

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0429/FULL 14.05.2018	Mr S Howell 4 The Glade Wyllie Blackwood NP12 2HB	Improve existing road with additional parking spaces for residents of Pleasant View and erect four new build 4-bedroom detached dwellings Land At Grid Ref 319863 198707 Pleasant View South Lane Croespenmaen

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application site is located to the rear of Pleasant View, Croespenmaen.

Site description: Vacant parcel of land accessed off the rear lane that serves the properties along Pleasant View.

Development: It is proposed to erect four detached dwellings.

Dimensions: Plots 1 - 3 are the same proposed house type that are split level with parking at basement level and measure 10.7 metres in width, 8.4 metres in depth, with a height of 11.5 metres to ridge level.  
Plot 4 measures 10.9 metres in width, 12.4 metres in depth, with a height of 8.8 metres to ridge level.

Materials: Walls: Cedar cladding, fibre cement panels and brickwork;  
Roof: Cambrian interlocking slates;  
Doors and windows: Powder coated aluminium and hardwood.

Ancillary development, e.g. parking: Access widening and improved visibility, lane resurfacing and widening, and the provision of 17 off-street parking spaces to serve the existing dwellings that back onto the site.

#### PLANNING HISTORY 2005 TO PRESENT

17/0087/FULL - Improve existing road with additional parking spaces for residents of Pleasant View and erect four new build 4-bedroom detached dwellings. Refused  
15.05.2017.

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## 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), CW4 (Natural Heritage Protection), CW5 (Protection of the Water Environment).

NATIONAL POLICY Planning Policy Wales and 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? A Coal Mining Risk Assessment report was submitted with the planning application. Based on this report the Coal Authority raise no objection to the proposal subject to the imposition of a Condition requiring an intrusive site investigation to be undertaken to inform any potential remedial measures that may be necessary to facilitate the development.

### CONSULTATION

Rights Of Way Officer - Raises objection based on the position of Plot 1 in relation to Bridleway 127. This issue is discussed elsewhere in the report.

Transportation Engineering Manager - No objection subject to conditions.

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

Dwr Cymru - Provides advice to the developer.

Head Of Public Protection - No objection subject to conditions.

Ecologist - No objection subject to conditions.

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Landscape Architect - Provides advice regarding himalayan balsam on site, trees, site levels and hard/soft landscaping.

The Coal Authority - No objection subject to an intrusive site investigation being required by condition.

### ADVERTISEMENT

Extent of advertisement: 32 neighbouring properties were consulted by way of letter and a site notice was displayed near the application site.

Response: Two objection letters were received.

### Summary of observations:

- Loss of parking area for residents during construction works;
- Loss of existing trees;
- Impact on right of way;
- Inadequacy of lane serving the site;
- Damage to existing properties during works;
- Exhaust fumes from car parking to rear of existing properties;
- Parking pressure on proposed communal area from proposed houses.

### 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? Yes, new residential dwellings in the Mid-Range Viability zone. The rate per square metre in this area is £25.

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## ANALYSIS

Policies: The planning application site is located within the settlement boundary as defined in the Adopted Caerphilly County Borough Local Development Plan, and therefore the presumption is in favour of development providing material planning considerations do not indicate otherwise. In this instance those material planning considerations are the impact of the proposal on the visual amenity of the surrounding area; the impact on the residential amenity of nearby existing properties; and the impact on highway safety.

In terms of the impact on the visual amenity of the area, the existing area where Plots 1-3 will be sited is overgrown and the site of some form of quarrying in the past. Therefore there are significant levels differences from the front to the back of the site. It is considered that the proposed dwellings, that are split level incorporating an integral garage at basement level, represent a high quality development that will improve the visual amenity of this parcel of land. High specification materials are proposed that will be beneficial to the visual amenity of the area. Plot 4, which is sited further along the existing back lane, will also be constructed using high specification materials that will enhance the currently overgrown and unmanaged parcel of land off the back lane. For these reasons it is considered that the proposed dwelling are acceptable in visual terms and comply with the relevant criteria contained in Policy CW2 of the Adopted Caerphilly LDP.

In terms of the potential impact on the amenity of nearby residential properties, the nearest property to Plots 1-3, is No. 16 Pleasant View, which is located approximately 11 metres to the north of the proposed Plot 3. However, this existing property has no rear windows and therefore the development will not impinge on privacy. There is a west facing first floor window in No. 16 Pleasant View, but due to the angle between this window and those proposed at Plot 3, there will be no overlooking issues as a result of the development.

Plot 4 is located approximately 13 metres to the south of Nos. 5-8 Pleasant View. However, as plot 4 faces west, there are limited overlooking issues. A north facing first floor bedroom window is proposed serving bedroom 3, however, this room could also be served by a west facing clear window, and therefore a condition will be attached to the permission requiring the north facing window serving Bedroom 3 to be obscurely glazed. This obscure glazing will achieve the required level of privacy. Based on the above considerations, the development accords with Policy CW2 in terms of having an acceptable impact on the amenity of existing properties.

