

Application Number: 24/0308/FULL

Date Received: 24.04.2024

Applicant: GHR Developments Ltd

Description and Location of Development: Redevelop part of a surface level car park to provide residential development, access, drainage, landscaping and associated works - Car Park At Grid Ref 317301 197037 Bus Station Road Blackwood

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located to the west of The Market Place, Blackwood and to the north of the Council Car park directly above Blackwood Bus Station.

Site description: A privately owned car park within the town centre. It is understood that the site was excavated for its development as a car park to serve the Market Place shopping centre development and the excavation left steep embankments on three sides reinforced with stone fill gabion retaining walls. Much of the embankment has self-seeded and there is significant tree cover on the upper slopes above the cut rock face. Residential properties adjoin the site boundaries around the embankment and the site links to a neighbouring Council car park.

Development: Full planning permission is sought to re-develop part of a surface level car park to provide residential development, access, drainage, landscaping and associated works.

Dimensions: The development comprises of two blocks of separate apartments.

Block A is a five-storey building located along the western boundary. It has a maximum footprint measuring 40.4 metres long and 20.5 metres wide and measures 14.0 metres in height with a small addition of a lift shaft extending 1.2 metres above the flat roof. The building will provide 31 x 1 bedroom apartments and 13 x 2 bedroom apartments.

Block B is a three-storey building located adjacent to the eastern side of Block A at the northern end of the site. It has a maximum footprint measuring 22.9 metres long and 16.9 metres wide and measures 9 metres in height. The building will provide 14 x 1 bedroom apartments and on-site ground floor office accommodation.

Materials: The external finishes indicate a mix of three differing facing bricks combined with dark framed elongated window openings.

Ancillary development, e.g. parking: The development will be served by 42 off-street car parking spaces, 62 internal cycle spaces, external refuse and recycling stores bin stores and communal garden/amenity spaces.

PLANNING HISTORY 2010 TO PRESENT 19/0002/FULL - Re-develop the former Somerfield Supermarket, including the partial demolition of the existing structure and construction of 47 No. 1 and 2 bed apartments over three storeys; and development of 19 permanent artisan market units, to be located on the existing market square to the south of The Market Place shopping centre - Pending Decision subject to completion of S106 agreement.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010.

Site Allocation: The application site is located within the Blackwood settlement boundary and is also within the Principal Town Centre Boundary of Blackwood, (CM 1.2).

Policies: The Policies of relevance in the Local Development Plan are:-

Strategic Policies

Policy SP2 Development Strategy - Development in the Northern Connections Corridor (NCC);
Policy SP4 Settlement Strategy;
Policy SP5 Settlement Boundaries;
Policy SP6 Placemaking;
Policy SP7 Planning Obligations;
Policy SP10 Conservation of Natural Heritage;
Policy SP14 Total Housing Requirements;
Policy SP15 Affordable Housing Target;
Policy SP19 Transport Infrastructure Improvements; and
Policy SP21 Parking Standards.

Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion;
Policy CW2 Amenity;
Policy CW3 Design Considerations - Highways;
Policy CW4 Natural Heritage Protection;
Policy CW5 Protection of the Water Environment;
Policy CW10 Leisure and Open Space Provision;
Policy CW11 Affordable Housing Planning Obligation; and
Policy CW15 General Locational Constraints.

Supplementary Planning Guidance

LDP1: Affordable Housing Obligations;

LDP4: Trees and Development;
LDP5: Car Parking Standards;
LDP6: Building Better Places to Live; and
Greater Blackwood Masterplan.

NATIONAL POLICY Future Wales: The National Plan 2040
Policy 2 Shaping Urban Growth and Regeneration - Strategic Placemaking;
Policy 7 Delivering Affordable Homes;
Policy 9 Resilient Ecological Networks and Green Infrastructure;
Policy 12 Regional Connectivity; and
Policy 13 Supporting Digital Communications.

Planning Policy Wales Edition 12, February 2024;

Technical Advice Note 2: Planning and Affordable Housing;
Technical Advice Note 4: Retail and Commercial Development;
Technical Advice Note 12: Design;
Technical Advice Note 18: Transport; and
Technical Advice Note 23: Economic Development.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No in that the proposed development does not reach the 150 dwellings threshold as set out in Schedule 2 Part 10 (Infrastructure projects) of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No, the application site is located within a low risk coal mining referral area. However, standing advice will be provided to the developer by way of an informative note.

CONSULTATION

Transportation Engineering Manager - CCBC - The proposed development consists of 58 residential dwellings, comprising of 45 No. 1 bedroom apartments and 13 No. 2 bedroom apartment The proposal is located within parking zone 2, as set out in the Council's Supplementary Planning Guidance (SPG). As such, the proposed apartments have an off-street requirement of 1 space per bedroom (maximum requirement 3 spaces) for residents plus 1 space per 5 units for visitors. The development has a total requirement of 71 spaces for residents and 12 spaces for visitors, a total of 83 spaces.

It is acknowledged that there is sufficient capacity in nearby car parks to accommodate the developments short-term visitor parking requirement. Furthermore, a sustainable location relaxation can be applied to arrive at a requirement of 1 space per unit. As such, the revised off-street parking requirement is considered to be 58 spaces.

The submitted proposed site plan indicates that 26 spaces are to be provided for the residential dwellings. This equates to a shortfall of 32 spaces from the development's requirement. Nevertheless, the development is located in a highly sustainable location in the vicinity of Blackwood town centre with a significant amount of amenities and employment opportunities available within easy walking distance. Furthermore, there are an additional 36 spaces located within the applicant's control. 20 of these spaces will be retained for use by the neighbouring gym, providing an additional 16 spaces available for use to residents and visitors of the proposed residential development. As such, the proposed development has provision of up to 42 spaces. With these points in mind. The proposed development is, on balance, considered acceptable with regard to parking provision.

The proposed development also has a cycle parking requirement of 1 stand (2 spaces) per 5 bedrooms. The proposed development has a total of 74 bedrooms resulting in a cycle parking requirement of 15 stands (30 spaces). There are 62 secure cycle spaces proposed within the ground floor of the building. As such, the proposal gives no undue cause for concern regarding cycle parking.

No highway objection is raised subject to conditions to secure on-site parking and cycle storage, for the developer to submit a Construction Method Statement and measures to ensure surface water run-off from within the site do not discharge into the highway.

CCBC Housing Enabling Officer - Requested amended plans to replicate the housing mix identified for the area. No further comments have been provided.

Aneurin Bevan University Health Board - No comments received.

Environmental Health Manager - No objection subject to conditions in the interests of residential amenity.

Senior Engineer (Drainage) - Advises that Sustainable Drainage Approval is required.

Waste Strategy And Operations Manager - Provides advice in relation to the development to be able to accommodate the Council's refuse and recycling requirements in terms of storage/bin containers.

Town Centre Manager CCBC - No comments received.

CCBC - 21st Century Schools Manager - No comments received.

