

AGENDA ITEM NO. 5(c)

PLANNING COMMITTEE

07 AUGUST 2013

PLANNING APPLICATIONS UNDER THE
TOWN AND COUNTRY PLANNING ACT 1990
AND ASSOCIATED LEGISLATION

**APPLICATION
NUMBER**

LOCATION

EAST AREA

13/0454/NCC Blackwood Gate Retail Park, Blackwood

NORTH AREA

Preface Item
12/0269/NCC Land at Gellideg Industrial Estate, Gellideg Lane, Maesycwmmmer,
Hengoed

12/0376/FULL Land adjacent to 128 – 134 Llancayo Street, Bargoed

12/0570/FULL Bryn Quarry, Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer,
Hengoed

12/0753/FULL Pen Y Fan Ganol Farm, Manmoel, Blackwood

13/0218/MIN Cwmbargoed Disposal Point, Fochriw Road, Cwmbargoed

13/0258/FULL Land at 3A Penallta Villas, Ystrad Mynach, Hengoed

13/0406/FULL 76 New Road, Deri, Bargoed

SOUTH AREA

12/0898/FULL Land at Tyn Y Wern Terrace, Trethomas, Caerphilly

13/0416/FULL Land at Mill Road, Caerphilly

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0454/NCC 20.06.2013	Mr G Tromans C/O Mr S Cullen 1 Leyshon Way Bryncethin Bridgend CF32 9AZ	Vary conditions 02) and 03) of planning permission reference 12/0742/NCC to allow open A1 food and non-food retail and bulky goods retail/leisure use Blackwood Gate Retail Park Blackwood

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application site is an existing block of retail units. They are situated on land to the south of Thorncombe Road and accessed from the southern cross valley link of the Sirhowy Enterprise Way.

Site description: This retail development was permitted by outline planning permission P/00/1022 and reserved matters approval P/05/0486. The approved plans show a single retail park style building divided into units. The building has been constructed and one unit was occupied by a DIY outlet (Focus) at the northern end, with a further six unoccupied smaller units to the south. All the units are now unoccupied. The development has been amended by subsequent applications and there are various revisions that allow for amended layouts that have not yet been implemented. The original permission was subject to a planning condition that was imposed at the outset to restricted the use of the site to the sale of bulky goods/warehouse retailing in order to protect the vitality and viability of the town. The condition read as follows:-

The development hereby approved shall be limited to a total floor space of 7,853 square metres and this shall only be used for the sale of the following goods:- DIY, hardware, furniture, carpets and flooring coverings, soft furnishings/textiles, electric and gas products, motor vehicle accessories and cycles, boats and caravans, office equipment and garden and pet products.

REASON: In the interests of preserving the vitality and viability of Blackwood Town Centre.

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Application No. 13/0454/NCC Continued

In 2012 a further application for planning permission, ref: 12/0742/NCC, was submitted to vary the condition to allow a proportion of the site to be used as a food retail store together with a proportion of non-food retail. Permission was granted and included the following two conditions:-

- 02) The food retail use hereby approved shall be limited to a total internal floor space not exceeding 4,274 square metres within the existing building (including any mezzanine floor space), the whole of the area shall only be occupied and used as a single food retail unit that shall not be subdivided, and of that area no more than 20% of it shall be used for ancillary non-food retail use such as the sale of comparison goods.
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.
- 03) The non-food retail use hereby approved (excluding that which may be included within the food retail area as permitted by condition 2 above) shall be limited to a total internal floor space not exceeding 1,858 square metres within the existing building.
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.

Development: The applicant explains in the submitted details that it has not been possible to attract the food retailer that was the intended occupant in the 2012 application (Morrisons). There are now two other retailers (Lidl and Home Bargains) who wish to occupy the site, and negotiations are proceeding with others. As a consequence the single food retail unit of 4,274 square metres permitted in 2012 is no longer suitable for the smaller operators that have shown an interest in the site. This application seeks to reduce the food retailing unit to 2,787 square metres and to expand the non-food retail to 3,344 square metres. The proposal also seeks to remove the word "single" from condition 2 and the limitations regarding subdivision. The 20% limitation upon non-food retail is also dropped. The proposed revised conditions would read as follows:-

- 02) The food retail use hereby approved shall be limited to a total internal floor space not exceeding 2,787 square metres within the existing building (including any mezzanine floor space),
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.

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Application No. 13/0454/NCC Continued

- 03) The non-food retail use hereby approved shall be limited to a total internal floor space not exceeding 3,344 square metres within the existing building.
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.

PLANNING HISTORY

2/5790 - Erect residential development - Granted 02.01.90.

2/11033 - Erect residential development - Granted 22.07.96.

2/11130 - Erect residential development - Granted 03.07.96.

P/96/0879 - Change the use of land to retail, leisure, restaurant, petrol station and construct roundabout on High Street and first part of southern cross valley link - Withdrawn 04.12.97.

P/00/1022 - Erect retail and leisure development - Granted 09.09.04.

P/05/0483 - Vary condition (13) attached to planning consent reference P/00/1022 to remove reference to the cyclist access - Granted 12.07.07.

P/05/0486 - Erect retail and leisure development - Granted 18.08.05.

P/05/1697 - Vary condition (7) attached to planning consent P/00/1022 to amend minimum individual retail unit size 650 sq. m. to 465 sq. m. - Granted 12.07.07.

08/0587/NCC - Vary condition 6 of planning consent reference P/00/1022 as amended by condition 3 of planning consent reference P/05/1697 - Refused 13.11.08.

11/0861/FULL - Reconfigure existing retail units and provide minor amendment to car parking - Granted 10.01.12.

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Application No. 13/0454/NCC Continued

12/0064/NCC Vary Condition 6 of outline planning permission reference P/00/1022 (as amended by Condition 3 of permission reference P/05/1697 and Condition 2 of permission reference 11/0861/FULL) to allow open A1 food retail and bulky goods retail at Blackwood Gate Retail Park and provide minor amendments to car parking. Condition to now read: "The development hereby approved shall be limited to a total floorspace of 7,853 square metres to be used for the sale of any of the following goods: DIY, hardware, furniture, carpets and floor coverings, soft furnishings/textiles, electric and gas products, motor vehicle accessories and cycles, boats and caravans, office equipment, and garden and pet products. In addition up to 4,274 square metres of the floorspace may be utilised as a grocery superstore, excluding the unit currently occupied by the existing public house unit occupied by Marstons" - Refused 19.03.12.

12/0742/NCC Vary condition 6 of outline planning permission reference P/00/1022 (as amended by condition 3 of planning permission reference P/05/1697 and condition 2 of permission reference 11/0861/FULL) to allow open A1 food and non-food retail and bulky goods retail/leisure use at Blackwood Gate Retail Park, Blackwood. - Granted 07.05.13.

12/0743/FULL - Provide increased car parking, demolish the existing garden centre and introduce a signalised junction - Granted 14.03.13.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: CM2.1 Retail warehouse park known as Blackwood Gate.

Policies: CM1.2 Principal town centre retail boundaries; CW16 Locational Constraints (Retail), CW2 (Amenity) CW3 (Design Consideration - Highways) and Blackwood Town Centre Action Plan.

NATIONAL POLICY Planning Policy Wales (November 2012) and TAN 4 (Retailing and Town Centres).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? - No.

Was an EIA required? - Not applicable.

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Application No. 13/0454/NCC Continued

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? A small part of the car park (Not affected by this application).

CONSULTATION

SEW Ltd - No objection.

Transportation Engineering Manager - No objection subject to previous conditions.

Head Of Public Protection - No objection subject to previous conditions. Advice is provided regarding food hygiene.

Senior Engineer (Land Drainage) - No objection.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press and 61 neighbouring properties have been consulted.

Response: No response has been received.

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

It is not considered that the proposed development will have a material effect on crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? - No.

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Application No. 13/0454/NCC Continued

ANALYSIS

Policies: Notwithstanding the previous planning permission for non-bulky good retail, 12/0742/NCC, the application site remains a bulky goods allocation in the approved local development plan. This application therefore represents a departure that is accordingly reported to members for consideration. The previous planning decision was granted in recognition of the fact that the site has failed to attract bulky goods traders, a position highlighted by the departure of the one and only previous tenant - Focus.

The application site was at its inception intended only for the sale of bulky goods and not for retail sales that could unacceptably draw away trade from the town. In the Caerphilly County Borough Local Development Plan up 2021 - Adopted November 2010, the site remains allocated for bulky goods use under Policy CM2 and remains outside the town centre boundary identified by Policy CM1.2. Policy CW16 explains that outside CM1 centres additional retail floorspace should not be permitted where it would undermine the vitality and viability of nearby Principle Town Centres or the Council's retail strategy. The Blackwood Town Centre Action Plan explains the aim of strengthening the Town with an anchor food store, that aim has been achieved through the construction of the Asda store. Planning Policy Wales 2012 sets as a central objective the need to promote established towns, to enhance their vitality and viability. Part 10.3.8 goes on to explain that "Out of centre food supermarkets should not be allowed if their provision is likely to lead to the loss of general food retailing in the centre of smaller towns."

The 2012 permission (Council reference 12/0742/NCC) relaxed the original use restriction condition to enable:-

1. Up to 54% (4,274 square metres) of the building to be used for high street/grocery retail trade occupied as a single unit.
2. Up to 24% (1,858 square metres) of the building to be used for non-food high street retail trade.

The remaining 22% (1,741 square metres) of the building was retained for bulky goods/soft play/leisure.

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Application No. 13/0454/NCC Continued

At the time the 2012 application was submitted on the basis of the applicant's comments, a large food retailer (Morrisons) was generally expected to occupy the food retail store. That retailer does not intend to occupy the store. Given that the other major food retailers (Asda, Sainsbury and Tesco) already have outlets in the locality and that Morrisons (fourth largest food retailer) is not willing to occupy the site, the prospect of any large food retailer now being attracted is remote. The applicant has supported this application with a Retail Statement that suggests providing "an alternative to the existing Asda store in town" (para 1.5) will add retail variety and vitality. The statement is not quite in step with the current application, which is proposing a smaller food retail area than has already been approved. Also that assumption was based upon a single food retailer occupying 54% of the building. For clarity the current application proposes: -

1. Up to 35% (2,787 square metres) of the building to be used for high street/grocery retail trade that is not restricted to single occupation.
2. Up to 43% (3,344 square metres) of the building to be used for non-food high street retail trade.

Leaving aside the Retail Statement, the current permission for grocery retail, in the absence of one of the big four, is now unlikely to be taken up at present. As pointed out in the applicant's Planning Statement it is only a smaller food retailer, such as Lidl, that would now be likely to be attracted to the site and even then they would possibly only occupy an area half or less than the size a large food retailer would require; accordingly the applicant also seeks the removal of the requirement that it be occupied as "single" food retail unit. It is considered that maintaining the "single" occupancy requirement is now too onerous.

The 2012 permission has already allowed 24% (1,858 square metres) of the building to be used for non-food high street retail trade. This is to be increased to 43% (3,344 square metres), which will to an extent be compensated by the reduction in food retail. The proposed total overall level of non-bulky goods trade remains 78% as per the 2012 consent. Therefore given that the extant consent has already enabled a direct challenge to the high street, the proposed proportional changes should be marginal in terms of the overall impact upon the town, therefore whilst the proposal remains contrary to the local plan refusal is not recommended. The previous approval is a material planning consideration and is capable of implementation in part or as a whole and on that basis it would be difficult to justify a refusal in this case.

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Application No. 13/0454/NCC Continued

Comments from Consultees: Transportation Engineering Manager raises no objection subject to previous conditions.

Head of Public Protection raises no objection subject to previous conditions. Those conditions include: - delivery hours, external lighting and the agreement of details of extraction equipment. An additional condition to require a lockable barrier is recommended to control antisocial behaviour when the site is not in use. Such a barrier already exists therefore the additional condition would formalise the times it is to be closed. Advice is provided regarding food hygiene, health and safety, this should be passed on to the applicant.

SEW Ltd and Senior Engineer (Land Drainage) raise no objection.

Comments from public: None.

Other material considerations: Conditions attached to the 2012 consent (other than Nos 2 & 3) for the most part remain relevant and require re-imposition.

Condition 11 required that "Prior to the commencement of the food retail use hereby approved details shall be submitted to and agreed in writing by the Local Planning Authority of the means for the accommodation of public transport at the site including bus shelters and the means of access through the site. The agreed means shall be implemented before the food retail use hereby approved is first "opened to the public." It was imposed to encourage the use of public transport for visits to the development. In that application the "food retail use" represented a larger proportion of the development. Given the shift to a larger proportion of non-food retail it is considered that the words "food retail use" be replaced with "food retail or non food use." A similar variation of Condition 14 is also required.

Condition 15 previously read: "The internal retail floor area hereby approved shall not thereafter be sub-divided to create smaller retail units of less than 465 square metres without the prior approval of the Local Planning Authority, apart from the food retail use, which shall be limited in the manner specified in condition 02) above." Given that condition 2 now removes the single occupancy requirement the words "apart from the food retail use, which shall be limited in the manner specified in condition 02) above", may be struck out.

The 2012 approval was subject to a Section 106 Agreement that sought a contribution towards the provision of a footpath link out to the north of the site leading towards the town. If members are minded to grant planning permission the issuing of the decision should be deferred to enable the variation of that agreement.

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Application No. 13/0454/NCC Continued

Section 106 Agreements must now comply with statutory tests. First, they must be necessary to make the development acceptable in planning terms. The Inspector who refused the appeal at this site considered that the site's physical and visual separation, accentuated by the topography, severely constrains its ability to be integrated into the town centre. Improved links with the car park will go some way to addressing that issue. Secondly, that requirement has to be directly related to the development, which it clearly is in this case by providing a link from the development to car park, thereby providing access to the town centre. Last, the requirement has to be reasonably related to scale and kind to the development. The nature of the works and the costs involved are relatively minor compared to the scale of the retail outlets being allowed.

RECOMMENDATION (A) that the application is DEFERRED to allow a Section 106 Agreement in respect of the matter raised in the report to be completed. On satisfactory completion of the development (B) 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 food retail use hereby approved shall be limited to a total internal floor space not exceeding 2,787 square metres within the existing building (including any mezzanine floor space),
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.
- 03) The non-food retail use hereby approved shall be limited to a total internal floor space not exceeding 3,344 square metres within the existing building.
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.

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Application No. 13/0454/NCC Continued

- 04) The mixed class D2 leisure (as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) and bulky goods retail use hereby approved applies to an internal floor space of not less than 1,140 square metres of the existing building, and the bulky goods retail use shall only be for the sale of the following goods: DIY, hardware, furniture, carpets and floor coverings, soft furnishings/textiles, electric and gas products, motor vehicle accessories and cycles, boats and caravans, office equipment and garden and pet products.
REASON: To retain effective control of the development hereby approved and in the interests of preserving the vitality and viability of Blackwood Town Centre.
- 05) All refuse stored externally shall be stored in accordance with details that shall have been agreed in writing with the Local Planning Authority prior to the commencement of the use hereby approved.
REASON: In the interests of residential amenity and hygiene.
- 06) Details of any extraction or ventilation flues or external or roof mounted plant or equipment shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and it shall be maintained as agreed.
REASON: In the interests of residential amenity.
- 07) All external lighting at the site shall be maintained in accordance with details that shall have been agreed in writing with the Local Planning Authority.
REASON: To assess the risk of light pollution arising from the development, in the interests of residential amenity and biodiversity.
- 08) There shall be no deliveries, dispatch or operations at the site between 2300 hours and 0700 hours.
REASON: In the interests of residential amenity.
- 09) The additional parking provision as shown in layout plan SP2160(05)200 revision A shall be completed prior to the commencement of the use hereby approved commencing.
REASON: To ensure adequate off-street parking provision to serve the approved use.

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Application No. 13/0454/NCC Continued

- 10) A scheme of improved planting and screening to the northern boundary of the site shall be submitted to and agreed in writing with the Local Planning Authority and that scheme shall be completed prior to the commencement of the use hereby approved and shall thereafter be maintained as approved unless the Local Planning Authority gives written approval otherwise.
REASON: In the interest of the residential amenity of nearby properties.
- 11) Prior to the commencement of the food retail or non-food uses hereby approved details shall be submitted to and agreed in writing by the Local Planning Authority of the means for the accommodation of public transport at the site including bus shelters and the means of access through the site. The agreed means shall be implemented before the food retail or non-food retail uses hereby approved first open to the public.
REASON: To encourage the use of public transport for visits to the development.
- 12) Prior to the commencement of the food retail use hereby approved a bus shelter shall be located on High Street (B4251), Blackwood in accordance with details that shall have been agreed in writing with the Local Planning Authority.
REASON: To encourage the use of public transport for visits to the development.
- 13) The access to the site shall be improved by the provision of yellow lines and signage prior to the commencement of the food retail use hereby approved and in a manner that shall be agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety.
- 14) Prior to the commencement of the food retail or non-food uses hereby approved a travel plan shall be submitted to and agreed in writing with the Local Planning Authority.
REASON: To encourage visits to the premises by means other than private cars.
- 15) The internal retail floor area hereby approved shall not be sub-divided to create smaller retail units of less than 465 square metres without the prior approval of the Local Planning Authority.
REASON: In the interests of preserving the vitality and viability of Blackwood Town Centre.

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Application No. 13/0454/NCC Continued

Advisory Note(s)

Please find attached the comments of Head of Public Protection that are brought to the applicant's attention.

PREFACE ITEM

APPLICATION NO. 12/0269/NCC

APPLICANT(S) NAME: Newbridge Construction Ltd

PROPOSAL: Vary Condition 2 of Planning Permission 08/0539/OUT (erect residential development and associated access) to provide a further three years for the submission of Reserved Matters

LOCATION: Land At Gellideg Industrial Estate Gellideg Lane Maesycwmmmer Hengoed

This application was reported to the meeting of the Planning Committee on 18th July 2012 at which time Committee resolved to accept the recommendations that (A) determination of the application be deferred to allow the applicant to enter into a Section 106 Obligation to secure the obligations contained within the Unilateral Undertaking that accompanied the original application and ensure compliance with current policy and (B) on completion of the Obligation the planning permission be granted subject to conditions. A copy of that report is attached as an Appendix. The undertaking included obligations in respect of the provision of affordable housing, a contribution towards education provision, the provision of road improvements, the provision of ecological works and public open space obligations.

Since that committee resolution the Applicants have not yet entered into the Obligation, but have raised the matter of the viability of the development and on that basis sought a renegotiation of the terms of the Obligation.

Policy SP7 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 makes provision for the Council to seek to secure planning obligations that are necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Paragraph 1.67 of the supporting text to the policy states:

‘In the case of previously used land the Council will take into consideration abnormal costs associated with the redevelopment of a site when negotiating the level of planning obligation to be sought. Where a developer consider the levels of obligation sought may affect the viability of a development proposal to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process.’

In response to a request from Officers and in accordance with the aforementioned requirement, the applicants submitted commercially confidential information on land costs, planning costs, development costs and abnormal costs to support their case. During the course of the negotiations it became evident that the Applicant considered that the level of affordable housing required in the original Unilateral Undertaking (25% of the total number of dwellings) could not be sustained and therefore sought a lower level. Officers have examined the economics of the development through the use of a Development Appraisal Toolkit and concluded that the viability of the site is an issue. The examination included a review of the submitted information by a Quantity Surveyor with the Council's Engineering Division, which confirmed that the development costs were reasonable.

Taking into account the results of the examination of viability, which was carried out in accordance with the process in Supplementary Planning Guidance LDP1 'Affordable Housing Obligations', Officers have concluded that it would be reasonable to allow a lower level of affordable housing and therefore advised the Applicants that Officers, (including the Council's Housing Enabling Officer) would agree to the following requirement:

10% of the net developable area of land for affordable housing, that area to be fully remediated and serviced, and transferred to the nominated Housing Association partner, United Welsh Housing Association at nil cost.

The Applicants have confirmed that the variation proposed in respect of affordable housing is acceptable to them and also that the other provisions of the Unilateral Undertaking will remain unchanged.

RECOMMENDATION that the obligations within the original Unilateral Undertaking be varied to reflect the level of affordable housing stated above, and that following the completion of the variation, the planning permission be granted subject to the conditions set out in the report attached as an Appendix.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0376/FULL 31.05.2012	Mr & Mrs K Harris C/o Samuel Harris Limited Mr A Harris Workshop One Sandfields Business Centre Endeavour Close Port Talbot SA12 7PT	Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings Land Adjacent To 128 - 134 Llancayo Street Bargoed

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land adjacent to 128-134 Llancayo Street, Bargoed.

Site description: The rectangular shaped area of vacant land is situated on the valley side and located at the north-west end of Llancayo Street. The site is bounded along its south-west, upper boundary by a single track lane, serving the rears of terraced dwellings located along Llancayo Street and also providing access to Graig Farm situated to the north west of the site. The site is bounded to the north east, (the lower section of the site) by a shared access lane leading off Llancayo Street and serving detached residential bungalows. An end of terrace property is located to the south east of the site. There is a level difference of some 27 metres between the top and bottom of the site which slopes upwards from Llancayo Street.

The site is covered in bracken and birch scrub with a small area of young birch woodland within the centre of the site and a small area of acid grassland/rock outcrop on the upper slope. The site is also bordered by Nant Bargoed Rhymney Site of Interest for Nature Conservation (SINC) along part of the northern site boundary.

Vehicular access to the site is proposed off Llancayo Street via an existing single track road. The internal site road would lead off the track and would be cut into the slope of the land to gain access to the dwellings that are located towards the upper levels of the site. In the original submission vehicular access was also proposed from the track along the south eastern edge of the site, but following comments from the Transportation Engineering Manager, the submission has been amended to delete this means of access.

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Application No. 12/0376/FULL Continued

Development: Full planning permission is sought in respect of the construction of one 4-bedroom and one 3-bedroom dwelling including outbuildings adjacent to 128- 134 Llancayo Street, Bargoed. The development includes 4 attached stables to the 4-bedroom dwelling and an enclosed courtyard. The 3-bedroom dwelling also has a courtyard to the front of the site. The development also includes off street parking provision on hardstandings adjacent to each property.

Dimensions: The split level, 4-bedroom dwelling has a maximum footprint of 13.2m x 14.2m x 7.9m high ridged roof, with attached stables having a maximum footprint of 10m x 7.2m x 2.5m high with a flat roof. The internal layout of the dwelling comprises 2 bedrooms, a snug, wet room and utility room on the ground floor and a kitchen/diner, living room, 2 bedrooms, one with en-suite and a bathroom on the first floor. The attached stable block comprises 4 stables. The design of the dwelling includes 4 cantilevered balconies on the north and east elevations.

The split level, three bedroom, dormer style, dwelling has a maximum footprint of 8.6m x 8.4m x 7.5m high with a ridged roof. The internal layout of the dwelling comprises 2 bedrooms, one with en-suite and a bathroom on the first floor and an open plan kitchen, diner, living room, bedroom and cloakroom on the ground floor.

Materials: Walls would be finished in a mixture of cedar boarding, slate hanging and random natural stone slips. Roof would be finished in a mixture of standing seam and single ply membrane (hidden roof). Windows and doors would be an aluminium/timber composite. Boundary treatments would be dry stone walling or close board fencing.