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Policy CW3 of the Adopted Local Development Plan relates to parking provision and highway safety. At present the lane to the rear of Pleasant View is narrow and of a poor standard. The proposed development includes upgrading the section of the lane from the access point up to Plot 4. As well as a new surface, the lane will be widened and a turning head to serve refuse vehicles in proposed. These works will significantly improve the quality of the lane for existing and proposed residents. The access to the lane off Kendon Hill is also to be widened and improved, with the necessary visibility splays being achieved. Again, this will be a significant improvement in highway safety terms. At present, residents of Pleasant View utilise left over spaces off the lane as parking areas. The proposed development proposes to formalise off-street parking for existing residents and provide 17 off-street parking spaces to serve the existing residents. This element represents another significant improvement in highway safety terms. For these reasons, the proposed development accords with Policy CW3 of the Adopted Caerphilly LDP.

Comments from consultees: No objection subject to conditions and advice.

The Rights of Way Officer raises objection on the basis that Plot 1 is sited on the line of Bridleway 127. However, the line of this right of way cut through a steep embankment and doesn't appear to have been capable of utilisation for a considerable period of time. With this in mind, the applicant is invited to enter into discussions with the Local Planning Authority to divert this right of way. The obvious solution appears to be formalising the public right of way from the site to the south at the point of the proposed turning head to serve the site. This appears to be the desire line from the housing development to the south and the bus stop on Kendon Hill at present. Further discussions will be undertaken between the time of this report and the Planning Committee.

Comments from public:

1. Loss of parking area for residents during construction works -There will inevitably be an element of disruption to existing residents during works. With this in mind a Construction Traffic Management Plan will be required by way of Condition to limit disruption as much as is practicable.
2. Loss of existing trees - The trees onsite are not protected by Tree Preservation Orders. It is considered that the scheme will lead to an improvement in terms of the visual amenity of this parcel of land. A condition will be attached to the permission requiring details of landscaping. There was a large tree to the west of the application site, and this large tree was removed between 2014 and 2017.
3. Impact on right of way - This issue has been addressed above in the Comments of consultees section.
4. Inadequacy of lane serving the site - The proposed development includes upgrading the standard of the lane both in terms of width and surfacing. Therefore the proposal is considered to represent an opportunity to significantly improve the standard of the lane.

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5. Damage to existing properties during works - Any damage caused during works would be a private legal matter.
6. Exhaust fumes from car parking to rear of existing properties - Formal replacement parking provision is in line with the currently available parking areas.
7. Parking pressure on proposed communal area from proposed houses - Each of the proposed dwellings has car parking provision proposed in accordance with the adopted Car Parking Standards. Therefore this is not considered to be an issue.

Other material considerations: The proposal represents an excellent opportunity to provide 4 new dwellings within the settlement boundary which will contribute to the Council's housing land supply thereby reducing pressure on greenfield sites.

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 GRANTED

- 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:  
Drawing No: 161202/AR/PL/202, Location Plan & Site Plan - Proposed Layout, received 04.07.2018;  
Drawing No: 161202/AR/PL/211, Plot 1 Floor Plans & Elevations - Proposed, received 10.05.2018;  
Drawing No: 161202/AR/PL/212, Plot 2 Floor Plans & Elevations - Proposed, received 10.05.2018;  
Drawing No: 161202/AR/PL/213, Plot 3 Floor Plans & Elevations - Proposed, received 10.05.2018;  
Drawing No: 161202/AR/PL/214, Plot 4 Floor Plans & Elevations - Proposed, received 10.05.2018;  
Drawing No: 161202/AR/PL/311 Revision P01, Site Sections 01 - Proposed, received 05.07.2018;  
Drawing No: 161202/AR/PL/312, Site Section 02 - Proposed, received 10.05.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 03) Prior to the commencement of works on site a scheme of land 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 construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings 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 of the area.
- 05) 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.
- 06) 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 occupation of the development 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.
- 07) 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.
- 08) 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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- 09) 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.
- 10) 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.
- 11) 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.
- 12) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of highway safety.
- 13) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 45 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.
- 14) The proposed vehicular driveway shall have a minimum length of 5.5 metres and a maximum gradient not exceeding 12.5% (1 in 8). The driveway shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority, shall be completed prior to occupation of the development hereby approved and maintained thereafter free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety.

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- 15) 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), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.  
REASON: In the interests of highway safety.
- 16) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining walls on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining walls additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.  
REASON: In the interests of highway safety.
- 17) 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.
- 18) 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.
- 19) No development or site/vegetation clearance shall take place until a detailed reptile Mitigation Strategy has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.  
REASON: To ensure that reptiles are protected.

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- 20) Prior to the commencement of works on site a Method Statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Himalayan Balsam on site. The treatment of Himalayan Balsam shall be carried out in accordance with the approved details.  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act". Himalayan Balsam (*Impatiens glandulifera*) is included within this schedule.
- 21) If any mature trees within the proposed site require felling or tree management work as part of the development hereby approved, a climbing inspection for bats shall be carried out before such works take place, and the results of the survey, together with details of any proposed mitigation measures shall be submitted for the approval of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved measures.  
REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity.
- 22) 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 on the new property at Land at Grid Ref 319863 198707, Pleasant View, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is 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).
- 23) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, Starling or House martin) on the new property at Land at Grid Ref 319863 198707, Pleasant View, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property 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).

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- 24) 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.
- 25) 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) the north facing first floor window in Plot 4 shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity.
- 26) Prior to its first occupation, the balcony to the rear of Plot 4 shall be fitted with a privacy screen to protect the amenity of the properties to the north of the site on Pleasant View. Details of the privacy screen shall have first been agreed in writing with the Local Planning Authority, and further to its installation, the screen shall be retained in place at all times.  
REASON: In the interests of residential amenity.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2 and CW3.