Strategic & Development Plans - The principle of development accords with relevant policies (or parts of policy documents) in the following ways:

- The proposal would help to 'focus significant development on [a] brownfield [site] that [has] regard for the social and economic functions of the area' (see criterion A of LDP policy SP2);
- A town-centre proposal would help to 'reduce car-borne trips by promoting more sustainable modes of travel' (see criterion B of LDP policy SP2);
- The proposal would make efficient use of existing infrastructure (see criterion C of LDP policy SP2);
- The proposal would not 'prejudice the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use' (in land-use terms, housing is compatible with the development permitted under 16/1006/COU and proposed under 19/0002/FULL) (see criterion A of LDP policy CW15);
- The proposal would 'accord with the role and function of the settlement' (see criterion B of LDP policy CW15);
- The proposal would help to 'promote the full and effective use of urban land and thus concentrate development within settlements' (see criterion B of LDP policy SP5);
- Owing to the site's location, the proposal would 'reflect sustainable transport and accessibility principles' and has the potential to '[provide] full, easy and safe access for all' (see criterion D of LDP policy SP6, Policy 2 of Future Wales and Figure 5 of PPW);
- The proposal would help to sustain or even enhance the town centre's 'vibrancy, viability and attractiveness' (see Policy 6 of Future Wales and paragraphs 4.3.2 and 4.3.3 (second bullet point) of PPW);
- The proposal would create (affordable) homes in a National Growth Area (see Policies 1, 7 and 33 of Future Wales);
- The proposal is compatible with the Greater Blackwood Masterplan's development strategy (see paragraph 5.13) and several of the development principles under project B1: Blackwood Square, Blackwood. It may not involve a new town square or market, but it does not go against the broad aims of the masterplan.

No obvious conflict arises between other policies and the principle of development.

Paragraph 10.6 of the 2022 Annual Monitoring Report (AMR) states:

'It has not been possible for the adopted LDP to achieve its target of 8,625 dwellings, and at least 964 affordable dwellings, over the plan period.'

Paragraph 10.7 of the 2022 AMR states that 'there remains a need to increase the housing land supply in the short term, utilising a number of direct interventions'.

Paragraph 9.43 of the 2022 AMR states:

'Despite the increase in affordable housing delivery since 2019, only just over one third of the target identified within the LDP has been delivered.'

Paragraph 4.2.26 of PPW states:

'A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications.'

The creation of up to 58 affordable dwellings must weigh in favour of the proposal.

In conclusion there is no objection to the principle of development in that it accords with relevant policies and parts of policy documents, and the need for (affordable) housing is a material consideration that weighs in favour of the proposal.

Ecologist - No objection subject to conditions.

Heritage Officer - Peter Thomas - No comments received.

Landscape Architect - CCBC - The following observations are offered:

Context

It's noted that the proposed development is located within the settlement of Blackwood, within an existing hard landscaped carpark. The site is enclosed within the steeply cut hillside, with Blackwood Shopping Centre adjacent on the east, with the remaining aspects characterised by residential development.

Green Infrastructure Statement (GIS)

The application includes a GIS, this acceptably demonstrates through the below combined proposed elements, how the development intends to provide a net benefit for biodiversity and ecosystem resilience from the baseline state.

- Retention of existing landscape features around the embankments surrounding the site;
- Proposed landscaping and a centrally located communal garden space;
- Incorporation of SUDs drainage features with rain gardens to be provided; and
- Inclusion of bird (e.g. House Sparrow) and bat boxes.

Landscape and Visual appraisal (LVA)

A Landscape and Visual appraisal, undertaken by McQuitty Landscape Design, has been submitted in support of this application. This comprehensively outlines the baseline site, settlement and landscape. It discusses the acceptability of effects of the proposed development on both landscape character (referencing LANDMAP) along with the visual effects of the proposed development.

The appendix includes photographs taken from the 8 selected viewpoints, that illustrated the site and location of the proposed development in the existing settlement context.

The site is not within a designated landscape or a Conservation Area and it benefits from a strong degree of enclosure within the settlement of Blackwood and that proposed development will be in keeping with the urban landscape character.

It is accepted that when viewed from elevated land to the east of Blackwood, that within the context of the wider settlement, views of the development will be limited to the higher parts of the proposed development which will be visible beyond the shopping centre, but these will not be visually significant given the wider urban context and distance from the viewpoints from the east. Having studied the requested and submitted visual 'Wider Landscape View from Woodfieldside', which shows the development within the context from the east, that the proposed mass and height of the buildings at 3 and 5 storeys, although visible, is considered to be acceptable.

In that regard with the development being located recessed into the rising topography and existing vegetated embankments, there will generally be limited visibility of the development from outside of the site.

Where visible, the new buildings and landscaped setting will be of higher quality, replacing a poor-quality area of car parking with unmanaged embankments. Generally, it is accepted that the visual effects on residential receptors close to the development will not be substantial, notably once proposed planting has become established. The LVA does however acknowledge that a few properties adjacent on the western boundary, that are afforded views, will potentially experience substantial visual effects as result of the development.

On balance, given the urban context and providing a high quality approach to both the building and landscaping is taken forward as indicated, it is considered that the proposed housing development, has the potential to be assimilated successfully and make a positive contribution to the settlement character of this part of Blackwood, with no significant or unfavourable landscape or visual effects. Conditions will however be required to ensure that the proposed development maintains the indicative commitment to quality currently shown.

Placemaking Officer - Douglas McGlyn - The building's mass and scale are appropriate for the site's location, its context, and its relationship to the surrounding elements specifically to the west and north. The scale of the Market Place building still provides context to the 3-storey element to the north of the development.

The entrances need to be more legible for Blocks A and B and can be achieved by adding colour with contrasting textures and materials on all exterior elevations.

Advice is also provided in terms of potential amendments that could enhance the proposal regarding the design and location of the buildings, reducing the overall number of car parking spaces and for the scheme to include undercroft parking to increase landscaping and outdoor amenity space.

Blackwood Town Council - No comments received.

Dwr Cymru - Provides advice in relation to the public sewer crossing the site and that only foul water from the development site shall be allowed discharge to the public sewerage system.

Police Architectural Liaison Officer - Requests a 1.8m high perimeter fence around the site to limit the potential number of access points to the site and for car parking spaces to be allocated.

Informal advice is also provided in relation to landscaping, mail deliveries, CCTV, bike storage, communal lighting, window and door security along with access control.

Chief Fire Officer - No objection, informative advice is provided.

Estates Manager - Property Division - Provides advice to be conveyed to the applicant.

ADVERTISEMENT

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

Response: Fifteen representations were received.

Summary of observations: The following issues were raised from the representations received:-

1. Concerns relating to overlooking and overshadowing.
2. Concerns relating to building height, visual impact and preference for a development limited to three storeys in height.
3. Concerns in relation to the loss of public car parking and the associated impact on nearby businesses.
4. Suggests alternative sites more appropriate for the development.
5. Concerns around the quality of public consultation undertaken.
6. There is a lack of shops in Blackwood.
7. Queries whether the road at pinch point/crossing requires widening? Will access provision be sufficient for emergency vehicles?
8. Queries how the above will be managed - currently a one-way system is in operation.
9. Requests that the rear access must be maintained at all times to the above properties on Lilian Road.
10. Concerns raised in relation to the construction impacts.
11. The development will increase the strain on local services.
12. There is a clear lack of investment in the town centre.
13. Anti-social behaviour and crime at bus station and in town centre will increase.
14. Queries whether the proposal is a suitable location for social rented apartments?
15. Concerns relating to the design of the proposed buildings.
16. There is a lack of green space or parks for residents.
17. No additional parking is set aside for visitors/family/liaison or Welfare Officers, refuse collection vehicles, or emergency services.
18. Not enough parking set aside for gym users.
19. Poor transport services/links. Bus link to Ystrad Mynach train station has been stopped.

