

Application Number: 21/1213/FULL

Date Received: 15.12.2021

Applicant: YS Projects

Description and Location of Development: Demolish the Former St Catherine's Church and redevelop into residential flats and associated works - Former St Catherine's Church Gladstone Street Crosskeys Newport NP11 7PA

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the north-western side of Gladstone Street at the corner with Woodward Road, Crosskeys.

Site description: The application site comprises of the former St Catherine's Church building and its associated soft landscaped amenity areas. The main pedestrian access into the site is off Woodward Road and the site boundaries comprise of a mixture of wrought iron railings and gates, low rise stone walls and stone entrance pillars. The site is flat and bounded by Gladstone Street to the southeast, Woodward Road to the northeast, a public car park to the southwest and an access lane to the northwest. Immediately beyond the access lane lies No. 1 Woodward Road.

Development: Full planning permission is sought to demolish the former church building and erect a predominantly 3 storey residential building in its place. The proposed building would accommodate 16 No. units in total, comprising of 11 no. 1 bed units and 5 no. 2 bed units. All of the units proposed would be for affordable housing.

Dimensions: The proposed development comprises broadly of a 'U' shaped building fronting on to both Gladstone Street and Woodward Road. The proposed building would be 3 storeys in height along Gladstone Street and would continue at this height at the entrance of Woodward Road before stepping down to 2 storeys. The latter 2 storey element would also incorporate a 2 storey rear wing that would be set down from the ridgeline and in from the northwest flank elevation of the main 2 storey element.

The proposed building as it fronts on to Gladstone Street would measure approximately 25m and 9m in width and depth respectively. The proposed pitched roof would measure approximately 11m and 7.6m at ridge and eaves height respectively. The width and depth of the proposed building at Woodward Road would measure approximately 28m and 8m respectively, and the ridge and eaves height of the building's 2 storey element would reduce to approximately 8.3m and 5.3m respectively. The proposed 2 storey rear wing of the building would measure approximately 6.2m and 9.3m in width and depth respectively, and would also incorporate a pitched roof design measuring approximately 7.5m and 5.2m at ridge and eaves height respectively.

Materials: The proposed building would comprise of a mixture of stone and brick detailing to match the local vernacular, cream render, grey windows and grey roof tiles.

Ancillary development, e.g. parking: Ancillary development would include a central landscaped garden area, a bin storage area and cycle store. No onsite car parking spaces are proposed as part of the residential development.

PLANNING HISTORY 2010 TO PRESENT None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan (LDP) up to 2021 - Adopted November 2010.

Site Allocation: Unallocated site within the settlement boundary.

Policies: SP3 (Development Strategy - Development in the Southern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Placemaking), SP7 (Planning Obligations), SP10 (Conservation of Natural Heritage), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW8 (Protection of Community and Leisure Facilities), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation) and CW15 (General Locational Constraints).

Supplementary Planning Guidance - LDP 1 Affordable Housing Obligations (Revision) sets out affordable housing requirements for residential developments.

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 sets out design guidance for all residential developments.

Future Wales - The National Plan 2040 sets out the spatial strategy for Wales for the next 20 years and provides policies that should be taken into account in the determination of applications at all levels. The following policies are considered to be relevant to the proposed residential development: Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking; Policy 7 - Delivering Affordable Homes; Policy 12 - Regional Connectivity; and Policy 13 - Supporting Digital Communications.

NATIONAL POLICY

Planning Policy Wales (Edition 11, February 2021), Technical Advice Note 2: Planning and Affordable Housing (June 2006), Technical Advice Note 12: Design (March 2016) and Technical Advice Note 18: Transport (March 2007).

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 located within a low risk coal mining area and an advisory note can be added advising the applicant/developer of this fact if planning permission were to be granted.

CONSULTATION

Glamorgan-Gwent Archaeological Trust - No objection is raised to the proposed residential development subject to a historic building recording being secured via condition.

21st Century Schools Manager - Confirmed that there is adequate capacity within catchment schools to meet the needs of the proposed residential development.

CCBC Housing Enabling Officer - The proposed residential development is supported as it would help meet affordable housing needs identified in the Crosskeys area.

Senior Engineer (Drainage) - Advised that the proposed residential development will require a separate sustainable drainage consent from the Council's Sustainable Drainage Approval Body.

Waste Strategy and Operations Manager - No comments received.

Transportation Engineering Manager - CCBC - The proposed residential development is not supported by the Local Highway Authority, due to highway safety concerns over the potential oversubscription of parking in the area and a lack of disabled parking.

Dwr Cymru - No objection raised to the proposed residential development.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that a separate application will need to be made to Western Power Distribution if a new connection or service alteration is required.

Parks And Countryside Operations Manager - No comments received.

Heritage And Placemaking Officer - Whilst some design improvements have been suggested, no objection has been raised to the proposed residential development.

Ecologist - No objection raised to the proposed residential development subject to the imposition of biodiversity enhancement related conditions.

Senior Arboricultural Officer (Trees) - No objection raised to the proposed residential development subject to replacement tree planting being secured.

Environmental Health Manager - No objection raised to the proposed residential development.

