

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0735/RM 12.10.2012	The Representative Body Of The Church In Wales & The Llandaff Diocesan Board Of Finance 39 Cathedral Road Cardiff CF11 9XF	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale approved under planning application 08/1210/OUT (Erect eight dwellings) Site Of Former All Saints Church Pencerrig Street Llanbradach Caerphilly

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: The site is located centrally within the village of Llanbradach, which is a former mining settlement sited approximately one mile to the north of Caerphilly. It was formerly the site of a large church which was demolished in the 1990s. The site also lies within the Llanbradach Conservation Area.

Site description: The application area is irregular in shape and has a road frontage on two sides (i.e. to the east and south). To the west it borders the site occupied by the Church Hall and to the north it abuts residential development.

Development: The proposal is a reserved matters submission for the provision of eight dwellings, on land granted outline permission on appeal, in 2009. The outline consent dealt with the point of access into the site, which is to be off Pencerrig Street which runs to the south. The current submission therefore seeks consent for the remaining detailed matters relating to the proposal (i.e. appearance, landscaping, layout and scale).

The applicant has submitted a layout showing eight houses (one detached, two pairs of semi-detached and a terrace of three). These all front onto the adjoining highways and thereby form part of the street scenes of those roads. The detached and semi-detached properties have three bedrooms, whilst the terrace comprises three dwellings with two bedrooms each.

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Parking for 10 cars is provided on-site, in the form of a parking court at the rear of the houses.

The submitted plans show that the houses will all be two storey in height, to match that of the neighbouring terraced houses. Each dwelling will be served by its own amenity space.

Dimensions: All the properties are approximately 7 metres in height. The detached dwelling has a floor area measuring 55 square metres (approx.), whilst the floor areas of the semi-detached dwellings total 51 square metres per unit. Each of the dwellings comprised in the terrace of three properties has a floor area of roughly 40 square metres.

Materials: No details of finishes are shown.

Ancillary development, e.g. parking: The proposal shows parking for 10 cars is provided on-site, in the form of a parking court at the rear of the houses.

PLANNING HISTORY

5/5/93/0552 - Demolish the All Saints Church - Refused 19.11.93.

08/1210/RM - Erect 8 dwellings - Allowed on appeal 15.10.09.

08/1211/CON - Demolish existing gable to Church Street to create new entrance and demolish two out-buildings for proposed car park - Appeal dismissed 15.10.09.

08/1222/FULL - Convert existing All Saints Church Hall into four bed apartments and six bedsits - Appeal dismissed 15.10.09.

11/0901/CON - Demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park as part of the Conversion of All Saints Hall into six one bedroom apartments, six bedsits and external works - Granted 21.06.12.

POLICY

LOCAL DEVELOPMENT PLAN

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Site Allocation: The site is located within the settlement limit identified in the Adopted Local Development Plan. In that plan it is identified for a G.P. Surgery. The site is also within the boundary of the Llanbradach Conservation Area.

Policies: The policies of relevance in the Local Development Plan are as follows:

1. CW2 – Amenity.
2. CF1 - Community Facilities.

NATIONAL POLICY Planning Policy Wales (Edition 7).

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? The issue of coal mining was not considered to be material at the outline stage.

CONSULTATION

Transportation Engineering Manager - raises no objection subject to conditions relating to parking materials, the completion of the parking areas prior to occupation, vision splays at the access of a required standard and any gates being safely located.

Head Of Public Protection - has no adverse comments to make on the application but does require the imposition of a condition relating to the importation of material to be attached to any permission granted.

Senior Engineer (Land Drainage) - requires a condition to be attached to the consent which states that prior to the commencement of any development of the site the applicant must submit to the authority, and receive written approval of, comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010.

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Dwr Cymru - make comments in relation to the drainage of the site to the adopted sewerage system. They do not object to the application but raise matters which they consider should be passed on to the developer as advice.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by way of site and press notices, along with direct neighbour consultation letters to 14 properties.

Response: None.

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 result in a significant increase in crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The outline planning application was granted after the demolition of the church building, which involved the clearance of the application site.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No, because the outline planning permission was granted before CIL was introduced.

ANALYSIS

Policies: It is firstly acknowledged that the outline permission granted on appeal addresses the principle of development. This submission seeks to consider the acceptability of the detail of the submission. Policy CW2 is a standard policy designed to ensure that development satisfies certain basic requirements. These are:

Development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:

- A. There is no unacceptable impact on the amenity of adjacent properties or land.
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- B. The proposal would not result in overdevelopment of the site and / or its surroundings.
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use.
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

With regard to the first of these criteria there is not considered to be any unacceptable impact on the surroundings. The area is predominantly residential in nature and as such the proposal will reflect the existing urban use.

The site has consent for eight dwellings and the layout submitted provides a reasonable disposition of the dwellings in respect to the site area. It also provides for adequate amenity space and on-site parking. Criterion B is therefore considered to be complied with.

The third criterion relates to the compatibility of the development with its surroundings. It is considered that the outline permission has addressed the compatibility issue whilst the layout ensures that the adjoining land is not constrained by its development.

The final requirement of this policy is considered to be satisfied in that there are no adjoining land-uses which could fall into the stated circumstances.

The other policy of relevance is CF1 (Community Facilities). Whilst the Local Development Plan identifies the site as having a designation as a new G.P. Surgery, it must be acknowledged that the land has an outline permission for residential purposes. In the circumstances it is quite proper to consider the reserved matters submission on the basis of its link to the previous appeal decision which authorised the development of the land for eight dwellings.

Consequently the policy is not over-riding in this case.

With regard to the general advice in respect to housing proposals contained in Planning Policy Wales, it is considered that the application generally accords with this advice in respect to the re-use of brownfield land, the integrated nature of the site in respect to existing settlement patterns and the acceptable impact of the site on its surroundings. This document is not considered to contain any advice which would sustain a reason for refusal of consent for this proposal.

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In respect to the development's impact on the conservation area it is considered that the scale, design and mix of properties is in keeping with that of the surrounding dwellings and improves the current appearance of the area from the main road. It is therefore not considered to detrimentally affect that designated area.

Consequently there are no policy objections to this application.

Comments from Consultees: None of the consultees raise an objection to the application, albeit a number do require the imposition of conditions to be attached to any consent granted in order to control the proposal to an acceptable level.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) 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.
- 02) Prior to development commencing details of the materials to be used in respect to the parking areas at the site shall be submitted and agreed in writing with the Local Planning Authority. Thereafter the parking areas shall be completed in the agreed materials prior to the occupation of the dwellings approved, to ensure loose stones or mud etc. are not carried on to the public highway.
REASON: In the interests of highway safety.
- 03) The development shall not be occupied until the area indicated for the parking of vehicles 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.

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- 04) The proposed private drive serving the development shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority prior to the development commencing. Thereafter the driveway shall be completed prior to the beneficial occupation of the dwellings.
REASON: In the interests of highway safety.
- 05) Any gates fitted shall be located and fitted so as not to open out over the highway.
REASON: In the interests of highway safety.
- 06) The proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m x 33m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 07) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used 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.
- 08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: policy CW2 and CW3.

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