

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0415/OUT 25.07.2018	Mr C Coombs 1 Graddfa Villas Llanbradach Caerphilly CF83 3QR	Erect residential development of up to 14 apartments, of total floor area less than 1,000 sqm, and associated access, car parking, engineering and landscape works, including car parking for the existing guest house Land At Grid Ref 314932 189096 (Adjacent To Y Fron) Pwllypant Roundabout To Coed-Y-Brain Roundabout Pwllypant Caerphilly

**APPLICATION TYPE:** Outline Application

#### SITE AND DEVELOPMENT

Location: Land to the north of Y Fron Guesthouse, Caerphilly

Site description: The application site is a broadly rectangular land parcel located to the north of Y Fron guesthouse and to the west of the A469 road. To the west the land rises sharply to Central Street with residential dwellings located at a higher level. To the east is the A469 road with Woodland beyond.

Development: The application seeks outline planning consent for residential development with only access to be considered at this stage and other matters in respect of appearance, landscaping, layout and scale reserved for future consideration.

The indicative layout supplied shows an 'L' shaped building located to the western side of the application site adjacent to the embankment which rises to Central Street. At the south end (closest to Y Fron guest house) the layout shows the building projecting further eastward providing the base to the 'L'. An indicative section shows three stories to the building although the indicative plans indicate that some vehicle parking may be provided at ground level in parts of the building. There are no detailed elevations provided as appearance and scale are reserved matters.

Cont'd

Application No: 18/0415/OUT Cont'd

The indicative layout shows a potential housing mix of:

- 2 no. 1 Person Studio flat
- 7 no. 1 bedroom, 2 person flat
- 2 no. 2 bedroom, 3 person flat
- 3 no. 2 bedroom, 4 person flat

The proposed access point is via an existing vehicle access from the A469 which currently provides access to the Y Fron Guest house.

Dimensions:

Dimensions (upper and lower limits for height, width and length of each building):

The following scale parameters have been given:

- Width of building between 9m and 18m
- Length of building 47m
- Height of building 12.5m to the ridge

Materials: Not Specified

Ancillary development, e.g. parking: The indicative layout plan submitted shows one space per bedroom for each of the new flats with an additional 10 spaces for the existing 10 bedroom Guest house (Y Fron) and 5 spaces for workers/visitors. An indicative total of 34 car parking spaces are proposed on the site.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: 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) and CW15 (General Locational Constraints).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

Cont'd

Application No: 18/0415/OUT Cont'd

### SUPPLEMENTARY PLANNING GUIDANCE

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 for new residential development.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

### CONSULTATION

Senior Engineer (Consultancy Manager) - The submitted structural details are insufficient.

Transportation Engineering Manager - No objection subject to planning conditions requiring off street parking provision for both the existing Y Fron Guest House and the new residential development and adequate turning facilities to be provided within the site.

Head Of Public Protection - No objections, recommend planning conditions requiring a scheme of noise mitigation for the new development in accordance with the submitted Noise Assessment and construction method statement to provide mitigation measures during the construction phase.

Senior Engineer (Land Drainage) - No objection to the application, highlight possible presence of infrastructure and highlight area is susceptible to groundwater flooding and surface water. Recommend a planning condition is attached to any permission requiring full drainage details.

Dwr Cymru - No objection, provide recommended planning conditions and informative notes.

Police Architectural Liaison Officer - Has no objections to the planned residential development, suggests that the principles found within Secured by Design are followed to ensure that a safe and sustainable development is built. Cont'd

Application No: 18/0415/OUT Cont'd

CCBC Housing Enabling Officer - The development requires 40% affordable housing.

Ecologist - No objection, recommend ecological enhancement be provided.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via 2 site notices (one posted on Central Street and one posted on the footway adjacent to the A469) and 10 neighbour notification letters were sent.

Response: 2 Objections have been received.