Landscape Architect - CCBC - No objection raised to the proposed residential development subject to additional/revised details being secured in relation to hard and soft landscaping.

ADVERTISEMENT

Extent of advertisement: The application was originally advertised by means of site notices, neighbour letters and a press notice. A further re-consultation exercise, which included site notices and neighbour letters, was also undertaken as a result of amendments to the scale and design of the proposed residential building. The amendment also included a reduction in the proposed number of flats from 17 to 16.

Response: The initial public consultation exercise resulted in 24 separate objections to the proposed residential development. A petition against the proposal has also been received with 185 signatories.

Following the re-consultation exercise a further 5 separate objections have been received.

Summary of observations: The objections raised are summarised as follows:

1. The development should include dedicated on-site car parking as there is insufficient on street car parking available in the local area.
2. Additional on-street parking as a result of the proposal would exacerbate illegal parking and highway safety issues.
3. Emergency vehicles currently have difficulty accessing side streets and the problem would be exacerbated if the development went ahead.
4. Insufficient evidence has been submitted to demonstrate the majority of future residents will utilise public transport.
5. The Transport Technical Note (TTN) is 12 months out of date and should be reviewed to take into account Transport for Wales' additional train service to Newport.
6. The TTN fails to capture or reflect significant levels of daytime demand for parking spaces from train commuters and local shops/facilities, and is based around the site's extant use which is now redundant.
7. The loss of local on-street and public car parking spaces as a result of the proposal should be considered as a loss of a 'community facility'.

8. Active Travel Routes are used exclusively for leisure purposes and are unsuitable for commuting due to conflict between different types of users and safety issues.
9. Bus services are less frequent during the evening and late at night, and only provide access to certain locations, making them unsuitable for certain types of commuter.
10. A public refuse bin and dog waste bin would need to be relocated as it obstructs the entrance to the proposed building.
11. Construction works would cause noise and light disruption and would adversely affect the surrounding highway network and the existing access lane between the application site and Woodward Road. A traffic management plan would also be required during construction works.
12. There are existing unused residential homes in the surrounding area that could accommodate future residents.
13. The proposal represents overdevelopment of the site and the proposed building itself is out of scale with the existing footprint of St Catherine's Church and the character of the locality.
14. The proposed building would be a very dominant, overwhelming, harsh structure with insufficient soft landscaping.
15. The size of the living accommodation within the proposed building is too small.
16. The proposed building would result in an overbearing impact and loss of light and privacy to neighbouring properties.
17. The proposed building would result in the loss of a view of the valley.
18. The proposed building would potentially adversely affect the local drainage system.
19. As 12 months have passed since the application was submitted, the capacity of local schools should be reviewed.
20. The proposal would exacerbate existing anti-social behaviour problems in the local area and affect the character of the neighbourhood.
21. St Catherine's Church should be retained as a community facility.
22. Public consultation on the application undertaken by Caerphilly CBC was inadequate.

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.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes - the site is located in the mid-range viability area where CIL is charged at £25 per square metre plus indexation.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The application site is located within the settlement boundary within which development is normally permitted subject to the requirements of other relevant LDP policies and material planning considerations (Policy SP5). The site is not covered by any allocations or designations according to the LDP Proposals Map.

The application site falls within the Southern Connections Corridor where, among other things, the use of previously developed land within settlement limits is promoted (Policy SP3 - criterion A). The site is classified as brownfield land and it is considered that the proposed residential development would be compatible with surrounding land uses which comprise of a mixture of residential and commercial uses (Policy CW2 - criterion C). The proposed residential development would also accord with the role and function of the settlement within which it is located (Policy CW15 criterion - B), and it is therefore considered that the proposal is broadly acceptable in land use terms.

The existing church building is recognised as a community use that is protected by Policy CW8. Among other things, this policy requires any proposal that would result in the loss of a community facility to demonstrate that either a comparable replacement facility can be provided, or the facility is surplus to requirements. Written confirmation has been provided by The Representative Body of the Church in Wales, stating that the Church was formally closed and declared redundant on 14th May 2019. On this basis, it is considered that the community facility is surplus to requirements and as such, the proposed development meets the requirements of Policy CW8 (criterion B).

With regards to housing need, Policy SP14 made provision for 10,269 new dwellings in the County Borough between 2006 and 2021 in order to deliver the 8,625 new dwellings required to meet the moderate growth strategy of the LDP. This equated to an annual requirement of 575 dwellings per annum. The most recent Annual Monitoring Report (AMR) of the LDP was approved in October 2022 and includes a housing trajectory of the 15 year plan period up to 2021 plus 6 years (see Appendix 1 of AMR). This shows that the number of dwellings completed has been below the annual requirement of 575 dwellings per annum since 2008/09 and is forecast to continue to be below this requirement for most years up to 2026/27. There is just one exception in the year 2023/24 where the number of dwelling completions is forecast to be 635 units. The affordable housing target of delivering at least 964 affordable units between 2006 and 2021 (Policy SP15) has also not been met and the AMR continues to recommend that proposals for residential development should be considered on their relative merits on a site-by-site basis, having regard to the need to increase the housing land supply.

