

Application Number: 20/1043/LA

Date Received: 22.12.2020

Applicant: Caerphilly County Borough Council

Description and Location of Development: Erect residential development comprising of 12 new build 1-bed apartments, external amenity areas, external works, hard and soft landscaping, access road, and service access, communal refuse stores, SAB provisions, external lighting (tbc), sprinkler system enclosure, secure cycle parking, boundary fencing enclosure as appropriate - Land At (Former Garages) Grid Ref 317584 188996 Llanfabon Drive South Lane Trethomas

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: Land At (Former Garages) Grid Ref 317584 188996, Llanfabon Drive South Lane, Trethomas.

Site description: The application site is a broadly rectangular land parcel which is mainly hard surfaced and is located behind existing residential properties that principally front Llanfabon Drive to the north, Bryn Awel to the west, Bryn Close to the south and The Bryn to the east. To the north-east corner is an access to Llanfabon Drive Shops and several gated pedestrian side lanes each side of the parade of shops. The vehicle access to the site is via an existing vehicle access from Bryn Awel to the west.

Development: Erect residential development comprising of 12 new build 1-bed apartments, external amenity areas, external works, hard and soft landscaping, access road, and service access, communal refuse stores, SAB provisions, external lighting, sprinkler system enclosure, secure cycle parking, boundary fencing enclosure.

The site layout has been designed with the primary vehicle access at the northern edge utilising the existing access point from Bryn Awel. The access road ranges in width between 4.8m close to Bryn Awel widening to 5.5m within the site. The layout also maintains access to existing garages to the north and an existing service access to the rear of the Llanfabon Shops. In terms of the apartments proposed there are two new terrace blocks (Block A to the west and Block B to the east) whose principal elevations faces each other with a slight angled orientation to block B. In between these new buildings is a green space at the southern end which has a dual purpose acting as informal open space for residents but also in times of heavy rain as a sustainable drainage feature. To the north of this is a small parking court with a further parking area to the north of block B. To the western side of block A and the eastern side of block B there are communal garden areas and on the eastern edge of the site is an access road which provides vehicular access to existing properties which have rear access to their gardens.

Dimensions: Each of the two apartment blocks measure approximately 28.8m in length by 8.3m wide with a ridge height of 8.6m.

The proposed bin stores measures approximately 5.5m by 2.3m with a height of 1.95m.

A sprinkler enclosure measures approximately 6.2m long by 3.5m wide with a height of 2.7m.

Materials: The apartment blocks are proposed to have walls finished in a rock panel which is a composite non-combustible architectural cladding panel made with basalt. The roof will be a grey standing seam metal roof.

Bin stores, cycle stores and a sprinkler enclosure are proposed each with timber clad walls and a green roof.

Ancillary development, e.g. parking: 12 parking bays are proposed, cycle enclosures, sprinkler enclosure and refuse bin stores.

PLANNING HISTORY 2010 TO PRESENT

SPA/20/0090 - Erect residential development comprising new build 1-bed apartments, external amenity areas, external works, hard and soft landscaping, access roads/lanes, parking/service access, SAB provisions and external lighting.

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), CW6 (Trees, Woodland and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing), CW15 (General Locational Constraints), SP3 (Development in the Southern Connections Corridor), 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 5 (Car Parking Standards).
Supplementary Planning Guidance note LDP 6 (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? The site is partially within a High risk area. On this basis the applicant submitted a Site Investigation Report prepared by Integral Geotechnique (dated January 2021). Based on the findings of this report, the Coal Authority raise no objection to the proposed development.

CONSULTATION

Bedwas, Trethomas & Machen Community Council - Community Council raises concerns over the design and access to the development.

Transportation Engineering Manager - No objections. Provides planning conditions to address detailed highway considerations.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - Confirm that they have no objection in principle to this development. Advise that pre-application discussions have been undertaken in relation to Sustainable Drainage Approval (SAB).

Ecologist - Requires the submission of biodiversity enhancement proposals prior to the determination of the application.

Landscape Architect - No objection, provides detailed advice in terms of landscaping specifications.

Senior Arboricultural Officer (Trees) - No comments.

