON: To ensure that affordable housing is provided in accordance with adopted Council policy.

Advisory Note(s)

Please find attached the comments of Welsh Water, The Senior Engineer (Land Drainage) Head of Public Services, Rights of Way Officer. Coal Authority, Landscape Architect, Wales and West Utilities 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: Policy CW2, CW3, CW5, CW11.

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