The proposed residential development would provide 16 flats all of which are proposed to be affordable. Whilst the amount of housing proposed would not make a significant contribution to the overall supply of housing, it would make a much needed contribution,

particularly in terms affordable housing. Accordingly, the proposal would meet the requirements of Policies SP14 and SP15.

In respect of affordable housing, it should be noted that the site falls within the Lower Islwyn housing market area which requires a 10% affordable housing contribution subject to viability (Policy CW11). As such, the Council's Housing Enabling Officer has confirmed that only 2 flats need to be provided as affordable to meet policy requirements and each flat should comprise of a 1 bed, 2 person unit for social rent. Such affordable housing requirements would need to be secured as part of a Section 106 agreement.

With regards to the scale and design of the proposed residential building, Policy SP6 requires development proposals to contribute to sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. The local area is predominantly characterised by two storey terraced buildings, with semi-detached buildings and a 3 storey residential building also evident. Whilst the local vernacular is varied, the existing church building and immediately adjacent terraced buildings have a distinctive character and appearance, comprising of grey/brown stone with buff brick quoins, horizontal bands and detailing around windows and doors. Gable roofs with grey roof tiles are also a common feature.

The proposed residential building would be predominantly 3 storeys in height and located in a visually prominent position on the southwest corner of the junction between Gladstone Street and Woodward Road. The proposed building would also be immediately opposite an existing 3 storey residential building and would broadly reflect this building's scale and positioning. The proposed building would also step down to 2 storeys in height at its north-western end in order to more appropriately reflect the scale of the terraced block at Woodward Road. A similar step down in height has not been incorporated into the design of the proposed building along Gladstone Street as it is considered that the existing public car park provides a sufficient visual break between the 2 storey terraced block to the southwest and the proposed 3 storey element of the building along Gladstone Street. The mass of the proposed building along Gladstone Street would, however, be broken up by a recessed entrance/internal stairwell and visual break in the roof part way along its frontage. The proposed residential building is therefore considered to be in keeping with the existing scale and built form of the area.

It is considered that the existing St Catherine's Church building currently makes a positive contribution to the street scene and some of its key characteristics and design features have been incorporated into the design of the proposed residential building. These include the proposed incorporation of a gable roof design and the use of stone on the building's façade along with buff brick quoins, horizontal brick band detailing and brick detailing around windows. The proposed use of such materials and design features would also complement the character and appearance of the immediately adjacent terraced blocks at Gladstone Street and Woodward Terrace.

The proposed residential building would provide active frontages along both Gladstone Street and Woodward Road and the 3 storey gable projection on the north-eastern corner of the building would provide a positive, prominent design feature within the street scene. Moreover, the proposed recessed entrances/internal stairwells, two storey flat roof bay windows, entrance canopies and variation in the roofscape would collectively help break up the scale and massing of the building, whilst also adding visual interest to the building's overall design. It is therefore considered that the scale and design of the proposed residential building would sit comfortably with the context of the site and as such, would not be out of keeping with the character and appearance of the street scene. Accordingly, the proposed development would meet with the requirements of Policy SP6 in respect of this matter.

In terms of existing trees on site, the submitted Tree Report indicates that all existing trees and shrubs on site are of low quality. The Council's Arboricultural Officer has reviewed the Tree Report and confirmed that there are no trees of inherent value that should be retained in the longer term as part of the proposed residential development. Replacement tree planting of a scale appropriate to the urban setting, particularly within the proposed communal garden, is recommended, however.

In respect of hard and soft landscaping, the proposed landscaping plan includes permeable paving throughout the site, rain gardens along the frontage of the site, a central landscaped garden area, and planting areas and a wildflower grassland in the southwest corner of the site. Both the rain gardens and permeable paving would function as sustainable drainage features, ultimately conveying surface water to the wildflower grassland area where the surface water will infiltrate into the ground. As the proposed development is for more than one dwelling, the sustainable drainage details require a separate consent from the Sustainable Drainage Approval Body (SAB).

The Council's Landscape Architect has confirmed that the proposed landscaping plan is acceptable in principle, and it is considered that the proposals would provide some useable outdoor amenity space for future residents and help soften the built form of the proposed building. Further planting details are, however, considered necessary along with details of hard landscaping and boundary treatments. It is considered that such matters can be addressed via conditions requiring the submission and approval of revised/additional hard and soft landscaping and boundary treatment details. Subject to such conditions, it is considered that the proposed landscaping scheme would provide an appropriate visual setting for the proposed residential building.

With regards to ecology, the submitted Bat Survey Report states that no direct evidence of bats using the existing building was identified during the bat surveys. As such, the Report concludes that the proposed residential development would have a negligible impact on the local bat population. The Council's Ecologist has reviewed the Report and raised no objection to the proposed development subject to biodiversity enhancement measures being secured via condition.