Dwr Cymru - No objections.

The Coal Authority - No objections.

CCBC Housing Enabling Officer - This application involves a development of 12 x 1 bed, 2 person, social rented apartments in Trethomas. The 2018 LHMA shows a high requirement for this type of accommodation in the Bedwas Machen and Trethomas ward.

For the purpose of the Affordable Housing Supplementary Planning Guidance, the proposed development is situated within the Caerphilly Basin housing market area and, subject to viability, it would attract an affordable housing contribution of up to 40%. The

proposed development will provide a 100% affordable housing scheme, which is significantly above the policy requirement.

The development will be built to Welsh Government DQR standard. Each apartment will have their own entrance.

Once completed the homes will be owned and managed by the Council. Being that the Council is unable to enter in a Section 106 Agreement with itself, you may want to condition this as part of any approval. There are no transfer values involved with the development given that this is a Council-led development.

Police Architectural Liaison Officer - Confirms that the development has been designed to accord with the principles of Secured by Design. References 'active windows' overlooking public areas and car parking. Provides advice related to security and Secured by Design standards.

ADVERTISEMENT

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

Response: Three objections have been received.

Summary of observations:

- Development will block our driveway which is used daily.
- Large lorries use this highway and have got to pass the two parking spaces.
- Loss of view.
- Devaluation of property.
- Overlooking and loss of privacy.
- Adverse impact on security.
- Detrimental to existing residents.
- Housing should not be built around these existing properties.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The development is liable for CIL purposes and is within the higher viability area which has a CIL charge of £40sqm for residential (excluding indexation). However, as the development is for affordable housing it is anticipated that an exemption from CIL will be sought.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application is the principle of the proposed development, the impact of the development on the visual and residential amenity of the area, and highway safety considerations.

The application seeks full planning permission for two residential apartment blocks with associated facilities on previously developed land within a predominately residential area in the settlement of Trethomas. The principle of the development is therefore considered to be acceptable according with adopted Local Development Plan policies including Policy SP3 (Development Strategy - Development in the Southern Connections Corridor) and Policy SP5 (Settlement Boundaries) in that it is an acceptable residential use within the defined settlement boundary and will promote the full and effective use of urban land concentrating development within the settlement. It also accords with Policy CW15 (General Locational Constraints) in according with the role and function of the settlement of Trethomas.

The proposed apartment blocks have a relatively simple form of two terraces whose frontages face each other at an angle across a landscaped area with small parking court in front. The apartment blocks have a hipped roof form and include entrance canopies outside the front doors. The application site is well contained within the existing built form of the area and does not have a significant impact within the street scene. The land formerly housed garages which have been subsequently demolished. It is considered that the appearance of the proposed apartment buildings are not required to mimic the existing form and appearance of the surrounding properties (which are finished in mainly render with tiled roofs) and the new development can comfortably embrace modern building materials to provide a statement development which reflects the environmental credentials of the scheme.

It is proposed to clad the walls of the new apartment buildings in a Rockpanel non-combustible architectural composite cladding panel and a standing seam grey metal roof. The length of each block is 28.8m long and therefore it is envisaged that to break up the massing and add architectural interest to the development there will be three coloured segments on the principal elevations of each of the two apartment blocks concentrated around the entrance doors. These will contrast with the more neutral white/cream panels on the rest of the elevation. The secondary facades (sides and rear of the building) will be finished in a neutral cream/white colour as these will be more

visible to surrounding residents who will overlook the development. It is proposed to condition the final material to allow for exact colours and finish to be agreed. The design is considered acceptable and meets the requirements of Policy SP6 (Placemaking).

The development has been designed to meet the Passivhaus Standard. This is a very demanding energy efficient standard with Passivhaus buildings achieving a 75% reduction in space heating requirements, compared to standard practice for UK new build.

Buildings constructed to the Passivhaus standard include:

- very high levels of insulation;
- extremely high performance windows with insulated frames;
- airtight building fabric;
- thermal bridge free' construction;
- a mechanical ventilation system with highly efficient heat recovery.