Ancillary development, e.g. parking: Six off-street parking spaces.

A Design and Access Statement, a Reptile Methodology Survey and a Hydrological Assessment have been submitted with the application.

PLANNING HISTORY

5/5/90/0002 - Erect residential development - Granted 07.12.90.

5/5/94/0781 - Erect two-storey rear and side extension and erect garage - Granted 10.04.95.

P/02/0429 - Erect garage and hardstanding - Granted 19.06.02.

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Application No. 12/0376/FULL Continued

P/04/0055 - Erect residential development - Withdrawn 30.06.04.

P/04/1647 - Erect residential development - Refused 24.06.05.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary

Policies:

Strategic Policies

SP1 - Development Strategy - Development in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP10 - Conservation of Natural Heritage and SP21 - Parking Standards,

Countywide Policies

CW2 - Amenity, CW3 - Design considerations- Highways, CW4 - Natural Heritage Protection, CW5 - Protection of the Water Environment, CW6 - Trees Woodland and Hedgerow Protection, and CW15 - General locational constraints.

Supplementary planning guidance contained in LDP5 - Car Parking standards, LDP6 - Building Better Places to Live and LDP 7 Householder Developments.

NATIONAL POLICY

Planning Policy Wales, 5th Edition, November 2012, Chapter 4 - Planning for sustainability, Chapter 9 – Housing.

TAN 12 - Design, TAN 18 - Transport, TAN 22 - Building for Sustainable Buildings.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

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

Cont....

Application No. 12/0376/FULL Continued

CONSULTATION

Transportation Engineering Manager - No objection to the development subject to conditions being attached to any consent to control the means of access to the site and the provision of parking.

Senior Engineer (Land Drainage) - Prior to the commencement of any development of the site the applicant must submit to the Local Planning Authority and receive written approval of comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010. He provides advice to be conveyed to the developer in respect of land drainage matters.

Dwr Cymru - As the applicant intends using a private treatment works they would advise the applicant to contact Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

Countryside And Landscape Services - The Council's Ecologist notes that the Gwent Wildlife Trust placed a holding objection on the original application, stating that there was insufficient information to determine the application, and requested a phase 1 vegetation survey and surveys for reptiles, birds and bats. The applicant subsequently commissioned an ecologist who undertook a reptile survey. This included a description of the vegetation communities on site, and considered measures to mitigate for any nesting birds that may be present. Although no reference was made in the report to bats, discussions with the consultant on the telephone indicated that they considered that bats were unlikely to be present in the trees scheduled for removal on site.

The reptile survey by Merlin Bio Surveys 2012 confirmed the presence on site of several slow worms. Reptiles are protected from killing under the Wildlife and Countryside Act 1981. The report put forward a mitigation strategy for the safe capture and removal of reptiles from the site, which is broadly acceptable. However, details of timing of the works was not included in the strategy, or the provision of supervision of the works by an ecologist with expertise in reptile capture and translocation.

In addition the application was further complicated by the need to excavate trial pits to inform the planning application, so a second Mitigation strategy was submitted to enable parts of the site to be cleared to facilitate the trial pit excavation. This method statement was considered to be acceptable.

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Application No. 12/0376/FULL Continued

The Ecologist recommends that conditions be attached in respect of the timing of habitat manipulation and reptile mitigation measures, compliance with the submitted reptile survey, and provision of biodiversity enhancements for bats and birds.

Rights Of Way Officer - Footpath 52 passes the site and must not be obstructed.

Head Of Public Protection - No objection but require a condition controlling the importation of soils or materials to avoid contamination, together with conditions to deal with feed stock and waste arising from the stable block.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 7 neighbouring properties have been consulted.

Response: Seven letters of comments have been received.

Summary of observations:

1. Concern by residents of Graig Farm, that the development of this site would result in the loss of an informal turning area, which is currently used by lorries entering their property to empty their septic tank, loss of this informal turning area would seriously inconvenience them, if they are unable to empty their septic tank.
2. Concern that access to Graig Farm via the single access track by transport vehicles delivering plant and materials may be affected.
3. With regard to the proposed stables where and how would waste be dealt with and where would the foul-water 'run-off' go from the proposed stables?
4. How would waste from any other animals that may be kept on the land be dealt with?
5. Concern about wildlife that would be disturbed through the felling of trees particularly bats.
6. Concern regarding the unsuitability of the access to serve the development.
7. Concern over site traffic and plant using the narrow access road.
8. Overlooking resulting in loss of privacy.
9. Identifies a large number of boulders within the site which are used as vantage points by local people to overlook the valley and surrounding area.

Cont....

Application No. 12/0376/FULL Continued

10. A piece of land over which the means of access is proposed is not owned by the applicant and the residents of 130 - 134 Llancayo Street can evidence exclusive use of the land. Has the applicant a legal right to use the land to gain access to the site?
11. Concerns about the drainage of the site. Problems have already been encountered with water run-off from the ground and the concern is that the development could increase these problems and affect properties below the site.
12. Loss of sunlight.
13. Loss of views.
14. Concern about the appearance of the proposed access road that cuts into the natural hillside.

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 relative to the determination of this planning application but the applicant is advised to consider 'Secured By Design' principles.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

The Council's Ecologist has assessed the surveys and past correspondence with the applicant's Ecologist together with the response from the Gwent Wildlife Trust. In the light of that assessment she has concluded that she has no objection to the proposed development subject to the imposition of conditions on any permission that may be granted.

ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance.

The application site is located within settlement limits and the principle of development is therefore acceptable.

Cont....

Application No. 12/0376/FULL Continued

Policy CW2 (Amenity) of the local plan states that "Development proposals must have regard to all relevant material planning considerations in order to satisfy the following requirements:

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

There is residential development to the north east and south east of the site with open land to the south west and north west. The proposed two dwellings are compatible with those land uses and therefore complies with C and D above.

The density of the development is very low, would not result in over development of the site, and therefore meets the requirements of B above.

It is considered that the development would not result in an unacceptable impact on the amenity of the residential properties adjoining the application site and that the requirements of A above are met. The impact on amenity is dealt with further in the section below on comments from the public.

Policy SP6 of the local plan states 'Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through:

- A. An appropriate mix of uses that reflect the role and function of settlements.
- B. A high standard of design that reinforces attractive qualities of local distinctiveness.
- C. Design in accordance with best practice in terms of designing out crime.
- D. A location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all.

Cont....

Application No. 12/0376/FULL Continued

- E. The incorporation of resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate the use of sustainable drainage systems.
- F. The efficient use of land, including higher densities where development is close to key transport nodes.
- G. The incorporation and enhancement of existing natural heritage features.

With regard to Criterion A above, the development of this site for two houses reflects the role and function of this area of Bargoed, which is predominantly residential and within the settlement boundary.

Criterion B of Policy SP6 considers design. In this respect, when considering the local context, the proposed houses are contemporary and do not reflect the traditional design of terraced housing along the northern side of Llancayo Street or the more contemporary style of 20th century, semi-detached houses, along the southern side of Llancayo Street. However, the proposed design of the houses has been determined by the semi-rural character and topography of the site, together with its orientation. In this respect the proposed dwellings are split level, cut into the valley side in order to reduce the visual impact of the development on the steep valley side. The use of natural materials in the external finishes of the dwellings together with the retained and proposed landscaping will ensure that the dwellings do not result in a prominent development on this valley side. The amount of development is low density and the footprint of each house has been kept to a minimum in order to reduce the impact on this parcel of land and surrounding properties. Hard landscaping has been kept to a minimum in order to retain the rural character of this valley side and in order to prevent excessive surface water run-off to the land below.

Criterion C of Policy SP6 considers the issue of designing out crime and in this respect the applicant has indicated that the development will reflect 'Secure By Design' aims and principles.

The sustainable principles of the site are good, given the proximity of local facilities to the site as well as good public transport. Vehicle and pedestrian access to the site already exists but will be developed in order to facilitate the development. Individual access will be provided in respect of each dwelling. Off- street parking provision and turning facility is provided in respect of each dwelling. In terms of design it is considered that access to each dwelling for both able and disabled persons have been considered and are incorporated into the design of each new dwelling. In this respect it is considered that the proposed development meets the requirements of Criterion D of Policy SP6.

Cont....

Application No. 12/0376/FULL Continued

With regard to Criterion E of Policy SP6, each dwelling will be constructed with the aim of contributing to energy efficiency in terms of the use of materials, and will adopt renewable technology where possible, including solar panels to reduce energy requirements. Each new dwelling will meet Sustainable Code Level 3.

The development of this land for two residential dwellings makes the most efficient use of the land in a sustainable location and thus meets the requirements of criterion F of Policy SP6 above.

With regard to Criterion G of Policy SP6, the development of the site has been considered in the context of its rural setting on the prominent valley side. Hard landscaping has been kept to a minimum and existing landscaping will be maintained or enhanced as appropriate. It is also considered appropriate to attach a condition to any consent removing permitted development rights in respect of any extensions, outbuildings or means of enclosure of the site in order to retain as much as possible of the semi-rural landscape.

Comments from Consultees: There are no objections from any of the consultees and where appropriate, conditions they may have suggested are contained within the recommendation below.

Comments from public: Responses to each of the public representations are provided below.

- 1) Whilst the occupiers of the adjoining farm have enjoyed the use of the land as a turning area for vehicles servicing the septic tank within their own land, the loss of this facility is a private matter that is not material to the determination of this planning application.
- 2 & 7) The Transportation Engineering Manager has recommended a condition that restricts all vehicular access, including construction traffic, to Llanacyo Street only.
- 3 & 4) The Head of Public Protection has suggested conditions to control the waste arising from the stables and to prevent any nuisance to the surrounding houses from pests and odour.
- 5) The Council's Ecologist has considered the ecological reports that have been submitted and raised no objection subject to conditions.
- 6) The Transportation Engineering Manager has raised no objection to the proposed means of access from Llanacyo Street.
- 8) Whilst the proposed dwellings are elevated some 25 metres above the levels of the properties in Llanacyo Street, they are located some 50 metres from those properties. Taking this distance into account it is considered that the privacy of the houses in Llanacyo Street would not be unduly affected from a planning point of view.

Cont....

Application No. 12/0376/FULL Continued

- 9) The land is in private ownership and whilst parts may have been used as viewing vantage points, this is not a justifiable reason for refusal of the planning application.

- 10) In circumstances where the ownership of land within an application site is unknown the applicant is required to take steps to ascertain the details of the owner and if that fails then he has to place a notice in the press publicising the application. The applicant has fulfilled those requirements, thus making the matter of land ownership a private one which does not influence the determination of the application. It would be up to the applicant to satisfy himself that he has control over all the land necessary to implement a planning permission.
- 11) Having considered the Hydrological Assessment the Senior Engineer (Land Drainage) has raised no objection subject to conditions.
- 12) Bearing in mind the distance between the proposed properties and the existing properties it is considered that there would not be a material loss of sunlight arising from the development.
- 13) The loss of a view is not a material planning consideration.
- 14) The design and materials to be used in the construction of the access road are the subject of a recommended planning condition to control the appearance of the road. In addition a landscaping condition is considered appropriate in order to retain as much as possible the rural character of the site.

Other material considerations: None.

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 hereby approved relates to the details received on 9th July 2013 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.

Cont....

Application No. 12/0376/FULL Continued

- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification, access to the two dwellings and the stables hereby granted consent shall at all times be from Llancayo Street only. No vehicular access, including construction traffic delivering materials during the construction of any part of the development, shall be gained from the lane which lies to the south-west of the site.
REASON: In the interests of highway safety.
- 04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 05) The proposed private driveway shall have a maximum gradient not exceeding 12.5% (1 in 8).
REASON: In the interests of highway safety.
- 06) The proposed private driveway shall be not less than 4.1m wide.
REASON: In the interests of highway safety.
- 07) Use of the stables shall be limited to being ancillary and incidental to the dwellings hereby approved and for no commercial purposes.
REASON: To maintain effective control over the stables and also in the interest of highway safety.
- 08) Prior to the first use of the stables hereby approved a scheme for the storage of foodstuffs, and the storage and disposal of waste and manure shall be implemented in accordance with details that shall be agreed in writing with the Local Planning Authority.
REASON: To prevent pollution.
- 09) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to the site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the site in the interests of public health.

Cont....

Application No. 12/0376/FULL Continued

- 10) Unless otherwise agreed in writing with the Local Planning Authority, prior to vegetation clearance works being undertaken in connection with the construction of the properties and associated access works, details of the timing of the habitat manipulation and reptile mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be strictly complied with.
REASON: To ensure that reptiles and nesting birds are protected.
- 11) Unless otherwise agreed in writing with the Local Planning Authority works related to the clearance of vegetation and reptile mitigation measures shall be undertaken in accordance with Section 5 of the Merlin Biosurveys Reptile Survey 2012.
REASON: To ensure that reptiles and nesting birds are protected.
- 12) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats into the new buildings and nesting provision for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented before the new dwellings and stables hereby approved are first occupied.
REASON: To provide additional roosting for bats and nesting provision for birds as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 13) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 14) Unless otherwise agreed in writing with the Local Planning Authority, each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes (Version 3) Level 3 and achieve one credit under issue 'Ene1- Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010 or any equivalent subsequent guide updating or replacing that guidance.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

Cont....

Application No. 12/0376/FULL Continued

- 15) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work an 'Interim Certificate' carried out in relation to each dwelling by an accredited body, certifying that each dwelling shall achieve Code for Sustainable Homes (Version 3) Level 3 and one credit under 'Ene1 - Dwelling Emission Rate', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 16) Unless otherwise agreed in writing with the Local Planning Authority, no dwelling hereby permitted shall be occupied until a Code for Sustainable Homes (Version 3) 'Final Certificate' issued by an accredited body, certifying that the dwelling has achieved Code Level 3 and one credit under 'Ene1 - Dwelling Emission Rate' has been provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 17) Notwithstanding the submitted details, prior to the commencement of any works on site, details of the design and materials to be used in the construction of the private internal site access road, together with any associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 19) 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.

Cont....

Application No. 12/0376/FULL Continued

- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 21) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.

Advisory Note(s)

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

Please find attached the comments of Senior Engineer (Land Drainage), Council's Ecologist and Dwr Cymru/Welsh Water that are brought to the applicant's attention.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0570/FULL 23.07.2012	Bryn Quarry Ltd Mr Price Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY	Erect extension to existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works Bryn Quarry Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Bryn Quarry is situated at Gelliargwellt Uchaf, a dairy farm with lands lying between Gelligaer, Nelson and Trelewis. The quarry is situated immediately to the south east of the farmhouse and the site boundary is approximately 360 metres from residential areas in Gelligaer and approximately 400 metres from houses in Penybryn.

Site description: The application site encompasses the existing quarry, which has a void measuring approximately 380m by 350m with screen bunds to the north east and south east. Reserves at the site have been almost worked out. The extension area is currently in agricultural use and comprises a relatively level area of grassland enclosed with hedgerow to the south east of the quarry face.

Development: The development proposed is an extension to the quarry to extract circa 977,000 tonnes of pennant sandstone for use as aggregate. The stone would be worked over a nine year period at a rate of around 110,000 tonnes per annum. The stone at the site meets the requirements for high specification aggregate, which is used where a high degree of skid resistance is required, including motorway and airport runway surfacing.

The application also proposes that the quarry be restored to agricultural use by infilling with inert waste. Restoration would be completed seven years after cessation of quarrying, although progressive restoration is also proposed during the lifetime of the quarry.

Cont....

Application No. 12/0570/FULL Continued

Dimensions: The application site area is 12.7 hectares in size.

Materials: Not Applicable. No built development is proposed.

Ancillary development, e.g. parking: Seven surface water attenuation and settlement lagoons forming part of a surface water management system. Five of the lagoons are located outside the quarry adjacent to the discharge point in the valley to the west of the quarry.

PLANNING HISTORY

5/5/90/0833 - Renew temporary consent for tipping non toxic and inert material - Granted 20.02.91.

5/5/92/0007 - Landfill for agricultural improvement - Granted 06.03.92.

5/5/92/0698 - Winning and extraction of minerals (sandstone) - Granted 18.05.93.

5/5/93/0661 - Extend quarry - Granted 13.07.94.

5/5/93/0723 - Renew temporary consent (5/5/92/0007) - Granted 17.02.94.

P/96/0344 - Extend and amend small quarry operations - Granted 24.10.96.

P/97/0326 - Vary Condition 11) of planning permission reference P/96/0344 to allow blasting - Granted 24.07.97.

P/98/0034 - Remove Condition 11) of planning permission reference P/96/0344 to allow blasting - Granted 19.06.98.

P/00/0383 - Develop green composting facility - Granted 05.10.00.

P/00/0771 - Develop horse riding facility on land that is principally reclaimed landfill - Granted 28.02.02.

P/00/0859 - Construct agricultural tracks – Agricultural Notification 12.10.00.

P/01/0104 - Extend quarry - Granted 21.06.01.

P/03/1555 - Amend Condition 1) of planning permission P/00/0383 from 5 years to 25 years for the green composting facility - Granted 04.03.04.

Cont....

Application No. 12/0570/FULL Continued

P/05/1103 - Vary Condition 4) opening hours, Condition 3) operation of shredder and Condition 5) height of windrows on Planning Application P/03/1555 - Granted 13.10.02.

08/0055/FULL - Continuation of quarrying - Granted 26.03.08.

07/0062NCC - Vary condition to allow continuation of delivery of waste from civic amenity sites on Saturdays, Sundays and Bank Holidays - Granted 20.04.07.

10/0429/RET - Retain and complete earthworks - Granted 04.11.10.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the Mynydd Eglwysilan Special Landscape Area, and a sandstone safeguarding area.

Policies: Policies CW3 Highways, CW2 Amenity, CW5 Water Environment, CW6 Trees, CW15 Locational Constraints, CW22 Mineral Safeguarding, CW23 Mineral site buffer zones and SP8 Mineral Safeguarding.

NATIONAL POLICY Mineral Planning Policy Wales, MTAN1: Aggregates, Regional Technical Statement for Aggregates.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes but no permanent buildings are proposed.

CONSULTATION

Natural Resources Wales - No objection subject to clarification of Section 4.1 of the report on groundwater monitoring, investigation of hydrocarbon contamination, a condition requiring 12 months groundwater monitoring to assess seasonal variations, a scheme for the maintenance of spring fed flows and schemes for surface water treatment and disposal.

Cont....

Application No. 12/0570/FULL Continued

Countryside And Landscape Services - No objection in terms of landscape and visual impact. Recommends conditions be attached to any consent granted in relation to monitoring of groundwater levels as Nelson Bog SSSI and Waun Rhyd SINC are both wet sites which rely on existing hydrological conditions. Conditions should also be attached to protect breeding birds and to provide additional roosting for bats and nesting provision for birds.

Gelligaer Community Council - Objects due to visual impact, blasting vibration, noise and dust.

Natural Resources Wales - Does not object to this proposal provided that conditions are attached to ensure that any negative impacts on Nelson Bog SSSI as a result of the development are controlled. They recommend that further details are submitted on proposed dewatering and recharge, water systems and monitoring of pollution together with enforceable remediation measures for any adverse impacts identified through monitoring.

Glam/Gwent Archaeological Trust - The historic environment record contains no information to suggest that archaeological features other than the listed farmhouse are present in the application area. The proposal would not impact on the listed building or its setting and it is not likely that archaeological features would be disturbed by the development. No objection.

Senior Engineer (Land Drainage) - No objection in principle. Prior to commencement proposals for dealing with surface water and land drainage flows should be approved as required by Flood and Water Management Act 2010.

Rights Of Way Officer - FP160 Gelligaer passes the site and must not be obstructed.

Head Of Public Protection - Recommends conditions be attached to any consent granted to regulate hours of operation, hours for blasting operations, vibration and air overpressure resulting from blasting operations, dust and noise emissions, sheeting of lorries and to prevent secondary blasting.

Transportation Engineering Manager - No objection subject to conditions being imposed to regulate volume of imports and exports to the site, wheel cleaning and lorry sheeting.

Cont....

Application No. 12/0570/FULL Continued

ADVERTISEMENT

Extent of advertisement: Site notice posted at Nelson Play Park, Nelson Library, the application site entrance, Penybryn Community Centre and Gelligaer Primary School. Letters were also sent to 67 addresses in Penybryn and Gelligaer.

Response: None.

Summary of observations: Not applicable.

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?
The development is unlikely to have an adverse impact on crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

A survey was carried out and although it is unlikely to be a significant issue in this case, the standard Welsh Assembly Government species licence condition will be imposed and an advisory note will be sent to the applicant as precautionary measures.

ANALYSIS

Policies:

Mineral Planning Policy Wales sets out the over-arching land use planning policy guidance of the Welsh Government in relation to mineral extraction and it is a material consideration in determining planning applications for mineral development. The guidance seeks to strike a balance between the need for minerals to support our way of life and the need to protect the environment and the amenity of local communities.

The guidance sets out the key principles of sustainable mineral development as being to provide mineral resources to meet society's needs and to safeguard resources from sterilisation; to protect areas of importance to natural or built heritage; to limit the environmental impact of mineral extraction; to achieve a high standard of restoration and to encourage efficient and appropriate use of minerals. These principles have been translated into the policies in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Cont....

Application No. 12/0570/FULL Continued

Paragraph 41 of MPPW states that extensions to existing mineral sites, where suitably located, are often more acceptable than new greenfield sites. The guidance also encourages the use of rail or water transport where possible and states that planning permission should be refused unless applications provide for high quality restoration when working ceases. The use of recycled aggregate to substitute, where possible, for primary aggregate is also promoted.

Minerals Technical Advice Note 1: Aggregates

This MTAN sets out detailed advice on delivering the government's minerals policy, including advice on demand, supply and reducing the impact of aggregates production.

Regional Technical Statement

The Regional Technical Statement (RTS) for the South Wales Regional Aggregates Working Party area examines demand and supply across the region and sets out recommendations for each county borough council in order that sufficient aggregates are provided in the most sustainable way. The concept of environmental capacity is used to direct mineral working to the least intrusive sites. The RTS states that north of Caerphilly Town, the county borough is underlain by Pennant Sandstones that are likely to be suited to high specification aggregate (HSA) and the majority of the area has an average environmental capacity.

Appendix 11 analyses special aggregate production and demand, including HSA. It concludes that there is likely to be a moderate increase in demand in the UK in the medium term for aggregate suitable for HSA and recommends that HSA sales should be monitored to allow the establishment of specific landbanks and safeguarding areas. However, this has not taken place to date.

A review of the RTS is currently taking place and is expected to be published by March 2014.

Comments from Consultees: Gelligaer Community Council objects due to visual impact, blasting vibration, noise and dust. These issues are discussed below.

Comments from public: No representations were received.

Cont....

Application No. 12/0570/FULL Continued

Other material considerations: Bryn Quarry is a small sandstone quarry working the Pennant Sandstones of the Coal Measures. Permission was granted for a borrow pit at the site in 1993 to supply the Rhymney Valley Relief Road and quarrying continued under a succession of consents for extraction of sandstone for use as building stone and general aggregate in local markets. More recently the quarry has been supplying High Specification Aggregate with wider distribution.