### Summary of observations:

- Earthworks and removal of Trees and Vegetation already undertaken
- Loss of view
- Unsuitable location for housing due to proximity to the main road with air pollution and noise.
- Unsuitable vehicular access from A469

### 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? This development is unlikely to aggravate crime and disorder in the locality.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The development would attract a CIL charge of £40 per sqm however this would be calculated upon submission of reserved matters.

Cont'd

Application No: 18/0415/OUT Cont'd

## ANALYSIS

### Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. This application seeks outline planning consent for residential development upon unallocated land within the defined settlement boundary and the curtilage of the existing Guest House and as such the principle of the development is considered to be acceptable in accordance with policy SP3 of the adopted Local Development Plan. Access is to be considered at this outline stage with all other matters in respect of appearance, landscaping, layout and scale reserved for future consideration.

The impact on the character of the area and neighbour amenity has been considered. The existing residential properties to the west on Central Street would have a separation distance in excess of 21 metres from the proposed new apartment building and are located at higher level with the ability to view over the structure especially from upper floor windows. The proposed building whilst significant in its massing and height (circa 12.5m high) would be partially screened by the existing banking. It would be viewed from the east (particularly the A469) in the context of the existing development on Central Street located at a higher level, and subject to the agreement of suitable design and finishes at reserved matters stage would have an acceptable visual impact according with adopted Local Development Plan Policy SP6 (Placemaking).

There would also be no unacceptable impact on residential properties to the south of Y Fron noting that the existing guest house (Y Fron) is located between the proposed new building and those neighbours. The indicative layout shows a separation distance from the proposed building of over 40 metres to the nearest windows in the closest property. It is considered the development accords with adopted Local Development Plan Policy CW2 (Amenity) in having an acceptable impact on existing residential properties.

The application has been submitted with a noise assessment. This assessment concludes that noise mitigation measures are required to provide appropriate noise levels within the new residential development. The mitigation measures include acoustic glazing and attenuated ventilation provisions in the habitable rooms where noise mitigation measures are required. The Council's Environmental Health Officer has advised that with the required mitigation measures the development is acceptable. It is therefore proposed that a planning condition requiring adherence to the recommendations of the noise report be imposed on any permission granted.

Cont'd

Application No: 18/0415/OUT Cont'd

The development is proposed to be served by the existing access point from the A469 and a Transport Statement has been submitted in support of the application. The Transport Statement has considered the proposed development in conjunction with the existing traffic generation from the guest house. It calculates that the proposed development will generate some 3 to 4 peak hour vehicle movements.

The Transport Statement predicts on average an increase of one additional vehicle movement every 15 to 20 minutes during the busiest periods. It concludes that this is an insignificant volume of traffic that will have no material impact on the surrounding highway network.

The Highway Authority have reviewed the submitted information and have offered no objection to the development. It is noted that the site is within close proximity to the Cedar Tree roundabout which has recently undergone significant improvements including the provision of traffic signalization. The access to the development is such that it only facilitates access/egress from the north bound carriageway of the A469 with users able to turn and go southbound at the Llanbradach roundabout approximately 200 metres to the north of the site. It is considered that the existing junction arrangement and local highway network is appropriate for the level of development proposed. The development accords with adopted Local Development Plan Policy CW3 (Highways).

Comments from Consultees:

The Council's Structural Engineer has reviewed a submitted detail for retaining walls as part of the development. It is considered appropriate to condition that full structural details or certification of works are provided prior to development commencing noting that some engineering works have been undertaken prior to the application being submitting.

Cont'd

Application No: 18/0415/OUT Cont'd

Comments from public:

- Earthworks and removal of Trees Vegetation already undertaken

This is a separate matter from the current planning application and has been investigated by the Planning Enforcement Officer.

- Loss of view

This is not a material planning consideration.

- Unsuitable location for housing due to proximity to the main road with air pollution and noise

The Environmental Health Officer has reviewed the proposed development and noise assessment and with noise mitigation measures has offered no objection to the development.