In relation to residential amenity, the proposed building would be located opposite two existing hot food takeaways with flats above and the residential properties of Nos 10 and 12 at Gladstone Street. At Woodward Road, the proposed building would be located opposite the existing 3 storey residential building. The proposed building would maintain the existing building lines of adjacent terraced blocks along both Gladstone Street and Woodward Road and as such, would achieve similar separation distances between the principal elevations of opposing buildings. The level of direct overlooking between the proposed residential building and existing residential properties is not therefore considered to be any different to that currently experienced between existing opposing properties within these streets and as such, the proposal would not give rise to an unacceptable loss of privacy to the surrounding residential properties. It should also be noted that whilst the front gable projection on the corner of the proposed building would extend further forward than the main building line, any overlooking into the windows of the flats above the takeaways at Gladstone Street would be at an oblique angle and as such, would not give rise to an unacceptable level of direct overlooking.

The proposed building would be of a similar scale to the existing 3 storey residential building at Woodward Road and as such, there are no concerns in respect of the overbearing impact on this neighbouring residential building. It is acknowledged that the proposed building would have more of an overbearing impact on the residential properties immediately opposite the application site at Gladstone Street (Nos 10 and 12) than the existing church building. However, it is considered that the mass and bulk of the proposed building has been reduced to some degree by the incorporation of a recessed entrance/internal stairwell and visual break in the roof part way along its frontage. Moreover, it is not considered that any overbearing impact that the proposal would have on these neighbouring properties would be unacceptable given that a separation distance of approximately 12m would be maintained between the proposed and existing buildings within the street. It is also considered that any overbearing impact that the proposed building would have on the flats above the hot food takeaways at Gladstone Street would be limited by the fact that the proposal would be viewed from first floor level, significantly reducing the scale of building and the resulting impact on the amenity of the occupiers.

In addition to the above neighbouring properties, No.1 Woodward Road also lies adjacent to the northwest boundary of the application site and is separated from the site by a single vehicle access lane. This neighbouring property has a side, ground floor, habitable room window on the flank elevation of the main building and also has an extended two storey rear wing (approximately 7m long) with habitable room windows at ground and first floor level incorporated into its side elevation. As such, all of these windows face towards the application site.

The proposed residential building steps down to 2 storeys in height along Woodward Road so that the building would have a similar ridge and eaves height to No.1 Woodward Road. Whilst the main two storey element of the proposed building would be located directly opposite the ground floor habitable room window on the main flank

elevation of this neighbouring property (approximately 4.5m away), this side window is not the only window serving the habitable room. As such, as an alternative means of outlook is available for the occupiers of the property, it is not considered that the overbearing and overshadowing impact would be unacceptable.

The main 2 storey element of the proposed building also incorporates a 2 storey rear wing that would be set down from the ridgeline and in from the northwest flank elevation of the main 2 storey element by approximately 0.8m and 2m respectively. It is noted that the proposed 2 storey rear wing would breach the 45 degree rule as applied to the existing habitable room windows on the main rear elevation of No.1 Woodward Road. However, when this breach is considered alongside the existence of the intervening access lane and the extent of the separation distance between the centre point of the habitable room window and the proposed rear wing (approximately 7.5m), it is not considered that any overbearing or overshadowing impact would be unacceptable. Similarly, a slightly greater separation distance of up to approximately 8m would be maintained between the proposed building's two storey rear wing and the existing habitable room windows in the side elevation of the neighbouring property's extended 2 storey rear wing. These habitable rooms are also served to some degree by other existing windows in the rear elevation of the 2 storey rear wing, which provide an alternative means of light and outlook. As such, it is not considered that the proposed development would have an unacceptable impact on No.1 Woodward Road by means of overshadowing or overbearing.

In respect of overlooking, no windows are proposed in the north-western elevation of the proposed building adjacent to No.1 Woodward Road. Moreover, whilst windows would be incorporated into the rear elevation of the 3 storey element of the proposed building that would face towards the rear garden of No.1 Woodward Road, an adequate separation distance of approximately 21.5m would be maintained, preventing any unacceptable loss of privacy.

Overall, it is not considered that the proposed residential development would have an unacceptable impact on the amenity of occupiers of neighbouring residential properties by means of overbearing, overshadowing or overlooking. Accordingly, the proposed development is considered to meet the requirements of Policy CW2 (criterion A) in respect of this matter.

In terms highways and parking matters, the submitted Transport Technical Note (TTN) estimates that the proposed residential development would generate a total of 25 vehicle movements throughout the day (7am -7pm). Moreover, during peak morning (8am- 9am) and evening (5pm-6pm) travel periods, the proposal is anticipated to generate just 3 and 2 vehicle movements respectively. The Council's Transportation Engineering Manager has reviewed the TTN and raised no concerns in respect of the impact of these additional vehicle movements on the safe, effective and efficient use of the highway network.

In respect of car parking, the submitted TTN demonstrates that the application site is located in a sustainable location with good access to a range of local facilities and public transport. In particular, the application site is located less than 80m from Crosskeys train station and local bus stops, and there are numerous local facilities in reasonable walking distance of the site, including a local primary school, convenience store, newsagent, dental practice and hot food takeaways/restaurants.

