

Pre-Application Consultation Report:
Land Rear of 40 Victoria Road
Fleur De Lis

On behalf of:
Mr. A & Mrs. S Carrafa

Prepared By:

**Hannaby Planning
Solutions Ltd**

December 2023

Applicant: Mr. & Mrs. Carrafa

Location: Land Rear of 40 Victoria Road Fleur De Lis

Proposal: Full planning application for demolition of 40 Victoria Road, erection of 5 detached dwellings and formation of a new access.

Disclaimer: This report has been prepared for the use the applicants and Caerphilly Council and may not be relied upon by any other party.

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1. Introduction:

1.1. Hannaby Planning Solutions Ltd is instructed by Mr. A. & Mrs. S. Carrafa ('the applicants') to carry out a pre-application consultation exercise in preparation for the submission of a FULL planning application at Land Rear of 40 Victoria Road Fleur De Lis ('the application site'). A site location plan is attached at Appendix 1.

1.2. The description of the proposed development is:

'The demolition of 40 Victoria Road, Fleur De Lis, the erection of 5 detached dwellings on land at the rear of 40 Victoria Road and the formation of a new access onto Victoria Road.'

1.3. As of the 1st August 2016, Article 1 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ('DMPWO') required all planning applications for major development to undertake statutory pre-application consultation and subsequently submit a pre-application consultation report (PAC) as part of the planning application.

1.4. The requirements of the legislative framework are set out in Section 2 of this report. How the consultation was carried out is set out in Section 3 and the responses to the consultation exercise are included in Section 4. The applicant's response to the results is discussed in Section 5.

2. Policy and Guidance:

National Policy and Guidance

2.1 Planning Policy Wales (Edition 11, 2021) refers to the sustainable development principle established by The Planning (Wales) Act 2015 and The Well-being of Future Generations (Wales) Act. Under this principle, all those involved in the planning system are expected to value engagement and involvement through positive consultation to ensure that everyone has the opportunity to find out about planning proposals and comment on them during the formative stages of the design of the development as well as during the decision making process.

2.2 The Welsh Government provides advice and encouragement to applicants to enter into pre-application discussions through the Practice Guide:

Realising the Potential of Pre-Application Discussions (2012). Paragraph 3.15 of the guide advises that:

"Applicants may wish to discuss development proposals with local Communities or the representatives of local communities, which may include Community and town councils, prior to the submission of a formal planning application in order to gain an understanding of local concerns. Early discussions with local communities can, potentially, allow any concerns or issues to be addressed or mitigated in any formal planning application."

2.3 The latest best practice guidance published by the Welsh Government is: Pre-application Community Consultation: Best Practice Guidance for Developers (2021). It provides advice about how developers can carry out consultation on major development schemes to ensure that the relevant legal and procedural requirements are met, as well as identifying how developers can benefit from carrying out consultation that go beyond statutory requirements.

2.4 The applicant has carried out pre-application consultation with local residents and specialist consultees including local elected members and Town/Community Councils as described in the following section.

Requirements for Pre-Application Consultation

- 2.6 The key requirements of Article 1 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 are as follows:
- Display a site notice in at least one place on or near the land to which the proposed application relates for a period of no less than 28 days prior to submitting a planning application;
 - Write to any owner or occupier of any land adjoining the application site notifying them of the proposed development;
 - Make the draft planning application publicly available. This must include all information that would be required to be submitted as part of a formal planning application and any information that would be needed to comply with local validation requirements;
 - Consult community and specialist consultees. Community consultees comprise each community council in whose area the proposed development would be situated and each local member representing an electoral ward in which the proposal would be situated. Specialist consultees comprise the list of consultees set out in Schedule 4 to the DMPWO;
 - Consider if an Environmental Impact Assessment (EIA) is required for the project;

- Submit a pre-application consultation report (PAC) as part of the planning application containing the information set out in Article 2F Paragraph 2 of the DMPWO.

