

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0580/NCC 15.06.2018	Mr M Pullen 4 Glyn Terrace Fochriw Bargoed CF81 9JP	Vary condition 01 of planning consent 12/0376/FULL (Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings) to extend the time to implement the development by a further 5 years Land At Grid Ref 314499 200312 Adjacent To 128 - 134 Llancayo Street Bargoed

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application site is located at the north-western end of Llancayo Street, Bargoed.

Site description: The rectangular shaped area of vacant land is situated on the valley side and located at the north-west end of Llancayo Street. The site is bounded along its south-west, upper boundary by a single track lane, serving the rears of terraced dwellings located along Llancayo Street and also providing access to Graig Farm situated to the north west of the site. The site is bounded to the north east, (the lower section of the site) by a shared access lane leading off Llancayo Street and serving detached residential bungalows. An end of terrace property is located to the south east of the site. There is a level difference of some 27 metres between the top and bottom of the site which slopes upwards from Llancayo Street.

The site is covered in bracken and birch scrub with a small area of young birch woodland within the centre of the site and a small area of acid grassland/rock outcrop on the upper slope. The site is also bordered by Nant Bargoed Rhymney Site of Interest for Nature Conservation (SINC) along part of the northern site boundary.

Vehicular access to the site is proposed off Llancayo Street via an existing single track road. The internal site road would lead off the track and would be cut into the slope of the land to gain access to the dwellings that are located towards the upper levels of the site.

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Application No 18/0850/NCC Continued

Development: Planning permission is sought to vary Condition 1 of Planning Permission 12/0376/FULL to allow a further 5 years to commence the approved development. The 2012 full planning permission was for the construction of one 4-bedroom and one 3-bedroom dwelling including outbuildings adjacent to 128- 134 Llancayo Street, Bargoed. The development includes 4 attached stables to the 4-bedroom dwelling and an enclosed courtyard. The three bedroom dwelling also has a courtyard to the front of the site. The development also includes off street parking provision on hardstandings adjacent to each property.

The application is reported to Planning Committee because the applicant is employed by the Council.

Dimensions: The split level, 4 bedroom dwelling has a maximum footprint of 13.2m x 14.2m x 7.9m high ridged roof, with attached stables having a maximum footprint of 10m x 7.2m x 2.5m high with a flat roof. The internal layout of the dwelling comprises 2 bedrooms, a snug, wet room and utility room on the ground floor and a kitchen/diner, living room, 2 bedrooms, one with en-suite and a bathroom on the first floor. The attached stable block comprises 4 stables. The design of the dwelling includes 4 cantilevered balconies on the north and east elevations.

The split level, three bedroom, dormer style, dwelling has a maximum footprint of 8.6m x 8.4m x 7.5m high with a ridged roof. The internal layout of the dwelling comprises 2 bedrooms, one with en-suite and a bathroom on the first floor and an open plan kitchen, diner, living room, bedroom and cloakroom on the ground floor.

Materials: Walls would be finished in a mixture of cedar boarding, slate hanging and random natural stone slips. Roof would be finished in a mixture of standing seam and single ply membrane (hidden roof). Windows and doors would be an aluminium/timber composite. Boundary treatments would be dry stone walling or close board fencing.

Ancillary development, e.g. parking: Six off-street parking spaces.

PLANNING HISTORY 2005 TO PRESENT

P/04/1647 - Erect residential development. Refused 24.06.2005.

12/0376/FULL - Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings. Granted 06.09.2013.

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Application No 18/0580/NCC Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 (Car Parking Standards), LDP6 (Building Better Places to Live), LDP8 (Protection of Open Space).

NATIONAL POLICY Planning Policy Wales (9th Edition), TAN12: 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? No.

CONSULTATION

Rights Of Way Officer - Provides advice to the developer regarding Footpath 52 that passes the application site.

Ecologist - The same ecology condition should be attached to the permission as the 2012 permission.

Landscape Architect - A tree survey should be submitted in support of the application.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to the imposition of a land drainage condition and advice being forwarded to the developer.

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Application No 18/0580/NCC Continued

Minerals Officer - No objections.

CADW - No objection.

