

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0009/OUT 11.04.2019	Mr Newbury 8 Garth Close Rudry Caerphilly CF83 3EN	Erect 4 new semi-detached dwellings with associated car parking and amenity space 202 Bedwas Road Caerphilly CF83 3AU

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is located on the western side of Bedwas Road.

Site description: The application site is the site of an existing detached bungalow in a mainly residential area on the outskirts of Caerphilly Town. The site is flat with an existing access onto Bedwas Road and a mature hedgerow to the front boundary and the site is surrounded by housing.

Development: The application seeks outline planning consent with all matters reserved for 4 new semi-detached dwellings with associated parking and amenity space. The submitted plan shows the provision of two pairs of semi-detached dwellings set back within the site with gardens at the rear and a communal parking and turning area to the front.

Dimensions: The site has overall dimensions of 31m by 36m. Upper and lower scale parameters for the dwellings are shown as 5-6m wide by 7.5-9m deep by 8.05-9.4m high.

Materials: Not specified.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

Local Development Plan: Within settlement limits.

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Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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 on all levels of development.

National Policy: Paragraph 3.9 - The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Paragraph 3.16 - Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

National Planning Guidance contained in Technical Advice Note 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within a low risk area.

CONSULTATION

Head Of Public Protection - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - Provide advice to be conveyed to the developer.

Natural Resources Wales - Raise significant concerns as the site is within Zone C2 and the Flood Consequences submitted in support of the application shows that some outside areas within the site would flood to a depth of 100mm in a 1 in 100 year event.

Senior Engineer (Land Drainage) - Advises that a SAB application has not been submitted and requests that the determination of the application be deferred until such time as one is submitted.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: Two letters of objection were received.

Summary of observations:

1. The existing building may be constructed with asbestos containing materials.
2. The site is crossed by a culvert and any blocking up or diversion of that culvert could lead to flooding elsewhere.
3. Loss of privacy to properties in Hazel Grove.
4. Noise and dust disturbance during construction.

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?
None.

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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.

Is this development Community Infrastructure Levy liable? Yes, but CIL is calculated at the reserved matters stage.

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 in a mainly residential area within the defined settlement limits and as such the principle of development is considered to be acceptable.

Adequate access, turning and parking can be achieved within the site and as such the proposal complies with Policy CW3 of the LDP. It is possible to accommodate four dwellings on the site without having a detrimental impact on the amenity or privacy of the neighbouring dwellings and as such the proposal complies with Policy CW2 of the LDP.

Comments from Consultees: With regard to the comments from Natural Resources Wales it is acknowledged that the site is within Zone C2 as defined in the development advice maps and that parts of the site would be flooded during a 1 in 100 year event. However, it should also be noted that, as stated above, the site is located in a mainly residential area within the defined settlement limits, it is currently occupied by a detached dwelling and there are other dwellings all around it. The proposed dwellings would not be liable to flooding either in a 1 in 100 year or a 1 in 1000 year event, and only part of the parking area would be flooded during a 1 in 100 year event and then only to a depth of 100mm.

In that regard it is considered that whilst the proposal does not strictly comply with the advice contained within Technical Advice Note (TAN) 15 a dwelling in this location would be acceptable in planning terms. The site is located in a sustainable location, is well served by public transport and other facilities and there is a need to provide dwellings within the County Borough. Therefore it is considered that it would be unreasonable to withhold consent in this instance.

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With regard to the request from the Council's Senior Engineer (Land Drainage) that the application should be deferred until such time as an application for Sustainable Drainage Approval is submitted, it should be noted that the application is already supported by a National Standards Compliance Statement that sets out the principles of drainage on the site and any further delay to allow the submission of a comprehensive drainage scheme would be unreasonable at this stage. This is an application for outline planning consent with all matters reserved and the detail of design should therefore be considered at the reserved matters stage provided that the principle of the development is acceptable. That has been established by the above statement and as such the proposal is considered to be acceptable in planning terms.

No other objections raised.

Comments from public:

1. Whilst the existing building may be constructed with asbestos containing materials, it would be for the developer to ensure that such materials are dealt with in the correct manner. This is not a material planning consideration.

2. The Senior Engineer (Land Drainage) has confirmed that the site is crossed by a culvert and has requested that any development of the site has regard for this in terms of siting of the dwellings and the layout of any drainage scheme.

3. Whilst the nearest property is Hazel Grove is only some 18m away from the rear of the indicative position of the proposed dwellings, that dwelling is sideways on to the application site and has no windows in its pine end. The rear garden of the proposed dwellings are also 9m long to the boundary with the dwelling in Hazel Grove and as such it is not considered that there would be an unacceptable loss of privacy to properties in Hazel Grove.

4. Noise and dust disturbance during construction can be adequately controlled by conditions attached to any consent granted.

Other material considerations: None.

In conclusion the proposal is considered to be acceptable in planning terms.

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.

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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 the access, appearance, landscaping, layout and scale of the development (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 access, appearance, landscaping, layout and scale of the development, 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) The development shall be carried out in accordance with the following approved plans and documents: 1001 (Location Plan), 1002 Rev A (Illustrative Site Plan), 1003 (Illustrative Parameters Drawing), Preliminary Bat Roost and Nesting Bird Assessment by Acer Ecology, Bat Activity Survey Report by Wildwood Ecology, Flood Consequence Assessment Version 1 by JBA Consulting, letter by JBA Consulting dated 26th June 2019 and National Standards Compliance Statement by JBA Consulting dated June 2019.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) Parking throughout the development shall be provided in accordance with Supplementary Planning Guidance LDP5 Car Parking Standards.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) 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 43 metres. No obstruction or planting when mature exceeding 0.6 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The proposed means of access shall be not less than 4.1m wide and shall include turning facilities to cater for calling delivery and service vehicles in a manner to be agreed with the Local Planning Authority which shall be maintained free of obstruction so that vehicles can both enter and leave the site in a forward gear at all times.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) 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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- 10) 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.

- 11) 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.

Advisory Note(s)

Please find attached comments from Dwr Cymru/Welsh Water.