Whilst there are also national cycle routes within close proximity to the site, it is noted that the Transportation Engineering Manager and objectors have brought into question the practicalities of accessing national cycle route 465 to the northeast of the application site by cyclists, given the narrowness, steepness and condition of the path between Carlton Terrace and the cycle route itself. Having walked the path, it is considered that it is not conducive to cycling and is likely to act as a deterrent to future occupiers of the proposed development in choosing to access this cycle route on a regular basis.

Notwithstanding the limitations of accessing route 465 for cycling, it should be noted that this route has also been identified as a walking route for local travel as part of the local active travel network. In addition, national cycle route 47 is located a little further towards the southwestern end of Gladstone Street and when these factors are taken into account alongside the good access to public transport and local facilities, it is considered that the application site is located within a sustainable location with the potential to encourage a modal shift away from a reliance on the private car.

The Council's Car Parking Standards SPG typically requires 1 space to be provided per bedroom which results in a requirement for 21 car parking spaces for the proposed residential development. A reduction in car parking spaces is, however, permitted based on the proximity of a development to local facilities, public transport and cycle routes. The TTN indicates that the proposed development can be awarded sufficient sustainability points (even with the removal of 1 point relating to cycle route access) to allow a parking reduction of 1 space per flat. As the Car Parking Standards SPG requires a minimum of 1 space per flat, this reduction can only be applied to the flats with 2 bedrooms, which results in a car parking requirement of 16 spaces for future residents plus 3 spaces for visitors (19 spaces in total).

The proposed residential development does not include any off-street car parking spaces and as such, conflicts with the requirements of the Car Parking Standards SPG. The Transportation Engineering Manager has also raised highway safety concerns given the potential for an oversubscription of parking in the area. Whilst the conflict with the Car Parking Standards SPG and the concerns of the Transportation Engineering Manager are fully acknowledged, it is considered that they need to be balanced against the requirements of Planning Policy Wales (PPW, Edition 11) and Future Wales in relation to car parking, the fall-back position of the potential use of the existing St Catherine's Church building, car ownership data and the findings of car parking demand surveys. Each of these matters is considered in turn below.

Paragraph 4.1.50 of PPW (Edition 11) states that, among other things, car parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a shift to walking, cycling and public transport. Moreover, it states that well designed schemes which keep parking levels down, especially off-street parking, must be supported by planning authorities. Policy 12 of Future Wales takes the approach of minimising off-street parking a step further by requiring planning authorities to identify opportunities for higher density, mixed use and car-free development around metro stations. Given that the application site is located less than 80m from Crosskeys train station and adjacent bus stops, it is considered that the proposed residential development presents an opportunity to provide a car-free development that would support a shift to more sustainable modes of transport, such as rail and bus use. The proposal is therefore considered to comply with the general thrust of PPW (Edition 11) and Policy 12 of Future Wales in respect of car parking matters.

With regard to the fall-back position of the potential use of the existing St Catherine's Church building, the submitted TTN indicates that the number of car parking spaces required for the previous use of the building as a church/place of worship would be between 22 to 23 spaces. This requirement is more than the 19 car parking spaces required for the proposed residential development and the TTN concludes that the proposal would result in a reduction in the demand for on-street parking when compared with the extant church/place of worship use.

The Council's Transportation Manager has stated that the fall-back position is invalid as the proposal would involve the demolition of the existing church building and the construction of a new residential building, rather than the conversion of the existing building to a residential use. Objections to the proposed development have also been received from local residents, which state that, among other things, the site has no extant use as the building has been unused for at least the past five years, with all current local parking demand being related to existing residential uses and users of local facilities and amenities.

It does not simply follow that as the proposal involves the construction of a replacement building that there is no fall-back position on the site. If planning permission were to be refused for the proposed residential development, the existing building would remain on site and it is likely that the owner would seek to put the building to a productive use, rather than leave it to abandonment and dereliction and the financial loss that that would incur. However, as indicated above, evidence has been submitted in the form of written confirmation from The Representative Body of the Church of Wales, stating that the Church was formally closed and declared redundant on 14th May 2019. On this basis, the judgement has been reached that the church facility is surplus to requirements and accordingly it is acceptable for the church building to be lost as a community facility. It therefore logically follows that whilst it is possible that the building could continue to be used as a church or other place of worship, the potential for this continued use is very limited, otherwise the building should be retained for the continued community use. It is therefore considered that the fall-back position of the building continuing as a church or

other place of worship with its associated higher parking demand should not be given significant weight.

Notwithstanding the unlikelihood of the existing church building continuing under its existing use, consideration also needs to be given to the fact that places of worship fall with the D1 (non-residential institution) use class and as such, the building has the potential to be used for a number of alternative uses within the same use class without the benefit of planning permission. Such D1 uses include clinics, health centres, creches, day nurseries, education and training centres and public halls. Given the sustainable location of the site and the likelihood that the owner would seek to put the existing building to an alternative beneficial use if planning permission were to be refused for the proposed residential development, it is considered that there is a latent demand for parking associated with the application site and the proposed residential development should not be seen as creating a wholly new requirement for parking. It is recognised that it is difficult to make a quantitative comparison between the car parking requirements for the proposed residential use and alternative D1 uses as the car parking requirement for the latter uses are often based on staff/practitioner numbers, which are unknown at this time. However, it is not considered that the car parking requirements for the proposed residential use and alternative D1 uses would be vastly different, especially if a lower parking requirement is to be accepted for the proposed residential development based on the anticipated level of car ownership as considered further below.