The main considerations in determining the application are the degree of conformity with national and local policy, the need for the development, environmental impacts including hydrology, hydrogeology, ecology and landscape, amenity impacts including noise, dust, vibration and visual impact.

Principle of the development

Policy CW15 recognises that mineral development needs to take place in the countryside since minerals can only be worked where they occur. Therefore, in principle, the development accords with the development plan providing that it is acceptable in all other respects.

Landbank and need

At the end of 2012 the aggregate landbank amounted to approximately 27.30 million tonnes at active and inactive sites in the county borough. Since 2009, quarries in the county borough have produced approximately 0.45 Mtpa of rock on average, giving a landbank of more than 60 years. MTAN1: Aggregates encourages local authorities to maintain a landbank of at least 10 years for hard rock throughout the development plan period and this has been taken into account in LDP policy SP8. However, MTAN1 also states (paragraph 49) that where landbanks provide for more than 20 years of permitted reserves, local planning authorities should carefully consider the justification for further extensions to existing sites and that these should only be permitted in "rare and exceptional circumstances".

Permission was originally granted for extraction of stone at the site in connection with a road scheme and later because the quarry provided building stone and it was considered that there was a special need for stone to repair local buildings and to enhance the local character of the area. The applicant now states that the quarry supplies high specification aggregate and that the site is one of only 13 in Wales that can meet the specification for high skid resistant material and that, since this is a scarce resource, an extension should be permitted.

Cont....

Application No. 12/0570/FULL Continued

Sources of rock meeting the necessary levels of resistance to polishing, durability and strength to be used as HSA are limited within the UK as a whole. A report was prepared for the government in 2004 (Capita Symonds: The Sustainable Use of High Specification Aggregates for Skid Resistant Road Surfacing in England) which found that there were relatively few areas in the UK where the rock formations held the necessary characteristics and which were not constrained by being in areas remote from markets or in areas where extraction would be environmentally unacceptable. The report also concluded that "optimum combinations of strength and resistance to polishing are found in a limited number of formations, foremost among which are the Carboniferous "Pennant" Sandstones of South Wales".

Capita Symonds suggested that demand for HSA material was likely to increase modestly and that secondary and recycled aggregate would be able to meet only part of the future demand. Steel slag could be used more extensively but could only meet a small fraction of total demand and production was reliant on the fortunes of the steel industry. There is, therefore, no alternative to primary aggregate usage to meet the majority of demand.

The extensive Pennant sandstone resource of the South Wales coalfield generally meets the specification for HSA and there is one other site in the county borough, Hafod Fach Quarry at Abercarn and several other sites nearby in neighbouring authorities, including Gelligaer Quarry and Craig Yr Hesg Quarry, Pontypridd which produce HSA. In 2002 there were 12 quarries in the area covered by the South Wales Regional Aggregates working party that supplied HSA and further reserves at inactive or dormant sites. Therefore, although the resource is scarce nationally, it is abundant locally.

Demand for HSA stone is not currently quantified and local planning authorities are not required to keep a separate landbank for HSA aggregate.

The applicant has submitted a letter from Lafarge Tarmac setting out details of a joint venture between the company and Bryn Quarry Ltd. The letter emphasises the importance of stone from Bryn Quarry to the company as +68 PSV stone is not currently available at Lafarge Tarmac's Quarry at Hafod Fach. Future development of the HSA reserve at Hafod Quarry is constrained by the need to remove lower grade stone and develop intermediate benches to access the HSA stone as well as by the design and development of a waste tip. This means that +68 PSV stone will not be available at Hafod for up to seven years.

Reserves at Gelligaer Quarry, located approximately 3km north of Bryn Quarry in Merthyr Tydfil County Borough, are also understood to be constrained by the need to move stone dust tips and plant to access HSA material. Merthyr Tydfil County Borough Council expects an application to be made shortly to enable further development at the quarry.

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Application No. 12/0570/FULL Continued

Craig Yr Hesg Quarry near Pontypridd has reserves that were expected to last until 2022 when planning permission was granted in 1993. New conditions were agreed earlier this year under the review of mineral permissions procedure. However, operational constraints associated with limited space in the quarry floor mean that readily accessible reserves will not allow production until 2022 and the operating company will need to seek an extension to the quarry before then for production to continue. (White Young Green: 2008 - Hanson Aggregates Extension to Craig Yr Hesg Quarry, Pontypridd - RCT Local Development Plan briefing note).

MTAN 1 states that granting extensions to quarries where there is already an adequate landbank may be justified "where supply of an aggregate of a particular specification is clearly demonstrated". South Wales is the nearest source of supply of HSA to The Midlands, South and South East England, and while Welsh Government guidance seeks to encourage self-sufficiency and sustainable mineral development, HSA is a national strategic resource with limited occurrences and it provides essential materials to maintain a safe highway network.

While Bryn Quarry was originally permitted for a different purpose, each application should be considered on its merits and there appear to be constraints on the production of HS stone from the three nearest producers. Therefore it is considered that the proposal is in accordance with paragraph 49 of MTAN 1.

Amenity impacts Noise

An Environmental Noise Impact Assessment has been carried out by Hunter Acoustics based on extending the life of the quarry by 9 years. Noise sensitive properties have been identified at Top Hill Farm, Greenacres Bungalow, Claerwen Housing Estate, Llancaiach Isaf and Brynheulog Street/Cefn Llwynau Street/Trosnant Crescent. Continuous noise monitoring was carried out at four locations in April 2010 and June 2011 to establish background noise levels. Typical background noise levels taking into account the farm, quarry, materials recycling facility and in-vessel composting facility, varied from 31.5 decibels to 41 decibels. MTAN 1 paragraph 88 states that during daytime (07.00 - 19.00 hours) noise levels above 55 dB(A) may cause serious annoyance. Where background noise levels are less than 45dB(A), noise levels should not exceed background levels plus 10dB(A). Night time (19.00 - 07.00 hours) noise should not exceed 42dB(A) although it is not proposed to carry out quarrying operations after 19.00 hours.

Cont....

Application No. 12/0570/FULL Continued

The noise survey concluded that, with the exception of Greenacres, which is within the control of Bryn Quarry, noise levels at noise sensitive properties would not exceed background noise levels +10dB(A) and that excluding Greenacres, the predicted noise levels at sensitive properties ranged from 37dB(A) at Brynheulog Street to 47dB(A) at Top Hill.

The Council's Head of Public Protection has reviewed the noise assessment and has raised no objection based on the results.

Air Quality

Dust is a generic term to describe particulate matter which may be found on the ground or other surfaces but which can become airborne to disperse in the atmosphere before returning to a surface. It is produced at mineral extraction sites during soil stripping operations, excavation of the mineral, processing operations and during haulage. Particles of less than 10 microns can enter the respiratory system and may be associated with a range of effects on human health, including those on respiratory and cardiovascular systems. MTAN 1 states that the potential impact on health must always be considered in relation to proposals for aggregates extraction.

The applicant commissioned an Air Quality Impact Assessment from The Airshed to support the application. The assessment considered the impact of various stages of working against the baseline of currently approved operations at the site. The report concludes that even without dust abatement measures, PM10 impacts from the proposed extension are likely to be acceptable at all sensitive receptors and that appropriate dust abatement measures, for example damping down haul roads and stockpiles, would reduce the impact further.

The report predicts that dust deposition will be less than 20mg/m² a day at all sensitive receptors and that the impacts will be insignificant both in terms of loss of amenity and on vegetation.

The predicted annual mean PM_{2.5} is predicted to be less than 1ug/m³ at all sensitive receptors and the annual mean PM_{2.5} is therefore unlikely to be affected by the proposals.

The Council's Head of Public Protection has assessed the report and has raised no objection on the basis of its results.

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Ground vibration

Sandstone is a hard rock that generally requires to be extracted by blasting. When an explosive charge is detonated in a borehole, pressure waves are generated in the surrounding rock. In quarrying operations the blasting is designed to remove a given quantity of rock in a controlled manner by utilizing the pressure waves to cause sufficient displacement in the rock face to break out the rock. The greatest part of the energy from the blast is absorbed in creating mass movement and in direct release to the atmosphere. Some energy, however, escapes to cause vibration in the surrounding rock and when this happens it travels through quickly and diminishes over time and distance like ripples on a pond. Ground vibration is measured in three planes at any one location as peak particle velocity (PPV).

Studies in the USA, Canada, Sweden and the UK have indicated that within normal frequency range associated with blasting, structural damage may be caused at vibration levels exceeding 50 mm/sec PPV. Minor cosmetic damage such as plaster cracks may occur at levels exceeding 12mm/sec. MTAN 1 recommends that the maximum level of ground vibration at sensitive locations should not exceed 6mm in 95% of all blasts measured over a 6 month period, and that no individual blast should exceed 10mms-1.

However, the previous permission was subject to a more stringent condition, which required that 95% of blasts should not give rise to vibration levels of more than 4mm/sec measured over 6 months and that no blast should exceed 8mm/sec. Officers have monitored vibration from blasting at the site and have found that 1mm/sec PPV is rarely exceeded. Therefore it is recommended that any permission granted be subject to a condition restricting PPV to 4mm/sec and 8mm/sec.

Traffic and highway impacts

The application is accompanied by a Transport Assessment (TIA), which states that the total vehicle movements for the site as a whole including the farm, the quarry, the IVCF, MRF and green waste facility currently amount to 341 vehicle movements on a typical weekday. This represents 6.1% of traffic on Gelligaer Road. Most of the traffic visiting the site (63%) is associated with the MRF and the quarry accounts for 19% of traffic using the site. The application states that no more than 400 tonnes a day of stone will be exported from the site and the amount of fill material imported will not exceed 200 tonnes a day in line with the current planning permission for the quarry. This amounts to roughly 135,200tpa of stone exports and 67,600tpa of fill imports.

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Application No. 12/0570/FULL Continued

The base calculation from the survey was then used to predict future traffic taking into account the future operation of the anaerobic digestion facility and increased use of the IVCF, which was operating at 50% capacity during the survey. The TIA contained an accident analysis and a capacity assessment for key junctions in the vicinity of the site. The TIA concluded that there were no highway capacity concerns and that the site access to the quarry had a good safety record. The TIA has been independently assessed by the Transportation Engineering Manager, who has concluded that the impact on highway safety and capacity is acceptable subject to the quarry imports and exports being regulated in line with previous permissions.

Hydrology/Hydrogeology

The applicant has submitted a Hydrology/Hydrogeology Assessment in support of the application. The report notes that surface water is present in the base of the quarry being recorded at 202mAOD and this level is deemed to be indicative of the natural groundwater table at the base of the sandstone. The Grovesend Formation which underlies the extension area is classed as a secondary aquifer by Natural Resources Wales (NRW). A secondary aquifer has permeable layers capable of supporting water at a local scale, which can form a base flow to rivers in some cases.

The presence of several springs at a lower level to the west of the site indicate that groundwater in the sandstone aquifer is discharging to ground surface at the interface between the sandstone and the underlying mudstones.

The springs ultimately issue to streams feeding into Nelson Bog SSSI, which is located south of the quarry. Surface waters from the farm and quarry drain towards Nelson Bog. The SSSI is dependant on the maintenance of high water levels.

Groundwater levels across the extension area vary between 207m AOD at the south west boundary and 215m AOD in the north of the site. The spring line at the base of the sandstone is at around 200m - 205m AOD. The proposed base of the quarry extension is 203m AOD and working to this level will require the dewatering of the sandstone.

Monitoring of groundwater indicated that there was a need to upgrade the treatment of water from the quarry and there were differences in the chemical composition of this water compared to other surface water due to the run off from stockpiles and the composting area. The application proposes an improved surface water management system comprising seven lagoons, an overflow ditch and discharge point.

Cont....

Application No. 12/0570/FULL Continued

Natural Resources Wales have no objection to the proposed quarry extension but wish to see a full 12 months of groundwater monitoring to determine the seasonal variation. Monitoring was only undertaken for 4 months over a relatively dry winter period. NRW also recommends that investigation takes place into the sources of hydrocarbon contamination at the site indicated by the hydrology assessment. NRW recommends that conditions are applied to any consent granted to maintain water quality and flow volumes to Nelson Bog.

Landscape and visual impact

A Landscape and Visual Assessment has been carried out and it is considered that the methodology used to undertake the assessment is acceptable and generally in accordance with best practice. The Natural Resources Wales LANDMAP data has been used to assess the potential impact of the development on the landscape character. Views of the site have been analysed from surrounding locations to gauge the visual impact of the proposed development and to inform the landscaping proposals.

Given the presence of the existing quarry, recycling facility and large scale farm buildings in the vicinity of the application site, the proposal would not have a significant adverse effect on the landscape character of the area.

The lack of significantly higher ground locally limits the views into the void of the existing quarry. Views into the site are restricted by the foreground landscape of small fields, hedgerows and woodland copses. The proposed new screen bunds, tree planting, replacement stone walling and continuation of agriculture would further restrict views, strengthen local habitats and enhance local landscape character. On that basis not objections are raised in respect of the impact of the development on the Special Landscape Area or the countryside in general.

If permission is granted the gradient of the restoration profile along the southern boundary should be clarified, details of planting will be required as well as a landscape management plan.

Ecology

The site lies within 0.8km of Nelson Bog SSSI and within 300m of Waun Rhyd SINC. Both sites are wet sites that rely on the existing hydrological conditions to maintain their vegetation communities. The hydrological report concluded that Nelson Bog SSSI would not be significantly affected by dewatering operations at the quarry since it receives the majority of its water from coal strata lower in the geological sequence. It also concluded that there may be some minor drying out of peat on the north east boundary of the excavation.

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Application No. 12/0570/FULL Continued

The extent to which this may affect Waun Rhyd SINC is not clear and monitoring of groundwater and surface water recommended by NRW should be extended to include monitoring of the peat in the north east of the site so that measures can be put in place to recharge the water levels if necessary. This can be achieved by the imposition of a suitably worded condition.

The site itself is mainly improved grassland of low ecological value. However, there is a small area of marshy grassland on the north eastern boundary of the site, tall ruderal herb vegetation adjacent to the existing quarry, and semi-natural broad leaved woodland along the south west edge of the application site. In addition a field hedge bank and mature trees and a dry stone walls were also considered to be significant habitats. With the exception of the semi-mature woodland, all these habitats will be lost as a result of the development. However it is proposed to replicate the hedgerow and dry stone wall around the perimeter of the site, and provide additional woodland planting around the site. These have been identified on the plans submitted as part of the Landscape and Visual Assessment. However the provision of a new area of marshy grassland as recommended in paragraph 3.2.12 of the submitted Extended Phase 1 habitat survey has not been identified in any of the submitted plans. A scheme providing details of mitigation measures for the loss of the marshy grassland habitat should therefore be required if permission is granted.

The survey identified there to be a potential adverse impact on nesting birds if vegetation was removed during the nesting season. The site was surveyed for reptiles and bats, but no evidence was found. A condition should be attached to any consent granted to ensure that breeding birds are protected.

The survey recommended providing bird nest boxes on the mature oak trees that will be retained. This could be extended to include the provision of bat boxes as a biodiversity enhancement. These measures could be secured by a suitably worded condition.

Tipping/restoration

The application proposes that the void formed by quarrying would be restored to a domed landform slightly higher than original ground levels. This would involve the infilling of the void with inert waste progressively on worked out areas during quarrying and over a period of seven years after quarrying operations cease. There has been no quantification of the amount of waste required to fill the void or identification of source material but the applicant advises that the quarry generates 40% of dust from extraction and the quarry is also situated adjacent to a waste transfer station, which now has a permanent consent and which could be expected to generate inert waste that cannot be recycled.

Cont....

Application No. 12/0570/FULL Continued

The quarry is set in a relatively flat landscape and is not readily visible from the surrounding areas. It is not considered essential in landscape terms that the site is restored to original ground levels and, therefore, if sufficient fill material was not available by the end date of the permission an alternative low level restoration scheme could be considered and this could be designed to enhance the nature conservation interest of the site.

Benefits

Earlier this year permission was granted on appeal for a permanent waste transfer station and new anaerobic digestion facility on land adjoining the quarry. In his decision letter dated 28 March 2013, the Inspector, concluded that: -

"...there are demonstrable operational inter-relationships between the two proposed facilities and the existing farming, quarrying and IVC/green waste operations at Gelliargwellt Uchaf."

Quarry products are used in the production of recycled aggregate and recycled soils and it is proposed that quarry waste would be used as fill material to restore the quarry to agriculture. The quarry, therefore, forms part of a group of mineral and waste activities at the farm which support each other and it is accepted that there are benefits to the co-location of the mineral and waste facilities at the site.

In addition, the proposed development would support continued employment and economic benefits in the local area, although these have not been quantified.

Conclusions

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. It is considered that the proposed quarry extension complies with national and local policies for mineral working, subject to the imposition of conditions to ensure that amenity impacts are regulated.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement.

REASON: To comply with section 91 of the Town and Country Planning Act 1990.

Cont....

Application No. 12/0570/FULL Continued

- 02) Extraction of minerals shall cease by 31 December 2022 and restoration shall be completed by 31 December 2030.
REASON: The permission relates to temporary development and to ensure that the site is restored in a timely manner.
- 03) The maximum volume of stone exported from the site shall not exceed 400 tonnes a day. Records of the volume of stone exported from the site shall be kept by the quarry operator and shall be made available to the Local Planning Authority on request.
REASON: In the interests of highway safety and general amenity.
- 04) The maximum volume of waste material for fill imported to the site shall not exceed 200 tonnes a day. Records of the volume of fill imported to the site shall be kept by the quarry operator and shall be made available to the Local Planning Authority upon request.
REASON: In the interests of highway safety and general amenity.
- 05) Nothing other than clean, dry, non putrescible waste material shall be deposited at the site.
REASON: To ensure the effective restoration of the site to the proposed aftercare.
- 06) Except in emergencies to maintain safe quarry working the winning and working and processing of stone and the tipping of inert waste shall not be carried out at the site except between the following times:-
a) 07.00 to 19.00 hours Monday to Friday and
07.00 to 13.00 hours Saturdays.
b) No operations other than environmental monitoring and water pumping shall take place at the site on Sundays or Bank or Public Holidays.
c) No blasting shall take place except between the hours of 10.00 and 16.00 hours Monday to Friday.
REASON: To protect the amenity interests of local residents.
- 07) No vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent material being deposited on the highway.
REASON: In the interests of highway safety and to prevent mud being deposited on the highway.

Cont....

Application No. 12/0570/FULL Continued

- 08) A maximum of three vehicles laden with minerals extracted under this permission shall leave the site and enter onto the B4254 during each of the following time periods during school term time: -
08.10 - 09.10 hours, 11.55 – 12.55 hours and 15.15 – 16.00 hours
REASON: In the interests of highway safety and general amenity.
- 09) Blasting shall be designed so that the ground vibration measured as peak particle velocity (PPV) in any one of three orthogonal planes shall not exceed 4mm per second in 95% of all blasts carried out over any six month period and no individual blast shall exceed a PPV of 8 mm per second as measured at any sensitive receptor.
REASON: To safeguard amenity interests.
- 10) No blasting shall take place except in accordance with a scheme specifying monitoring locations, the monitoring equipment to be used and the presentation of results which shall be submitted to and approved by the Local Planning Authority before the development commences. The results of such monitoring shall be held at the quarry and be made available for inspection by the Local Planning Authority at reasonable times with copies being supplied to the Local Planning Authority upon request.
REASON: To enable the effects of the development to be effectively monitored for the duration of the development.
- 11) No quarrying operations shall take place until a scheme and programme for the suppression of dust has been submitted to and approved by the Local Planning Authority. The scheme shall include: -
a) the suppression of dust caused by the moving and storage of soil, overburden, stone and other materials within the site
b) dust suppression on haul roads
c) dust arising from blasting
The scheme shall be implemented and complied with at all times once approved.
REASON: In the interests of amenity.
- 12) Between the hours of 07.00 and 19.00 the noise levels arising from the development shall not exceed the proposed environmental noise limits (background noise level plus 10dB(A)) stated for any of the noise sensitive properties identified in the Environmental Noise Impact Assessment Report 2612/T2 dated 5 July 2012.
REASON: To protect the amenity interests of local residents.

Cont....

Application No. 12/0570/FULL Continued

- 13) The development hereby permitted shall not be commenced until such time as a scheme for monitoring of groundwater over a 12 month period has been submitted to and approved by the Local Planning Authority. The scheme shall be supported by detailed calculations and it shall include a maintenance programme and establish current and future ownership of the facilities to be provided. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or as may be agreed in writing with the Local Planning Authority.
REASON: To obtain a full 12 months of groundwater level monitoring results which should be used to gain an understanding of the seasonal variation of the groundwater levels and the likely volume of dewatered water from the quarry for the design of the surface water treatment and settlement lagoons.
- 14) The development hereby permitted shall not be commenced until such time as a scheme to agree details of the surface water treatment and settlement lagoon has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To ensure that the new surface water treatment and settlement lagoons are able to cope with the additional volumes of water from the dewatering of the quarry extension area.
- 15) The development hereby approved shall not be commenced until such time as a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: The Severn River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition the impact could cause deterioration of a quality element to a lower status class and or prevent the recovery of and or cause the deterioration of a protected area namely the Nelson Bog which is considered a SSSI.
- 16) Site clearance operations that involve the destruction and removal of vegetation, including felling clearing or removal of trees and shrubs or hedgerows on shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Local Planning Authority prior to their removal/felling/clearing to ensure that breeding birds are not adversely affected.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

Cont....

Application No. 12/0570/FULL Continued

- 17) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of bat roosts and nesting provision for birds shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the removal of trees and shrubs from the site.
REASON: To provide additional roosting for bats and nesting provision for birds as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 18) The site shall be restored in accordance with the details set out in the application subject of this approval within 12 months of the completion of tipping operations to final contours or their earlier permanent cessation.
REASON: To ensure the satisfactory restoration of the site.
- 19) Within three months of the completion of operations or their earlier permanent cessation, an aftercare scheme detailing such steps as may be required to bring the land to a condition suitable for the proposed agricultural after use shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of
- a. tree planting,
 - b. cultivation, seeding and management of grassland in accordance with the rules of good husbandry,
 - c. fertiliser and lime application based on soil analysis,
 - d. grazing management,
 - e. field water supplies,
 - f. ditch, water course and piped ditch systems to control surface run-off and prevent erosion,
 - g. provision for an annual formal review to consider the operations that have taken place during the preceding 12 months and the programme of management for the next 12 months. The parties to this review shall include the mineral operator, the site owner, the Local Planning Authority and the Welsh Government Agriculture Department,
 - h. At least four weeks before the date of each review the operator shall provide the Local Planning Authority with a record of the management and operations covered by the review.
- REASON: To ensure satisfactory aftercare takes place.
- 20) Aftercare shall be carried out in accordance with the scheme approved under Condition 19) above for a minimum period of five years.
REASON: To provide for satisfactory aftercare.

Cont....

Application No. 12/0570/FULL Continued

- 21) Prior to the commencement of the development a landscaping scheme, including planting details, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the commencement of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the visual amenity of the area.

- 22) Within three months of the commencement of the development hereby approved, a Landscape Management Plan shall be submitted for the approval of the Local Planning Authority. The Landscape Management Plan shall set out details of and shall be implemented throughout the development.

