

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0572/RM 27.06.2019	Caerphilly County Borough Council Mr Dallimore Ty Tredomen Ystrad Mynach Hengoed CF82 7WF	Seek approval of reserved matters relating to Phase 1 development of commercial area to comprise 5 buildings of up to 13 number B1 employment units, under outline planning consent 16/0373/OUT Land At Grid Ref 311051 194899 Mafon Road Nelson

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: This site is part of the Ty Du development, which lies to the south of the A472 at Nelson.

Site description: At present the site is undeveloped pasture, but over the past year, a main service road has been built from the existing roundabout to the north-east to provide access to the housing and employment development granted planning permission in outline in 2017. To the west are open fields and woodland, beyond which are the houses on Llanfabon Road. The intervening distance is approximately 140 metres.

Development: Reserved matters approval is sought for five buildings at the western end of the employment site. The buildings would be two-storey, grouped around three parking courts with ancillary cycle storage and refuse facilities. Tree and hedge planting would be carried out to soften the impact of the development. Three buildings would contain three units, each with a work area, kitchen and toilet. There would be scope to amalgamate units. Two building would contain two units with the same facilities.

Dimensions: The total site area is 1.2 hectares. Three of the units would measure 25m by 15m by 9m high, one would measure 23.5m by 16. 5m by 9m high, and the other would measure 16m by 19.5m by 9m high.

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Materials: The buildings would be clad in a grey or black profiled metal cladding, with a contrasting colour garage style doors or glazing.

Ancillary development, e.g. parking: Fifty-five parking spaces would be provided.

PLANNING HISTORY 2005 TO PRESENT

16/0373/OUT - Provide a mixed use development comprising residential development of up to 200 dwellings, including the development of approximately 50 affordable homes, and the development of 3.8ha (approximately 6,300sqm) of B1 employment units, plus associated access, diversion of haul route, car parking, diversion of public rights of way, drainage, public open space, landscaping and associated engineering operations - Granted - 28.06.2017.

17/0655/RM - Construct Phase 1 Infrastructure Works associated with Outline Planning Consent 16/0373/OUT - reserved matters application regarding access, diversion of haul route, drainage, public open space and landscaping - Granted - 20.12.2017.

17/0805/COND - Discharge condition 13 (Contamination scheme) of planning consent 16/0373/OUT (Provide a mixed use development comprising residential development of up to 200 dwellings, including the development of approximately 50 affordable homes, and the development of 3.8ha (approximately 6,300sqm) of B1 employment units, plus associated access, diversion of haul route, car parking, diversion of public rights of way, drainage, public open space, landscaping and associated engineering operations) - Granted - 26.04.2018.

18/0175/COND - Discharge condition 21 (Landscaping scheme) of planning consent 16/0373/OUT (Provide a mixed use development comprising residential development of up to 200 dwellings, including the development of approximately 50 affordable homes, and the development of 3.8ha (approximately 6,300sqm) of B1 employment units, plus associated access, diversion of haul route, car parking, diversion of public rights of way, drainage, public open space, landscaping and associated engineering operations) - Granted - 24.04.2018.

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POLICY

Site Allocation: This site is allocated for employment as a B1 business park under policy EM1.2

Relevant Plan Policies:

SP2 Development Strategy - Development in Northern Connection Corridor, SP4 Settlement Strategy, SP5 Settlement Boundaries, SP6 Place Making, SP10 Conservation of the Natural Heritage, SP14 Total Housing Requirements, SP16 Managing Employment Growth, CW1 Sustainable Transport, Accessibility and Social Inclusion, CW2 Amenity, CW3 Design Considerations Highways, CW6 Trees, Woodland and Hedgerow Protection, CW10 Leisure and Open Space provision, CW11 Affordable Housing, CW13 Use Classes Restrictions Business and Industry, LDP4 Trees and Development and LDP6 Building Better Places to Live.

NATIONAL POLICY

Planning Policy Wales (Edition 10, December 2018);
Technical Advice Note 1: Joint Housing Land Availability Studies (2015);
Technical Advice Note 2: Planning & Affordable Housing (2006);
Technical Advice Note 5: Nature Conservation and Planning (2009);
Technical Advice Note 11: Noise (1997);
Technical Advice Note 12: Design (2016);
Technical Advice Note 18: Transport (2007);
Technical Advice Note 23: Economic Development (2014).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes

Was an EIA required? No. An Environmental Statement was submitted with the outline application for the development of this site, and it is considered that the current proposal sits within the scope of that EIA.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

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CONSULTATION

Head Of Public Protection - Conditions are required in respect of ground gas migration, the control of external plant, and hours of operation.

Transportation Engineering Manager - No objections subject to conditions.

Senior Engineer (Land Drainage) - Further information will be required in respect of drainage, permeable surfaces, and maintenance.

Western Power Distribution - Provide advice about their utilities.

Wales & West Utilities - Provide advice about their utilities.

Landscape Architect - Whilst the information submitted is acceptable in concept form further details of species, topsoil depths, the size of tree pits, mulching and maintenance are needed. Further consideration should be given to the contrasting colours proposed at the building.

Strategic & Development Plans - No objection

Glam/Gwent Archaeological Trust - A condition is recommended in respect of an archaeological watching brief.

ADVERTISEMENT

Extent of advertisement: Two site notices were posted in Llanfabon Road, one at the bus stop on the A472, and one at the top of Heol Tasker.