The TTN provides an estimate of the likely car ownership rate of the future residents of the proposed development based on car availability data in the 2011 Census. The TTN states that car ownership for flats in the area is 0.51 cars per household and for social rented dwellings it is 0.49 cars per household. Whilst the supporting information submitted with the application states that the proposed residential development would provide 100% affordable housing, certainty cannot be provided over the exact type and amount of affordable housing provision as the applicant is not a registered social landlord/housing association and only 2 of the proposed flats are required to be secured as social rent affordable housing as part of a Section 106 Agreement (see above). It is, however, clear that the proposed residential development would only be providing flats, and as such, it is not considered unreasonable to expect the number of car parking spaces needed for future residents to be lower than the 16 spaces required by the Car Parking Standards SPG based on the 2011 Census data provided. Moreover, given the site's close proximity to a rail station and bus stops, and the fact that the site is within walking distance to a range of local facilities, it is considered that the proposed development would be attractive to non-car owners and would offer a choice of transport modes in line with the thrust of PPW (Edition 11).

It is noted that the Transportation Engineering Manager has raised questions over the robustness of the 2011 Census data as it is over 10 years old and represents a snapshot of car ownership at that time. However, a more recent source of data does not appear to be available at the time of writing and whilst the Transportation Engineering Manager speculates that travel patterns and levels of car ownership may have

potentially changed since 2011, no supporting evidence or information has been provided to substantiate this claim. On this basis, it is considered that the 2011 Census data should be considered as the best information currently available.

With regards to the existing car parking survey, the TTN indicates that night-time surveys were carried out on two weekday nights between 12.30am and 5.30am. This time period represents the maximum demand for residential parking and whilst objections have been received stating that the surveys fail to capture the significant demand for daytime parking, the Transportation Engineering Manager has raised no concerns in this regard. Moreover, it is noted that the Council's Highway Officer undertook his comparative car parking demand survey between 20.00pm and 20.45pm, also outside of daytime hours.

The results of the night-time surveys contained within the TTN indicate that on the busier of the 2 weekday nights surveyed, 72% of parking spaces within the surrounding streets were used with 74 unoccupied spaces remaining available. In contrast, the Highway Officer survey only identified 11 unoccupied spaces, which indicates that 96% of available parking spaces were occupied. The TTN acknowledges that practical car parking capacity is reached at approximately 85-90% and above this level, finding a space may become difficult and vehicles may need to circulate the area. In addition, depending on the layout and width of the carriageway, streets fully parked on both sides may have fewer passing places, which can affect vehicle circulation in an area and potentially access by large vehicles.

There is a clear discrepancy between the surveys undertaken by the applicant's transport consultant and by the Highway Officer. The Planning Agent's letter (dated 13th September 2022) contends that the difference is likely to be related to commuter traffic associated with the use of local facilities and Crosskeys train station. This is considered to be a reasonable assertion given that local residents have also raised concerns over the demand for parking spaces throughout the morning, afternoon and evening from non-residents utilising local facilities and the train station.

Based on the survey data provided it is reasonable to conclude that there would be sufficient on-street parking available during the night time to meet the needs of the proposed residential development. During this period the demand for residential car parking would be at its highest, although there would also be little demand from non-residents who park in the surrounding streets in order to access the train station and local facilities. The Highway Officer survey is likely to have captured elements of both residential and non-residential demand for on-street car parking, which demonstrates a higher level of car parking stress with only 11 unoccupied spaces found to be available. This number of unoccupied spaces would only be sufficient to meet the needs of the proposed residential development if a lower parking requirement for the proposal is accepted based on lower car ownership levels for occupiers of flats and/or social rent affordable accommodation (i.e. 8 spaces). However, it must also be acknowledged that based on the Highway Officer survey data that the current level of on-street car parking is already above the practical car parking capacity for the area at certain times of the

day and any further loss of unoccupied parking spaces would therefore exacerbate the existing parking stress within the area to the detriment of local resident's amenity.

In summary, the proposed residential development with no off-street car parking provision conflicts with the requirements of the Car Parking Standards SPG. However, more recent and up-to-date policy in both PPW and Future Wales seeks to reduce the reliance on the private car and support a modal shift to walking, cycling and public transport. Policy 12 of Future Wales, which forms part of the Authority's development plan framework, also requires planning authorities to identify opportunities for higher density, mixed use and car-free development around metro stations. The application site is located within a sustainable location in close proximity to a rail station and bus stops, and within walking distance to a range of local facilities. It is therefore considered that the proposed development would be attractive to non-car owners and would offer a choice of transport modes in line with the general thrust of PPW (Edition 11) and Policy 12 of Future Wales.