REASON: To ensure the satisfactory maintenance of the phased and final restored landscape.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2, CW3, CW5 and CW6.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0753/FULL 12.11.2012	MDA Renewables Mr J Dacey Bryn Y Coed Load Of Hay Road Crumlin Blackwood NP11 3AY	Provide a single wind turbine (500kW, 50m hub height, 73.5m maximum tip of blade height) with associated electrical infrastructure and crane hardstanding Pen Y Fan Ganol Farm Manmoel Blackwood NP12 0HY

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is a field parcel to the east of the Manmoel Road, approximately 1.5km to the south east of Manmoel Village and 1km to the north of Pen Y fan Leisure Park.

Site description: The fields are in pasture and predominantly surrounded by open countryside. The nearest dwellings are the Farm House at Pen Y Fan Ganol Farm some 470m to the east, Pen Y Fan Cottage and Pen Y Fan Farm 700m to the south, and Hafodrisclawdd Fawr Farm some 890m to the west. The position is elevated with commanding views from the north and south west. Views from the east are slightly less open as the land rises towards Mynydd Pen Y Fan. The site is approximately 380m from Manmoel Road and 220m from Registered Byway 3/1/CRUM. The site is unimproved natural grassland sloping in a west to east direction towards Mynydd Pen Y Fan with mature trees on the eastern field boundary with the remainder of the field pasture being enclosed with traditional dry stone walling.

Development: The erection of one wind turbine of 500kw rating together with ancillary access track and cable connection together with the creation of a crane hard standing area. Consent is also sought for the creation of a temporary transfer station to off-load the plant from road going vehicles to specialist off road vehicles.

Dimensions: The turbine has a 50 metre high hub and the blade diameters are 23 metres. The track to the road is approximately 400 metres long and 4 metres wide.

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Application No. 12/0753/FULL Continued

Materials: The wind turbine will consist of a conical steel tower, a fibreglass nacelle (the part at the centre of the blades that contains the plant), and fibreglass reinforced polyester rotor blades, all of which will be painted in the same unifying colour.

The site roads will generally be upgraded on the principle of cut and fill and where necessary topped with suitable imported crusher run quarried stone.

Ancillary development: This application is supported by:

1. Design an Access Statement.
2. Planning Statement.
3. Landscape and Visual Appraisal.
4. Preliminary Ecological Appraisal.
5. Transport Management Plan, this document explains how the turbines will be transported to site after being transferred to suitable vehicles at Nine Mile Point Industrial Estate).
6. Simplified Noise Assessment.

PLANNING HISTORY

2/03383 - Re-instating subsidence and opencast mining - Refused - .03.06.80.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies in the open countryside beyond a settlement boundary, it is not allocated for any specific use.

Policies: SP2 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints) and CW22 (Locational Constraints - Minerals).

NATIONAL POLICY

Technical Advice Note 8: Planning for Renewable Energy, July 2005.
Planning Policy Wales (Edition 5), Nov 2012.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? - No.

Cont....

Application No. 12/0753/FULL Continued

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - Yes - A small part of the access track passes over such an area, but in view of the scale of that work, there are no significant mining legacy implications.

CONSULTATION

Natural Resources Wales - No objection.

Torfaen CBC - No objection.

Countryside And Landscape Services - No objection.

Head Of Public Protection - No objection subject to conditions.

National Air Traffic Services - No objection.

Dwr Cymru - No objection.

Gwent Wildlife Trust - No objection.

Glam/Gwent Archaeological Trust - No objection.

The Coal Authority - No objection.

ADVERTISEMENT

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

Response: 35 letters of objection were received in respect of the application.

Summary of observations:

1. Cumulative visual impact of the proposed turbine in association with other approved and proposed turbines in the area.
2. Effect upon the landscape character of the area.
3. Visual impact of the turbine.
4. Noise impacts on nearby residential properties,
5. Highway impact of deliveries of the turbine on the local highway network which is not suitable to take such large vehicles
6. Tourism would be detrimentally affected by this proposal.
7. The site is in a coal mining risk area.

Cont....

Application No. 12/0753/FULL Continued

8. There will be ecological impacts of the development on protected wildlife species as the area is frequented by a large number of birds and bats.
9. The applicant has not fully justified the need for the development in this location and it is felt that the proposal is for the personal gain of the applicant and no regard has been had for the views of local people.
10. Perceived harm to health and well being as a result of the well documented health issues associated with these developments.
11. Drainage issues on Manmoel Road, which already suffers with flooding from this site.
12. The site is adjacent to a Visually Important Local Landscape and a Special Landscape Area.
13. The turbines are not cost effective and are inefficient.
14. The site is close to a bridle path and it could have an unsettling affect on horses.
15. This is an area of historical importance, what measures are in place to ensure that no historical features are destroyed?
16. The proposal will lead to a drop in property values.
17. Why can't the turbine be sited in another 'more suitable' location?
18. The application has not been adequately advertised.
19. This could lead to a larger wind farm being developed in the area.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A survey was carried out and it was suggested that no protected species would be affected by the proposal. This report has been assessed by the Council's Ecologist and by Natural Resources Wales (formerly the Countryside Council for Wales) and they are satisfied with the results of the survey.

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Application No. 12/0753/FULL Continued

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The Welsh Government in its guidance is committed to delivering sustainable development in Wales, this includes the sustainable use of resources (para 4.1.5) and ensuring Wales uses only its fair share of the Earth's resources. PPW recognises that an adequate and efficient supply of infrastructure, including electricity is crucial for the "economic, social and environmental sustainability of Wales." Wind turbines contribute to this agenda, as such the sustainability aspect of the proposal accords with PPW. The proposal also assists the Welsh Government's renewable energy target, which is currently 7TWh by 2020, including 800MW from on shore wind sources. Similarly Technical Advice Note 8 Planning for Renewable Energy (TAN 8) recognises that in order to try and meet the renewable targets set by the Welsh Government "on-shore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to long term" (Para 2.2).

TAN 8 seeks to keep areas outside of Strategic Search Areas (SSA) free of large wind power schemes (para 2.13) and to consider the cumulative impact of small schemes in those areas outside of the SSAs. Applications for wind power below 5MW subject to meeting planning criteria are appropriate in principle outside the SSAs. It is acknowledged in the TAN that there is a need to strike a balance between the desire for renewable energy and the need to protect the landscape and natural heritage (Para 2.13). PPW also acknowledges that poorly designed or badly located infrastructure can "exacerbate problems rather than solving them" (Para 12.1.1). The TAN explains there is a recognised need to avoid a situation "where wind turbines are spread across the whole of a country" (Para 2.13). In this following analysis this is interpreted (in part) as the need to identify the areas that must be examined more critically in order to strike that balance and discern whether an area within the County Borough is to be preserved for its particular values.

Landscape and Ecological Impacts

In this instance the application site is not located within a nationally or locally designated natural heritage feature but it is situated adjacent to Mynydd Pen Y Fan and Twyn Y Bleiddiaid SINC and approximately 1.5km to the south east of the Manmoel VILL. Whilst it has been suggested that the presence of these protected areas adjacent to the application site should automatically discount the site from consideration, in effect a line has to be drawn in the sand at some point. The SINC and VILLs have been chosen for their specific ecological and landscape character and the areas that have not been considered for such designation are by definition not as important.

Cont....

Application No. 12/0753/FULL Continued

Bearing in mind the National Guidance, which promotes the provision of such technologies it would be unreasonable for Local Planning Authorities to refuse all applications, which are situated in areas adjacent to such designated sites provided that the impact on those sites is considered to be acceptable.

In terms of the SINCs, by their very definition their importance is related to the particular ecological features of that specific site. The proposed wind turbine would only be unacceptable in terms of its effect on those designations if it had a direct effect on the ecology of those sites or the management of that ecology. In this instance, the developer has shown that the application site would have no detrimental impacts on the ecology of the area and that no protected species were noted as nesting in the area or using it as habitat. In that regard it is not felt that the proposed development would have any impact on the ecological importance of the SINCs.

With regard to the Manmoel VILL this has been designated primarily because of its strong sense of openness. Appendix 2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 (LDP) states that the key development control issues for this area are to seek to enhance the existing field patterns and sense of openness. Given these key issues identified and the distance between the application site and the VILL it is felt that the proposed development would have a relatively minor and negligible impact on the landscape character of the designation. It should also be borne in mind that the topography of the area positions the proposed turbine significantly to the south east of the VILL and on an elevated site with restricted views from the site and from the south and east of the site towards the VILL. In that regard it is felt that the proposal would have no significant impact on the landscape character of the designation.

In terms of cumulative visual impact of the development a Zone of Theoretical Visual Influence plan submitted with the application indicates that there is the potential for significant visual impact from this proposal and other proposals currently in the planning system. Photomontages and wire frame diagrams have been produced to indicate the visual impact of the development and these have been assessed as part of the application. However, the visual impact of this single turbine on the wider area is not as significant. Whilst this application and another current one at Pen Y Fan Farm (Ref. no. 13/0016/FULL) have been considered on a cumulative basis to this point, the application for that development is not currently able to be determined and as such at this point there is no turbine at Pen Y Fan Farm which is able to proceed. Whilst the turbine at Pen Y Fan Farm would be seen and experienced in conjunction with this proposal and possibly raising more significant cumulative impact issues, consideration of the Pen Y Fan Farm proposal will need to take account of the impact of this proposal on that scheme and any cumulative impacts that it causes in relation to this proposal.

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Application No. 12/0753/FULL Continued

It should be noted that the creation of a Transfer Station at Smugglers Run will require the creation of a new access into a field parcel off the Manmoel Road. The impact of this has been considered with particular regard for the potential removal of any hedgerow and the ecological and landscape impacts of such an operation. In that regard it should be noted that the hedgerow fronting this field exhibits a lack of woody species and there are a number of large gaps in the hedgerow and as such it does not qualify for protection under the Hedgerow Regulations. With that in mind it is felt that the proposal would not have any detrimental impact on the ecology of the area as the access can be accommodated without the need to remove hedgerow. It is also considered that the landscape character and ecology of the area could be enhanced as part of the scheme by the imposition of a condition requiring enhancement planting to the hedgerow on the completion of the works.

Noise Impacts

As part of the submission with this application a simplified noise assessment was provided in accordance with ETSU-R97 For the Assessment and Rating of Wind Turbine Noise (a document produced on behalf of the former Department of Trade and Industry). The information submitted has been assessed in accordance with the above guidance and having regard for local noise conditions and accepted noise levels set out within the guidance. This application and the proposal at Pen Y Fan Farm have again been considered in terms of their cumulative impact on noise sensitive receptors. This submission has been assessed by the Council's Head of Public Protection and it is considered that the predicted noise levels from the proposed turbine are within accepted levels. Whilst there are many variables that can affect turbine noise it is considered that the submission was carried out in accordance with the relevant guidance and as such its findings are a relevant material planning consideration. Conditions would also be attached to any consent granted controlling the levels of noise that can be produced by the turbine and requiring it to be modified, limited or shut down in order to comply with the guidance.

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Application No. 12/0753/FULL Continued

In terms of cumulative noise impact both this application and the turbine at Pen Y Fan Farm were considered together and background noise level surveys were requested from the developer, which indicated that there would be no adverse impacts. However, and as stated above, the turbine at Pen Y Fan Farm must now be discounted from consideration at this time and as such the following guidance from ETSU-R97 has been followed: -

"...if the developer can demonstrate that noise conditions would be met even if there was no increase in background noise with wind speed until quite high wind speeds, then a simplified approach can be adopted. We are of the opinion that if the noise is limited to an LA90,10min of 35dB(A) up to wind speeds of 10m/s at 10m height then this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary. We feel that, even in sheltered areas when the wind speed exceeds 10m/s on the wind farm site, some additional background noise will be generated which will increase background levels at the property. This type of condition may be suitable for single turbines or wind farms with very large separation distances between the turbines and the nearest properties."

The proposal complies with that guidance.

Highways/Transportation Impacts

A Traffic Management Plan (TMP) and associated drawings were submitted with the application and these have been assessed by the Transportation Engineering Manager. The TMP sets out the types of vehicles to be used for the transportation of the equipment to and from the site, the number of vehicles to be used, the route to be taken and the frequency of deliveries etc. Swept path plans submitted with the TMP also show that the lanes accessing the site can adequately accommodate the vehicles to be used subject to the use of local traffic orders in liaison with the Local Highway Authority and the Police. It should also be noted that as the delivery of the equipment would involve abnormal indivisible loads, the consent of the Welsh Government Transport division would be required in addition to any consent from the Local Highway Authority in relation to the use of the Trunk Highway Network. In that regard it is not felt that the development would have any detrimental impact on highway safety issues and the proposal can be accommodated without the need for major highway improvements. As stated above the access improvements to provide the transfer station are negligible in planning terms and the improvements to the track within the site have no bearing on the highway network.

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Application No. 12/0753/FULL Continued

Comments from consultees: No objections raised. A number of conditions have been suggested by statutory consultees and these could be attached to any consent granted.

Comments from public: Each of the reasons for objection is considered in turn below: -

1. As discussed above it is not felt that this proposal would have any significant detrimental cumulative impact with existing or approved wind turbines. The cumulative impact of other turbines in relation to this proposal will need to be considered in the determination of those applications.
2. Again this has been considered above and it is not felt that the proposal would have a significant visual impact on the landscape character of the area.
3. The turbine in itself will inevitably have a visual impact on the area. Whether this impact is negative or not is a matter of subjective opinion. As this is a single turbine which is relatively modest in size and not sited within a designated area it is felt that its visual impact would not justify refusal of this application.
4. Noise impacts of this proposal on noise sensitive receptors have been carefully assessed and found to be within accepted levels. The assessment has been carried out in accordance with established guidance and is in accordance with national planning guidance.
5. The highway impact of the development has been carefully considered and is felt to be acceptable in this instance. The developers have provided evidence to show that the local highway network is capable of taking such large vehicles and there have been no objections from the Local Highway Authority and the Police.
6. This is a matter of subjective opinion and there is no quantitative or empirical evidence to prove that tourism would be affected by this proposal.
7. The Coal Authority have been consulted on this application and have raised no objection to the proposal.

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8. Whilst a number of objectors have suggested that the area is frequented by a number of protected species such as birds and bats, the ecological information submitted by the applicant does not support this. Whilst it is accepted that the area is likely to be frequented by these species no evidence was found of any nesting or habitat in the area. In terms of both birds and bats the site is likely to be used as a corridor of travel and for foraging but that would not in itself be sufficient to warrant refusal of the application. As this is a single wind turbine potential bird strike for the rotors is significantly reduced and is not considered to be a major issue in this instance.
9. There is no requirement in legislation for the applicant to provide justification for this development. However, the Design and Access Statement submitted with the application states:-

"The turbine will provide a renewable low carbon energy source for Pen Y Fan Ganol Farm which needs to invest in additional equipment which will be run on electricity. This will help the business move to a more sustainable and affordable provision of energy."

Meanwhile the Planning Statement submitted with the application states: -

"Pen Y Fan Ganol Farm comprises an area of approximately 475 acres and operates with 475 sheep, 32 cows and 20 pigs. There is no current mains electricity supply and this is hindering the development of the farm business. Heating and power supply is a major viability issue and the Farm Business Plan includes the incorporation of refrigeration and processing facilities units in order to move into the farmers' market arena. All the current operations are dependent upon the use of a generator which limits the range of business options and has practicality implications for various aspects of essential livestock farming operations.

The farm requires the provision of a constant electricity supply as a matter of urgency in order to power the existing and additional equipment required to secure its on-going viability. The business is therefore looking to move to a more sustainable and affordable provision of energy by reducing its reliance on fossil fuel energy generation whereby the existing generator will only serve as a 'back-up' facility. As such, the quantity of energy required dictates that energy from on-site renewable sources is the most economical and sustainable way forward for the farm to survive."

It is acknowledged that the farm may not require all of the energy provided by the wind turbine and that some may be sold to the grid. However, this is not in itself a material planning consideration and would not justify refusal of this application.

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10. There are a number of instances where the perceived effects of wind turbines on the health and well being of residents are well documented. However this application has been assessed for both noise and shadow flicker impacts and is considered to be acceptable having regard for the location and orientation of the turbine in relation to prevailing weather conditions and the relationship with neighbouring land users.

11. It is accepted that there are existing drainage issues on Manmoel Road. However, it is not felt that this proposal would exacerbate this issue.
12. This issue of impact on SLA's and VILL's has been addressed above.
13. This is not a matter for consideration as part of this application. National Planning Guidance promotes the use of renewable energy sources and this proposal makes a contribution to that aim.
14. As stated above the noise and shadow flicker effects of this proposal have been considered and are felt to be acceptable in this instance.
15. There are no sites of historical importance designated on this site. Glamorgan and Gwent Archaeological Trust have been consulted on the application and have raised no objection.
16. Loss of property values is not a material planning consideration. In any event there is no empirical evidence to substantiate this claim.
17. The Local Planning Authority has to consider the merits of the proposal in this location and cannot refuse the application on the basis that another site is 'more acceptable' if it is considered that this site is acceptable having regard for the planning merits of the proposal.
18. The application has been advertised by means of neighbour letters, a site notice and a press notice. Residents of Manmoel Village may well be concerned that they were not directly consulted on the application but this does not mean that the application was not advertised in accordance with legislation and best practice.
19. That any development will set a precedent for further development does not generally hold significant planning weight as each development should be judged upon its merit.

Other material considerations: In conclusion it is considered that the proposed wind turbine would be acceptable in planning terms. The landscape and ecological impact of the development would not justify refusal of the application having regard for the absence of any national or local protection designation on the application site. The noise and highway implications of the development have been carefully considered and are felt to be within acceptable limits as set out in guidance and evidenced in the details submitted with the application. All other matters have been considered and there are no grounds which would warrant refusal of the application.

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Application No. 12/0753/FULL Continued

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 hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Design and Access Statement, PL001, PI002, Preliminary Ecological Appraisal Survey Report, Shadow Flicker Appraisal, Planning Statement, Turbine Details, Transport Management Plan (July 2013), MDA04 Pen Y Fan Noise Predictions (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

- 03) Notwithstanding the submitted details, the precise location of the access to the Transfer Station at Smugglers Run shall be submitted for the written approval of the Local Planning Authority prior to any works commencing on site. The works shall thereafter be carried out in accordance with the approved details.
REASON: In the interests of the landscape character and ecology of the area.
- 04) Prior to the commencement of work on site details of hedgerow enhancement planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing hedgerows, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the hedgerow planting shall be carried out within 12 months of the completion of the development.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 05) The level of noise from the wind turbine measured at Pen-Y-Fan Ganol Farm shall not exceed 45dB(A) (LA90, 10 mins) at all wind speeds when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.

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Application No. 12/0753/FULL Continued

- 06) The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 07) Should the wind turbine be identified as operating above the parameters specified in conditions 05 and 06 above, the wind turbines shall be modified, limited or shut down as required to ensure compliance with this condition. Those measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in those conditions.
REASON: In the interest of the amenity of noise sensitive properties.
- 08) Noise shall not be emitted from the wind turbine that is assessed and confirmed by a competent noise qualified officer of the Caerphilly County Borough Council as being a nuisance by virtue of having irregularity, distinguishable discrete continuous notes or distinct impulses, that are enough to attract attention and cause nuisance at any dwelling.
REASON: In the interest of the amenity of noise sensitive properties.
- 09) Within 28 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 3 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.

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Planning application 12/0753/FULL Continued

- 10) Following the commission of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing with the Local Planning Authority and such data shall be retained for a period of not less than 12 months and it shall be provided to the Local Planning Authority at its written request within 28 days of such request.
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.
- 11) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 07.00 and 19.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interest of residential amenity.
- 12) Prior to the commissioning of the wind turbine hereby approved it shall have been fitted with a control system that automatically shuts down the turbines during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority and the turbines shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.
REASON: To control flicker in the interest of amenity of near by flicker sensitive properties.
- 13) The level of noise emitted by the wind turbine hereby permitted shall be monitored and demonstrated at the request of the Local Planning Authority on commissioning and annually thereafter in accordance with a method to be agreed by the Local Planning Authority prior to any works commencing on site.
REASON: In the interest of residential amenity.
- 14) Notwithstanding the submitted plans details of anti collision lighting to be fitted to the turbine shall be submitted for the written approval of the Local Planning Authority prior to any works commencing on site.
REASON: In the interests of health and safety.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3 and CW15.

Please find attached comments from Consultees.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0218/MIN 11.04.2013	Miller Argent (South Wales) Limited Mr N Brown Cwmbargoed Disposal Point Fochriw Road Cwmbargoed CF48 4AE	Erect and operate a coal washing plant with ancillary buildings and infrastructure in association with the existing facilities Cwmbargoed Disposal Point Fochriw Road Cwmbargoed CF48 4AE

APPLICATION TYPE: Minerals Application

SITE AND DEVELOPMENT

Location: The proposed coal washing plant is located within the Cwmbargoed Disposal Point (DP) operated by Miller Argent. The DP is situated on the boundary between Caerphilly county borough council and Merthyr Tydfil county borough council approximately 0.9 kilometres north west of Fochriw and 2.8 kilometres east of Merthyr. The application site is located within the north eastern part of the DP and comprises 0.9 hectares of land within the 23 hectare DP.

Site description: The site has recently been used for coal stocking, mobile crushing and screening and blending operations. The DP has been receiving, processing and exporting coal from various sites within the South Wales coalfield since 1957. It currently processes and dispatches coal from the Ffos Y Fran surface mine in Merthyr, mainly by rail. The wider site includes plant and machinery associated with the processing of the coal, the rail sidings and dispatch point, staff welfare facilities and offices.

Development: The proposed development consists of a new coal washing plant within a new building and covered conveyors.

Dimensions: The footprint of the proposed plant is 43m by 48m with a height of 20m.

Materials: Box profile cladding in olive green and brown.

Ancillary development, e.g. parking:

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Application No. 13/0218/MIN Continued

PLANNING HISTORY

P/8/Z/56 (Gelligaer UDC 2303) - Construct a disposal centre near Cwm Bargoed railway station near Fochriw. Granted 4 December 1957.

5/5/89/0682 - Refurbishment of Cwmbargoed Disposal Point comprising new plant, buildings, coal stocking, water treatment and access facilities - Granted 02.03.90.

07/0251/FULL - Extend and refurbish existing mineral processing plant and provide water storage tank and coal haulage vehicle workshop for use in connection with mineral extraction operations at Ffos Y Fran Land Reclamation Scheme - Granted 12.07.07.

08/0231/FULL - Continue the use of Cwmbargoed Disposal Point with the provision of additional facilities for the duration of related operations at the Ffos y Fran Land Reclamation Scheme - Granted 19.06.08.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy MW1.1 - The site is identified in the adopted plan as a site suitable for minerals handling and dispatch and rail transport related waste management facilities.

Policies: Policies MN1.1 - Mineral site buffer zone for Ffos Y Fran opencast coal site, MN2.1 Coal Safeguarding Area, CW2 Amenity, CW5 Water Environment, CW15 General Locational Constraints and CW4 Natural Heritage Protection.

