

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0244/OUT 22.03.2019	Llanover Estate Mr M Lennon 23A Goldtops Newport NP20 4UL	Erect one detached dwelling and seek approval of access Land At Grid Ref 320814 198150 Fflorems Road Treowen

**APPLICATION TYPE:** Outline Application

**SITE AND DEVELOPMENT**

Location: The application site is located on Fflorems Road, Treowen.

Site description: Vacant parcel of land within the settlement boundary.

Development: Use: Residential.

The amount of development proposed for each use: A single detached property is proposed.

Indicative layout:

The indicative plan shows the property facing onto Fflorems Road with parking provision to the north. Amenity space is shown to the west of the property. However it should be noted that the final layout of the site is reserved for subsequent approval at reserved matters stage if the Outline application is successful.

Indicative access points:

Access is shown to the east, i.e. directly onto Fflorems Road.

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

Height (min/max): 6m - 10m;  
Width (min/max): 6m - 10m;  
Depth (min/max): 4.7m - 10.7m.

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Materials: Not applicable at Outline stage.

Ancillary development, e.g. parking: The submitted plan shows the ability to provide three off-street car parking spaces within the curtilage of the site.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 - Car Parking Standards;  
Supplementary Planning Guidance LDP6 - Building Better Places to Live;  
Supplementary Planning Guidance LDP8 - Protection of Open Space.

NATIONAL POLICY Planning Policy Wales 10th Edition (December 2018) 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? No.

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### CONSULTATION

Principal Valuer - Outline that records indicate that the Local Authority has a leasehold interest in the land. This matter will be clarified by the time of the Planning Committee meeting.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Request that the applicant submit a statement outlining how the proposed development will comply with statutory standards relating to Sustainable Urban Drainage Systems (SuDs). As the proposed development will require separate SAB (SuDs Approval Body) consent, this matter will be dealt with under separate legislation and therefore should not delay the planning process. Furthermore, given the area of green space to the side of the application site that is within the ownership of the applicant, there appears to be scope for the inclusion of SuDs as part of the development.

Ecologist - No objection subject to conditions relating to biodiversity enhancement. These Conditions are more appropriate at reserved matters stage when the final design of the dwelling will be decided.

Dwr Cymru - Provide advice that will be forwarded to the developer.

Senior Arboricultural Officer (Trees) - Requests a condition to protect the tree in the north west corner of the site.

Landscape Architect - No comments at time of report.

### ADVERTISEMENT

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

Response: One objection letter was received.

### Summary of observations:

- Loss of sunlight;
- Request that a Tree Preservation Order (TPO) is placed on the tree located in the north-west corner of the site.

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### 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 development is CIL liable and the application site is located in the Mid-Range CIL Viability zone where the chargeable rate is currently £25 per square metre (plus indexation). The chargeable CIL amount will be calculated at reserved matters stage when the final floor space is confirmed.

### ANALYSIS

Policies: The application seeks outline permission to erect a detached dwelling on a vacant parcel of land within the existing built form of Treowen. The proposal also seeks to agree access to the proposed dwelling, which is shown as being directly off Fflorens Road that runs along the eastern boundary of the site.

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 main material planning considerations are the compatibility of the proposed development with the surrounding residential dwellings; the impact of the proposed development on highway safety; the value of the existing tree that sits in the north-western corner of the site; and the loss of an area of open space within the settlement.

Policy CW2 (amenity) states that:

“development proposals must have no unacceptable impact on the amenity of adjacent properties or land; would not result in the over-development of the site; and the proposed use is compatible with surrounding land uses”.

