

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
11/0594/OUT 27.10.2011	Ms V Veale Fernbank 34 Lon-Y-Llyn Caerphilly CF83 1BX	Erect residential development Land Adj To Groeswen Farm Groeswen Road Groeswen Cardiff CF15 7UT

**APPLICATION TYPE:** Outline Application

### SITE AND DEVELOPMENT

Location: This application is in respect to a property adjacent to Groeswen Farmhouse, which is located at the centre of the village of Groeswen. This is a small settlement sited approximately one mile to the west of Caerphilly Town Centre. The village is a formally designated Conservation Area.

Site description: The site is of an irregular shape and is bound to the east and north by open fields, whilst to the south it abuts the main road through the village, on the opposite side of which stands a row of cottages and detached dwellings. To the west it is bounded by the existing farmhouse.

The land is currently occupied by three separate structures. These are as follows:-

1. A lean-to shed which is "L" shaped in plan and adjoins the farmhouse.
2. A barn, which is gable end on to the road and abuts the "L" shaped shed to form a small farmyard area, which is accessed from the road.
3. A garage/shed to the east of the barn, which fronts onto a paddock that has an access onto the road.

All the structures are in varying states of decline.

Development: At the beginning of 2009 an application was submitted under the Planning (Listed Buildings and Conservation Area) Act 1990, which sought consent to demolish these buildings in the Groeswen Conservation Area. The applicant wished to completely demolish all the buildings on this site (i.e. both single-storey sheds and the larger barn). Discussions with the applicant indicated that as the buildings were redundant and ruinous, and they currently served no purpose for agriculture, or otherwise, their retention was, it was argued, unnecessary and detrimental to the appearance of the village. Consequently their removal would be of all-round benefit.

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Planning Committee accepted this argument, which was based on a structural survey on the physical condition of these three elements. A Survey in respect to Bats and Barn Owls was also provided with that proposal.

The current application is in outline and seeks to establish the principle of the residential redevelopment of the site with all matters reserved for approval. The submitted plan shows a pair of semi-detached dwellings with on-site parking and indicates vision-splays of 2 metres x 45 metres. This will result in the removal of the stone wall fronting the road through the village.

This application is similar to the proposal submitted in 2009 (i.e. 09/0932), which also involved the principle of a pair of semi-detached dwellings replacing the existing buildings.

The application seeks to reserve all detailed matters for subsequent approval.

Dimensions: The dwellings have a combined footprint measuring approximately 100 square metres. It is also indicated that no dwelling will exceed 7.5 metres in height. The new access into the site is shown as indicative on plan.

Materials: None shown.

Ancillary development, e.g. parking: On-site car-parking for two spaces to serve the dwellings and one space to serve the adjoining farmhouse (i.e. Groeswen Farm) is indicated.

## PLANNING HISTORY

09/0049/CON - Demolish all buildings within site - Granted 22.10.09.

09/0932/OUT - Erect residential development - Refused 04.11.10.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The application site is shown as being located outside the settlement limit identified in the Adopted Plan, and has no specific designation. Groeswen Village itself however sits within a Special Landscape Area which is defined by the plan.

Policies: The policies of relevance to this proposal areas follows: SP5 - Settlement Boundaries. CW3 - Design Consideration - Highways. CW15 - General Locational Constraints. Adopted Supplementary Planning Guidance: LDP5 Car Parking Standards.  
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NATIONAL POLICY Planning Policy Wales (July 2014). Chapter 6, Conserving the Historic Environment.

### 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.

### CONSULTATION

Transportation Engineering Manager - raises objection on the basis of the inadequacy of the on-site car-parking provision, and the nature of the substandard access, which cannot be improved due to the protection afforded to the stone wall fronting the highway, which forms an important part of the character of the Groeswen Conservation Area.

Head Of Public Protection - commented that there were no adverse comments to make on this application.

Countryside And Landscape Services - objects to the application on the basis that it represents development which is contrary to the policies in the Local Development Plan which relate to unjustified proposals in the countryside.