NATIONAL POLICY

Mineral Planning Policy Wales, Minerals Technical Advice Note 2: Coal, Technical Advice Note (Wales) and 11: Noise.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? An environmental statement was submitted with the application.

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Application No. 13/0218/MIN Continued

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. The applicant supplied a coal mining risk assessment, which has been forwarded to the Coal Authority for comment.

CONSULTATION

Transportation Engineering Manager - No objection provided that the use of the facility is restricted to the processing of coal from the Ffos Y Fran opencast coal site to restrict the transport impact on the highway network to current levels.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Prior to the commencement of development the applicant must submit and receive approval for comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with in accordance with the Flood and Water Management Act 2010.

Dwr Cymru - No comments to make on the application. The developer is advised to contact Dwr Cymru if it is proposed to use potable water for an industrial process or if new water supply infrastructure is required.

Countryside And Landscape Services - No objections subject to a condition concerning lighting to limit the impact on bats.

Chief Fire Officer - The developer should be advised of the need to consider the provision of:

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances.

Police Architectural Liaison Officer - The crime and anti social behaviour level is low for the locality due to the low population density. No objection to planning application but recommends various measures to follow the Secure by Design principles, including alterations to gates, perimeter fencing and site lighting.

Darran Valley Community Council - The community council objects on the grounds of noise and dust nuisance and requests that the relevant impact assessments are undertaken.

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Application No. 13/0218/MIN Continued

Glam/Gwent Archaeological Trust - The historic environment record notes no recorded archaeological features or findspots within the area of the proposed development. It is not likely that any significant archaeological features would be disturbed by the development as the site is within an area disturbed by industrial processes. The applicant should seek advice if archaeological features are uncovered.

The Coal Authority - The application site falls within a high risk area where there are coal mining features and hazards that need to be considered in relation to the determination of the application. The applicant has obtained appropriate and up to date coal mining information and has used this to inform the coal mining risk assessment, which concludes with appropriate precautionary recommendations for further consideration and investigation of ground conditions and shallow mine workings prior to development commencing. Appropriate remedial measures are proposed should shallow mine workings be encountered.

The Coal Authority recommend that the Local Planning Authority impose a condition requiring that site investigations take place before development commences and that any remedial work indicated by the site investigations are also carried out. The Coal Authority has no objection to the development subject to the imposition of the condition.

Natural Resources Wales - No objection to planning application as submitted.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of site notices in the local area and a press notice. There are no houses immediately adjoining the site.

Response: Three letters of objection have been received, one from Fochriw and Pentwyn residents, one from a farmer whose stock graze land near the DP, and one from residents of Merthyr Tydfil. The main concerns can be summarised as follows:

- increased dust impact,
- light pollution,
- increased noise impact,
- visual impact,
- lack of consideration of the proposed Nant Llesg surface mine,
- insufficient environmental information submitted for possible cumulative impacts,
- increase in road traffic,

Cont....

Application No. 13/0218/MIN Continued

- impact of increased rail traffic,
- location of the plant within the site is not appropriate. No need to locate the plant within the DP,
- Fochriw residents receive no support from the Ffos Y Fran community fund although the coal is processed at Cwmbargoed DP.

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? No adverse impact.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

The site is within an area that is currently used for industrial processes and it is unlikely that protected wildlife species will be affected . However, an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

ANALYSIS

Policies: The proposed development is in accordance with the site allocation MW1.1 as it consists of mineral processing plant.

The site is within the buffer zone for Ffos Y Fran mine where sensitive development will not normally be permitted. However, the proposed plant is not within the definition of sensitive development, which includes houses, hospitals, and schools. Mineral Planning Policy (Wales) states at paragraph 40 that ancillary development related to the mineral working which is less sensitive to impact from mineral operations may be acceptable within the buffer zone.

The site is within a coal safeguarding area where permanent development will not be allowed or temporary development where it would conflict with the timescale for working the mineral. The site is owned and operated by the same company that works the Ffos Y Fran surface mine and it can be assumed that the development would not sterilise coal that may be required within the timescale of the development.

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Application No. 13/0218/MIN Continued

Although the application site is outside settlement boundaries, Policy CW15 allows for development associated with the winning and working of minerals in the countryside as minerals can only be worked where they are found.

Policy CW2 states that development proposals must not have an unacceptable impact on the amenity of adjacent properties or land, should be compatible with surrounding land uses and should not constrain the development of neighbouring sites for their identified land use or, for new residential development, compromise the viability of existing land uses. The amenity impacts of the proposal are discussed below.

Policy CW15 seeks to protect the water environment recognising that while Natural Resources Wales has a regulatory role in relation to water quality, the planning system can prevent adverse effects of development on the water environment. The impacts on the water environment are discussed below.

The site is adjacent to Tair Carreg Moor SINC. Policy CW4 states that development will only be permitted within close proximity to SINC where the ecological importance of the SINC is conserved or enhanced or where the need for the development outweighs the ecological importance of the site.

National policy in Mineral Planning Policy Wales (MPPW) 2000 supports a secure, diverse and sustainable energy supply at competitive prices and accepts that coal will form part of the energy matrix while it is available and while generating companies choose to use it. The proposed development supports the efficient use of coal from a permitted opencast mine.

MPPW Technical Advice Note 2: Coal (TAN 2) sets out how the impacts associated with coal extraction should be assessed and what mitigation measures should be adopted and seeks to identify the environmental and social costs of coal operations so that they can be met by the operator. However, the advice is primarily aimed at the winning and working of coal, and it may be more appropriate to consider the proposed development as industrial development within an industrial site.

Comments from Consultees: No objections received.

Comments from public: The comments received are summarised above and are addressed under "Other material considerations".

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Application No. 13/0218/MIN Continued

Other material considerations: This is an application for an additional piece of coal processing plant within an established coal stocking, processing and dispatch centre. The applicant states that the purpose of the development is to introduce plant to the DP that can produce a wide range of coal products and which provides an opportunity for additional flexibility in meeting demand from existing and new markets.

Coal processed at the plant is currently mainly sent to Aberthaw Power Station. The new coal washing plant would be able to significantly reduce the inherent ash content of the coals from Ffos Y Fran, making it suitable for use in steelmaking. TATA Steel has sent a letter of support for the application, indicating that there is a need for the low volatile coals found at Ffos Y Fran in the steelmaking process and stating that TATA Steel seeks to support local businesses and sustainable sourcing of raw materials.

Although Miller Argent is currently preparing an application for a new surface mine at Nant Llesg (north of Fochriw), the need for the coal washing plant is not dependent on permission being granted for that development. The company wishes to install the plant to diversify the market specification that can be met from Ffos Y Fran coals.

The proposed plant would have a capacity of 600,00 tonnes per annum in tandem with the existing coal wash plant. This represents 60 per cent of the total output of the DP, the remainder being processed in the dry crushing and screening plants.

The proposals also include run of mine (ROM) coal handling and water recycling. It is proposed that ROM coal would be stocked adjacent to the plant according to seam quality then blended and fed by front end loading shovels into a crushing plant via a hopper where the coal would be reduced in size before entering the wash plant. Inside the wash plant the coal would be cleaned and graded according to size and any shale or stones removed.

The process is designed to be closed circuit to recycle the water used. Total annual water usage would be around 20 million litres and surface water run off would be utilized wherever possible in preference to mains water.

The application states that the development would result in 20 temporary jobs during construction and 6 new jobs during operation as well as supporting existing jobs at the DP. The company also states that up to 85 per cent of the existing workforce live within 15 kilometres of the site and the company is committed to maximising the socio economic benefits to the local area.

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Application No. 13/0218/MIN Continued

The main considerations are the national and local policy framework, the amenity impact of the development including noise, dust, and visual impact, highways and traffic, ecology, the capacity of the site and any cumulative impacts. These are considered in turn below.

The policy framework is set out above. The proposal is in accordance with national and local policy providing that the amenity impact is acceptable or can be made so by the imposition of conditions.

The application is supported by an environmental statement, which considers landscape and visual impact (LVIA), air quality and noise and which proposes mitigation measures to reduce the impact of the development. The applicant proposes to break up the mass of the building by incorporating brown and olive cladding on the exterior. The LVIA notes that the context of the site includes the large scale features of the Ffos Y Fran opencast mine, especially the overburden mounds, enclosed farmland in the Cwm Golau and Cwm Bargoed and moorland common and open access land.

The letters of objection raise concern about the night time illumination of the CDP. The applicant states that the site is lit after dark with low key security lighting but with brighter flood lighting at the railway sidings. The proposed development would not add significantly to the level of illumination at the DP.

The air quality assessment considers exhaust emissions from vehicles and fugitive emissions of dust during all phases of the development and concludes that the impact of construction of the plant will be negligible due to the lack of human receptors within 350m and the SINC being more than 50m away. During operation of the plant crushing and screening would take place within the building and coal would be transported along covered conveyors. Water sprays are proposed above the loading area of the crushing plant to prevent fugitive dust emissions. Overall, the report concludes that the operational impacts on receptors will be negligible. The report has been independently assessed by the Head of Public Protection, who raises no objection to the application.

Objectors to the application have raised concerns about the level of dust generated by the site and they believe that dust will increase if the proposed development goes ahead. An independent assessment of dust has been submitted, which has been carried out by Environmental Pollution Management Ltd for Richard Buxton Environmental & Public Law Solicitors.

Cont....

Application No. 13/0218/MIN Continued

The report reviews the dust deposition monitoring data collected between March 2009 and June 2012 for the Ffos Y Fran opencast site. Monitoring was carried out at three locations within Merthyr Tydfil County Borough to inform the study. While residents' concerns are noted, the assessment relates to a different activity (coal extraction) to the one proposed and to impacts outside the county borough. It cannot, therefore, be taken as predicting the likely impacts from the proposed development. It should also be noted that the coal washing plant is a wet processing operation, enclosed within a building, which would be expected not to give rise in significant dust emissions, and houses in the county borough are a significant distance from the site.

A noise assessment has also been undertaken by the applicant. The report states that the development is within an existing site, which is remote from residential development and other noise sensitive properties. It concludes that noise from the operation of the plant at the nearest noise sensitive properties would be below background noise levels during the daytime and equal to background noise levels during the evening. Internal noise levels would be significantly below the level for "good" standard within homes. Noise on footpath 151 close to the DP was assessed as being equal to the recommended desirable level of noise in gardens.

The applicant's noise consultants followed the methodology in BS 4142 in carrying out the assessment, which is based on a worst case scenario when both coal washing plants are operating, and predict that noise emissions would meet the guidance in MTAN2 which states that noise should not exceed background levels plus 10 decibels at noise sensitive locations or 55 dB LAeq 1 hr (free Field), whichever is the lesser during the daytime. The development would be located behind an earth bund and the applicant considers that no further mitigation is necessary. The noise assessment has been independently assessed by the Head of Public Protection who raises no objection to the development.

The consents for the DP do not restrict vehicle movements. However, the consent for the Ffos Y Fran opencast mine stipulates that the majority of the coal processed at the DP must be exported by rail. This situation will not change. Since the overall throughput will not change as a result of the new coal wash plant, only the proportion of the throughput that is washed rather than being processed dry, the application would not lead to an increase in rail traffic. The company could use existing rail paths to distribute the coal. The total capacity of all the processing facilities would increase but, unless coal was imported from sites other than Ffos Y Fran, the total throughput would not change.

Cont....

Application No. 13/0218/MIN Continued

The environmental statement states that during the six month construction period a small number of additional HGVs would be generated on a daily basis consisting of construction plant and materials deliveries. Access for construction traffic would be taken from Rhymney Common Road and Fochriw Road, avoiding a 7.5 tonne weight limit on the Bogey Road west of Cwmbargoed. An additional 20 personnel would be employed during construction causing additional car journeys to the site and during the operational phase there could be an additional six staff. The statement concludes that the local highway network operates well below capacity and has a low sensitivity to traffic flow changes.

The applicant has not included an ecological assessment in the environmental statement since the application site is brownfield land and there are no habitats or species of interest on the land. Tair Carreg Moor SINC is located immediately to the north of the site and has been treated as a sensitive receptor for dust in the environmental statement.

Miller Argent has indicated that it intends to submit an application for opencast coal extraction at Nant Llesg, north of Fochriw in the near future. Local residents have objected to the in combination effects of the proposed coal washing plant with existing and proposed mineral development in the area. Permissions are in place for the Ffos Y Fran opencast mine and the DP but any application for future coal extraction would be required to consider in combination effects as part of the environmental statement. The environmental statement submitted for the coal washing plant has taken into account the combined effects of the development near the site that has permission, including the opencast mine, the DP, and Trecatti landfill site.

One objection to the development questions the need to locate the plant at the DP rather than within the Ffos Y Fran mine. The applicant states that consideration was given to locating the plant within the mine and on alternative locations within the CDP. However, the extraction and restoration arrangement means that there is insufficient space to accommodate the plant within the extraction area and the application site is more viable because of proximity to the storage of extracted coal and the dispatch of washed coal. The application should be judged on its merits.

Another objection raises the issue that the respondent considers he should have been consulted on the application because he farms land in the vicinity. The application was widely advertised in accordance with the Town and Country Planning (General Development) Procedure Order 1995, but the council is not aware of individuals' interests in land and would not be aware that the respondent had grazing rights on the land. However, the Gelligaer and Merthyr Commoners association was consulted on the application.

Cont....

Application No. 13/0218/MIN Continued

The point has also been made by objectors that the communities within Caerphilly County Borough do not receive any benefit from the Ffos Y Fran community fund, although the coal from the site is processed at the DP, which is mainly within the county borough. However, this is not a material land use consideration for the determination of this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In this case the proposed development accords with the policies set out in the adopted Local Development Plan and, subject to conditions to regulate the amenity impact of the development it is considered acceptable.

RECOMMENDATION that Permission be GRANTED

- 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) This consent shall expire on 31 December 2024 and shall cease to have effect after that date.
REASON: To retain control over the future use of the site and to be consistent with the time limited consent for the wider disposal point
- 03) Upon the expiration of this consent or the earlier cessation of the use of the site as coal processing and distribution centre the plant and buildings hereby approved shall be removed and the site restored in accordance with a scheme to be submitted to and approved by the Local Planning Authority within one month of such cessation. The approved scheme shall be implemented in full in the first planting season following approval of the scheme.
REASON: To ensure the satisfactory restoration of the site following this temporary development.
- 04) Between the hours of 07.00 and 19.00 the noise levels arising from the development shall not exceed 51 dB(LAeq) (1 hour) at any of the noise sensitive locations identified in the environmental statement submitted with the application subject of this consent.
REASON: To protect the amenity of local residents.

Cont....

Application No. 13/0218/MIN Continued

- 05) Between the hours of 19.00 and 07.00 the noise levels arising from the development shall not exceed 42 dB(LAeq) (1 hour) at any of the noise sensitive locations identified in the environmental statement submitted with the application subject of this consent.
REASON: To protect the amenity of local residents.
- 06) The mitigation measures for suppression of dust identified in the environmental statement dated March 2013 submitted with the application subject of this consent shall be implemented in full during the operation of the coal washing plant hereby approved.
REASON: To protect the amenity interest of local residents and to protect the amenity of the local area.
- 07) No stockpiles shall exceed 5 metres in height above ground level.
REASON: To safeguard amenity interests.
- 08) Details of the location, height, design, sensors and luminance of lighting associated with the coal washing plant (which shall be designed to minimise the potential nuisance of light spillage on adjoining highways) shall be submitted to and approved by the Local Planning Authority before works commence on site.
REASON: To safeguard amenity interests and in the interests of highway safety.
- 09) The building shall be built in accordance with the approved plans and, once built, shall not be re-clad or re-coloured unless the Local Planning Authority has agreed the specification for such changes.
REASON: In the interests of visual amenity.
- 10) The recommendations of the coal mining risk assessment, which indicates that further investigation of ground conditions should be carried out prior to development, shall be implemented in full and any remedial measures that are indicated by the further site investigations shall be carried out before the development commences.
REASON: To ensure that the application site is stable and safe.
- 11) Details of the location, height, design, sensors and luminance of lighting associated with the coal washing plant (which shall be designed to minimise the potential nuisance of light spillage on bats) shall be submitted to and approved by the Local Planning Authority before works commence on site.
REASON: To minimise the impact of development on bats.

Cont....

Application No. 13/0218/MIN Continued

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2, CW4 and CW15.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0258/FULL 10.04.2013	Mr A Brockett 3A Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Erect detached dormer bungalow with associated access and ground works etc. Land At 3A Penallta Villas Ystrad Mynach Hengoed CF82 7GH

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated to the south of Penallta Villas and to the north of Penallta Road.

Site description: The application site is the rear garden of the detached bungalow at number 3A Penallta Villas. That property is in itself situated within the front garden of the semi-detached dwelling at 3 Penallta Villas. This is a residential area comprising of dwellings of varying styles, designs and sizes with semi-detached dwellings being intermingled with detached bungalows and large detached two-storey dwellings. The garden is relatively flat with a slight slope on the eastern side and it is accessed via a narrow drive from Duffryn Street along the flank wall of the modern dwelling at number 2A Penallta Villas. There is an existing garage at the end of the existing drive and adjacent to the bungalow.

Development: The proposal seeks full planning consent for the erection of a detached dormer bungalow. The dwelling is to be sited directly to the south of but at right angles to the existing bungalow such that it has an east/west aspect. The dwelling will accommodate a kitchen/breakfast room, dining room, lounge, hall, wc. and study/bedroom on the ground floor with two bedrooms (one with en-suite) and a bathroom on the first floor. There will be two dormer windows on the western roof plane with roof lights on the eastern roof plane.

The application also proposes the demolition of the detached garage that currently serves number 3A Penallta Villas in order to provide access to the site and three parking spaces will be provided for the new dwelling and a new garage is to be provided for the existing dwelling.

Cont....

Application No. 13/0258/FULL Continued

Dimensions: The dwelling measures 11.7m by 8.1m by 8.5m high at its highest point (allowing for the slight slope in the site).

Materials: Face brickwork with concrete roof tiles.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

5/5/87/0181 - Erect glass conservatory - Granted 21.05.87.

5/5/89/0364 - Convert dormer rooms to self-contained granny flat - Granted 24.07.89.

5/5/91/0650 - Extend existing conservatory - Withdrawn 04.11.91.

08/1344/OUT - Construct single detached bungalow with rooms within roof space - Granted 11.06.09.

11/0718/FULL - Erect detached domestic garage - Granted 14.11.11.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries)

SP6 (Place Making)

SP10 (Conservation of Natural Heritage)

CW2 (Amenity)

CW3 (Design Considerations: Highways)

CW15 (General Locational Constraints).

Adopted Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

Cont....

Application No. 13/0258/FULL Continued

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Countryside And Landscape Services - No objection subject to a condition regarding clearance of the site in respect of breeding birds.

Senior Engineer (Land Drainage) - No objection subject to the provision of a drainage scheme.

Dwr Cymru - No objection subject to the provision of a drainage scheme.

ADVERTISEMENT

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

Response: Four letters of objection were received from local residents.

Summary of observations:

1. The dwelling would directly overlook numbers 5 and 7 Penallta Villas and cause a loss of privacy,
2. The dwelling would overshadow number 7 Penallta Villas,
3. The proposed dwelling is out of keeping with the character of the site,
4. The proposal would lead to the loss of mature trees on the site,
5. The existing access is unsuitable to serve the proposed development,
6. The increased use of the access would lead to amenity issues for number 2A Penallta Villas as a result of construction traffic and off street parking for the dwelling,
7. Access to the site should be gained off Penallta Road
8. The proposal could exacerbate existing drainage problems at number 5 Penallta Villas.

Cont....

Application No. 13/0258/FULL Continued

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the objections raised by the neighbours and in that regard each will be considered in turn below:-

1. The scheme has been revised to amend the location of the dwelling such that it is a minimum of 21m away from the habitable room windows of all of the surrounding dwellings. As such it is not felt that there would be any significant loss of privacy to any neighbouring dwellings.
2. It is considered that the dwelling is sufficiently far away from all neighbouring dwellings that there would be no overbearing impact, even allowing for the differences in levels between the application site and surrounding properties.
3. As ever design is a very subjective issue and there is no doubt that the proposed dwelling is not in keeping with the character of the original dwellings at Penallta Villas. However, a number of more modern single and two-storey dwellings have been erected in this area and it is not felt that this proposal would be out of keeping with the character of those dwellings.
4. A number of shrubs would need to be removed to accommodate the dwelling but no mature trees. It is not felt that these shrubs are an important feature of the local landscape and as such their loss would not be unacceptable.
5. The use of the existing access to serve the development has been considered by the Transportation Engineering Manager and found to be acceptable subject to the imposition of conditions requiring minor improvements.

Cont....

Application No. 13/0258/FULL Continued

6. It is not felt that the additional traffic flows associated with this proposal would have unacceptable adverse impacts on the amenity of the neighbouring dwellings. The access runs along the pine end of the nearest property and there are no windows in that elevation. It is also felt that the proposal would not represent a significant increase in traffic using the existing access.
7. The Local Planning Authority has a duty to consider what is before it. The use of the existing access is considered to be acceptable and as such it would be unreasonable to require the provision of an alternative access.
8. No objections have been raised by statutory consultees in respect of drainage issues and as such it is considered that the application is acceptable in that regard.

In conclusion it is considered that the application is acceptable in planning terms and there are no material planning considerations that would justify refusal of the application. It should also be borne in mind that outline planning permission was granted in 2009 for a detached bungalow with rooms in the roof space, and that permission is still extant.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: In line with Planning Policy Wales and Technical Advice Note 22 Sustainable Buildings, conditions should be imposed to ensure that the development is built to comply with the Code for Sustainable Homes.

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 hereby approved relates to the details received on 7th May 2013 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.

Cont....

Application No. 13/0258/FULL Continued

- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, any gates shall be set back not less than 5m from the edge of the carriageway and the gates shall be located and fitted so as not to open outwards towards the highway.
REASON: In the interests of highway safety.
- 04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 05) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 07) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.

Cont....

Application No. 13/0258/FULL Continued

- 08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 09) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement to the dwelling consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 11) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 12) 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 dwelling is occupied.
REASON: In the interests of the visual amenities of the area.

Cont....

Application No. 13/0258/FULL Continued

- 13) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work an 'Interim Certificate' carried out in relation to each dwelling by an accredited body, certifying that each dwelling shall achieve Code for Sustainable Homes (Version 3) Level 3 and one credit under 'Ene1 - Dwelling Emission Rate', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.

REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

- 14) Unless otherwise agreed in writing with the Local Planning Authority, no dwelling hereby permitted shall be occupied until a Code for Sustainable Homes (Version 3) 'Final Certificate' issued by an accredited body, certifying that the dwelling has achieved Code Level 3 and one credit under 'Ene1 - Dwelling Emission Rate' has been provided to and its receipt acknowledged in writing by the Local Planning Authority.

REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

Advisory Note(s)

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

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0406/FULL 04.06.2013	Miss M Iles 76 New Road Deri Bargoed CF81 9GL	Take down the existing rear garden retaining wall and steps, take back garden and build new retaining walls and steps 76 New Road Deri Bargoed CF81 9GL

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of New Road, Deri.