3. Consultation Approach

Site Notice

- 3.1. A site notice was affixed to street furniture at the frontage of the site on Victoria Road on 20th November 2023. The location of the site notice is shown on the plan attached at Appendix 4. The site notice is reproduced at Appendix 2. It contains all information set out in Schedule 1B Articles 2C and 2D of the DMPWO in both English and Welsh.
- 3.2. The site notice identified the 20th December 2023 as the end of the consultation period and the deadline for representations to be received; thereby allowing in excess of the minimum 28 day period.
- 3.3. Hannaby Planning Solutions Ltd declares that, to the best of our knowledge, the site notice was displayed in accordance with the statutory requirements.

Notice to Owners/Occupiers

- 3.4. A total of 26 neighbouring properties in Victoria Road, William Street and Twyn received a hand delivered notice addressed to the 'Owner/Occupier;' as shown on the plan attached at Appendix 4 on the 20th November 2023. A copy of the notice is attached at Appendix 3.
- 3.5. The notice to neighbouring owners and occupiers identified the 20th December 2023 as the end of the consultation period and the deadline for representations to be received; thereby allowing in excess of the minimum 28 day period.

Notice to Community Consultees

- 3.6. Under the provision of Schedule 1B Articles 2C and 2D of the DMPWO, notice was served on the following 'community consultees' via email on the 20th November 2023:
 - Cllr Chacon-Dawson
 - Cllr Heron
 - Cllr Williams
- 3.7. The above 'community consultees' were also sent a copy of the consultation notice that was displayed on site and delivered to local residents adjoining the site that same day.

3.8. The notice identified the 20th December 2023 as the end of the consultation period and the deadline for representations to be received; thereby allowing in excess of the minimum 28 day period. Copies of the notices are attached at Appendix 5.

Notice to Specialist Consultees

3.9. Under the provision of Schedule 1C Articles 2D of the DMPWO and in accordance with schedule 4, notice was served on the following 'specialist consultees' via email on the 20th November 2023:

- Coal Authority
- Highway Authority

3.10. The notice identified the 20th December 2023 as the end of the consultation period and the deadline for representations to be received; thereby allowing in excess of the minimum 28 day period. Copies of the notices are attached at Appendix 6.

Publication of Information

3.11. The plans and supporting information listed below were made available to view online for the duration of the consultation period at a file hosting service (Dropbox), which is operated by the American company Dropbox, Inc.

3.12. A URL link and QR code were provided on the site notice and all consultation notices to provide access to the file location.

- Application Forms;
- Design & Access Statement;
- Planning Statement;
- Primary Ecological Appraisal;
- Bat Dusk Emergence Survey Report;
- Coal Mining Risk Assessment;
- Noise Assessment Report;
- Topographical plan (Ref: 19661);
- Arboricultural Report;
- Tree Constraints Plan;
- Demolition Plan (Ref: HPS001);
- Site Location Plan (Ref: N345-A1.1 Rev A);
- Existing Site Layout (Ref: N345-A1.2 Rev B);
- Proposed Site Layout (Ref: N345-A1.3 – Rev D);
- Proposed Context Elevations (Ref: N345-A1.4 – Rev A);
- House Type 1 – Floor Plans (Ref: N345-A1.5 – Rev A);
- House Type 1 – Elevations (Ref: N345-A1.6 – Rev A);
- House Type 2 – Floor Plans (Ref: N345-A1.7 – Rev A);
- House Type 2 – Elevations (Ref: N345-A1.8 – Rev A);
- House Type 3 – Floor Plans (Ref: N345-A1.9 – Rev A);