Conservation & Design Officer - considers that the development would result in the loss of the wall which forms a key feature in the village and adds positively to the character and appearance of the designated Conservation Area of Groeswen. Such a loss would be contrary to the policy advice contained in Planning Policy Wales (Edition 7 - July 2014), as it relates to Conserving the Historic Environment.

Senior Engineer (Land Drainage) - provides a range of advice on surface water and land drainage flows relating to the development of the land should consent be forthcoming.

Dwr Cymru - raise no objection to the application but wish to pass on advice on drainage matters should consent be granted.

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## ADVERTISEMENT

Extent of advertisement: The application was advertised by way of site and press notices, along with direct neighbour consultation letters to eight properties.

Response: In response to this consultation exercise five letters of objection were received.

Summary of observations: The objections raised referred to those previously identified in regard to the similar proposal submitted in 2009 (i.e. ref. 09/0932), which are as follows:

1. The application is only for financial gain and not for the benefit of residents of the village.
2. The approval of this proposal would result in increased parking problems and traffic movement in an already restricted situation.
3. The character of the village is being adversely affected by this, and similar developments.
4. On-site parking is inadequate.

The applicant also submitted a further letter relating to the removal of the boundary wall, which residents felt was part of the character of the village. The basis of this letter was that the original wall fronting the highway had previously been demolished and re-built some years ago. The letter indicates that the site had remained open for a number of years before it was re-built and no-one from the Council or residents of Groeswen village raised any objection to its removal during that time.

## 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 the determination of this application will adversely impact on the issues of crime and disorder in this area.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The previously approved Conservation Area Consent (i.e. 09/0049/CON) approved for the demolition of the buildings, was accompanied by a Bat and Barn Owl Survey, the consent was subsequently conditioned to protect the habitats of such species in the area. This previous consent remains linked to any redevelopment of the site.

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Is this development Community Infrastructure Levy liable? No. The proposal is for outline permission and as such the Levy is not payable at this stage.

## ANALYSIS

Policies: The policies of relevance to this site in respect to its location are SP5 and CW15. The first of these relates to the defining of settlement boundaries. Such boundaries are a key mechanism for achieving resource efficient settlements and to indicate where growth will be permitted. Criterion D of that policy states that they are necessary in preventing inappropriate development in the countryside.

As indicate above the Village of Groeswen is outside the identified boundary and is therefore in the open countryside.

Allied to this policy is CW15, this policy contains a criterion (i.e. C) which links into the settlement policy by identifying types of proposed development which will be permitted outside settlement boundaries. These are as follows:

- i. Associated with either agriculture, forestry or the winning and working of minerals or
- ii. For the conversion, rehabilitation or replacement of rural buildings and dwellings, or
- iii. For recreation, leisure and tourism proposals that are suitable in a countryside location or
- iv. Associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere or
- v. Associated with the reclamation / treatment of derelict or contaminated land.

The dwellings proposed conform to none of the exceptions identified. The second of these refers to residential development but it concentrates on the replacement of rural buildings and dwellings. The buildings concerned are agricultural in nature and are not dwellings. As such to replace them with dwellings is contrary to the wording of this exception.

The proposal is therefore considered to be contrary to these policies.

The remaining policy of relevance is CW3. This relates to highway design considerations. The first criterion of this policy states that the development should satisfy the following requirement:

"The proposal has regard for the safe, effective, and efficient use of the transportation network."

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The Transportation Engineering Manager has commented that the substandard nature of the site access, in terms of adequate vision-splays along with the additional use of this access which will result from the development, make the proposal unacceptable.

He has considered the site history and notes that the Conservation Area consent granted for the buildings contained a condition which protected the stone wall fronting the highway from demolition due to the importance of this structure in respect to the character of the conservation area of Groeswen. As such there is little flexibility in the ability to increase the vision splays to the required distance of 2 metres x 45 metres.