It is considered that the proposed development complies with this Policy for the following reasons:-

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i) proposals must have no unacceptable impact on the amenity of adjacent properties or land - Given the location of the proposed dwelling within the existing street, it is considered that a dwelling can be appropriately located within the street without having an unacceptable impact on neighbouring properties. In terms of the impact on the visual amenity of the area, whilst appearance is a reserved matter, it is considered that a dwelling can be designed to sensitively integrate within the existing streetscene.

ii) proposals would not result in the over-development of the site - It is considered that given the size of the application site, a single detached dwelling does not represent over-development of the site. Furthermore, the proposed dwelling will benefit from adequate private amenity areas to serve future occupiers as well as off-street parking provision.

iii) the proposed use is compatible with surrounding land uses - The site is bounded in all directions by existing residential properties. Therefore the proposal is compatible with surrounding land uses.

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”.

The Transportation Engineering Manager raises no objection based on the submitted plans subject to conditions.

Policy CW6 relates to Trees, Woodland and Hedgerow protection.

There is an existing mature tree in the north-western corner of the application site. The Senior Arboricultural Officer has outlined that this tree should be protected and retained as part of any development of the site given its high level of amenity value. Conditions will be attached in this regard.

Policy CW7 relates to the protection of Open Space. This policy States:

"Proposals for development on areas of open space within settlements will only be permitted where:

A - The amount of open space remaining in the neighbourhood would still be adequate to serve local needs;

B - The site has no significant value as a recreational resource or an area of visual amenity".

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An open space assessment for the proposed development has been carried out in accordance with Supplementary Planning Guidance LDP8 -Protection of Open Space. The assessment indicates that there is a deficiency in the amount of informal open space in the area surrounding the application site. It is also acknowledged that, at present, the site including the land adjoining it to the south, has value as an area of visual amenity (although it is not considered that the land has significant recreational value given its relatively steep topography). Therefore, based on the above, the proposal does not comply with Policy CW7. However, within short walking distance of the application site is a relatively large area of open space as well as a formal play area in the form of a skate park which offers formal, more usable recreation space.

It should also be noted that the application site is in private ownership and therefore, in theory, the landowner could enclose the land to prevent access by members of the public. This factor needs to be taken into account when assessing the value of the site, as it represents the 'fallback' position, which is a material planning consideration.

A previous application at the site (Ref: 18/1019/OUT) that proposed two dwellings on the application site as well as the adjoining open space to the south, was withdrawn based on concerns from the planning case officer that the loss of the entire site would be detrimental to the visual amenity of the area. Based on the amended scheme, that proposes to retain the majority of this parcel of open space, it is no longer the opinion of the case officer that the proposal would result in a loss of open space that would be unacceptable in visual amenity terms. This opinion is based on the location of the application site within the settlement boundary, and the weight to be attached to the requirement to allow new development subject to material planning considerations.

In light of the above, the proposed development is considered acceptable subject to conditions.

Comments from Consultees: No objection subject to conditions.

Comments from public:

- Loss of sunlight - Based on the submitted indicative site layout plan it is considered that a dwelling could be sited appropriately within the site to ensure there would be no unacceptable impact on the amenity of neighbouring properties. This final design and siting would be considered at reserved matters stage.
- Request that a Tree Preservation Order (TPO) is placed on the tree located in the north-west corner of the site - The tree in question will be protected during construction works and retained thereafter.

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Other material considerations: The proposed development will provide an additional dwelling within the settlement boundary that will contribute to the Council's 5-year housing land supply.

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

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.

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- 05) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.  
a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.  
b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The plans and particulars submitted in accordance with Condition 1) shall include details of the means of protection and maintenance of the trees, shrubs and hedges referred to at Condition 1) until they are established.  
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) Parking for the development shall be provided in accordance with LDP5 Car Parking Standards.  
REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.

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- 09) The driveway serving the property shall have a maximum gradient not exceeding 1 in 8.

REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.

- 10) Any boundary treatment fronting onto Fflorens Road shall be limited in height to 0.6m, to ensure adequate visibility for vehicles emerging from the site.

REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, The Council Ecologist, The Senior Arboricultural Officer that are brought to the applicant's attention.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