- House Type 3 – Front and Rear Elevation (Ref: N345-A1.10 – Rev A);
- House Type 3 – Side Elevation (Ref: N345-A1.11 – Rev A);
- Proposed Site Sections (Ref: N345-A1.12 – Rev B);
- Perspective View – Site Entrance (Ref: N345-A1.13 – Rev A);
- Perspective View – Plots 1-3 (Ref: N345-A1.14 – Rev A);
- Perspective View – Plots 4-5 (Ref: N345-A1.15 – Rev A);
- Highway & Parking Layout (Ref: N345-A1.16 – Rev A);
- Proposed Phasing Plan (Ref: N345-A1.17 – Rev C);
- Flood Consequences Report
- Proposed Drainage Strategy
- Proposed Drainage Layout (Ref: 17341/C500/Rev 04);
- Proposed Drainage Catchments Plan (Ref: 17341/C503/Rev 03);
- Proposed Drainage Details (Ref: 17341/C505Rev 01);
- Proposed Landscaping Plan (Ref: 17341/C3000/Rev 03)
- Existing Sewer Easement (Ref:17341/SK01/Rev 01)
- Planting Schedule (Ref 17341 /PS01-R01);

3.13. Representations could be made to the applicant’s agent, Hannaby Planning Solutions Ltd, either via emails to hannabyplanning@gmail.com or via post to Hannaby Planning Solutions Ltd, Windrush, Marsh Hill, Coleford, Gloucestershire GL16 8JW.

4. Consultation Responses

Specialist Consultees

- 4.1. A response was received from The Coal Authority on 6th December and is attached at appendix 7.
- 4.2. The Coal Authority confirms that within the site and surrounding area there are shallow coal mine workings which need to be considered in relation to the determination of any planning application.
- 4.3. The Coal Authority confirms that the Coal Mining Risk Assessment prepared by Terra Firma Ltd is sufficient to accompany any subsequent future planning application to meet the requirements of National policy.
- 4.4. The Coal Authority has no objections subject to a condition ‘*to ensure the investigations and the completion of any necessary remedial/mitigatory measures.*’
- 4.5. A response was received from the Highway Authority on 19th December and is attached at appendix 8. In summary it raises no objections and

acknowledges that the proposed development is acceptable in highway safety terms; incorporating adequate visibility, turning and passing facilities.

- 4.6. Comments are made that the plans need to show 3 parking spaces for each plot (of an appropriate size) and a vehicle swept path to demonstrate that the largest vehicles can safely turn. The comments also state that the existing street lighting column should be relocated and the existing access point, formerly used by number 40, should be stopped up prior to the new access being brought into use.

Community Consultees

- 4.7. No responses have been received.

Public Consultation

- 4.8. Of the 26 properties notified, 1 response was received on the 20th December; attached at Appendix 9. In summary, the objection is to potential overlooking of the rear of numbers 25, 26 & 27 Victoria Road from a first floor balcony on the rear elevation of house type 3 (plot 1).

5. Applicants' Response to Consultation

Specialist Consultation

- 5.1. There is no requirement to respond to The Coal Authority consultation and the applicant's accept that the proposed condition is necessary.
- 5.2. Most of the comments made by the Highway Authority require no response as they simply acknowledge the acceptability of the proposals.
- 5.3. In terms of the comments about the need to show 3 parking spaces for each plot and a vehicle swept path; these are clearly shown on plan Ref: N345-A1.16 - Highway & Parking Layout Rev (A) which was included in the package of plans available to the consultees to review. The parking spaces meet the Highway Authority standards.
- 5.4. This plan will be included in the planning application and a copy has been separately sent to the Highway Authority for completeness.
- 5.5. The requirement to relocate the lighting column and stop up the existing access can be dealt with as part of the license requirements with the Highway Authority and, if considered necessary by the LPA, can be dealt with by a Grampian style condition requiring both to have been carried out prior to occupation.