This results in low ongoing running costs for future occupiers. This approach is in line with guidance in the Welsh Government Technical Advice Note 12 (Design) where at paragraph 5.4.3 it states "To effectively mitigate the causes of climate change in the design of a development a clear approach to reducing carbon and other greenhouse gas emissions associated with the development should be taken. Good practice in mitigating the causes of climate change is to apply the energy hierarchy (see Figure 3), which details a series of steps that should be taken to minimise the carbon emissions associated with a new development in the most efficient and cost effective way."

The Energy Hierarchy referred to in the planning Technical Advice Note has 'Reduce Energy Demand' at the top of the Hierarchy and 'Use Energy Efficiently' as the second placed option. The application before members has these two principles deeply embedded within the proposed development as the Passivhaus standard for the buildings are designed to have energy efficiency far beyond the minimum required by current Building Regulations. It will have a resultant demand for energy use by occupiers for heating far lower than other properties which are constructed to the minimum energy efficiency standards required by Building Regulations.

The impact on the amenity of the existing surrounding properties has been considered. The scheme has been developed to efficiently develop the land whilst maintaining an acceptable impact on neighbour amenity. The proposed buildings have acceptable separation distances from the existing habitable room windows of the surrounding properties. In terms of direct overlooking the scheme achieves a minimum distance of 21m separation and is sufficiently angled in instances where the separation distance is less than 21m. The southern end elevations of the two apartment blocks are unfenestrated and there is a separation distance to the nearest habitable room windows of surrounding dwellings of in excess of 12m which is appropriate for existing windows viewing onto unfenestrated elevations. The apartment blocks are set at least 2m away from the garden boundaries of the nearest properties and the design of the apartment

blocks with the hipped roof form and the orientation of the site is such that it is considered that no unacceptable persistent overshadowing will occur to the surrounding properties. The development accords with adopted Local Development Plan Policy CW2 (Amenity) in having an acceptable impact on neighbour amenity.

The site is within easy walking distance of the Bryn Park and Playing fields which include existing play facilities and these are maintained by the Council. The proposed parking and access has been scrutinised by the Highway Authority and is considered acceptable. There will be parking equivalent to one space per apartment which accords with the adopted car parking standards. The proposed site plan retains access for the existing garages and accesses present on properties surrounding the site and to the retail units of Llanfabon Drive Shops. The development accords with adopted Local Development Plan Policy CW3 (Highways).

Comments from Consultees:

The Community Council have raised concerns in respect of the design and access of the development, however having considered the design, layout and access the Local Planning Authority do not share these views and the development is considered to be acceptable.

In relation to the request from the Council's Ecologist for the submission of amended plans showing biodiversity enhancements, it is considered that this can be adequately addressed by proposed conditions requiring ecological enhancement (swift terrace boxes) and boundary treatments details to allow for gaps beneath fences to allow for the safe passage of hedgehogs.

Comments from public:

- Development will block our driveway which is used daily.
- Large lorries use this highway and have got to pass the two parking spaces.

The site layout plan has been revised and it is understood that access is maintained to existing driveways in the revised layout and the parking spaces on the carriageway have been removed.

- Loss of view.
- Devaluation of property.

There is no right to a view in planning terms and the impact on general outlook for existing properties is considered acceptable. The matter of devaluation is not a material planning consideration.

- Overlooking and loss of privacy.

The proposed layout has been assessed and the impact on privacy is acceptable and no unacceptable overlooking will result from the development.

- Adverse impact on security.

The existing site is underutilised at present being a large vacant parcel of land and the redevelopment of the site is not considered to have a significant impact on security. The Police have been consulted on the application and have raised no objections to the development.

- Detrimental to existing residents.
- Housing should not be built around these existing properties.

The proposed development is considered to have an acceptable impact on the amenity of the existing surrounding residential properties and their occupiers and the principle of the reuse of vacant land within settlement limits is supported by national and local planning policies and guidance.

Other material considerations:

Policy CW11 of the LDP requires the provision of affordable housing with a target of 40% set for the Caerphilly Basin area. In this instance, and notwithstanding that the Council's Housing Department are the developers and are proposing a 100% affordable housing scheme, this can be secured by a condition attached to any consent granted.