House type: The application property is a semi-detached villa style property that is elevated above the highway. This is a steeply sloping site such that the rear garden of the dwelling is some 3.5m above the rear yard level with terraced areas above. The small yard area is approximately 500mm wide with a dry stone retaining wall to the first garden level. There are currently steep steps up to the steeply sloping top end of the garden.

Development: The application seeks full planning consent for the re-profiling of the garden in order to provide a larger yard area and two terraced patio areas. New reinforced retaining walls are to be constructed in order to create the new terraces.

This application is reported to Planning Committee because the applicant is employed in the Regeneration and Planning Division.

Dimensions: The yard area will now be 4.5m wide with the retaining walls being 3m high. The two terraces will then be 4.5m wide.

Materials: Concrete block walls.

PLANNING HISTORY

No previous planning history.

Cont....

Application No. 13/0406/FULL Continued

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

Guidance Note 1 to the Adopted Supplementary Planning Guidance LDP 7 for householder development advises that the purpose of the planning system is to safeguard the existing qualities of buildings and streets and that extensions and alterations should be designed to complement the character of your street or area.

Guidance Note 8 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on raised decks and balconies.

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

CONSULTATION

Structural Engineer - No objection subject to conditions.

ADVERTISEMENT

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

Response: None.

Summary of observations: None.

Cont....

Application No. 13/0406/FULL Continued

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is whether the proposed terraced areas would have a detrimental impact on the amenity or privacy of the neighbouring dwellings. In that regard it is noted that the proposed terraces would give views from the applicant's garden back towards the rear of the neighbouring dwellings. However, it should be noted that there are no windows in the rear of the dwelling immediately adjacent to the application property and as such the only property that would be affected would be the dwelling at number 74 New Road and the bedroom windows therein. In that regard it should be noted that the views of that proposed from the new terraces would be less than those at present. The new terraces will be further away from that property than the existing garden and in respect of the first terrace, lower than the existing garden level. Therefore it is not felt that the proposal would have a detrimental impact on the amenity or privacy of the neighbouring dwellings.

Comments from consultees: No objections raised. Amendments are required to the structural calculations for the retaining walls but these can be adequately addressed by conditions.

Comments from public: None.

Other material considerations: None.

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.

Cont....

Application No. 13/0406/FULL Continued

- 02) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining walls on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining walls additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.
REASON: In the interests of highway safety.
- 03) The development hereby approved relates to the details received on 23rd July 2013 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.

Advisory Note(s)

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

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0898/FULL 20.12.2012	United Welsh Housing Association Mr B James Y Borth 13 Beddau Way Caerphilly CF83 2AX	Erect residential development comprising 22 residential units (12 houses, 10 flats) Land At Tyn Y Wern Terrace Trethomas Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: At the eastern end, on the southern side of Tyn Y Wern Terrace, to the north of the Grove Estate, Trethomas.

Site description: The application site is vacant scrub land, allocated as a housing site within the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010, on the southern side of Tyn Y Wern Terrace, Trethomas. The site forms part of the road frontage of Tyn Y Wern Terrace and is surrounded on all sides by existing residential development. The land falls from north to south and is elevated from the Grove Estate. The proposed parking provision is located to the front of the terraced houses and the rear of the blocks of flats in a courtyard arrangement.

Development: Erect residential development comprising 22 residential units (12 houses, 10 flats).

Dimensions: Block One - consists of two staggered blocks each containing three terraced houses and measuring 14.4 metres wide and 14.1 metres wide respectively, by 9.33 metres deep. The two blocks are also staggered in height and would measure 8.85 metres and 7.9 metres high to the apex above ground level respectively.

Block Two - consists of two blocks containing a total of six terraced house with combined measurements of 28.5 metres wide, by 9.33 metres deep. The two blocks are staggered in height and would measure 8.85 metres and 7.9 metres high to the apex above ground level respectively.

Cont....

Application No. 12/0898/FULL Continued

Block Three - consists of two linked blocks one measuring 9.5 metres wide, by 7.6 metres deep and 8.2 metres high to the apex above ground level with an entrance porch projection to the front elevation measuring 1.8 metres wide, by 1.5 metres deep and 3.8 metres high to the mono-pitch above ground level and one measuring 16.75 metres wide by 7.6 metres deep with two entrance porch projections to the front elevation measuring 1.8 metres wide, by 1.5 metres deep and 3.8 metres high to the mono-pitch above ground level.

Block Four - consists of two linked blocks of flats, each measuring 7.6 metres wide, by 7.6 metres deep and 8.25 metres high to the apex above ground level. Each has an entrance porch projection to the front elevation measuring 1.8 metres wide, by 1.5 metres deep and 3.8 metres high to the mono-pitch above ground level.

Materials: Buildings - External finishes of the proposed buildings would be painted rendered walls, with reconstituted stone feature banding, window headers and cills, blue/black artificial slate roof tiles, and upvc or wood windows and doors.

Boundary treatments - The proposed boundary treatments would be a mixture of brickwork walls, painted galvanised mild steel hoop topped railings, and close board fencing. The repair and maintenance of the existing stone retaining wall and providing close board fencing to its front is also proposed.

Ancillary development, e.g. parking: Provision of off-street parking spaces, bin stores and cycle store.

PLANNING HISTORY

5/5/92/0552 - Erect residential development - Refused 28.10.92.

5/5/93/0576 - Erect residential development - Granted 28.10.93.

P/01/0883 - Erect 11 two-storey detached residences - Granted 03.09.03.

P/04/1212 - Erect 13 two-storey semi-detached and detached residences - Granted 20.01.06.

Cont....

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies:

SP6 (Place Making)

SP7 (Planning Obligations)

CW2 (Amenity), CW3 (Design Considerations - Highways)

CW6 (Trees, Woodland and Hedgerow Protection)

CW10 (Leisure and Open Space Provision)

CW11 (Affordable Housing Planning Obligation)

CW15 (General Locational Constraints)

HG1 (Allocated Housing Sites).

Supplementary Planning Guidance LDP5: Parking Standards, and LDP6: Building Better Places to Live.

NATIONAL POLICY:

Planning Policy Wales (2012).

Technical Advice Note 12: Design (2009).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? A coal mining risk assessment was submitted by the applicant which The Coal Authority considers to be satisfactory. A condition should be recommended to secure the mitigation measures contained in the assessment.

Cont....

CONSULTATION

Countryside And Landscape Services - Raises no objection subject to conditions regarding a tree protection plan, a detailed landscaping scheme and maintenance schedule, reptile mitigation, nesting birds and biodiversity enhancements.

Assistant Director - 21st Century Schools - Raises no objection subject to a Section 106 Agreement in order to secure the Standard Planning Obligation of £36,750.00.

Head Of Public Protection - Raises no objection subject to conditions regarding contamination, remediation, soil importation, dust suppression and control of dust.

CCBC Housing Enabling Officer - Raises no objection subject to a Section 106 Agreement in order to secure the minimum Standard Planning Obligation of 40% affordable housing on the development.

Senior Engineer (Land Drainage) - raises no objection subject to a condition regarding surface water and land drainage.

Outdoor Leisure Development Officer - Raises no objection subject to a Section 106 Agreement in order to secure the Standard Planning Obligation of £900.00 per property.

Head Of Public Services - Raises no objection but provides advice on the proximity of refuse storage to the adopted highway.

Dwr Cymru - Raises no objection subject to conditions regarding foul, surface water and land drainage.

Glam/Gwent Archaeological Trust - States that it is not likely that any significant archaeological features would be disturbed by the proposed development but requests that the Trust be contacted should any features be disturbed during the course of the work.

Gwent Wildlife Trust - Raises no objection but provides advice on nesting birds and biodiversity enhancements.

Cont....

Application No. 12/0898/FULL Continued

Bedwas, Trethomas & Machen Community Council - Requested details of the application and subsequently raised no objection subject to neighbours being fully consulted.

Natural Resources Wales - Advised that the application does not require direct consultation with them as it does not fall within the consultation checklist.

The Coal Authority - Considers the submitted coal mining risk assessment to be satisfactory but request that a condition should be attached to secure the mitigation measures contained in the assessment.

Principal Valuer - Raises no objection but makes enquiries regarding the implementation and adoption of the proposed footpath link to the Grove Estate. Both the Transportation Engineering Manager and the Housing Enabling Officer were consulted on this matter and raised no objection. The Area Housing Office has subsequently been consulted.

Transportation Engineering Manager - Raises no objection subject to conditions regarding parking provision, parking materials, engineering details, programme of road works, structural certification, gates and a Section 106 Agreement in order to secure the Standard Planning Obligation of £5,500.00 per property.

Police Architectural Liaison Officer - Raises no objection subject to the adoption of recommendations relating to Secured by Design.

ADVERTISEMENT

Extent of advertisement: Twenty-eight neighbours notified, site and press notices posted.

Response: Four.

Summary of observations: The local residents' comments are as follows:

1. The proposed development would result in noise and disruption to the surrounding residential properties and loss of residential amenity during construction.
2. The development would result in an additional 30-40 cars which have a detrimental impact on an already crowded street leading to obstruction of access and loss of highway safety.

Cont....

Application No. 12/0898/FULL Continued

3. Trees have been felled on site that were meant to be kept.
4. The development would result in the loss of view to the neighbouring properties.
5. The development would result in the loss of privacy to the neighbouring properties.
6. Previous application limited development to 10 dwellings that should take the form of town-houses rather than block accommodation. The proposal would be a highly undesirable, ill-conceived and socially destructive development undertaken with total disregard for the wishes of the local community.

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 issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

No European protected species implications following a survey, but the site or the surrounding landscape still have some wildlife habitat potential. Conditions have been recommended relating to reptile mitigation, nesting birds and biodiversity enhancements.

ANALYSIS

Policies: The application seeks permission to construct a residential development comprising 22 residential units (12 houses, 10 flats) on land to the south of Tyn Y Wern Terrace, Trethomas. The site is allocated for residential development in the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010, therefore the presumption is in favour of development providing material planning considerations do not constrain such development. Whilst such an identification does not in itself grant planning permission for a development it does provide a reasoned structure to invite suitably laid out and designed developments on certain sites, to help achieve the aims of the plan.

Cont....

Application No. 12/0898/FULL Continued

Policy HG1 identifies the application site as allocated housing site HG1. 59, allowing for a total of 0.46 hectares. The development of this area is considered to accord with the land-use identification contained in this plan.

Policy CW2 of the Local Development Plan states that on such sites developments should ensure that:-

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

The submitted layout provided illustrates that the dwellings can be accommodated within the site with adequate privacy distances and separation from the existing dwellings providing a condition is attached preventing the insertion of windows into the side elevations of Blocks 1, 2 and 3 nearest to the boundaries of the site. Whilst there is a difference on levels between the application site and both the properties at Tyn Y Wern Terrace and The Grove Estate the distance between the proposed dwellings and the existing properties is sufficient to alleviate any issues relating to amenity.

Although the number of units on site have increased since the previous planning approvals it should be noted that the proposed dwellings and associated plots are smaller in scale than those previously approved. Notwithstanding this fact it is considered that the layout provides an acceptable level of external amenity space/parking provision/bin storage/drying areas/bicycle racks for the terraced houses and the blocks of flats, as well as on site children's play centre and tenants' allotments. Therefore it is felt that the increased density represents an appropriate level and would be acceptable in this instance. With regard to the proposal's compatibility with surrounding land uses it is considered that the proposed development would not detract from the amenity of the neighbouring properties, as existing residential development is located to the north, south, east and west of the application site. In this regard the new use conforms to its surroundings and it will not adversely impact on these neighbouring sites.

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Application No. 12/0898/FULL Continued

Policy CW3 of the Local Development Plan states that development should have regard for the safe, effective, and efficient use of the transportation network. The applicant proposes to access the development off Tyn Y Wern Terrace to the northern boundary of the site, which has been partially implemented under a previous scheme. The Transportation Engineering Manager has assessed the proposal with regard to highway safety and found it to be acceptable subject to conditions regarding parking provision, parking materials, engineering details, programme of road works, structural certification, gates and a Section 106 Agreement in order to secure the Standard Planning Obligation of £5,500.00 per property. This would equate to a total contribution of £121,000.00.

In terms of the proposed properties, it is considered that they have been well designed in terms of their scale, siting and materials, and will integrate with the surrounding area. It is not considered that they will detract from the residential amenity of neighbouring properties or the visual amenity of the area generally. Appropriate parking, access and amenity will be provided for the development, and it is considered that the proposal represents an appropriate development of the site.

Policy CW10 Local Development Plan states that all new housing sites capable of accommodating 10 or more dwellings will be required to make adequate provision for well designed useable open space as an integral part of the development; and appropriate formal children's play facilities either on or off site; and adequate outdoor sport provision either on or off site. As the site is relatively small with 22 dwellings being proposed, it is not reasonable or realistic to require the developer to provide a large portion of the site to be public open space. Two small areas have been set aside to the north-eastern corner of the site for the provision of a children's play area and a tenant's allotment. Whilst this is considered to partly satisfy this Policy the applicant will be required to make a financial contribution of £900.00 per dwelling towards the provision and improvement of leisure facilities within close proximity of the application site. This will be secured by way of a Section 106 Agreement with a total obligation of £19,800.00. It should be noted that proposed children's play area is well surveyed from the proposed flats which have windows of habitable rooms facing the play area at both ground and first floor levels.

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Application No. 12/0898/FULL Continued

Policy CW11 of the Local Development Plan requires the provision of affordable housing on housing sites accommodating more than 5 dwellings. As the application site is located within the Caerphilly Basin, as defined in the Local Development Plan, a 40% affordable housing provision is required. As the site is being delivered as a 100% affordable housing scheme it is considered acceptable in this instance, however, should the site be sold on by the applicant, the Local Planning Authority would require 40% affordable housing on the development. This will be secured by way of a Section 106 Agreement.

Therefore the proposal is compliant with policies in the Adopted Local Development Plan, Supplementary Planning Guidance LDP5 and LDP6, Planning Policy Wales (2011) and TAN 12: Design.

Comments from consultees: There are no objections raised by Consultees and their concerns can be addressed through a S106 Agreement and conditions.

Comments from public: The response to the local resident's comments is as follows:

1. It should be noted that there is a certain level of noise and disruption that is inevitable during construction and is not seen as a reason to refuse development proposals.
2. It should be noted that the development has been assessed by the Transportation Engineering Manager against the requirements of the Council's policies relating to highway safety and its Car Parking Standards in relation to parking provision and it has been found to be in accordance and acceptable.
3. During consultation with the Council's Senior Arboricultural Officer it is evident that the two trees that have been removed were subject to fire damage and his advice was that they be removed. However, a condition has been attached ensuring the protection of one tree during the construction works.
4. The loss of a view is not a material planning consideration.
5. Further to the local residents comments amended drawings were requested that addressed issues of privacy relating to the ground floor flat facing the properties on Tyn Y Wern Terrace. Following the submission of amended drawings all issues relating to privacy have been addressed and the minimum privacy distances have been adhered to.

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6. It should be noted that each application is assessed on its own merits and individual set of circumstances. As such the proposal would be assessed against the current policies and design guidance and not previous decisions. Notwithstanding this fact the local residents' comments regarding the ill-conceived and socially destructive nature of the development are not supported. Firstly with regard to the form of the proposed development it is evident that the proposed terrace-style houses to the western part of the site would be in character with the terrace houses currently in situ on Tyn Y Wern Terrace. With regard to the proposed blocks of flats it should be noted that there is a significant need for affordable housing in the County Borough and therefore seeking appropriate levels of affordable housing is justified as a means of contributing to mixed, balanced and sustainable communities through the provision of housing for all sectors of the population. Whilst existing examples of blocks of flats may not be prevalent in the immediate surrounding area this would suggest that this may be an identifiable need for the area as a whole. Furthermore the significant variation in house-types evident in the neighbouring streets would suggest that the blocks of flats would have a limited impact on the character of the area.

Other material considerations: The development is considered acceptable in all other aspects.

The proposal is one that requires the completion of a S106 Agreement to ensure that a number of matters that cannot be controlled by condition are adequately addressed. In this instance these include (a) the contribution to the improvements to the strategic road network i.e. £121,000.00; (b) the actual monetary values of the affordable dwellings should the site be sold on; (c) the contribution of £36,750.00 to education; and (d) the contribution of and £19,800.00 to off-site leisure facilities.

A planning obligation must meet all of the following tests.

(A) It is necessary to make the development acceptable in planning terms:

- (1) Communities should be mixed, balanced and sustainable, and a choice of housing that is affordable to the local population is vital in achieving this. The cost of buying and renting a house at market value is greater than many on low incomes can afford, and consequently intervention is needed to provide housing through other mechanisms. The planning system, through the use of planning obligations and conditions, is one such method of securing 'affordable housing'. The requirement to meet the need for affordable housing is a material planning consideration and will be taken into account in the determination of planning applications.

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- (2) New housing development can place a strain on education infrastructure unless additional improved facilities are provided through planning obligations. This Supplementary Planning Guidance (SPG) identifies the circumstances in which the Council will seek contributions from developers towards the provision of school facilities and how contributions will be calculated and used.

The Council will seek financial contributions towards the cost of providing additional primary and/or secondary school facilities from developers proposing housing developments that would generate a requirement for school places that cannot reasonably be met by existing schools because:

(a) The capacity of the school(s) would be exceeded by projected demand from housing developments with their catchment area(s).

In all cases the contribution requested will relate to the number of pupils projected to be generated by the proposed development in the catchment area.

- (3) A Section 106 Agreement will be sought because this development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods. Following public consultation, which included house builders, the Council has adopted Supplementary Planning Guidance LDP3, Caerphilly Basin Strategic Highway Network Obligation, which requires a financial contribution, currently £5,500.00, for each new dwelling constructed within the defined Caerphilly Basin area as a reasonable means of addressing this capacity problem. The money contributed by this development will be used with other similarly collected monies to finance the necessary improvements to the strategic highway network.
- (4) The Council will seek financial contributions towards the cost of enhancing the local leisure and recreational areas close to the development. All new housing sites capable of accommodating 10 or more dwellings or exceeds 0.3 hectares in gross site area will be required to make provision for:
- a) Well designed useable open space as an integral part of the development and
 - b) appropriate formal children's play facilities either on or off site, and
 - c) adequate outdoor sports provision either on site or off site.
- To meet the needs of the residents of the proposed development.

Cont....

Application No. 12/0898/FULL Continued

(B) It is directly related to the development

- (1) This development will create 22 new dwellings. Thus, it is relevant to ensure the correct balance between affordable housing and market housing in the area is properly maintained.
- (2) Housing development within a catchment area of a school will increase the numbers of pupils that a school will need to cater for. Where a number of developments take place within a catchment area over a short period of time, this position can be exacerbated.
- (3) This development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods, thereby aggravating existing congestion problems.
- (4) Given the limited space on the proposed development site it was reasonable to request a financial contribution to enhance the local leisure and recreational areas close to the development at Ty'n y Wern.

(C) It is fairly and reasonably related in scale and kind to the development.

- (1) In accordance with Policy CW11, the Council will normally seek the following proportions of affordable housing on sites that accommodate 5 or more units or that exceed 0.15 Ha in gross site area:
 - 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).

These area-specific targets and thresholds have been derived from evidence from the Affordable Housing Viability Assessment (AHVA) prepared as part of the evidence base for the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010. The AHVA was completed in line with an agreed regional methodology prepared by Three Dragons on behalf of the South East Wales Strategic Planning Group (SEWSPG). The assessment demonstrated that the levels of affordable housing as identified in the policy would be viable.

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Application No. 12/0898/FULL Continued

This site will deliver 100% affordable housing provision. However, should the site be subsequently sold on, the developer will need to deliver 40% affordable housing on the development. The units will need to be transferred to UWHA at values that will need to accord with the SPG on affordable housing at the time of development and has been agreed by the applicant.

- (2) The Council will seek financial contributions towards the cost of providing additional primary and/or secondary school facilities from developers proposing housing developments that would generate a requirement for school places that cannot reasonably be met by existing schools because the capacity of the school(s) would be exceeded by projected demand from housing developments with their catchment area(s).

In all cases the contribution requested will relate to the number of pupils projected to be generated by the proposed development in the catchment area. Individual contributions may be insufficient to fully fund additional accommodation. Such monies will be banked and accumulated until such time as the provision of additional accommodation is affordable. The calculated sum is £36,750.00, which is considered to be reasonable when compared to the value of dwellings and the impact upon the provision of education in the area.

- (3) The unit sum - at present £5,500.00 - is reasonable when compared to the costs of construction and the value of one house. The total contribution is based on the number of dwellings, which means that the larger the development, the greater the impact on the road network, and therefore the higher contribution.
- (4) The unit sum - at present £900.00 - is reasonable when compared to the costs of construction and the value of one house. The total contribution is based on the number of dwellings, which means that the larger the development, the greater the impact on the existing facilities, and therefore the higher contribution.

Subject to the above it is recommended that consent be granted to the conditions contained below.

RECOMMENDATION that (A) the application be DEFERRED for the completion of a Section 106 Agreement. This Agreement will secure the following:-

- (a) the contribution to the improvement of the strategic highway network of 22 x £5,500.00 - £121,000.00.

Cont....

Application No. 12/0898/FULL Continued

- (b) the confirmation of the affordable values of the properties required in respect to the low cost home ownership element of the scheme. Should the site be subsequently sold on, the developer will need to deliver 40% affordable housing on the development. The values will need to accord with the SPG on affordable housing at the time of development.
- (c) the payment of £36,750.00 in respect of education provision.
- (d) the payment of £19,800.00 in respect to off-site leisure provision.

(B) Upon completion of the legal agreement permission be GRANTED in accordance with the following conditions:

- 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) 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.
- 03) 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 dwellings hereby approved are first occupied.
REASON: In the interests of the visual amenities of the area.
- 04) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.

Cont....

Application No. 12/0898/FULL Continued

- 05) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 06) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 07) 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.
- 08) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (Section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. The development should be carried out in accordance with the agreed scheme.
REASON: In the interests of visual amenity.
- 09) All planting, seeding, turfing and hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the practical completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.

Cont....

Application No. 12/0898/FULL Continued

- 10) A Landscape Management Plan, including
- (a) long term design objectives,
 - (b) management responsibilities, and
 - (c) maintenance schedules for all landscape areas, other than domestic gardens, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.

The Landscape Management Plan shall be carried out as agreed.

REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area.

- 11) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

- 12) No development or site or vegetation clearance shall take place until a detailed reptile survey has been carried out and the results of the survey, including an impact assessment, and if necessary details of any proposed mitigation measures, have been submitted to and approved by the Local Planning Authority. The approved measures shall be carried out in accordance with the agreed details.

REASON: To ensure that reptiles are protected, in the interests of biodiversity.

- 13) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats into the new buildings and nesting provision for birds shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.

REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) and TAN 5 Nature Conservation and Planning (2009).

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Application No. 12/0898/FULL Continued

- 14) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 15) The development shall not be beneficially occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 16) Prior to the occupation of the development hereby approved the parking areas shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc are not carried on to the public highway.
REASON: In the interests of highway safety.
- 17) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.
REASON: In the interests of highway safety.
- 18) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of the approved highway on site full engineering details and structural calculations for the proposed highway, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed highway additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.
REASON: In the interests of highway safety.

