

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/1079/FULL 20.12.2018	Broadoak International Investments Ltd Mr P Purnell 11 Coed - Y-Pica Abertridwr Caerphilly CF83 4ET	Erect one dwelling Land At Grid Ref 312302 188899 Bronmynydd Abertridwr Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land At Grid Ref 312302 188899, Bronmynydd, Abertridwr, Caerphilly.

Site Description: The application site is a broadly 'L' shaped land parcel located to the east of number 31 Bronmynydd and located to the south at a higher level than a row of semi detached properties 23-30 Bronmynydd (evens only). The application site is at present an area of grassed land which rises sharply to the south.

Development: Erect one three bedroom dwelling.

Dimensions:

The footprint of the dwelling measures approximately 10 metres by 10 metres and has an overall height of 8.5m.

Materials:

Walls: Smooth Render painted cream.

Roof: Mini Stonewold Tiles in a slate grey colour.

Ancillary development, e.g. parking: Provision of private drive, retaining wall and replacement steps/ramp arrangement.

PLANNING HISTORY 2005 TO PRESENT

P/05/1664 - Erect five dwellings - Granted - 15.02.2006.

07/0069/FULL - Erect one detached dwelling - Granted - 08.03.2007.

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11/0108/FULL - Renew Planning Permission P/05/1664 for non-compliance with condition to begin works within five years - Granted - 23.04.2013.

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: CW2 (Amenity), CW3 (Highways), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

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

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Building Better Places to live).

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

Aber Valley Community Council - Query the pedestrian access to the top row of Bronmynydd and who is going to be responsible for the pedestrian access in the future.

Principal Valuer - No comments.

Head Of Public Protection - No objection subject to conditions to control noise and dust during construction.

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Dwr Cymru - No objection.

Ecologist - Has viewed the proposed location and can confirm that the area has the potential to support both breeding birds and reptiles due to the habitat present on site. Recommend planning conditions in relation to these matters.

Transportation Engineering Manager - No objection subject conditions to address detailed highway considerations.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and 16 neighbour notification letters were sent.

Response: Four representations have been received.

Summary of observations:

- Loss of Privacy.
- Loss of View.
- Property Devaluation.
- Disruption to residents during construction and afterwards.
- Impact on Wildlife.
- Loss of light/overshadowing.
- Increased traffic.
- Overdevelopment.
- Could destabilise our boundary wall.

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?

It is not considered that crime and disorder will be materially affected by the development.

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.

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COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The application site is within the Lower Viability area for CIL which is zero rated for residential development.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area.

The principle of development is considered acceptable with the application site being located within the Settlement Boundary as outlined under adopted Local Development Plan Policy SP5 (Settlement Boundaries) which defines the area within which development would normally be allowed, taking into account material planning considerations. The application site has previously been granted consent (now lapsed) for a dwelling (07/0069/FULL) which was set back further south but was a three-storey dwelling being higher than the dwelling proposed in the current application.

The proposed dwelling would be located to the east of number 31 Bronmynydd which at present is the last dwelling in the row of properties. The new dwelling would continue the general building line of Bronmynydd and whilst its design would be different to the existing dwellings the appearance of the dwelling is considered to be acceptable. The development would accord with adopted Local Development Plan Policy SP6 (Placemaking).

The impact on neighbour amenity has been considered. The properties to the north are located at a substantially lower level than the application dwelling due to the natural topography. The relationship between the proposed dwelling and those dwellings below would be broadly similar to that of dwellings on either side of the lower street Bronmynydd and it is noted that many properties within the locality are located at different levels due to the natural topography. The separation distance between windows in the proposed dwelling and the existing properties on Bronmynydd would be in excess of 21 metres and noting the topography is considered acceptable. The proposed access road would include a pedestrian footway on the northern side and it is considered appropriate to require a 1.8m high privacy fence on the northern side of the access road to restrict elevated overlooking from the new footway and road to the existing properties on the northern side of Bronmynydd.

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There would be no unacceptable impact from the proposed development to the existing residential property to the west (31 Bronmynydd). The development would have an acceptable impact on the existing levels of amenity of all surrounding residential properties according with adopted Local Development Plan Policy CW2 (Amenity).