20. No leisure/welfare facilities to hand, travel would be necessary. Drug and alcohol services difficult to get to (main one in Caerphilly).
21. There is a surge of social housing developments around the Blackwood area.
22. Caerphilly town centre is more suitable location for the development.
23. It is not stated what types of trees will be planted.
24. There is an over-concentration of affordable housing in Blackwood.
25. Queries who will be managing the landscaping.
26. No biodiversity enhancements proposed.
27. Lack of parking for residents and associated potential for overspill on surrounding streets.
28. Exploring consideration of Right to Light with insurers.
29. The development will result in the loss of unobstructed views.
30. Concerns that the neighbouring properties will be damaged by future occupiers using the site to take short cuts from one side of the town to the other.
31. The development will give rise to increased levels of noise, disruption and crime.
32. As one of the apartments has been designated on the plans for social services/police to use as a hub, it raises concerns for potential anti-social behaviour.
33. The proposals do not contribute to the regeneration of the town and are incompatible with Blackwood Masterplan SPG, the Council's own policies.
34. The development is falsely publicised as affordable housing and the development is to be used for homeless and a halfway house.
35. The submission details provide insufficient detail on the impact on surrounding houses particularly shadow analysis that wasn't provided at PAC stage.
36. Concerns around fire safety and access.
37. The development will burden emergency service resources.
38. Concerns relating to the presence of Japanese Knotweed within the site.
39. Concerns that the development will impact on bats and birds and thorough surveys have not been undertaken.
40. The density is too high and the development is out of context.
41. There is potential for future development on the buildings (e.g. telecommunication masts).
42. Queries whether planted trees will be replaced if vandalised.
43. The development will give rise to increased litter.
44. The proposed development will give rise to light pollution and impact the ecological corridors around the site.
45. The proposed development will devalue property prices.
46. The proposed development would be a great addition to the town and it would be nice to see a modern development in the town centre.
47. Comments that the removal of the external balconies is a welcomed addition.

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?

There are no specific crime and disorder implications material to the determination of this application.

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 development is CIL liable in that new residential floor space is proposed. The site is located within a mid-viability area where the CIL is charged at a rate of £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 to re-develop part of a surface level car park to provide residential development, access, drainage, landscaping and associated works. The main issues for discussion in the determination of this application are:

- The suitability of the site for residential development;
- Affordable housing provision;
- Planning obligations;
- Placemaking and design;
- Ecology and landscape impacts;
- The impact upon residential amenity; and
- The impact upon the highway network.

These issues will be discussed in turn.

THE SUITABILITY OF THE SITE FOR RESIDENTIAL DEVELOPMENT

The application site is a private carpark located in the Northern Connections Corridor (NCC). Policy SP5 (Settlement Boundaries) is the key policy mechanism for achieving resource efficient settlements within the LDP. The delineation of the settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. Importantly it promotes the full and effective use of urban land and concentrates development within existing settlements. The LDP Proposals Map confirms that the site falls within Blackwood Principal Town Centre Boundary (reference CM 1.2 Blackwood) and in policy terms re-development of the site would be consistent with Policy SP5 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010 (LDP) in that it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement.

Policy SP2 (Development Strategy in the Northern Connections Corridor (NCC) requires development proposals within the NCC to promote sustainable development.

Specifically proposals in this area should be targeted to both greenfield and brownfield sites having regard to the social and economic functions of the area; reduce car borne trips by promoting more sustainable modes of travel; make the most efficient use of existing infrastructure; and protect the natural heritage from inappropriate forms of development.

Policy SP4 (Settlement Strategy) defines the settlement hierarchy for towns and villages across the county borough and identifies those areas where development would be supported and enhanced based on the specified role and function of a particular area. The Strategy seeks to concentrate new development to respond appropriately to the economic, social and environmental needs of individual settlements and thus settlement boundaries are identified accordingly to indicate the potential areas where development is likely to be permitted. Blackwood is identified as a Principal Town and the application site meets the definition of previously developed land (also referred to as brownfield) as set out in Planning Policy Wales (PPW).

In settlements, brownfield land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. Policy SP2 also requires that new proposals reduce car borne trips by promoting sustainable modes of travel and make the most efficient use of existing infrastructure. Chapter 4 of PPW covers the theme of active and social places. With respect to transport the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. The site is adjacent to Blackwood bus station, within walking distance to the main town centre and a number of local facilities including community, education, health services, supermarkets, recreational spaces and formal leisure provision.

Having regard to the above, it is therefore considered that the principle of re-developing the site for residential purposes is considered acceptable in land use terms subject to satisfying all other material planning considerations.

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 625 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.

'Town Centre First' is a policy position that has been embedded into national planning policy documents produced by Welsh Government and in 2021 this position was bolstered through the introduction and publication of the National Development Framework for Wales (Future Wales: The National Plan 2043) which makes it clear that the sequential test applies to uses other than retail, recognising that successful town centres are diverse in their composition, and are more than just shops.

The policy has also been worked into PPW whose purpose is to set out the detail of land use policies in Wales. The 'Town Centre First' approach requires local authorities to put "the health and vibrancy of town centres as the starting point of locational decision-making. Although the policy has been a part of the wider planning framework within Wales for some time, its inclusion as a standalone policy (Policy 6) in the National Development Framework is a demonstration of further commitment to Welsh Town Centres.

Moreover, in May 2023, Welsh Government released a new position statement ('Town Centres') that offers up a series of actions and activities to support the 'Town Centre First Policy': a policy position integrated across existing national planning documents referred to above that seeks to focus the delivery of new development within town centres which reiterates the benefits of bringing new residential development into town centre locations and seeks to reduce car dependency.

It states:

"Footfall is key to achieving thriving, successful town centres. The best footfall is the residential kind, for people who live in a town centre will not only use its shops and institutions but can do so via active or public transport and will care for its safety and security in the evenings at night. It is critically important that if town centres are to be reinvented, town centre living must be delivered and of mixed tenure and type, supported by active travel infrastructure within wider efforts to help create walkable neighbourhoods."

The proposed residential development would provide 58 units comprising of one and two bedroom apartments all of which are proposed to be affordable within close proximity to a Principal Town Centre. It is considered that this would meet the aims of 'Town Centre First.'