The on-street parking concerns raised by both the Transportation Engineering Manager and local residents are fully acknowledged and it is accepted that at certain times of day the amount of available on-street car parking is likely to be limited. However, it is not considered that the proposed residential development would generate an entirely new demand for on-street car parking as it is considered that there is a fall-back position on the site relating to the more general existing D1 use of the building. Given that the proposed residential development would comprise of flats with some, if not all, units providing social rent affordable housing, it is not unreasonable to expect the level of car ownership to be less than 1 per household. The likelihood of the latter is increased by the fact that the proposed development is located in a sustainable location, which would make it attractive to non-car owners. It is not therefore considered that the proposed residential development would generate a significant increase in the demand for parking over and above the fall-back position of the existing D1 use of the church building. When this is considered alongside the aforementioned policy requirement to seek to promote car-free development around metro stations, it is considered that, on balance, the proposed residential development would not have an unacceptable impact in terms of car parking.

Comments from Consultees: The majority of the concerns raised by the Transportation Engineering Manager have been addressed above. In terms of the additional concern relating to the lack of disabled parking provision, it is noted that the Gladstone Street public car park, which adjoins the southwest boundary of the site, has two existing disabled parking spaces. The car parking surveys undertaken by the applicant's transport consultant and the Council's Highway Officer both demonstrated that the two disabled spaces were unoccupied at the time of the surveys. It is therefore considered that any future need for disabled parking arising from the proposed development could be met by this existing provision.

In respect of the Transportation Engineering Manager's concern that the submitted car parking survey had not taken into account double yellow lines and vehicle crossovers,

the Planning Agent's letter (dated 13th September 2022) confirms that these factors were taken into account when the survey was undertaken.

Glamorgan Gwent Archaeological Trust (GGAT) has indicated that St Catherine's Church is first shown on the Third Edition OS map of c1920 and is noted in the Historic Environment Record. As such, even though St Catherine's Church is not covered by any statutory or non-statutory historic environment designations, GGAT has requested that a condition is attached to any planning permission granted which secures a historic building recording of the structure prior to any development commencing. Given the local historic significance of the church building, it is considered that a condition of this nature is justified.

Comments from public: A number of the main concerns raised by local residents relating to the lack of off-street parking, impact on residential amenity, loss of a community facility and impact on the character and appearance of the area have been addressed above. A response to the remaining concerns is provided below.

It is noted that a concern has been raised over the submitted TTN being 12 months out of date. However, the application has not been assessed on this evidence alone, with the Highways Officer's parking survey also taken into consideration. The Transportation Engineering Manager has also made no request for further surveys and any recent increase in demand from commuters for car parking would not affect the maximum demand for residential car parking during the night time.

In respect of the concern relating to over-development, it is recognised that criterion B of Policy CW2 states that a development proposal should not result in over-development of the site. However, this requirement also needs to be balanced against other policy requirements within the LDP, such as criterion F of Policy SP6 which states that development proposals should make efficient use of land by providing higher density developments in close proximity to key transport nodes. This requirement is also reflected in PPW (Edition 11) which states that planning authorities need to ensure that they make the most efficient use of land in their areas and encourage higher densities on sites which have good walking, cycling and public transport links (see paragraph 4.2.22). Similarly, one of the key strategic placemaking principles set out in Policy 2 of Future Wales is the need to increase population density, with built development at urban densities that can support public transport and local facilities.

As indicated above, the application site is located in a sustainable location with good access to Crosskeys train station, bus stops and a range of local facilities within walking distance. As such, it is considered appropriate to accept a higher level of housing density on the application site, particularly as no unacceptable impacts on residential and visual amenity or on street parking have been identified. Moreover, it is considered that the proposed residential development would be adequately served by open space, cycle parking provision and refuse collection facilities within the site. It is therefore considered that the proposal would represent a sustainable form of development and would not result in over-development of the site.

In relation to concerns over the impact of construction works on the local highway network and local amenity as a result of noise and light disturbance, it is considered that such impacts would be temporary and capable of being adequately controlled through the implementation of demolition and construction method statement. The latter can be secured via the imposition of an appropriately worded condition if planning permission were to be granted.

In respect of the concern over the potential adverse effect on the local drainage system, Dwr Cymru/Welsh Water has confirmed that the public sewerage network has the capacity to accommodate foul flows from the proposed development. Moreover, the submitted Drainage Strategy confirms that surface water arising from the proposed development will be dealt with via sustainable drainage systems on site and will not connect to the public sewerage network.

With regards to the claim that there are sufficient unused residential homes in the area, as indicated above, the amount of housing delivered within the County Borough has been below the LDP's annual requirement of 575 dwellings per annum since 2008/09. The Council's Housing Enabling Officer has also confirmed that there is need for affordable housing in the Crosskeys area and the proposed residential development would help meet this affordable housing need.

In respect of concerns relating to the suitability or likelihood of future residents of the development utilizing active travel routes and/or public transport, it is acknowledged that such modes of transport may not be suitable for every individual's personal circumstances. However, it is considered that these modes of transport provide a realistic alternative to the use of the private car and as such, the development would be attractive to non-car owners who would benefit from good access to public transport and/or opportunities for walking/cycling to local facilities.

In relation to the assertion that the proposed living accommodation is too small, it should be noted that the Environmental Health Manager has raised no concerns in respect of the proposed flats not meeting current housing standards.