Dwr Cymru - Provides advice to the developer.

Gwent Wildlife Trust - No comments.

ADVERTISEMENT

Extent of advertisement: Seven neighbouring properties were consulted and a site notice was displayed near the application site.

Response: None.

Summary of observations: Not applicable.

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? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? New residential development is CIL liable. However, as the application site is located in the Lower Viability CIL zone, the chargeable amount for the development would be £0.

ANALYSIS

Policies: The application seeks to vary Condition 1 of Planning Permission 12/0376/FULL, to extend the period of time to commence the development, i.e. 'Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings at land adjacent to 128 - 134 Llancayo Street, Bargoed', by a further 5 years.

The application site remains within the settlement boundary, and the Adopted Caerphilly Local Development Plan remains as the primary local planning policy document, and therefore the primary planning considerations remain the same.

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The site is constrained in development terms as it is served by a private drive linking it to the adopted highway, i.e. Llancayo Street. As three existing properties are served off this private drive, no more than two dwellings would be allowed on the application site based on current generally accepted standards for private drives. There are no other highway concerns subject to conditions.

Policy CW2 (Amenity) of the Local Plan states that

"Development proposals must have regard to all relevant material planning considerations in order to satisfy the following requirements:

A - there is no unacceptable impact on the amenity of adjacent properties;

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."

There is residential development to the north east and south east of the site with open land to the south west and north west. The proposed two dwellings are compatible with those land uses and therefore complies with C and D above.

The density of the development is very low, would not result in over development of the site, and therefore meets the requirements of B above.

It is considered that the development would not result in an unacceptable impact on the amenity of the residential properties adjoining the application site and that the requirements of A above are met. The impact on amenity is dealt with further in the section below on comments from the public.

Policy SP6 of the local plan 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.”

With regard to Criterion A above, the development of this site for two houses reflects the role and function of this area of Bargoed, which is predominantly residential and within the settlement boundary.

Criterion B of Policy SP6 considers design. In this respect, when considering the local context, the proposed houses are contemporary and do not reflect the traditional design of terraced housing along the northern side of Llancayo Street or the more contemporary style of 20th century, semi-detached houses, along the southern side of Llancayo Street. However, the proposed design of the houses has been determined by the semi-rural character and topography of the site, together with its orientation. In this respect the proposed dwellings are split level, cut into the valley side in order to reduce the visual impact of the development on the steep valley side. The use of natural materials in the external finishes of the dwellings together with the retained and proposed landscaping will ensure that the dwellings do not result in a prominent development on this valley side. The amount of development is low density and the footprint of each house has been kept to a minimum in order to reduce the impact on this parcel of land and surrounding properties. Hard landscaping has been kept to a minimum in order to retain the rural character of this valley side and in order to prevent excessive surface water run-off to the land below.

Criterion C of Policy SP6 considers the issue of designing out crime and in this respect the applicant has indicated that the development will reflect 'Secure By Design' aims and principles.

The sustainable principles of the site are good, given the proximity of local facilities to the site as well as good public transport. Vehicle and pedestrian access to the site already exists but will be developed in order to facilitate the development. Individual access will be provided in respect of each dwelling. Off-street parking provision and turning facility is provided in respect of each dwelling. In terms of design it is considered that access to each dwelling for both able and disabled persons have been considered and are incorporated into the design of each new dwelling. In this respect it is considered that the proposed development meets the requirements of Criterion D of Policy SP6.

With regard to Criterion E of Policy SP6, each dwelling will be constructed in accordance with modern Building Regulations which encompass energy efficient building methods and materials technology.

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The development of this land for two residential dwellings makes the most efficient use of the land in a sustainable location and thus meets the requirements of criterion F of Policy SP6 above.

With regard to Criterion G of Policy SP6, the development of the site has been considered in the context of its rural setting on the prominent valley side. Hard landscaping has been kept to a minimum and existing landscaping will be maintained or enhanced as appropriate. It is also considered appropriate to attach a condition to any consent removing permitted development rights in respect of any extensions, outbuildings or means of enclosure of the site in order to retain as much as possible of the semi-rural landscape.