AFFORDABLE HOUSING

In terms of affordable housing, Policy CW11 (Affordable Housing Obligations) seeks to negotiate the inclusion of an appropriate element of affordable housing on housing developments of five or more dwellings. Policy CW11 states:

Legal agreements will be required to ensure that there is provision of an element of affordable housing, in accordance with an assessment of local need, for all allocated and windfall housing sites that:

A. Accommodate 5 or more dwellings or

- B. Exceed 0.15ha in gross site area, or
- C. Where the combined product of adjacent housing site proposals would exceed the thresholds set in A or B above.

Where there is evidence of need, the Council will seek to negotiate the following affordable housing targets of:

- 40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley);
- 25% in the Northern Connections Corridor (excluding Newbridge); and
- 10% in the Rest of Caerphilly County Borough (including Aber Valley and Newbridge but excluding the Heads of the Valleys Regeneration Area) up to 25% in the Northern Connections Corridor subject to viability.

The site falls within the Blackwood ward, which attracts an affordable housing target of 25%. The Council's Housing Enabling Officer has requested that the proposed development should provide 25% of the overall number of dwellings proposed as affordable housing, this equates to 15 apartments when rounded up. The proposals would make a meaningful contribution towards addressing the 5,977 applicants on the Common Housing Register seeking affordable housing in Blackwood. The affordable housing need in the most recent Local Housing Market Assessment (LHMA) is predominantly for 1 bedroom apartments. The proposed development would directly meet the needs identified within the LHMA. Whilst the overall amount of housing proposed on the site 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.

PLANNING OBLIGATIONS

In tandem with Policy CW11 Policy SP7 (Planning Obligations) recognises that new development has the potential to increase pressure on existing community facilities and as such requires the developer to enter into Planning Obligations to mitigate the effects of that development. In the context of this application, the Council will be seeking to secure the residential development to provide 25% of the proposed apartments as affordable housing. Whilst it is acknowledged that the proposed development seeks to provide a 100% affordable housing scheme development, which is over and above the required 25% housing target, the Local Planning Authority can only require the relevant housing target for the area in terms of any Section 106 agreement. The agent on behalf of the developer has provided a statement confirming that they are willing to enter into the necessary Section 106 agreement to secure the delivery of affordable housing.

PLACEMAKING AND DESIGN

In line with national planning guidance, policy SP6 (Place Making) requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special

features. It requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate through the use of Sustainable Urban Drainage Systems (SUDS).

The existing car park is largely flat at a level of approximately 180m Above Ordnance Datum (AOD) with the embankment to the west rising up to around 193m AOD. The site has strong enclosure on all sides. Cut into the hillside, it is now tightly enclosed by the Market Place shopping centre buildings to the east and by residential properties along the western and northern boundaries. In landscape terms the application site is considered to be within an area of low townscape quality and is considered to be a small element within the wider urban context of Blackwood as a large town of built development.

In terms of the design and layout of the proposed development this has responded to the existing built form and access arrangements to the site. It should be noted that the proposal has evolved through both the pre-application consultation stage and application process by limiting the extent of the perceived overlooking from neighbouring residents, changing the housing mix in response to housing need together with increasing refuse/recycling provision, outdoor amenity space and on-site parking provision.

The proposed residential development comprises of two apartment blocks with the larger of the two apartment blocks (Block A) being five storeys in height running in a northerly to southerly direction along the western boundary and the smaller three storey apartment block (Block B) running in a westerly to easterly direction along the northern boundary. The proposed development does not attempt to replicate the more traditional character and styles of houses within the local area. Instead, the design approach seeks to provide a modern and contemporary residential development within an enclosed site by incorporating a flat roof design and a strong vertical emphasis in fenestration which helps break up the mass of the building. Such an approach is considered to be acceptable having regard to the detailed Landscape and Visual appraisal undertaken. The proposed apartment buildings when viewed from elevated land to the east of Blackwood, and within the context of the wider settlement, would not be considered to be visually significant given the wider urban context and visibility of the development would only be limited to the higher storeys above the existing Market Place shopping centre buildings. It is therefore considered that the overall mass and height of the proposed apartment buildings are considered to be acceptable.

In terms of external finishes, a combination of three brick finishes has been indicated although no details have been submitted for consideration. In that regard it is considered reasonable to impose a condition to control the external finishes to ensure that the use of a variety of materials, textures and finishes assist with visually reducing the scale and massing of the proposed buildings from short range viewpoints together with adding visual interest to each of the apartment buildings.

The principal elevations of each of the two apartment blocks would overlook a centralised area of useable communal open space including integrated seating areas for residents to enjoy and also duals as providing additional GI, biodiversity, introducing various on-site drainage attenuation measures and further enhances the site and its surrounding context. Accordingly, the proposed development would meet the requirements of Policy SP6.

With regards to surface water management the proposed development exceeds 100 square meters and will therefore require Sustainable Urban Drainage approval and the technical details associated with a comprehensive drainage requires separate consent from the Sustainable Drainage Approval Body (SAB), an independent approval process outside of planning legislation.

ECOLOGY AND LANDSCAPE IMPACTS

In tandem with criterion D of Policy SP2, Policy SP10 (Conservation of Natural Heritage) is of relevance and indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. With regards to green infrastructure (GI) there is very little in terms of existing soft landscaping or GI features of note within the site as the majority of the site is occupied by hardstanding with occasional ephemeral/short perennial vegetation emerging from cracks within the tarmac, dense continuous scrub wraps around and the carpark at a lower level and towards the higher elevations of the elevated embankments there are multiple species of relatively small scattered-broad leaved trees and areas of tall ruderal vegetation. It should be noted that the embankments would remain unaffected by the proposed development where possible in order to minimise the impact on biodiversity and ecosystems by retaining the existing elevated landscape features.

The application is supported by an Ecology Summary Note and confirms that based on the limited site features present within the site combined with its location adjacent to the busy and well-lit high street location with limited green links/connectivity, the site is considered of negligible potential for roosting bats, although the steep embankments could support nesting birds and have potential to be used by foraging bats in the immediate local area. No features suitable for use by other protected or notable species (e.g. Badgers, common reptiles) were identified within the site boundary and no non-native species listed under Schedule 9 of the Wildlife and Countryside act (1981) were identified.

The Council's Ecologist has reviewed the Ecology Summary Note and the suggested mitigation and enhancement recommendations, no objection is raised subject to the imposition of conditions for the development to provide biodiversity enhancement and conservation measures.

Policy CW6 (Trees, Woodland and Hedgerow Protection) requires that effective measures are taken to ensure the protection of existing trees and hedgerows on

development sites. In that regard as indicated above, there are no trees within the elevated embankment identified for removal.

In terms of landscaping, the Indicative Landscape Strategy and Indicative Plant Species/Planting Notes Plan indicate that the design includes a range of GI features to enhance biodiversity across the site and to create multi-functional useable outdoor amenity spaces. The Council's Landscape Architect confirms that the landscaping principles are considered acceptable but a specific hard and soft landscape scheme including details of retaining walls, boundary treatments and enclosures to be erected along with details of hard would need to be submitted for consideration and can be secured by way of condition. Subject to such conditions, there is no reason to indicate that the proposed development would not have an unacceptable impact on any existing GI within the site. The proposed development therefore complies with Policies SP10 and CW6.