Response: None

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
This development will not have an impact on crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

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COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The site is within an area allocated for B1 business use, and where planning permission was recently granted in outline for that purpose. Therefore the proposal is acceptable in principle. The other issues that need consideration are the impacts on traffic, landscape character, residential amenity, and nature conservation.

The traffic impacts of the scheme were considered at the outline stage, when permission was granted for approximately 6,300 square metres of B1 employment units. The current proposal is for 1588 square metres, which is well within that limit. The parking and turning facilities are appropriate, and a condition should be imposed to require their provision.

With regard to landscape character, the Council's landscape architect has not raised any objections in principle, and his recommendations can be passed to the developer. Also, a condition concerning materials should be imposed. The southern part of the site is surrounded by hedges. The northernmost of these hedges will be breached to provide access through to the northern part of the site, but the landscaping proposed will observe the line of the breached hedge. Additional planting will be introduced around the eastern side of the site to screen the buildings.

With regard to residential amenity, the nearest residential properties in Nelson are approximately 180m away to the north, on the opposite side of the A472, and the existing Co-op and petrol station premises. The development will not have a significant impact on those dwellings. The closest properties to the east are some 140 metres away at Llanfabon Road. That is an acceptable distance bearing in mind the proposed use of the premises for B1 purposes which are uses that can be carried on in a residential area. Conditions concerning hours of operation should be imposed to mitigate any impacts.

Nature conservation issues were considered at outline stage, and the scheme complies with the documents agreed at that stage.

On the basis of the above, the recommendation is to grant planning permission.

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Comments from Consultees: There are no objections from consultees, and their views can be accommodated by condition.

Comments from public: No comments have been received from the public.

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.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

01) The development shall be carried out in accordance with the following approved plans and documents:

DR-A-20-113A ELEVATION OPTION WITH GLAZING
DR-A-20-11A GROUND FLOOR PLAN
DR-A-20-12B ELEVATIONS
DR-A-20-21B GROUND FLOOR PLAN
DR-A-20-22B ELEVATIONS
DR-A-20-23 ELEVATIONS
DR-A-20-31B BUILDING 3 GROUND FLOOR PLAN
DR-A-20-32B BUILDING 3 ELEVATIONS
DR-A-20-33 BUILDING 3 ELEVATIONS ADAPTATION
DR-A-20-41A BUILDING 4 GROUND FLOOR PLAN
DR-A-20-42B BUILDING 4 ELEVATIONS
DR-A-20-43 BUILDING 4 ELEVATIONS ADAPTATION
DR-A-20-51A BUILDING 5 GROUND FLOOR PLAN
DR-A-20-52B BUILDING 5 ELEVATIONS
DR-A-20-53 ELEVATION ADAPTATION
DR-A-90001 REV B SITE LOCATION PLAN
DR-A-90008 REV A SITE PLAN - 5 UNITS
DR-A-90008-A SITE PLAN - 5 UNITS

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DR-C-0601 DRAINAGE LAYOUT PLOT 5
DR-C-0700 SURFACING AND KERBING PLOTS 1-4
DR-C-0701 SURFACING AND KERBING PLOT 5
DR-E-00161 ELECTRICAL SERVICES AND EXTERNAL LIGHTING
18/670/02 Landscape Layout
18/670/03 Planting Plan.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 02) Prior to the commencement of work on site, details of the measures to control gas migration shall be submitted to and agreed in writing with the local planning authority. The development shall be carried out in accordance with the agreed details.
REASON: To ensure that the development includes the appropriate measures to mitigate gas migration.
- 03) Prior to development commencing on site, details of all external and roof mounted plant/machinery associated with the application shall be submitted to and agreed in writing with the Local Planning authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter the development shall be carried out in accordance with the agreed details.
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The use of the buildings hereby permitted shall not take place outside the following times: Monday to Saturday: 0700 - 22:00, and Sunday: 08:00 - 20:00
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) No deliveries shall be taken at or dispatched from the site outside the hours of Monday to Saturday: 0700 to 1900 hours, and Sunday: 0800 to 1800 hours.
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 06) Prior to the commencement of work on site details of the following shall be submitted to and agreed in writing with the local planning authority.
1. The proposed cellular drainage storage facilities.
 2. The unlined permeable paving to provide additional on-plot drainage.
 3. Construction details for permeable paving or attenuation facilities, and of the structural performance of permeable paving or attenuation features in HGV areas.
 4. Hydraulic calculations to assess the performance of the proposed system including the performance of the flow control.
 5. A management/maintenance plan for drainage assets.
- The drainage shall thereafter be carried out in accordance with the agreed details.
REASON: To ensure that the site is satisfactorily drained.
- 07) Prior to the commencement of the landscaping at the development, and notwithstanding condition 1 of this consent details of the following shall be submitted to and agreed in writing with the local planning authority.
1. Planting mixes, species (in Latin) including the sizes, density and numbers.
 2. Confirmation of the following. Mown grass areas: 100mm topsoil depth minimum.
Tree pits: 600mm depth of topsoil.
Mulching: 75mm depth and topped up annually.
All tree guards and shelters are removed with care to a licensed tip at the end of the year 5 maintenance and defects period.
The landscaping shall thereafter be carried out in accordance with the agreed details prior to the first occupation of the development hereby approved.
REASON In the interests of the visual amenity of the area.
- 08) 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.
- 09) No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

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Advisory Note(s)

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.