With regards to the assertion that existing on-street car parking represents a protected community facility, it is considered that this is a misinterpretation of Policy CW8 which relates specifically to community buildings and more formal facilities, such as children's playgrounds and designated sports pitches.

In respect of the need to review local school capacity, it should be noted that one bedroom flats are not considered suitable for families and as such, only the 5 no. two bedroom flats are likely to give rise to a future need for pupil places in local schools. Whilst it is acknowledged that nearly 12 months has passed since the initial consultation response was received from the 21st Century Schools Manager, this limited time delay is unlikely to have any significant effect on the estimation of the future demand for school places given that there is always some uncertainty when the actual need for the places will come into effect as any planning permission granted has five years to be

implemented and there are no time limits over when a development is to be completed. Moreover, the overall demand for school places from the proposed development is considered to be low and unlikely to have a significant effect on local school capacity.

In relation to concerns over anti-social behaviour affecting the character of the neighbourhood, it is considered that the proposed residential development is compatible with neighbouring land uses. Moreover, no comments have been received from the Police Architectural Liaison Officer raising concerns over the nature of the proposed development.

Finally, the potential need to relocate public facilities, such as refuge and dog waste bins, are not considered to be a significant impediment to the proposed development, and the loss of an open view is not a material planning consideration. It is also confirmed that all statutory public consultation procedures were followed as part of processing this application, including issuing neighbour letters, displaying site notices and a placing a notice in the local newspaper.

Other material considerations: 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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

1. 10% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions.

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the

application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

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:
Site Location Plan, Drawing No. A100, received 14/12/21;
Proposed Site Plan, Drawing No. A104 (Rev. G), received 02/11/22;
Proposed Ground Floor Plan, Drawing No. A105 (Rev. H), received 26/09/22;
Proposed First Floor Plan, Drawing No. A106 (Rev. F), received 26/09/22;
Proposed Second Floor Plan, Drawing No. A107 (Rev. F), received 11/10/22;
Proposed Roof Plan, Drawing No. A108 (Rev. F), received 11/10/22;
Proposed Elevations Sheet 1, Drawing No. A109 (Rev. G), received 11/10/22;
Proposed Elevations Sheet 2, Drawing No. A110 (Rev. G), received 11/10/22;
Proposed Courtyard Elevations, Drawing No. A111 (Rev. G), received 11/10/22;
and
Site Investigation Report: St Catherine's Church, Gladstone Street, Crosskeys, Document Ref. 12918/LS/21/SI, prepared by Integral Geotechnique (Wales) Limited, dated October 21.
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) 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.
- 06) The development shall not be occupied until covered and secure cycle parking facilities have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the development is accessible by all modes of transport in the interests of sustainability in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to any works progressing beyond ground preparation and laying of the slab 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 building hereby approved is brought into beneficial use.
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.
- 08) Notwithstanding the details forming part of the submitted plans, prior to any works progressing beyond ground preparation and laying of the slab a revised scheme depicting hard and soft landscaping together with a programme of long term maintenance of the landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) Prior to any works progressing beyond ground preparation and laying of the slab details of the type and location of 12 No. integrated swift boxes shall be submitted to and approved in writing by the Local Planning Authority. The integrated swift boxes shall be installed in accordance with the approved details before the building hereby approved is brought into beneficial use and shall be retained thereafter.

REASON: To provide nesting for birds for biodiversity enhancement in accordance with Policy SP10 of the Caerphilly Local Development Plan up to 2021 and Part 1 Section 6 of the Environment (Wales) Act 2016.

- 10) No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
REASON: To record the special architectural and historic character of the St Catherine's Church building.
- 11) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve the approved residential building. The necessary infrastructure required shall be installed prior to the first occupation of the residential building.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.
- 12) No development shall commence on site until a Demolition and Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Demolition and Construction Method Statement shall include details of:
hours of working;
method of demolition;
the parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;
storage of plant and materials used during demolition and construction works;
wheel washing facilities;
the erection and maintenance of security hoardings;
measures to control noise and light nuisance during demolition and construction works;
measures to control the emission of dust and dirt during demolition and construction works; and
details of a scheme for the recycling/disposing of waste resulting from demolition and construction works.
Thereafter the demolition and construction of the development shall be undertaken in accordance with the approved Demolition and Construction Method Statement.
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010.

Advisory Note(s)

Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

Bats use buildings for roosting and a bat roost may be present at the property and/or be affected by the works. Bats are secretive by nature and their roost site is not apparent from the outside and many householders are unaware that they have a bat roost at their property. The applicant is responsible for ensuring that a bat roost will not be affected by the works. If bats are found during the course of the works, all work must cease immediately and Natural Resources Wales contacted at the earliest opportunity for further advice on 03000 653000. A licence may be required to resume works. Bats and their roosts are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

The applicant/developer is advised that the historic building recording work must be undertaken to the appropriate standard and guidance set by the Chartered Institute for Archaeologists (CIfA). It is therefore recommended that the recording work is carried out either by a CIfA Registered Organisation or an accredited Member.