THE IMPACT UPON RESIDENTIAL AMENITY

Policy CW2 (Amenity) states that development proposals must have no unacceptable impact on the amenity of adjacent properties or land; would not result in the over-development of the site; and the proposed use is compatible with surrounding land uses. In that regard the proposal is for residential development and is considered to be compatible with surrounding land uses and is not considered to be over-development. It should also be noted that the existing use of the site as a carpark would create a certain amount of traffic, noise and general disturbance. Moreover, historically the carpark and the former associated vacant Market Place building would have been used more intensively whilst in use as a supermarket or latterly after its closure as a free carpark. In recent years pay and display car parking has been introduced on the site which has seen the intensity of use within the car park decline.

In terms of the relationship of the proposed apartments and the neighbouring residential properties, it should be noted that Block A, the five storey apartment building, would be sited at its closest point a minimum distance of 21 metres away from the rear common boundaries along 1-4 Mayhill Bungalows and would project approximately 2.9 metres above the top of the embankment boundary. Whilst the rear properties and gardens of Mayhill bungalows face out onto the development site, the existing boundary treatments and tree coverage along the embankments provide a considerable degree of screening. It is accepted that leaf coverage differs throughout the seasons and consequently the outlook for existing occupiers of Mayhill Bungalows will change during the year, nonetheless given the separation distances involved it is not considered that the development will give rise to any loss of privacy in terms of overlooking or give rise to any unacceptable overshadowing impacts.

In terms of the nearest residential properties at the north-western corner along Tuckers Villas (Rowanlea and Rosegarth), these properties are also located at a higher level with their principal elevations facing in an easterly direction and their associated front gardens running parallel to the embankment. In terms of the impact of the proposed

development Block A would be 0.82 metres lower than the ridge height of the pair of semi-detached properties and would be located 10.89 metres away from the boundary and at its closest point would be 14.35 metres away from the side elevation of Rowanlea. Block A would also extend 10.4 metres east beyond the principal elevation of Rowanlea. There are no habitable room windows in the side elevation of Rowanlea but careful consideration has been given to the habitable room window sizes on the fourth and fifth floors to reduce any perceived impact in terms of overlooking from the apartments to the front gardens of Rowanlea and Rosegarth. Nonetheless the separation distances are considered acceptable in planning terms and it is not considered that the proposed development would give rise to any unacceptable degree of loss of privacy in terms of overlooking to the occupiers of Rowanlea and Rosegarth.

With regards to potential overshadowing Block A will give rise to some slight overshadowing impacts to the front garden of Rowanlea during the early spring months and the garden will be subjected to additional overshadowing to the garden in the winter months by virtue of long shadows being created as a result of low solar altitude. In residential amenity terms the extent of any additional overshadowing would be limited to periods of the year when outdoor amenity space is not normally used or enjoyed as intensely. During the months of the year when daylight hours are longer and the sun is positioned at a higher altitude Block A would not give rise to any overshadowing impacts to Rowanlea. Block B being three storeys in height is not considered to have any impact in terms of overshadowing.

Block B is located to the east of the side elevation of Block A along the northern boundary. The nearest property closest to Block B is No. 4 Graig View, Highland Terrace, which is located at lower level than the application site. In terms of the impact of the proposed development Block B would be 1.73 metres taller than the ridge height of the terraced properties along no.1 - No.4 Graig Terrace and would be located 10.62 metres away from the southern side garden boundary of No.4 Graig View. Block B is positioned to the south-west of No.4 Graig View. In that regard the position and fenestration of Block B would be similar to Block A in terms of the relationship with the nearest neighbouring garden. There are habitable rooms at third storey level that would overlook the garden area of No.4 Graig View in the same way as Block A overlooks Rowanlea, the window openings would be limited but the separation distances are such that an acceptable distance away from the common boundary are maintained. Furthermore, there is a significant amount of vegetation and well-established tree cover providing a significant degree of screening along this boundary that would further reduce any perceived overlooking impacts. It is noted that a landscaping scheme has yet to be agreed and the maintenance of any existing landscaping would need to be considered at a later date, nonetheless the separation distances without reliance on any landscaping are considered acceptable and it is not considered that development would be overbearing to the neighbouring occupiers.

In terms of potential overshadowing in the same vein as the analysis provided above for Rowanlea, the impacts for the corresponding months are considered to be similar but would reiterate that the current situation would give rise to overshadowing impacts

during the darker and wetter months of the year by virtue of the elevated boundary, associated vegetation, domestic outbuildings combined with the sun's movements and low positioning throughout the day.

It is also acknowledged that the ground floor windows on the rear elevation of no.4 Graig View receive limited light as a result of its positioning in relation to the stone retaining wall and rising garden levels above, however the separation distances involved between the nearest point of the northern elevation of Block B and the relevant rear windows of No.4 Graig View ranges between 18.9 and 20 metres at angles of 59 and 43 degrees respectively. On that basis it is not considered that the proposed development would adversely affect the current levels of sunlight or daylight received for the occupiers of No.4 Graig View.

With regards to potential overlooking the nearest first floor window would be located in excess of 24 metres away at an angle of 20 degrees and those distances and angles increase respectively further along the northern elevation of Block B towards Block A. In that regard the distances exceed the recommended 21 metres required between opposing rear habitable room windows and the viewing angles from the limited width of the window opening would be too acute.

Whilst it is acknowledged that there will be some properties where the visual effects of the proposed development will change in terms of outlook, this is not considered to be sufficient justification to warrant refusal of the application. The proposed development is therefore considered to meet the requirements of Policy CW2.

THE IMPACT ON THE HIGHWAY NETWORK

Policy CW3 (Design Considerations - Highways) requires development proposals to have regard for the safe, effective and efficient use of the transportation network. A Transport Note and Statement accompanies the planning application submission details and in combination provides a comprehensive assessment of the transport implications associated with the proposed development. In that regard the site is located within a highly sustainable location, with good public transport links and the existing vehicular access to the site from Bus Station Road would remain unchanged. The layout also indicates an appropriate turning facility for refuse and delivery vehicles to enter and leave the site in forward gear, including management of a one-way system, the same as the existing situation.

In terms of parking arrangements 26 off-street parking spaces are indicated within the red line boundary and an additional 16 spaces to the front of the Market Place building are within the applicant's control, in addition to the 20 spaces to be retained for the gym. Therefore, the proposed development can provide 42 spaces, which would be unallocated allowing residents and visitors to share on-site parking. Alternatively short-term parking is available within the Council Bus Station car park adjacent to the application site. The development would also provide secure cycle storage and given the sustainability of the site in terms of its proximity to the town centre and the car

parking availability studies undertaken in all of the Council car parks within the town centre, the loss of the private car park would not exacerbate the existing town centre car parking demand. On balance the Council's Transportation Engineering Manager considers that the proposed development would therefore respond to the flexibility provided by Supplementary Planning Guidance LDP 5 and a relaxation to the maximum car parking standards can be applied.

This would be in accordance with the maximum parking standards and in accordance with Paragraph 4.1.51 of PPW whereby it states:-

"A design led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. 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 modal shift to walking, cycling and public transport ... 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."