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 considered, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

In conclusion it is considered that the proposal is acceptable in terms of design, amenity and highway safety and as such it is recommended that the application be approved subject to conditions.

RECOMMENDATION that Permission be GRANTED

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:
A-PL-200 - Trethomas Location Plan Existing Site Plan.
A-PL-201 D - Proposed Site Plan Trethomas.
A-PL-202 A - 1B2P Unit Plans Trethomas.
A-PL-203 B - 1B2P Unit Elevations Trethomas.
A-PL-204 B - Illustrative Section Trethomas.
A-PL-205 A - Proposed Ground & First Floor Plans Trethomas.
A-PL-206 D - Proposed Front & Rear Elevations Trethomas.
A-PL-207 - Refuse Stores.
A-PL-208 - Sprinkler system enclosure.
A-PL-209 - Cycle parking enclosure.
A-PL-210 C - Proposed Elevations Block A.
A-PL-211- Ground & First Floor Plan Block A.
A-PL-214 - 3D visuals 1.
A-PL-215 - Materials Palette Option 3.
A-PL-216 - Materials Palette Option 4.
Soft Landscaping Proposals, drawing reference TDA.2585.01.
Tree pit 1 details, drawing reference TDA.2585.02.
Tree pit 2 details, drawing reference TDA.2585.03.
Landscape Specification & Management Plan.
Site Investigation Report: 12771/GNS/21/SI &
Noise Planning Report: TTH-HYD-ZZ-XX-RP-Y-1001.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 04) 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 and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 05) The development hereby approved shall be carried out in accordance with the recommendations of Site Investigation Report: 12771/GNS/21/SI & Noise Planning Report: TTH-HYD-ZZ-XX-RP-Y-1001.

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.

- 06) Prior to the installation of the structural foundations for 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The access to serve the proposed development shall be not less than 4.8m wide and shall be constructed in materials to be submitted and approved in writing with the Local Planning Authority and the access shall be completed prior to 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.
- 08) Before the dwellings hereby permitted are first occupied, a 2.0m wide footway as detail on Proposed Site Plan A-PL-201 shall be constructed in accordance with a specification to be approved in writing by the Local Planning Authority.
- 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) There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access from Bryn Awel. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained 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.
- 10) The development hereby permitted shall not be occupied until the 12 No. unallocated parking spaces as detailed on Proposed Site Plan drawing reference

A-PL-201 have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction 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.

- 11) Prior to the beneficial occupation of the first dwelling pedestrian crossing facilities (dropped kerbs) shall have been carried out in accordance with a design and specification to have been first submitted to and approved in writing by the Local Planning Authority.

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) Notwithstanding the submitted plans provision within the application site shall be made for 3 No. 3-chamber sparrow terrace boxes. Such provision shall be maintained in perpetuity unless prior written approval is obtained from the Local Planning Authority for any amendment.

REASON: In the interests of the conservation of the natural heritage of the area and in order to ensure compliance with Policy SP10 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 14) Notwithstanding the submitted plans prior to the occupation of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the completion of the development.

REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 15) Prior to the first occupation of the dwellings hereby approved, a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units/bed spaces;

- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing (if no RSL involved)).
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: In order to ensure an acceptable provision of affordable housing in the area and in order to ensure compliance with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 16) Notwithstanding the submitted details prior to the construction of the external surfaces of the development hereby approved details of the exact elevational treatment and 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 and to accord with adopted Local Development Plan Policy SP6 (Placemaking).

- 17) Notwithstanding the submitted details prior to the development hereby approved being brought into beneficial occupation details of the position and design of ancillary structures (e.g. bin stores, cycle stores and sprinkler enclosure) 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 and residential amenity and to accord with adopted Local Development Plan Policies CW2 (Amenity) and SP6 (Placemaking).

Advisory Note(s)

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The applicant's attention is drawn to the comments of the Council's Landscape Architect, Ecologist and Transportation Engineering Services Manager, Coal Authority, Dwr Cymru/Welsh Water and the Gwent Police Architectural Liaison Officer.