As the site is within settlement limits, an Open Space Assessment (OSA) in line with policy CW7 and the accompanying SPG LDP8: Protection of Open Space has been undertaken. The OSA highlights that there is still sufficient recreational amenity and visual amenity space in the area, should the site be developed. Furthermore, the site itself is not easily accessible and would not be useable in terms of recreational amenity. Therefore, there are no concerns arising from the perspective of policy CW7.

Comments from Consultees: No objection subject to conditions.

Comments from public: None.

Other material considerations: Renewals of planning permission should usually be granted unless there has been a material change in planning circumstances in the relation to the proposal. There has been no change that would affect the acceptability of this scheme in principle. However, elsewhere on this agenda, a planning application is reported for two houses on a smaller part of this site also accessed off Llancayo Street (reference 18/0582/OUT). The layouts of the schemes are such that if both permissions were granted, both could be implemented which would result in a poor relationship between the resulting four houses, and more than five houses served off a private drive. The recommendation below is therefore subject to the applicant entering in to a section 106 agreement to only implement one of the consents.

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.

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Recommendation that (A) the decision is deferred to allow the applicant to enter into a Section 106 Agreement to implement only one consent as set out in the above report. On completion of the Agreement (B) that Planning Permission is Granted 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 shall be carried out in accordance with the following approved plans and documents:
Site Location Plan received 05.03.2013 (in connection with planning permission 12/0376/FULL);
House Type A Lower Ground Floor Plan received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type A Ground Floor Plan received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type A Elevations received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type B Sections received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type B Floor Plans received 15.05.2018 (in connection with planning permission 12/0376/FULL);
Proposed Site Plan received 09.07.2013 (in connection with planning permission 12/0376/FULL).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification, access to the two dwellings and the stables hereby granted consent shall at all times be from Llancayo Street only. No vehicular access, including construction traffic delivering materials during the construction of any part of the development, shall be gained from the lane which lies to the south-west of the site.
REASON: In the interests of highway safety.

- 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.

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- 05) The proposed private driveway shall have a minimum gradient not exceeding 12.5% (1 in 8) and shall include a suitable turning facility the details of which shall have first been agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety.
- 06) The proposed private driveway shall be not less than 4.1m wide.
REASON: In the interests of highway safety.
- 07) Use of the stables shall be limited to being ancillary and incidental to the dwellings hereby approved and for no commercial purposes.
REASON: To maintain effective control over the stables and also in the interest of highway safety.
- 08) Prior to the first use of the stables hereby approved a scheme for the storage of foodstuffs, and the storage and disposal of waste and manure shall be implemented in accordance with details that shall be agreed in writing with the Local Planning Authority.
REASON: To prevent pollution.
- 09) Before any soils or hardcore are brought on to site a scheme for its 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.
- 10) Unless otherwise agreed in writing with the Local Planning Authority, prior to vegetation clearance works being undertaken in connection with the construction of the properties and associated access works, details of the timing of the habitat manipulation and reptile mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be strictly complied with.
REASON: To ensure that reptiles and nesting birds are protected.
- 11) Unless otherwise agreed in writing with the Local Planning Authority works related to the clearance of vegetation and reptile mitigation measures shall be undertaken in accordance with Section 5 of the Merlin Biosurveys Reptile Survey 2012.
REASON: To ensure that reptiles and nesting birds are protected.

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- 12) 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 into the new buildings and nesting provision for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented before the new dwellings and stables hereby approved are first occupied.
REASON: To provide additional roosting for bats and nesting provision for birds as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 13) 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.
- 14) Notwithstanding the submitted details, prior to the commencement of any works on-site, engineering details of the design and materials to be used in the construction of the private internal site access driveway, including any retaining walls, together with any associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the internal site access driveway shall be constructed in accordance with the approved details prior to the commencement of works in association with the construction of the two dwellings hereby approved.
REASON: In the interests of the visual amenity of the area.
- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of amenity.
- 16) 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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- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 18) 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 completion 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.
- 19) 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.
- 20) 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.

Advisory Note(s)

Please find attached the comments of Welsh Water, The Senior Engineer (Land Drainage), CADW 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, CW4, CW5.