This is further reinforced in Policy 12 of Future Wales in respect of car parking matters where it states:-

"Planning authorities must act to reduce levels of car parking in urban areas, including supporting car free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time."

In terms of trip generation given that the site's proposed use has a lesser demand for vehicle movements compared with its current car park use, the surrounding highway network is considered to have sufficient capacity to accommodate the proposed vehicular movements including site circulation without having a detrimental impact on highway safety.

The proposed development therefore complies with Policy CW3.

CONCLUSION

In conclusion Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

The site is brownfield land within the defined settlement boundary of Blackwood. The proposed development complies with both local and national planning policies, would

make a positive contribution to addressing the affordable housing targets for the County Borough and the surrounding highway network is considered to have sufficient capacity to accommodate the modest number of anticipated vehicular movements when compared to the existing situation without having a detrimental impact on highway safety. The concerns of statutory consultees can be addressed by way of planning conditions and a legal agreement. This application offers an opportunity to provide 58 affordable homes within the Northern Connections Corridor without causing any significant harmful effects which cannot be successfully mitigated.

A Section 106 Agreement will be required to secure affordable housing provision on the site. The applicants have agreed to enter into such an agreement.

The recommendation is to require the applicant to enter into a Section 106 Agreement in respect of affordable housing provision. In that regard there are tests for Section 106 Agreements which have to be met.

These are as follows:-

- (a) The financial contribution, arrangements and works contained in the obligation are required;
- (b) They are directly related to the development, and;
- (c) They are fairly related in scale and kind to the development.

With regard to criterion (a) there is a need to secure affordable housing provision on-site to comply with national and local policy.

With regard to criterion (b) the development is located within an area of housing need and pressure. The proposal will provide and deliver affordable homes within the local community.

With regard to criterion (c) in view of the scale of the development and the proximity to the existing community the applicant, as a Registered Social Landlord, proposes to provide 100% affordable housing. This exceeds the 25% affordable housing target in the Northern Connections Corridor and therefore it is only reasonable for the Local Planning Authority to secure the maximum 25% affordable housing target. This would not prevent the Registered Social Landlord from providing the remainder of the apartments as affordable housing.

Comments from Consultees: The Council's Placemaking Officer has provided additional comments to enhance the proposed development regarding the design and location of the buildings, reducing the overall number of car parking spaces and for the scheme to include undercroft parking to increase landscaping and outdoor amenity space. In that regard it would be desirable if all of the amendments could be accommodated but there are competing priorities for the respective consultees to consider and the potential impacts of those changes. The Local Planning Authority has to consider whether the

scheme as submitted is considered acceptable in the planning balance of weighing up all the key considerations.

Comments from public: Responses to the representations received are as follows:

1. Concerns relating to overlooking and overshadowing.

LPA RESPONSE: The separation distances from the proposed development to the boundaries of the site and to adjacent properties are considered to be acceptable and in compliance with amenity standards. The submitted overshadowing plans demonstrate that neighbouring properties and their amenity space will receive adequate daylighting from a planning perspective as discussed in detail in the report above.

2. Concerns relating to building height, visual impact and preference for a development limited to three storeys in height.

LPA RESPONSE: Justification for the scale and height of the development is provided within the Planning Statement, Design and Access Statement and shown on the submitted sections. The building's height has been informed by a Landscape and Visual Appraisal prepared by a qualified landscape architect. The 3 storey element building relates to the shopping centre, whilst the 5 storey building relates to the existing residential properties which sit at a higher level. Consequently, the building will sit comfortably within its setting within the bowl of the car park which was historically excavated to form the current ground level. The height has been reviewed by both the Council's Placemaking Officer and Landscape Architect and are confirmed to be acceptable.

3. Concerns in relation to the loss of public car parking and the associated impact on nearby businesses.

LPA RESPONSE: The car park is in private ownership and can close at any point. This is not a material planning consideration. In any case, the applicant has submitted a Transport Note which identifies that the surrounding area also has sufficient public car parking. This is underpinned by a series of surveys undertaken evidencing the parking capacity in existing car parks elsewhere. On this basis, the town would continue to be well served by local car parks and the closure of this car park would not have a material impact on parking stress in the surrounding area.

4. Suggests alternative sites are more appropriate for the development.

LPA RESPONSE: The Local Planning Authority can only consider the application submitted on its planning merits. The development for consideration accords with the role and function of Blackwood and the proposed land use responds positively to the immediate and wider surrounding area. Furthermore, the provision of affordable housing would assist in meeting an identified need within the community whilst regenerating an underutilised car park.

5. Concerns around the quality of public consultation undertaken.

LPA RESPONSE: It is understood that the applicant has undertaken Pre-Application Consultation which has surpassed the statutory minimum requirement. Additional

engagement with the community has extended to a meeting held on-site with the local ward councillors and the Mayor of Blackwood, a presentation was made to Blackwood Town Council at their monthly meeting and two consultation drop-in events were held (one during the daytime and one to cover evening hours).

In terms of the Council's Requirements the Local Planning Authority has advertised the application in accordance with the requirements of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2014.

6. There is a lack of shops in Blackwood.

LPA RESPONSE: This is outside of the scope of the Local Planning Authority to consider in the determination of this application.

7. Queries whether the road at pinch point/crossing requires widening? Will access provision be sufficient for emergency vehicles?

LPA RESPONSE: The application does not include any widening of the highway. The applicant has supplied swept path diagrams within the Transport Note demonstrating that the development can be safely accessed.

8. Queries how the above will be managed - currently a one way system is in operation.

LPA RESPONSE: The application includes a reconfiguration of the parking layout within the site, as shown on the submitted plans. The one way system would remain unchanged.

9. Requests that the rear access must be maintained at all times to the above properties on Lilian Road.

LPA RESPONSE: The proposed development does not impact upon any rear access to Lilian Road.

10. Concerns raised in relation to the construction impacts.

LPA RESPONSE: Construction impacts and management can be controlled via measures within a Construction Traffic Management Plan which has been required by way of condition.

11. The development will increase the strain on local services.

LPA RESPONSE: The number of apartments proposed is not significant or disproportionate to the overall settlement and will not result in any undue pressure to the wider community. Furthermore, it could also be viewed that the additional homes created will help to support existing shops and services through the increased demand.

12. There is a clear lack of investment in town centre.

LPA RESPONSE: The proposal does represent an investment in the town centre. Wider proposals beyond the site are outside of the scope of the Local Planning Authority to consider as part of this application.

13. Anti-social behaviour and crime at bus station and in town centre will increase.

LPA RESPONSE: This issue lies beyond the application site. Management procedures will be put in place by the Registered Social Landlord to assist with on-site management and social cohesion.

14. Queries whether the proposal is a suitable location for social rented apartments?

LPA RESPONSE: The development for consideration accords with the role and function of Blackwood and the proposed land use responds positively to the immediate and wider surrounding area. Furthermore, the provision of affordable housing would assist in meeting an identified need within the community.