- Unsuitable vehicular access from A469

The application has been supported by a Transport Assessment which considers the existing access to be adequate for the development proposed.

Other material considerations:

A Section 106 Agreement may be required where:

- (a) It is necessary to make the development acceptable in planning terms.
- (b) It is directly related to the development.

The need to address affordable housing provision arises directly as a result of the proposed development of the site for 14 dwellings, which exceeds the threshold of 5 dwellings and 0.15 hectares stated in Policy CW11, in terms of the number of dwellings and area of the site.

- (c) It is fairly and reasonably related in scale and kind to the development.

The total number is reasonable and is based on housing demand in the Caerphilly Basin Area as defined by the LDP.

Cont'd

Application No: 18/0415/OUT Cont'd

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 (A) the application be DEFERRED to enable the completion of a Section 106 Agreement, which requires 40% affordable housing provision comprising 6 x 2 person 1 bedroom units to be transferred to the Local Authority or a Registered Social Landlord and built to DQR at a transfer price of £48,723 and (B) on completion of the Section 106 Agreement, Officers be authorised to GRANT planning permission subject to the following conditions:

This permission is subject to the following condition(s)

- 01) Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout and scale, of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont'd



Application No: 18/0415/OUT Cont'd

- 05) The development shall be carried out in accordance with the following approved plans and documents:  
- Site Location Plan, drawing reference 2720[B]S(0)01 revision C, received 22.05.18,  
- Site Plan, drawing reference 2720[B]S(0)02 revision C, received 22.05.18,  
- Noise Impact Assessment, dated July 2018 (ref: 7253/PR/BL/HH).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.  
The scheme shall include:  
(i) control of noise,  
(ii) control of dust, smell and other effluvia,  
(iii) control of surface water run off,  
(iv) site security arrangements including hoardings,  
(v) proposed method of piling for foundations,  
(vi) construction and demolition working hours,  
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site,  
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area.
- 07) The noise mitigation measures recommended in the Acoustic Consultants Ltd Noise Impact Assessment report Ref:7253/PR/BL/HH shall be incorporated into the development and shall be implemented before the development hereby approved is first occupied.  
REASON: In the interests of the amenity of the occupiers of the development.
- 08) Notwithstanding the details submitted prior to development commencing full structural details of retaining works to the western side of the site close to the embankment which rises to Central Street, Caerphilly shall be submitted for the written approval of the Local Planning Authority. The development shall be completed in accordance with the approved structural details.  
REASON: To ensure an appropriate form of development is undertaken.
- 09) 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.

Cont'd

Application No: 18/0415/OUT Cont'd

- 10) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new apartments at Land At Grid Ref 314932 189096 Pwyllypant Roundabout to Coed Y brain Roundabout Pwlypant, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new apartments hereby approved are first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 11) 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) in the new apartments at Land At Grid Ref 314932 189096 Pwyllypant Roundabout to Coed Y brain Roundabout Pwlypant, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new apartments hereby approved are 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).
- 12) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
  - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
  - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
  - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,

Cont'd

- e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
- f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
- g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing),
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837),
- q) the timing of the various phases of the works or development in the context of the tree protection measures,

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity.

Application No: 18/0415/OUT Cont'd

- 13) The level of car parking provision in respect of the development hereby approved shall be in accordance with the requirements of the Council's Approved Supplementary Planning Guidance LDP5 Car Parking Standards.  
REASON: In the interests of highway safety.

Advisory Note(s)

Please find attached the comments of The Head Of Public Protection, Senior Engineer (Land Drainage), Ecologist, Estates Officer, Gwent Police, Dwr Cymru/Welsh Water, that are brought to the applicant's attention.

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), 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. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

The following policies of the adopted Caerphilly County Borough Local Development Plan up to 2021 are relevant to conditions attached to this consent: Policies CW2, CW3 and CW6.