The Engineers also considered the on-site parking provision and concluded that having regard to the size of the footprints (i.e. 50 square metres) of the dwellings they could accommodate a standard three bed house. This assumption is considered to be reasonable as the previous submission contained two properties with smaller footprints (i.e. 30 square metres) which the applicant indicated at that time were going to be three-bed in design.

The Council's Adopted Car-Parking standards require a parking space for every bedroom up to a limit of three. Consequently the pair of semi-detached dwellings indicated here would require a total of six spaces to serve the houses. In certain instances a reduction in the number of such spaces is allowable. However in view of the rural location of the site, the absence of public transport and the already poor parking situation in the village, it is not considered that any reduction can be permitted in this instance. In any event the difference between what can be provided and what is required is of such significance that a limited reduction would still result in an inadequate on-site parking situation.

In the circumstances the development is considered to be contrary to both Policy CW3 and the adopted Supplementary Planning Guidance contained in LDP5 Car Parking Standards.

With regard to National Policy, Planning Policy Wales (July 2014). Chapter 6, Conserving the Historic Environment, contains the following advice under Paragraph 6.5.17:

“Should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission.”

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The Council's Listed Building and Conservation Areas Officer indicates that in order to satisfy highways requirements for sufficient visibility splays for access into and out of the site, the development would involve the demolition of a natural stone boundary wall along the curtilage boundary between the land to the east of Groeswen Farmhouse and the only highway through Groeswen. It forms a key feature in the village and adds positively to the character and appearance of the designated Conservation Area of Groeswen.

On this basis it is considered that the proposal is contrary to the policy advice contained in Chapter 6 of Planning Policy Wales.

Comments from Consultees: The Highway Section and the Listed Buildings and Conservation Officer both commented that they raised objection to the application. In the prevailing circumstances neither party considered that their objections could be overcome by the use of conditions.

The Countryside and Landscape Officer also objected to the proposal on policy grounds relating to the unjustified approval of residential development outside of the identified settlement limits.

Comments from public: The responses to the objections made to the members of the public are as follows:

1. The issue of financial gain is not a material planning consideration in respect to the outcome of this application.
2. The questions of parking and vehicle movement on the public highway are ones that have been assessed by the Transport Engineering Manager. In this regard he considered that the proposal could result in additional on-street parking.
3. The impact on the character of the development on the village is accepted as a valid objection, for the reasons outlined in this report.
4. The on-site parking provision as shown on the submitted plan is considered to be inadequate to accommodate the six car-parking spaces required.

For the reasons contained in the above report it is considered that the proposed development is unacceptable and should be recommended for refusal.

Other material considerations: None.

RECOMMENDATION that Permission be REFUSED

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The reason(s) for the Council's decision is/are

- 01) The site lacks sufficient frontage to provide vision splays of 2.0m x 45m to cater for vehicles emerging onto the highway, which will create traffic hazards to the detriment of highway safety. The development would therefore be contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
  - 02) The proposed additional use of the existing substandard access indicated will create increased traffic hazards to the detriment of highway safety. The development would therefore be contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
  - 03) The proposal is contrary to the objective of Chapter 6 of Planning Policy Wales Edition 7 - July 2014 - Conserving the Historic Environment, in that the loss of the stone wall fronting the only highway through Groeswen, would detrimentally affect the character and appearance of the conservation area.
  - 04) The proposal is contrary to the Council's Adopted Car-Parking Standards, contained in Supplementary Planning Guidance LDP5, Which requires adequate on-site parking provision to deal with the vehicles serving the development. The scale parameters of the dwellings proposed will result in a greater provision of car-parking per dwelling than the one space per unit indicated on the submitted plan.
  - 05) The proposed development is contrary to Criterion D of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 Pollicy SP5 (Settlement Boundaries), in that it represents inappropriate development in the countryside.
  - 06) The proposal is contrary to Criterion C of Policy CW15 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, in that it constitutes development outside the settlement boundaries which does not conform to any of the exceptions contained in Criterion C of that policy.
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