15. Concerns relating to the design of the proposed buildings.

LPA RESPONSE: Design is subjective, the building is considered to be of a contemporary design for its immediate and surrounding context. PPW confirms that Local Planning Authorities should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. It is considered that this proposal fits into that category. Whilst a flat roof building is not in keeping with the traditional local vernacular, it would also be true to say that the Market Place shopping centre buildings or the properties along Mayhill Bungalows would not have been in keeping when they were erected. In that regard it is not considered that the use of a flat roof is unacceptable in design terms and it will also assist with maximising the overall roof space to accommodate the maximum number of photovoltaic roof arrays to ensure that the proposed development can be as efficient as possible in terms of its carbon footprint and overall heat demand for its future occupiers. The external finishes have yet to be agreed and will be controlled by way of condition.

16. There is a lack of green space or parks for residents.

LPA RESPONSE: The proposals include centrally located communal amenity space areas which are considered appropriate for the proposed development. Additional formal and informal public open spaces are also available for use within walking distance of the site.

17. No additional parking is set aside for visitors/family/liaison or Welfare Officers, refuse collection vehicles, or emergency services.

LPA RESPONSE: No objection has been raised by the Transportation Engineering Manager in relation to the parking provision within the site. Additional car parking can also be used within the town centre car parks.

18. Not enough parking set aside for gym users.

LPA RESPONSE: It is understood that 20 no. spaces are to be retained on land within the applicant's control for gym users. Further parking is available within the town centre car parks.

19. Poor transport services/links. Bus link to Ystrad Mynach train station has been stopped.

LPA RESPONSE: The site is located within the town centre and adjacent to the town's main bus station. Therefore, is considered to be in a highly sustainable location.

20. No leisure/welfare facilities to hand, travel would be necessary. Drug and alcohol services difficult to get to (main one in Caerphilly)

LPA RESPONSE: The site is sustainably located with access to local services and public transport provision. There is no set policy requirement for additional welfare facilities to be available locally.

21. There is a surge of social housing developments around the Blackwood area.

LPA RESPONSE: The development responds to the local housing needs assessment and the housing mix has been informed by discussions with the Council's Housing Officers.

22. Caerphilly town centre is more suitable location for the development.

LPA RESPONSE: The development for consideration accords with the role and function of Blackwood and the proposed land use responds positively to the immediate and wider surrounding area. The Local Planning Authority cannot consider the suitability of an alternative site.

23. It is not stated what types of trees will be planted.

LPA RESPONSE: A Landscape Strategy has been submitted which has been reviewed by the Council's Landscape Architect. A detailed planting plan will be secured by way of condition where the types of trees to be planted will be agreed with the Local Planning Authority.

24. There is an over-concentration of affordable housing in Blackwood.

LPA RESPONSE: Please refer to point 21 above.

25. Queries who will be managing the landscaping.

LPA RESPONSE: The management and responsibility of an agreed landscaping scheme will be with the Registered Social Landlord.

26. No biodiversity enhancements proposed.

LPA RESPONSE: Biodiversity enhancements have been addressed and will be controlled by way of condition. Measures considered appropriate within the submitted Ecology Report as part of the application include supplementary planting to include native species, landscaping would also be controlled by condition. Detailed comments are provided by the Council's Ecologist and Landscape Architect.

27. Lack of parking for residents and associated potential for overspill on surrounding streets.

LPA RESPONSE: Justification for the level of parking proposed is provided within the Transport Note and Travel Plans submitted as part of the application. This includes the site's sustainable town centre location, evidenced lower levels of car ownership amongst residents of social rented housing and mitigation measures within the submitted Travel Plan. An increase in parking provision by 16no. spaces has been proposed over the course of the application. No objection has been raised by the Transportation Engineering Manager in relation to the parking provision within the site.

Further parking is also available for anyone to use within the wider town centre including the pay and display car park immediately adjacent to the application site.

28. Exploring consideration of Right to Light with insurers.

LPA RESPONSE: Loss of daylight and sunlight have been addressed in the report above. Right to Light is not a material planning consideration and is covered by separate legislation, which is a civil matter.

29. The development will result in the loss of unobstructed views.

LPA RESPONSE: In planning terms there is no right to a view and as such this is not a material consideration.

30. Concerns that the neighbouring properties will be damaged by future occupiers using the site to take short cuts from one side of the town to the other.

LPA RESPONSE: This is not a material planning consideration, however defensible boundary treatments and landscaping have been recommended as imposed conditions to prevent any potential permeability through the site.

31. The development will give rise to increased levels of noise, disruption and crime.

LPA RESPONSE: The site will be managed by a Registered Social Landlord who can put in place management procedures. Notwithstanding this, the application proposes residential development on site that is on the edge of the town centre and adjacent to existing housing. In that regard it is considered that the proposed use is compatible with surrounding land uses in terms of amenity impacts.

32. As one of the apartments has been designated on the plans for social services/police to use as a hub, it raises concerns for potential anti-social behaviour.

LPA RESPONSE: The hub facility proposed on the ground floor of Block 2 is to help support residents with any queries. Furthermore, there is no evidence to establish that social housing leads to anti-social behaviour.

33. The proposals do not contribute to the regeneration of the town and are incompatible with Blackwood Masterplan SPG, the Council's own policies.

LPA RESPONSE: The proposed development is compatible with the Greater Blackwood Masterplan's development strategy (see paragraph 5.13) and several of the development principles under project B1: Blackwood Square, Blackwood. It may not involve a new town square or market, but it does not go against the broad aims of the masterplan. The Council's Strategic Planning Policy Officers have raised no objection to the development. Furthermore, the scheme would not prejudice the creation of a square on the existing market site, which is outside of the red line boundary for the application site.

34. The development is falsely publicised as affordable housing and the development is to be used for homeless and a halfway house.

LPA RESPONSE: The development is for affordable housing.

35. The submission details provide insufficient detail on the impact on surrounding houses particularly shadow analysis that wasn't provided at PAC stage.

LPA RESPONSE: The planning application and accompanying submission details provides sufficient detail for the Local Planning Authority to determine the application. Further information to be submitted is also controlled by a series of recommended conditions.

36. Concerns around fire safety and access.

LPA RESPONSE: South Wales Fire and Rescue Authority have been consulted on the application and raise no objection to the development.

37. The development will burden emergency service resources.

LPA RESPONSE: The number of proposed apartments is not significant or disproportionate to the overall settlement and will not result in any undue pressure to the emergency service resources.

38. Concerns regarding the presence of Japanese Knotweed within the site.

LPA RESPONSE: The proposed development is limited to the existing hardstanding areas where no knotweed is present.

39. Concerns that the development will impact on bats and birds and thorough surveys have not been undertaken.

LPA RESPONSE: Ecological surveys have been carried out by a suitably qualified ecology consultant. Much of the site is made up of hardstanding and there are limited works proposed to the embankments. Biodiversity enhancement conditions are also recommended.

40. The density is too high and the development is out of context.

LPA RESPONSE: Future Wales and PPW encourage a higher density of residential development within existing settlements. The proposal would help to 'promote the full and effective use of urban land and thus concentrate development within settlements' (see criterion B of LDP policy SP5). The density proposed is considered appropriate for its context and the scale and massing of the development has also been considered acceptable.