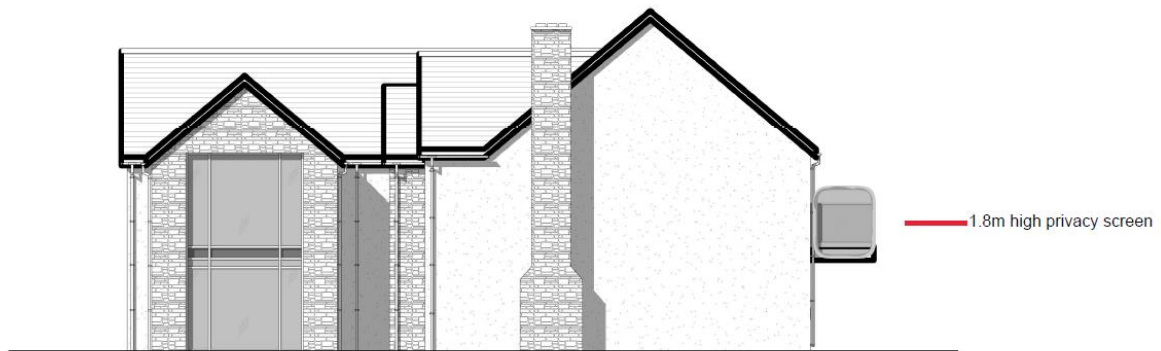
Community Consultation

- 5.6. There have been no responses received to comment upon.

Public Consultation

- 5.7. The applicants' response to the one objection is as follows.
- 5.8. The potential impact of the development upon local residents living around the site has been considered in coming to the proposed layout and design and it is pleasing to note that only 1 objection has been received as a result of the pre-application consultation exercise.
- 5.9. All of the separation distances exceed those required by the LPA and plot 1 is also positioned so that its principle elevations face north and south away from Victoria Road.
- 5.10. The balcony in question can be seen on plans N345-A1.10 - House Type 3 - Front and Rear Elevation Rev (A) and N345-A1.11 - House Type 3 - Side Elevation Rev (A). It is situated at the rear of a small bedroom and projects out from the rear elevation by 1.5m. As can be see from the plans, the main view from the rear elevation will be north-northeast, along the valley, rather than towards Victoria Road.
- 5.11. However, it is acknowledge that if someone stood on the balcony and turned 90 degrees they could face towards the rear of the properties on Victoria Road. This has been taken into account by ensuring that the proposed dwellings are sited sufficiently far away from the rear of neighbouring properties to avoid any potential overlooking.
- 5.12. The balcony at its closest point will be approximately 13m from the boundary. As there is a car parking area at the rear of numbers 25, 26 & 27 Victoria Road, the balcony will be approximately 26m from the rear boundary of the gardens of numbers 25 & 26 Victoria Road and about 39m from the rear wall of the houses. Because number 27 Victoria Road is at a more perpendicular angle it is even further away.
- 5.13. At these distances, which considerably exceed those required by the LPA for privacy, it is considered that there will not be a loss of privacy from anyone stood on the balcony looking towards Victoria Road.
- 5.14. However, the applicants have been very careful to try and ensure that the proposed layout does not impact on their neighbours and are more than happy to include a '1.8m high privacy screen' on the end of the balcony to reassure the local residents and ensure there are no views from it towards Victoria Road. This privacy screen has been added to the side elevation

drawing N345-A1.11 - House Type 3 - Side Elevation Rev (A), an extract of which is shown below:



01 SIDE ELEVATION - HOUSE TYPE 3
1:100

6. Summary/Conclusions

- 6.1. The PAC has been carried out in accordance with the legislative framework.
- 6.2. Hannaby Planning Solutions Ltd are confident that the pre-application consultation exercise has enabled the development of the proposal to the stage that it is ready for formal submission to the LPA for consideration and determination.
- 6.3. It has been demonstrated that the concerns of the local resident has been addressed by an amendment to the plans to incorporate a privacy screen on one of the balconies.
- 6.4. It has been demonstrated that the concerns of the Coal Authority and Highway Authority can be addressed though the imposition of planning conditions.