Cont....

Application No. 12/0898/FULL Continued

- 19) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 20) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the residential of the area.
- 21) Unless otherwise agreed in writing with the Local Planning Authority, each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes (Version 3) Level 3 and achieve one credit under issue 'Ene1- Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010 or any equivalent subsequent guide updating or replacing that guidance.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 22) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work an 'Interim Certificate' carried out in relation to each dwelling by an accredited body, certifying that each dwelling shall achieve Code for Sustainable Homes (Version 3) Level 3 and one credit under 'Ene1 - Dwelling Emission Rate', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 23) Unless otherwise agreed in writing with the Local Planning Authority, no dwelling hereby permitted shall be occupied until a Code for Sustainable Homes (Version 3) 'Final Certificate' issued by an accredited body, certifying that the dwelling has achieved Code Level 3 and one credit under 'Ene1 - Dwelling Emission Rate' has been provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

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Application No. 12/0898/FULL Continued

- 24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement to the residential consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure shall be erected or planted within the curtilage of the dwelling forward of the front wall of the dwelling hereby permitted or between the dwelling and any adjacent highway, driveway, footpath or car parking space other than those indicated in the approved plans without the approval of the Local Planning Authority.
REASON: To retain the open character of the development in the interests of visual amenity.

Cont....

Application No. 12/0898/FULL Continued

- 29) Notwithstanding the approved plans, prior to works commencing on site, details of the footpath link within the Grove Estate shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be completed in accordance with the agreed details prior to occupation of the first dwelling.

REASON: To maintain adequate control over the development.

Advisory Note(s)

Please find attached the comments of Transportation Engineering Manager, Police Architectural Liaison Officer, The Coal Authority, Gwent Wildlife, Glamorgan/Gwent Archaeological Trust, Head of Public Services and the Council's Ecologist that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP6, CW2, CW3 and CW4.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0416/FULL 12.06.2013	Persimmon Homes (East) Wales C/o Asbri Planning Limited Ms K Smith 1st Floor Westview House Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Construct 17 dwellings and associated works Land At Mill Road Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The three pieces of land that make up this application site are located adjacent to the former Gasworks Site at Mill Road, Caerphilly.

Site description: The application site comprises three separate parcels of land. The first parcel is the former 'Meals on Wheels' site owned by the Council, to the east of the footpath between Mill Road and Gwyn Drive, which includes the vacant depot building and a garage compound; the second is an area of land that fronts onto Mill Road, which enjoys an extant permission for a pair of semi-detached houses; and the third parcel is to the north of the former Gasworks Site, and is predominantly overgrown scrub.

Development: This application is for the erection of 17 dwellings and associated works. The houses consist of a mixture of detached, semi-detached and terraced houses, with associated parking provision and gardens.

Dimensions: The three sites together make up a total of 0.46ha in area.

Materials: The sites are all brownfield land. Details of the external finishes for the seventeen dwellings would be to match and co-ordinate the external finishes of the dwellings currently under construction on the larger site, and are a range of rendered finishes, facing brickwork and reconstituted stone blocks.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

P/96/0535 - Erect residential development - Granted 14.11.1996.

Cont....

Application No. 13/0416/FULL Continued

P/03/1032 - Erect residential development - Granted 03.06.2010.

10/0898/FULL - Carry out engineering works to facilitate environmental improvement (remediation) of land - Granted 09.02.2011.

11/0793/FULL - Erect 2 dwellings and associated works - Granted 22.01.2013.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies: HG1.66 (Allocated Housing Sites); CW2 (Amenity); CW5 (Protection of Water Environment).

NATIONAL POLICY:

Planning Policy Wales (2012)

Technical Advice Note 12: Design (2009)

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not Applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site falls within an area where a coal mining risk assessment is, therefore, unnecessary.

CONSULTATION

Assistant Director – 21st Century Schools - advises that a contribution of £36,750.00 is required to support local schools.

Head Of Public Protection - No objection subject to conditions.

Cont....

Application No. 13/0416/FULL Continued

CCBC Housing Enabling Officer - this site will deliver 40% affordable housing provision.

The units will need to be transferred to UWHA at the following values:-

Five 2-bed 4-person houses - £59,001.00.

Two 1-bed flats - £40,592.00.

Senior Engineer (Land Drainage) - No objection subject to conditions and make comments of which the applicant should be advised.

Head Of Public Services - No objection subject to conditions and make comments of which the applicant should be advised.

Transportation Engineering Manager - No objection subject to conditions and the standard contribution of £5,500.00 towards highway improvements.

Dwr Cymru - No objection subject to conditions and make comments of which the applicant should be advised.

Police Architectural Liaison Officer - No objection but make comments of which the applicant should be advised.

Wales & West Utilities - No objection but include details of their apparatus at the site and make comments of which the applicant should be advised.

Countryside And Landscape Services - No objection subject to conditions and make comments of which the applicant should be advised.

Glam/Gwent Archaeological Trust - No objection but make comments of which the applicant should be advised.

ADVERTISEMENT

Extent of advertisement: Sixty seven neighbours notified by letter, and a site notice erected adjacent to the site.

Response: Four letters have been received from nearby residents who express concerns about loss of privacy in respect of properties in Gwyn Drive, Lewis Drive, Caenant Road, and Mill Road.

Cont....

Application No. 13/0416/FULL Continued

Summary of observations: Generally, there is support for the use of the land for residential, but concern is expressed about the height and position of the proposed new dwellings on the former Meals on Wheels site.

Transportation Engineering Manager - No objection subject to conditions and the standard contribution of £5,500 towards highway improvements.

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 issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: This is a full planning application for seventeen dwellings. One dwelling would replace the previously approved pair of dwellings that front onto Mill Road. Five dwellings would be sited on the former 'Meals on Wheels' depot, and the remaining eleven dwellings in a mix of detached, semi-detached, and linked properties of mixed tenure would be located on the parcel at the north of the site sharing boundaries with Gwyn Drive, Lewis Drive and the railway embankment.

Policy CW2 requires that proposals should not result in over development, nor adversely impact upon the amenity of adjacent properties. The design of the houses is intended to fit in with the overall layout of the surrounding site, and achieves that aim. The two houses, whilst semi-detached, would not be a matching symmetrical pair, the applicant's having chosen to pair up a three storey house and a two storey house. Whilst this sounds a little unusual, the overall external dimensions are the same, with the most significant differences to external appearance being that of the dormer windows in the roof of one and a bay window at ground floor. This provides a degree of variation and choice for the consumer, which fits in with the applicant's aspirations for the site as a whole. The neighbouring dwellings are also a mixture of designs, thus this would not look out of place. A satisfactory level of residential amenity is achieved by the careful positioning of dwellings in relationship to both existing and other proposed dwellings. Adequate parking is provided. The proposed layout and design is therefore considered to comply with the requirements of CW2.

Cont....

Application No. 13/0416/FULL Continued

The proposal is in compliance with Planning Policy Wales, TAN 12, 'Design', Council policy, and the Council's supplementary planning guidance, LDP6 'Building Better Places to Live', and should therefore be granted planning permission.

Comments from Consultees: These are referred to elsewhere in this report.

Comments from public: The revised drawings address some of the comments made by nearby residents in respect of privacy issues, and other concerns are addressed through the imposition of planning conditions. It is considered that residential amenity would not be adversely affected from a planning point of view by these proposals.

The applicant has agreed to sign a Section 106 Agreement in respect of the requirements of the housing, education and highway Officers.

A planning obligation must meet all of the following tests.

(A) It is necessary to make the development acceptable in planning terms:

(1) Communities should be mixed, balanced and sustainable, and a choice of housing that is affordable to the local population is vital in achieving this. The cost of buying and renting a house at market value is greater than many on low incomes can afford, and consequently intervention is needed to provide housing through other mechanisms. The planning system, through the use of planning obligations and conditions, is one such method of securing 'affordable housing'. The requirement to meet the need for affordable housing is a material planning consideration and will be taken into account in the determination of planning applications.

(2) New housing development can place a strain on education infrastructure unless additional improved facilities are provided through planning obligations. This Supplementary Planning Guidance (SPG) identifies the circumstances in which the Council will seek contributions from developers towards the provision of school facilities and how contributions will be calculated and used.

The Council will seek financial contributions towards the cost of providing additional primary or secondary school facilities from developers proposing housing developments that would generate a requirement for school places that cannot reasonably be met by existing schools because:

(a) The capacity of the school(s) would be exceeded by projected demand from housing developments with their catchment area(s).

Cont....

Application No. 13/0416/FULL Continued

In all cases the contribution requested will relate to the number of pupils projected to be generated by the proposed development in the catchment area.

(3) A Section 106 Agreement will be sought because this development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods. Following public consultation, which included house builders, the Council has adopted Supplementary Planning Guidance LDP3, Caerphilly Basin Strategic Highway Network Obligation, which requires a financial contribution, currently £5,500.00, for each new dwelling constructed within the defined Caerphilly Basin area as a reasonable means of addressing this capacity problem. The money contributed by this development will be used with other similarly collected monies to finance the necessary improvements to the strategic highway network.

(B) It is directly related to the development

(1) This development will add 17 more dwellings to a site with a proposal for 66 dwellings. The main site application (P/03/1032) provided only 15% affordable housing, by virtue of the former Unitary Development Plan policy, thus, it becomes even more relevant to ensure the correct balance between affordable housing and market housing in the area is properly maintained.

(2) Housing development within a catchment area of a school will increase the numbers of pupils that a school will need to cater for. Where a number of developments take place within a catchment area over a short period of time, this position can be exacerbated.

(3) This development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods, thereby aggravating existing congestion problems.

(C) It is fairly and reasonably related in scale and kind to the development.

(1) In accordance with Policy CW11, the Council will normally seek the following proportions of affordable housing on sites that accommodate 5 or more units or that exceed 0.15 Ha in gross site area:

- 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)

Cont....

Application No. 13/0416/FULL Continued

These area-specific targets and thresholds have been derived from evidence from the Affordable Housing Viability Assessment (AHVA) prepared as part of the evidence base for the LDP. The AHVA was completed in line with an agreed regional methodology prepared by Three Dragons on behalf of the South East Wales Strategic Planning Group (SEWSPG). The assessment demonstrated that the levels of affordable housing as identified in the policy would be viable.

(2) The Council will seek financial contributions towards the cost of providing additional primary or secondary school facilities from developers proposing housing developments that would generate a requirement for school places that cannot reasonably be met by existing schools because:

(a) The capacity of the school(s) would be exceeded by projected demand from housing developments with their catchment area(s).

In all cases the contribution requested will relate to the number of pupils projected to be generated by the proposed development in the catchment area. Individual contributions may be insufficient to fully fund additional accommodation. Such monies will be banked and accumulated until such time as the provision of additional accommodation is affordable. The calculated sum is £4,760.00, which is considered to be reasonable when compared to the value of dwellings and the impact upon the provision of education in the area.

(3) The unit sum - at present £5,500.00 - is reasonable when compared to the costs of construction and the value of one house. The total contribution is based on the number of dwellings, which means that the larger the development, the greater the impact on the road network, and therefore the higher contribution.

RECOMMENDATION that (A) the application is DEFERRED to allow the completion of a Section 106 Obligation as set out above and (B) Upon completion of the legal agreement permission be GRANTED in accordance with the following conditions:

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.

Cont....

Application No. 13/0416/FULL Continued

- 02) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 03) Notwithstanding the submitted drawings prior to commencement of development details of a scheme to provide domestic refuse collection points adjacent to the public highway to serve dwellings at plots 67, 72 to 78 inclusive and plot 83 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved scheme prior to first use of any of the dwellings hereby approved.
REASON: In the interests of public health and visual amenity.
- 04) The development hereby approved shall be carried out in accordance with the recommendations made in Section 7 of the bat survey report dated April 2013 prepared by TerraAqua Ecological Services Ltd unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection and mitigation for protected species.
- 05) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 06) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.

Cont....

Application No. 13/0416/FULL Continued

- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 09) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: plan ref nos. SLP01, D25, D24, D02, AF211E-V1-R, 1314E-V1-S, 1292E-V1-S, 1117E-V1-R, 0987E-V1-S, 0987E-V1-R, 0942E-V1-R, 0613E-V1-S, & 0613E-V1-R as amended by the plans received on 26.07.13. Ht-WD10 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 10) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 11) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.
REASON: In the interests of highway safety.

Cont....

Application No. 13/0416/FULL Continued

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 13) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 14) Prior to the occupation of the dwellings hereby approved, the proposed parking areas shall be completed in permanent materials as agreed with the Local Planning Authority to ensure loose stones or mud etc are not carried out on to the public highway.
REASON: In the interests of highway safety.
- 15) The existing vehicular access onto Mill Road from the former Meals on Wheels premises shall be permanently closed off in a manner to be firstly agreed in writing with the Local Planning Authority, before occupation of the development hereby approved.
REASON: In the interests of highway safety.
- 16) The existing footway link leading from Gwyn Drive onto Mill Road shall be improved by way of the installation of a street lighting system and widened to a minimum of 2m, the details of which shall be firstly agreed in writing with the Local Planning Authority. The agreed footway improvements shall be completed prior to occupation of the dwellings hereby approved.
REASON: In the interests of highway safety.

Cont....

Application No. 13/0416/FULL Continued

- 17) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.
- 18) Prior to the commencement of work on site, details of the finished floor levels of the development hereby approved in relation to points off-site shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed scheme.
REASON: In the interests of residential amenity.
- 19) Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include secondary glazing systems in all windows to habitable rooms on plots 68/69 that shall be capable of achieving an internal L_{max} level of 45 dB(A). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved. REASON: In the interests of residential amenity.

Advisory Note(s)

Please find attached the comments of Countryside and Landscape Manager, Transportation Engineering Manager, Dwr Cymru/Welsh Water, Wales and West Utilities and Glamorgan Gwent Archaeological Trust that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3, CW5 and HG1.66.

APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
12/0643/FULL 03.09.2012	Clear Choice Windows Mr C Hingston Unit 2 Bedwas Business Centre Bedwas Caerphilly CF83 8DU	Erect new build business unit Land Adjacent To Unit 1 Bedwas Business Centre Bedwas House Industrial Estate Bedwas	Granted 02.07.2013
13/0306/FULL 24.04.2013	Mr & Mrs John 29 Pidwelt Rise Pontlottyn Bargoed CF81 9QU	Erect a white PVCu conservatory to the rear 29 Pidwelt Rise Pontlottyn Bargoed CF81 9QU	Granted 02.07.2013
13/0334/FULL 07.05.2013	Mr S Lewis Orchard House The Paddocks Cwmgelli Blackwood NP12 1HF	Erect single storey side extension for utility room Orchard House The Paddocks Cwmgelli Blackwood	Granted 02.07.2013
13/0337/NCC 07.05.2013	Dr Ali Greenways Sunnybank Road Blackwood NP12 1HY	Vary Conditions 3 and 4 of planning permission 09/0930/OUT to extend the period for the submission of the reserved matters by further three years and to extend the period for the commencement of the development by a further five years Land At Beili Glas Road Fleur- de-lis Blackwood	Granted 02.07.2013
13/0338/FULL 07.05.2013	Mr M Pesticcio 34 St David's Court Goldcrest Drive The Fairways Cyncoed CF23 7HJ	Erect double garage with studio over The Sheiling Pennar Lane Pentwyn-Mawr Newport	Granted 02.07.2013

13/0340/RET 07.05.2013	Mr J Creedy 33 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Retain small picket style fence around front of property 33 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Granted 02.07.2013
13/0343/FULL 09.05.2013	Mr A Barkley 11 Min-Yr-Afon Machen Caerphilly CF83 8LB	Erect two-storey accommodation with single- storey kitchen and orangery 11 Min-Yr-Afon Machen Caerphilly CF83 8LB	Granted 02.07.2013
13/0344/FULL 09.05.2013	Mr R Purnell 22 Hengoed Hall Close Cefn Hengoed Hengoed CF82 7JH	Erect single-storey rear/side extension 22 Hengoed Hall Close Cefn Hengoed Hengoed CF82 7JH	Granted 02.07.2013
13/0358/FULL 15.05.2013	Mr D Davies 8 Woodland Place Pengam Blackwood NP12 3QX	Construct rear two-storey extension for kitchen, w.c. and bathroom 22 Wingfield Crescent Llanbradach Caerphilly CF83 3NU	Granted 02.07.2013
13/0378/NOTF 22.05.2013	Natural Resources Wales Mr A Shinton Coed Y Cymoedd District Forest Office Resolven Neath SA11 4DR	Construct road Land At Tyla-Du Tyla-Du Plantation Access Pentwyn	Prior Approval Not Required 02.07.2013
13/0330/FULL 03.05.2013	Asda Stores Ltd Asda House Southbank Great Wilson Street Leeds West Yorkshire LS11 5AD	Erect car canopy in customer car park for drive thru customers Asda Cliff Road Blackwood NP12 0NT	Granted 03.07.2013
13/0331/ADV 03.05.2013	Asda Stores Ltd Asda House Southbank Great Wilson Street Leeds West Yorkshire LS11 5AD	Erect various signage Asda Cliff Road Blackwood NP12 0NT	Granted 03.07.2013

13/0144/FULL 28.02.2013	Mr & Mrs D Bell- Langford Cartref Twyn Shon Ifan Maesycwmmmer Hengoed CF82 7SN	Erect detached double garage Cartref Twyn Shon Ifan Maesycwmmmer Hengoed	Granted 04.07.2013
13/0339/FULL 08.05.2013	Mr & Mrs D Dudley 86 Cefn Road Blackwood NP12 1JA	Erect single-storey garage and kitchen extension to side and rear of dwelling 86 Cefn Road Blackwood NP12 1JA	Granted 05.07.2013
13/0345/FULL 10.05.2013	Mrs Jones 1 Dolwyddelan Close Grove Park Blackwood Gwent NP12 1GG	Erect conservatory to rear of property 1 Dolwyddelan Close Cefn Fforest Blackwood NP12 1GG	Granted 05.07.2013
13/0268/FULL 12.04.2013	Mrs D Shephard C/o Mr M Simmonite 62 Parc Panteg Griffithstown Pontypool NP4 5JY	Erect four bedroom two-storey detached dwelling Land Adjacent To 22 Victoria Road Fleur-de-lis Blackwood NP12 3UG	Withdrawn 08.07.2013
13/0352/FULL 13.05.2013	Mr & Mrs Thomas 1 Clos Carolyn Blackwood NP12 3QT	Erect two-storey extension to front of property 1 Clos Carolyn Blackwood NP12 3QT	Granted 08.07.2013
13/0355/FULL 14.05.2013	Mr & Mrs M Daye Tyree Castle Street Fleur-de-lis Blackwood NP12 3UH	Erect single-storey dining room extension to side/rear of dwelling Tyree Castle Street Fleur-de-lis Blackwood	Granted 08.07.2013
13/0357/FULL 14.05.2013	Mrs L Mackenzie 31 Caernarvon Place Cefn Fforest Blackwood NP12 1DB	Erect single-storey side extension for breakfast room 31 Caernarvon Place Cefn Fforest Blackwood NP12 1DB	Granted 08.07.2013

13/0365/TPO 15.05.2013	Parish Of Machen St John's Church Church Street Machen	Remove trees G1 - G7 of TPO 17/65/MCC, retain trees G8 - G10 and create new wooded area comprising of native species to replace the non native cypress and Thyja St John's Church Church Street Machen	Granted 10.07.2013
13/0361/FULL 16.05.2013	Mr R Howse 1 Y Cedrwydden Blackwood NP12 1FD	Convert second portion of double garage into an additional room 1 Y Cedrwydden Blackwood NP12 1FD	Granted 10.07.2013
13/0366/FULL 16.05.2013	Miss K Hughes 26 Bryngwyn Watford Caerphilly CF83 1ET	Erect single-storey front and side extension and associated alteration works 26 Bryngwyn Watford Caerphilly CF83 1ET	Granted 10.07.2013
13/0369/FULL 16.05.2013	Mrs Williams 18 Pritchard Terrace Phillipstown New Tredegar NP24 6BR	Install external wall insulation on the front, rear and single extension 18 Pritchard Terrace Phillipstown New Tredegar NP24 6BR	Granted 10.07.2013
13/0415/NOTD 10.06.2013	Persimmon Homes (East) Wales C/o Asbri Planning Ltd Miss K Smith 1st Floor Westview House Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Demolish the single storey structure and garages Former Meals On Wheels Mill Road Caerphilly	Prior Approval Not Required 10.07.2013
12/0070/RET 27.01.2012	Mr M Cousins 4 Hanbury Close Whitchurch Cardiff CF14 2TB	Demolish existing garage and construct new garage with utility room at rear and replace existing roof with new apex roof with dormers and replace and move windows Mountain House 41 Mountain Road Caerphilly CF83 1HH	Granted 11.07.2013

12/0830/FULL 06.11.2012	Mr & Mrs K Padfield 3 The Boot Maesycwmmmer Hengoed CF82 7PR	Erect two storey extension to side of dwelling, plus internal alteration works, and alterations to roof including the provision of a bedroom and a store room within the roof Willow Bank Pennar Crossing Pentwyn-Mawr Newbridge	Granted 11.07.2013
13/0362/FULL 17.05.2013	Mr J Evans 15 Gwerthonor Lane Gilfach Bargoed CF81 8JT	Erect rear extension to bungalow with attic conversion 15 Gwerthonor Lane Gilfach Bargoed CF81 8JT	Granted 11.07.2013
13/0367/FULL 17.05.2013	Mr A Milton 8 Lon-Y-Waun Caerphilly CF83 1DQ	Erect extension to existing porch to accommodate disabled wetroom 8 Lon-Y-Waun Caerphilly CF83 1DQ	Granted 11.07.2013
13/0292/FULL 22.04.2013	Ms S Tyler Amynedd Bungalow Nant Y Garn Risca Newport NP11 7AF	Erect single-storey extension and internal alterations to provide new bedroom with specialist facilities for a person with disabilities Amynedd Bungalow Nant Y Garn Risca Newport	Refused 12.07.2013
13/0368/FULL 20.05.2013	Mr A Lucas 5 The Avenue Ystrad Mynach Hengoed CF82 8AE	Demolish existing conservatory and construct single storey extension 5 The Avenue Ystrad Mynach Hengoed CF82 8AE	Granted 15.07.2013
13/0371/FULL 20.05.2013	Mr S Cook 9 Rudry Close Porset Caerphilly CF83 3EU	Erect first floor side extension 9 Rudry Close Porset Caerphilly CF83 3EU	Granted 15.07.2013
13/0372/FULL 20.05.2013	Mr S Parnell 15 Channel View Pontymister Risca Newport NP11 6JX	Demolish existing lean to utility & wc, construct two storey extension to include new kitchen and first floor bedroom and convert existing kitchen to wet room 15 Channel View Pontymister Risca Newport	Granted 15.07.2013