41. There is potential for future development on the buildings (e.g. telecommunication masts).

LPA RESPONSE: There are telecommunication permitted development rights for telecommunication code system operators to enjoy subject to specific criteria. In the determination of this application the Local Planning Authority would not be in a position to confirm whether any additional speculative development could be undertaken, however it is important to note that the relevant consent from the landowner would be required. Any further development proposals requiring planning permission within the site would be the subject of separate planning applications, the merits of which can only be considered on a case by case basis.

It should also be noted that photovoltaic roof arrays are proposed on the flat roofs of each building, this is a requirement for Registered Social Landlords in order to secure the relevant Welsh Government grant funding for affordable housing.

42. Queries whether planted trees will be replaced if vandalised.

LPA RESPONSE: A landscaping condition has been imposed to ensure that the site will provide green infrastructure for ecological, amenity and placemaking purposes and this would extend to a standard period of five years to allow any agreed planting and landscaping scheme to establish successfully.

43. The development will give rise to increased litter.

LPA RESPONSE: Litter is a material planning consideration but it would be unreasonable to refuse permission on that basis alone in that the site is located within the settlement boundary where the use is considered to be acceptable and where litter enforcement can be carried out by the relevant agencies. There is no reason to indicate that the development will give rise to unacceptable littering, the site will be managed by a Registered Social Landlord who can implement anti-litter procedures. Notwithstanding such matters, appropriate levels of refuse and recycling facilities are provided within the site.

44. The proposed development will give rise to light pollution and impact the ecological corridors around the site.

LPA RESPONSE: The proposals are not considered to give rise to significant light pollution. The design of any external site lighting to minimise increased light spill (relative to the existing lighting provision within the car park) can be secured by condition to minimise any impact on foraging bats or light spill into neighbouring gardens.

45. The proposed development will devalue property prices.

LPA RESPONSE: Devaluation of property is not a material planning consideration.

46. The proposed development would be a great addition to the town and it would be nice to see a modern development in the town centre.

47. Comments that the removal of the external balconies is a welcomed addition.

LPA RESPONSE: In response to points 46 and 47, both comments are noted.

Other material considerations: Paragraph 1.18 of PPW states:-

"A plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated."

Paragraph 4.2.2 of PPW states:-

"The planning system must:

- identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;
- enable provision of a range of well designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and
- focus on the delivery of the identified housing requirement and the related land supply."

Paragraph 4.2.26 of PPW states:

"A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications."

In conclusion Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

Having regard to the above, the proposed development site's designation as an allocated housing site reinforces its accordance with national policy and guidance together with the local planning policies.

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 12 has also been published on 7th February 2024. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 12 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 12.

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

1. 25% 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.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
Dwg No. AL(90)01 Rev B Location Plan received 24.07.2024;
Dwg No. AL(90)01 Rev L Proposed Site Plan Location Plan received 24.07.2024;
Dwg No. AL(00)10 Rev J Proposed Ground Floor Plan received 24.07.2024;
Dwg No. AL(00)11 Rev I Proposed First and Second Floor Plans received 28.06.2024;
Dwg No. AL(00)12 Rev H Proposed Third and Fourth Floor Plans received 28.06.2024;
Dwg No. AL(00)13 Rev A Proposed Roof Plan received 28.06.2024;
Dwg No. AL(00)15 Rev D Proposed Elevations received 28.06.2024;
Dwg No. AL(00)16 Rev D Proposed Elevations received 28.06.2024;
Dwg No. AL(00)20 Rev E Proposed Sections AA and BB received 28.06.2024;
Dwg No. AL(00)21 Rev B Proposed Sections CC and DD received 18.04.2024;
Ecology Summary Note prepared by Soltys Brewster received 18.04.2024;
Report TN01 Transport Note prepared by Apex Transport Planning received 18.04.2024;
Document C22159/TN02 Transport Note- Further information prepared by Apex Transport Planning received 18.04.2024; and
Travel Plan prepared by Apex Transport Planning received 18.04.2024.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:
hours of working;
the on-site parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;

storage of plant and materials used during construction works;
the management of vehicular and pedestrian traffic.
wheel washing facilities;
the sheeting of lorries leaving the site;
the erection and maintenance of security hoardings;
measures to control noise during construction works;
measures to control pollution from plant and runoff;
measures to control the emission of dust and dirt during construction works; and
details of a scheme for the recycling/disposing of waste resulting from
construction works.

Thereafter the demolition and construction of the development shall be undertaken in accordance with the approved Construction Method Statement.
REASON: In the interests of amenity and highway safety in accordance with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021.

- 04) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the commencement of the development full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:
Hard surfacing materials;
Minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting); and
Proposed and existing functional services and above ground drainage.
The soft landscape details shall include:
Planting plans;
Written specifications (including cultivation and other operations associated with plant and grass establishment);

Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
Implementation timetables;
Detail of 5 year maintenance operations and a maintenance schedule for approval; and
Suitably scaled detailed hard landscape general arrangement plan and information on paving and hard boundaries including materials.
REASON: To ensure appropriate landscaping provision in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 07) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is occupied.
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) Prior to beneficial use of the building, 3 x triple chamber integrated Swift boxes shall be built into the new apartment buildings at the eaves, and all boxes placed close to one another. The boxes shall be retained in situ for a minimum of 5 years.
REASON: To provide nesting for birds as a biodiversity enhancement in accordance policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, policy contained in Planning Policy Wales (2024) and Technical Advice Note 5: Nature Conservation and Planning (2009).
- 09) Prior to beneficial use of the building, all boundary fences shall include access for hedgehog via a continuous 100mm high gap under fence panels; Or 130mm x 130mm gaps every 2m throughout all boundaries. The hedgehog gaps shall be maintained for a minimum of 5 years.
REASON: To provide biodiversity conservation and enhancement measures, in accordance policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, policy contained in Planning Policy Wales (2024) and Technical Advice Note 5: Nature Conservation and Planning (2009).
- 10) Prior to the development commencing, a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.

REASON: In the interests of nature conservation in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 11) Surface water run-off associated with the development hereby approved shall not discharge into the highway surface-water drainage system.
REASON: To prevent hydraulic overload of the existing highway system in the interest of highway safety in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) The development shall not be occupied until the areas indicated for cycle storage and the parking of vehicles has been laid out in accordance with Dwg No AL(90)10 Rev L as identified within the red and the blue line boundaries to serve the proposed development. Those areas shall not thereafter be used for any purpose other than the parking of vehicles associated with the development hereby approved.
REASON: To ensure vehicles and cycles can park off the public highway in the interests of highway safety and the free flow of traffic in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 13) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) This permission is for no more than 58 dwellings.
REASON: To retain effective control of the development to ensure appropriate provision for off-street parking is required and to allow any change in the number of total units to be reviewed in respect of the delivery of affordable housing in accordance with policies CW3 and CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

1. Please refer to Public Access on the Council's website to view the comments of the consultees that are brought to the applicant's attention. Informative information is also provided.
2. 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.

3. 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.

4. 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