The Highway Authority have considered the development and offer no objections subject to planning conditions to provide suitable access and parking arrangements. The development accords with Policy CW3 (Highways).

Comments from Consultees:

To facilitate the proposed development an existing set of pedestrian steps within the applicant's ownership, located at the end of the existing street will be removed and the proposed plans include the provision of a new stepped and ramped arrangement. The Community Council has queried about the future ownership of the steps and their maintenance. The applicant has indicated that they would be willing to gift the steps to the Local Authority, however as the existing steps are within private ownership it is considered that this would require discussions with the Council outside of the planning system and does not preclude the approval of this planning application. A planning condition is proposed to require the new steps to be provided prior to the occupation of the new dwelling.

Comments from public:

- Loss of light/overshadowing.
- Loss of Privacy.

The new dwelling would have a similar separation distance and difference in levels to those existing dwellings within the top road of Bronmynydd and those properties in the road below. The separation between habitable room windows exceeds 22 metres and is considered that there will be no unacceptable overlooking introduced by the proposed development. There will be no unacceptable impact in terms of loss of light or overshadowing to existing residential properties.

- Loss of View.
- Property Devaluation.

These are not material planning considerations.

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- Disruption to residents during construction and afterwards from new dwelling.

The Environmental Health Officer has raised no objections to the proposed development and the limited construction period associated is not expected to cause unacceptable disruption. There are conditions proposed to require details of dust and noise mitigation during construction. The proposed dwelling will have an acceptable impact on neighbour amenity.

- Impact on Wildlife.

The Council's Ecologist has recommended planning conditions requiring a reptile survey to be carried out prior to works commencing and restrictions on site clearance during the bird breeding season.

- Increased traffic.
- Overdevelopment.

Noting the limited scale of the application the proposed development will not lead to a material increase in the general traffic levels within the locality. It is not considered that the proposal would result in overdevelopment.

- Could destabilise our boundary wall.

This would be a matter for the developer to address in undertaking the development works.

Other material considerations:

Members are advised that the applicant has submitted a separate planning application (18/1090/FULL) for a further four dwellings to the east of the current application on land which has previously been subject to planning consent for residential development. This application is still under consideration and it is proposed to bring this application before Members at a later date.

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

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This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
 - Proposed Site Layout Plan, drawing reference 1350/02 revision A, received 07.03.19;
 - Proposed Cross Sections, drawing reference 1350/03, received 20.12.18
 - Proposed Drainage Layout, drawing reference 1350/04, received 20.12.18
 - Proposed Elevations, drawing reference 1350/05 revision A, received 07.03.19;REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 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) 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 in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 05) No development or site or vegetation clearance shall take place until a detailed reptile survey has been carried out and the results of the survey, including an impact assessment, and if necessary details of any proposed mitigation measures, have been submitted to and approved by the Local Planning Authority. The approved measures shall be carried out in accordance with the agreed details.
REASON: To ensure that reptiles are protected, in the interests of biodiversity in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the occupation of the dwelling hereby permitted details of the means of enclosing the site shall be submitted to and agreed in writing by the Local Planning Authority; those details shall include a privacy screen of 1.8 metres in height to the northern side of the proposed private road between numbers 23 to 29 Bronmynydd. The privacy screen shall be installed prior to the occupation of the dwelling and the development shall be completed and maintained thereafter in accordance with the agreed details.
REASON: In the interest of visual amenity and residential privacy in accordance with policies SP6 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the occupation of the dwelling hereby approved the replacement step/ramps detailed on drawing reference 1350/02 revision A shall be constructed and made available for use.
REASON: To ensure suitable replacement pedestrian access for existing residents is provided in the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) 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.
- 09) The proposed private driveway serving the property shall have a maximum gradient of 1 in 8, shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and shall be completed prior to beneficial occupation of the development.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 10) The building shall not be occupied until the area indicated for the parking of vehicles (comprising of a minimum of three parking spaces) serving the dwelling 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) The proposed parking area serving the dwelling shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc is not carried on to the public highway.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) Rainwater run-off shall not discharge into the highway surface-water drainage system.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 13) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 14) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 15) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and Head of Public Protection that are brought to the applicant's attention.