13/0373/TPO 20.05.2013	Mr T Morgan Lower Lodge - Woodfield Park Park View Bungalows Penmaen Oakdale Blackwood NP12 0DE	Reduce Whitebeam (G6) by 30%, tip back limbs of Elm by 10% (G6) and remove the deadwood of Lime tree (T33) Lower Lodge - Woodfield Park Park View Bungalows Penmaen Oakdale	Granted 15.07.2013
13/0374/FULL 20.05.2013	Mr D Stallard 1A Lon Yr Ysgol Bedwas Caerphilly CF83 8PE	Erect single-storey extension and associated works 1A Lon Yr Ysgol Bedwas Caerphilly CF83 8PE	Granted 15.07.2013
13/0263/NCC 11.04.2013	Mr J Qureshi 207 Lake Road West Cyncoed Cardiff CF23 5QX	Vary the condition on planning permission P/04/0809 to extend opening hours to 08:00 - 23:00 hours Monday to Saturday and 10:00 - 23:00 hours on Sunday 11 Thomas Street Abertridwr Caerphilly CF83 4AU	Granted 16.07.2013
13/0321/FULL 29.04.2013	Dr R Gordon & Dr K L Franklin 1 The Walk Ystrad Mynach Hengoed CF82 7AH	Construct rear single storey extension and extend curtilage of dwelling 1 The Walk Ystrad Mynach Hengoed CF82 7AH	Granted 16.07.2013
13/0376/FULL 22.05.2013	Mr N Crowley 4 Clos Gwernydd Caerphilly CF83 2UD	Erect ground floor side extension 4 Clos Gwernydd Caerphilly CF83 2UD	Granted 16.07.2013
13/0377/FULL 22.05.2013	Mr J Qureshi 207 Lake Road West Cyncoed Cardiff	Replace shopfront 11 Thomas Street Abertridwr Caerphilly CF83 4AU	Refused 16.07.2013
13/0380/FULL 23.05.2013	Graig-Y-Rhacca Community Partnership Mr I Racz 61 Grays Garden Graig-Y-Rhacca Machen Caerphilly CF83 8TQ	Erect extension to front to provide improved sanitary facilities and meeting space for community groups and erect extension to rear to extend kitchen and provide community area Graig-Y-Rhacca Community Resource Centre 59 - 71 Grays Gardens Graig-Y-Rhacca Caerphilly	Granted 16.07.2013

13/0384/RET 24.05.2013	Mr & Mrs J R Cotterell Beverley Bungalow 61 Pontywindy Road Caerphilly CF83 3HD	Retain pergola in rear garden Beverley Bungalow 61 Pontywindy Road Caerphilly CF83 3HD	Granted 16.07.2013
13/0315/COU 26.04.2013	Mrs E Meredith 14 Commercial Street Aberbargoed Bargoed CF81 9BW	Change use from existing cafe to a beauty salon with no external changes to property 14 Commercial Street Aberbargoed Bargoed CF81 9BW	Granted 17.07.2013
13/0318/COU 29.04.2013	Mrs K Tudor 11 Gerddi Ty Bryn Pencoed Bridgend CF32 6PZ	Change the use from C3 dwelling house to D1 non- residential institution for use as a 34 place children's day nursery 82 Cefn Road Blackwood NP12 1JA	Refused 17.07.2013
12/0005/NCC 06.02.2012	Bristol And District Estates Limited (In Administration) C/o Mr M Jones Deloitte LLP (Trading As Drivers Jonas Deloitte) Four Brindleyplace Birmingham West Midlands B1 2HZ	Vary Condition (01) of Planning Permission P/05/0391 to extend the period within which development may commence 8 Woodview Machen Caerphilly CF83 8LH	Granted 19.07.2013
13/0385/COU 28.05.2013	Steve Harrison And Blackwell Brothers Development Mr S Harrison Brooklands Llanvaches Caldicot Newport NP26 3BA	Convert existing residential accommodation into two separate dwellings 3 Dan-Y-Coed Hengoed CF82 7LP	Granted 22.07.2013
13/0332/FULL 07.05.2013	Mrs S Leaman 44 Gelli'r Felin Caerphilly CF83 2LF	Convert existing garage into a room 44 Gelli'r Felin Caerphilly CF83 2LF	Granted 23.07.2013

13/0346/RET 10.05.2013	Notemachine Ltd Mr R Lanning Elvicta Business Park Crickhowell Powys NP8 1DF	Retain an ATM through the existing front elevation G Cavanna 116 - 118 Commercial Street Senghenydd Caerphilly	Granted 23.07.2013
13/0347/ADV 10.05.2013	Notemachine Ltd Mr R Lanning Elvicta Business Park Crickhowell Powys NP8 1DF	Install illuminated sign around the ATM fascia G Cavanna 116 - 118 Commercial Street Senghenydd Caerphilly	Granted 23.07.2013
13/0348/FULL 10.05.2013	Mr L Hobbs 13 Sword Hill Caerphilly CF83 2AG	Convert garage to study and erect detached garage 13 Sword Hill Caerphilly CF83 2AG	Granted 23.07.2013
13/0381/RET 24.05.2013	Mr & Mrs C James 14 Llys-Y-Fedwen Caerphilly CF83 3QJ	Retain 1.2 metre high railing enclosure at front and front sides of property 14 Llys-Y-Fedwen Caerphilly CF83 3QJ	Granted 23.07.2013
13/0388/RET 28.05.2013	Persimmon Homes East Wales Llantrisant Business Park Llantrisant Rhondda Cynon Taf CF72 8YP	Retain rear conservatory extension Plot 2 Pendinas Avenue Croespenmaen Newport	Granted 23.07.2013
13/0398/FULL 30.05.2013	Mr Lewis 24 Beechgrove Caerphilly CF83 3BQ	Extend existing conservatory to the rear elevation 24 Beechgrove Caerphilly CF83 3BQ	Granted 23.07.2013
13/0319/ADV 29.04.2013	Mrs K Tudor 11 Gerddi Ty Bryn Pencoed Bridgend CF32 6PZ	Erect signage to front of house 82 Cefn Road Blackwood NP12 1JA	Granted 24.07.2013
13/0400/FULL 30.05.2013	Mr P Phillips 38 Woodlands Avenue Treharris CF46 5AS	Erect detached double garage Dyfri 6 Pentwyn Road Nelson Treharris	Granted 25.07.2013

13/0402/TPO 30.05.2013	Mr D Wheeler 7 Twyn Gardens Cefn Fforest Blackwood NP12 3LU	Fell oak tree (Tree Preservation Order 66/72/MCC) 7 Twyn Gardens Cefn Fforest Blackwood NP12 3LU	Granted 25.07.2013
13/0379/FULL 23.05.2013	Mr D Knibbs 24 Corbett Grove Caerphilly CF83 1SZ	Excavate garden to the west side of house building a 2.02m high retaining wall 24 Corbett Grove Caerphilly CF83 1SZ	Granted 26.07.2013
13/0386/FULL 28.05.2013	Mr N Funnell 31 Heol-Yr-Ysbyty Caerphilly CF83 1TA	Erect conservatory to rear of dwelling 31 Heol-Yr-Ysbyty Caerphilly CF83 1TA	Granted 26.07.2013
13/0396/FULL 30.05.2013	Mr E C Griffiths 39 Newport Road Trethomas Caerphilly CF83 8DA	Provide new off road parking space 39 Newport Road Trethomas Caerphilly CF83 8DA	Granted 26.07.2013
13/0401/FULL 30.05.2013	Mr & Mrs C Dando 42 Lon Fawr Caerphilly CF83 1DA	Erect single storey kitchen/dining room extension and relocate the conservatory 42 Lon Fawr Caerphilly CF83 1DA	Granted 26.07.2013
13/0403/FULL 31.05.2013	Mr T Griffin 5 Caldicot Close Cefn Fforest Blackwood NP12 1HH	Erect two-storey extension for kitchen, utility and bedroom and carry out internal works 5 Caldicot Close Cefn Fforest Blackwood NP12 1HH	Granted 26.07.2013

**LIST OF PLANNING APPLICATIONS WHICH ARE OUT OF TIME/NOT DEALT WITH
WITHIN 8 WEEKS OF DATE OF REGISTRATION**

APPLICATION NUMBER DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/97/0981 31.10.97	Undertake initial review of planning conditions under the Environment Act 1995 for resumption of quarrying at Blaengwynlais Quarry, Blaengwynlais, Nr Caerphilly.	Site partly in Cardiff. Hydrological study and Environmental Impact Assessment received and out of consultation.
P/02/0265 13.03.02	First periodic review of planning conditions (Environment Act 1995) at Cae Glas Small Mine, Fochriw.	Additional information awaited about scheme of working.
10/0505/OUT 26.07.10	Erect light industrial/office park at Block C, Maerdy Industrial Estate, Rhymney.	Subject to further discussion and consideration.
10/0518/FULL 16.07.10	Erect single detached dwelling and garage at Old Mill House, Draethen, Newport.	Subject to further discussion and consideration.
10/0550/OUT 23.08.10	Re-develop the site for a mixed use development including housing, employment (B1 Use) and community use with associated open space and infrastructure at Former BSW Saw Mills, Senghenydd, Caerphilly.	Subject to further discussion and consideration.
11/0594/OUT 27.10.11	Erect residential development on Land Adj To Groeswen Farm, Groeswen Road, Groeswen, Cardiff.	Awaiting comments of consultees.
11/0630/NCC 01.09.11	Vary conditions (3) and (4) of previous planning consent 06/0172/OUT (erect residential development) to extend permission beyond expiration dates on Land West Of Coronation Terrace, Senghenydd, Caerphilly.	Awaiting information on road layout.
11/0650/FULL 23.08.11	Erect new housing development comprising of 12 detached and 3 pairs of semi-detached dwellings on Land Adj To Former Waterloo Works, Machen, Caerphilly.	Subject to further discussion and consideration.
11/0772/LA 21.10.11	Change use of land and erect extension to existing Gelligaer Cemetery, including access road, car parking and footpaths on Land Adjoining Gelligaer Cemetery, Gelligaer, Hengoed.	Awaiting Archaeological Survey.

11/0849/RET 10.11.11	Retain alterations to garage to form annexe building to main house, to include the addition of two dormer windows, roof mounted clock tower and weathervane unit, and to replace garage door with upvc glazed unit for the purpose of providing additional space (overspill space) associated to the use of the main dwelling at The Meadows, Gypsy Lane, Groeswen, Cardiff.	Awaiting Ecologist comments.
11/0885/RET 29.11.11	Retain steel flue at rear elevation Erhans Charcoal Grill, 2 Pengam Road, Ystrad Mynach, Hengoed.	Awaiting comments of consultees.
11/0896/NCC 05.12.11	Vary Condition on planning application 5/5/85/0427 to continue mining operations for a minimum of 15 years at Cae-Glas Colliery, Glen View Terrace To Bridgend Road, Fochriw, Bargoed.	Awaiting Ecological Surveys.
11/0897/NCC 12.12.11	Vary condition 2 of planning application 5/5/96/0057 to continue the use of the garage for the purpose of maintenance and storage of company vehicles and equipment until such time as mining is recommenced at Cae-Glas Colliery, Glen View Terrace To Bridgend Road, Fochriw, Bargoed.	Awaiting Ecological Surveys.
12/0157/FULL 29.02.12	Sub-divide property to make two semi-detached two bedroom bungalows at Nantygledyr, 231 Bedwas Road, Caerphilly.	Awaiting parking details.
12/0185/OUT 09.03.12	Convert, part demolish and extend former public house forming 3 no. three bedroom units and erect 2 no. three bedroom semi-detached dwellings, provide private amenity space, car parking and associated works at Ty Yn Y Pwll Hotel, Newport Road, Trethomas, Caerphilly.	Subject to further discussion and consideration.
12/0371/FULL 29.05.12	Erect two detached three-bedroom houses on Land Adjacent To 88 Abernant Road, Markham, Blackwood.	Awaiting amended plans concerning design.
12/0379/FULL 03.07.12	Erect two-storey side extension and front gable, rear balcony and revised car parking arrangement at Tab Life Centre, Tram Road, Pontllanfraith, Blackwood.	Awaiting wildlife survey.
12/0394/FULL 22.05.12	Erect extension to form a children's playroom and bedroom at Rhoswen, Sunnybank Road, Blackwood.	Considering scale and design of development.
12/0436/CON 06.06.12	Demolish detached garage and construct single dwelling and external works at Llwyncelyn, Draethen, Caerphilly.	Subject to further discussion and consideration.
12/0437/FULL 06.06.12	Demolish detached garage and construct single dwelling and external works at Llwyncelyn, Draethen, Caerphilly.	Subject to further discussion and consideration.

12/0486/FULL 28.06.12	Convert barn to four holiday let cottages with associated access works at Barn At Gelli-wen Farm, Bedwellty Road, Markham.	Awaiting traffic information and agricultural justification.
12/0511/OUT 03.07.12	Erect housing development at Willow Court & Surrounding Area, Pengam Road, Pengam.	Awaiting highway information.
12/0513/FULL 09.07.12	Take down store and garage and erect a three bedroom link house and a self contained flat over the remaining store at 73-75 Meadow Crescent, Pontymister, Risca, Newport.	Awaiting views of consultees about amended plans.
12/0518/FULL 23.07.12	Erect dormer bungalow based on previously lapsed outline permission (P/04/1637) at Barry Bungalow, Brynhyfryd, Energlyn, Caerphilly.	Subject to further discussion and consideration.
12/0531/OUT 13.08.12	Erect mixed residential development comprising of fifteen new build dwellings at Land At Station Approach, Risca.	Awaiting views of consultees.
12/0550/CON 23.07.12	Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) at The Rectory And School Site, High Street, Nelson, Treharris.	Subject to discussions concerning access and design.
12/0570/FULL 23.07.12	Erect extension to existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works at Bryn Quarry, Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.	Subject to further discussion and consideration.
12/0571/FULL 24.07.12	Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) at The Rectory And School Site, High Street, Nelson, Treharris.	Subject to discussion concerning access and design.
12/0575/FULL 04.10.12	Erect a mansard roof incorporating a 1 bed flat at Manchester House, 1 Clifton Street, Caerphilly.	Awaiting views of consultees.
12/0596/RET 15.08.12	Retain change of use from sale and repair of vehicles to a mixed-use for the sale and repair of vehicles and a car wash, and to retain and complete a steel sectional building for repairs and valeting at KJM Autos, Clearway Service Station, Church Road, Penpedairheol, Hengoed.	Subject to further discussion and consideration.
12/0637/OUT 20.09.12	Erect residential development for two detached houses with garages on Land Rear Of 46 Commercial Road, Machen, Caerphilly.	Subject to further discussion and consideration.
12/0672/FULL 13.09.12	Erect two-storey extension to side of dwelling and single-storey sun lounge extension to rear at Maes-Yr-Haf, Old Pant Road, Pantiside, Newport.	Awaiting views of consultees.

12/0676/NCC 14.09.12	Vary conditions 2 and 3 of planning permission 08/0373/OUT (Improve existing site access/highway and erection of housing development) to extend period within which development can commence for further 3 and 5 years respectively at Old Station Yard, Bridge Street, Abercarn.	Subject to further discussion and consideration.
12/0705/FULL 01.10.12	Substitute three detached houses to replace five approved houses at Plots 44 – 48, Woodside Walk, Wattsville, Newport.	Awaiting amended plans.
12/0720/RM 05.10.12	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with the residential development and associated works approved under planning application 08/0373/OUT at Old Station Yard Bridge Street, Abercarn.	Awaiting amended plans.
12/0735/RM 12.10.12	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale approved under planning application 08/1210/OUT (Erect eight dwellings) at Site Of Former All Saints Church, Pencerrig Street, Llanbradach, Caerphilly.	Subject to further discussion and consideration.
12/0760/NCC 22.10.12	Vary condition 07 of planning permission 12/0593/NCC to allow the access location to be as indicated on drawing number 231/2C (submitted on 24th August 2009 in relation to application 09/0672/OUT) to the south of the existing dwelling at Land At 3 Britannia Villas, Pengam, Blackwood.	Subject to further discussion and consideration.
12/0775/FULL 29.10.12	Demolish existing steel frame and sheeting garages and re-develop site with new masonry double garage at Land To The Rear Of 30 Garden Suburbs, Pontywaun, Newport.	Considering impact on Conservation Area and Listed Buildings.
12/0787/FULL 05.11.12	Convert former public house into 7 No. flat units (change of use) including demolition of southern single-storey annexe and construct 6 No. new terraced houses to include new site access road, car parking, external works and landscaping at Tredegar Junction Hotel Commercial Street, Pontllanfraith, Blackwood.	Considering need for affordable housing.

12/0831/CON 05.11.12	Demolish existing steel frame and sheeting garage and re-develop site with masonry double garage at Land To The Rear Of 30 Garden Suburbs, Pontywaun, Newport.	Considering impact on Conservation Area and Listed Buildings.
12/0839/FULL 12.11.12	Amend floor slab level for Plot 2 at Parc Y Lan, 7 Mountain Road, Caerphilly.	Awaiting amended plans.
12/0860/RM 21.12.12	Seek approval of the reserved matters of layout, scale, appearance and landscaping in connection with the residential development and associated works approved under planning permission P/04/1325 at Mackworth Grange, Pontypandy Lane, Caerphilly.	Awaiting amended layout
12/0875/FULL 06.12.12	Install one WTN 500kw wind turbine with an overall tip height of 64m and associated temporary infrastructure on Land At Pen Yr Heol Las Farm Heol Las, Energlyn, Caerphilly.	Awaiting further information on highway matters.
13/0016/FULL 16.01.13	Erect a single wind turbine with a maximum blade tip height of up to 61 metres and associated infrastructure including creating new access track (approx. 750m in length), a crane pad (measuring approximately 20m by 22m) and an equipment housing cabinet on Land North East Of Pen-y-fan Farm Pen-Y-Fan Farm Lane, Manmoel, Blackwood	Awaiting Ecological study.
13/0036/COU 25.01.13	Convert existing public house and flat into four two-bedroom flats at Old Farm Inn Angel Lane, Aberbargoed.	Awaiting bat survey.
13/0039/FULL 17.01.13	Carry out internal alterations and two-storey rear/side extension including new living room, bedroom and bathroom at 1 Llwyncelyn Cottages, Cefn-Porth Road, Lisvane, Cardiff.	Awaiting bat survey.
13/0042/NCC 19.01.13	Vary Condition 01 of planning permission 07/1568/FULL (Construct a pair of semi-detached 3-bedroom houses and two detached 3-bedroom houses) to extend time limit within which development can commence for a further five years at Gould & Sons, Argoed Garage, High Street, Argoed, Blackwood, NP12 0HQ.	Awaiting information about affordable housing.
13/0108/RET 18.02.13	Retain alterations to garage to include dormer window to front, velux roof lights to rear, lean-to extension and convert to living accommodation at The Barn Old Nantgarw Road, Nantgarw, Cardiff, CF15 7UN.	Awaiting amended drawings.

13/0115/COU 19.02.13	Change the use of chapel to a four bedroom home at Gospel Mission Chapel Commercial Road, Abercarn, Newport, NP11 5AH.	Awaiting bat survey.
13/0126/FULL 28.02.13	Erect stable block at Gelli Farm Tredegar Road, Blackwood	Awaiting amended plans.
13/0157/OUT 05.03.13	Erect three residential dwellings at Land South West Of Carn Y Tyla Terrace, Abertysswg, Tredegar.	Awaiting archaeological evaluation.
13/0159/FULL 05.03.13	Erect a five bedroom dwelling to replace existing dilapidated detached bungalow at 2 Glyn Glas, Thornhill, Caerphilly, CF83 1LZ.	Awaiting amended design.
13/0162/COU 06.03.13	Convert stone barn to a three bedroom dwelling at Gwaun Gledyr Isaf Farm Old Nantgarw Road, Groeswen, Cardiff.	Awaiting amended design.
13/0196/OUT 15.03.13	Erect up to four three bedroom houses in two semi-detached blocks on land being used for occasional vehicle storage on Land Adjacent To Riverside House Penmaen Road, Pontllanfraith, Blackwood.	Awaiting noise survey.
13/0203/FULL 15.03.13	Convert garage, add first floor extension above and erect a new detached double garage at 9 Llys Cyncoed, Oakdale, Blackwood.	Awaiting tree survey.
13/0204/NCC 18.03.13	Vary condition 05 of planning permission 09/0090/COU to allow access for vehicles onto Rudry Road and remove condition 07 of planning permission 09/0090/COU which requires the provision of a bridal way bridleway/horse track adjacent to Rudry Road Lisvane Riding School Ltd Forest View, Cefn-Porth Road, Lisvane Cardiff.	Awaiting view of consultees.
13/0212/NCC 25.03.13	Vary Condition 11 of planning permission P/04/1500 to amend the internal layout at Glan Y Nant, Draethen, Newport, NP10 8GB.	Awaiting further information from applicants.
13/0227/FULL 02.04.13	Construct dwelling at Plot Adjacent To Twyn House, Draethen, Newport.	Awaiting bat survey.
13/0228/CON 02.04.13	Demolish stone store at Plot Adjacent To Twyn House, Draethen, Newport.	Awaiting bat survey.
13/0235/FULL 03.04.13	Erect single storey rear extension at 7 Park Place, Newbridge, Newport.	Awaiting wildlife survey.
13/0253/FULL 09.04.13	Construct a second rural enterprise dwelling at Ty Canol Farm, Hendredenny, Caerphilly, CF83 2RL.	Awaiting information about agricultural justification.

13/0277/FULL 16.04.13	Erect extension and carry out alterations to provide accommodation units for homeless people along with associated office/staff space and support facilities at Garth Owen, Oak Terrace, Llanbradach Caerphilly.	Considering results of bat survey.
13/0296/FULL 22.04.13	Erect a three bedroom dwelling at Ty'n Derwen, White Hart, Machen, Caerphilly.	Awaiting agreement to land swap to provide garden.
13/0300/COU 23.04.13	Change the use of the redundant Ebenezer Chapel to two residential dwellings at Ebenezer Chapel Carno Street, Rhymney, Tredegar.	Awaiting bat survey.
13/0302/COU 24.04.13	Change the use to provide retail/storage to ground floor and basement level with two residential flats to first floor level including a new shop front and alterations to the front elevation at 61 High Street, Rhymney, Tredegar, NP22 5LP.	Awaiting bat survey.
13/0313/FULL 26.04.13	Erect extensions to three existing industrial buildings, re-clad an existing warehouse, remove a single-storey timber framed office building for replacement with additional car parking facilities at International Greetings UK Ltd 10 - 14 North Road, Penallta Industrial Estate, Penallta, Hengoed	Subject to further discussions and consideration.
13/0333/RET 07.05.13	Retain MOT testing bay/workshop at KJM Autos at Clearway Service Station Church Road, Penpedairheol, Hengoed.	Subject to further discussions and consideration.
13/0335/LA 07.05.13	Refurbish and extend existing Grade II Listed former Gwyndy Girls School to provide improved facilities for the relocation of Ysgol Gynradd Gymraeg Caerffili at Former St Ilan School Pontygwindy Road, Caerphilly.	Awaiting views of Welsh Government.
13/0349/FULL 09.05.13	Extend and alter existing dwelling at Tir Filkins Farm, Tir-Philkins, Woodfieldside Blackwood.	Awaiting bat survey.
13/0351/FULL 09.05.13	Erect detached single-storey ancillary accommodation within rear curtilage of dwelling at 19 Springfield Road Pontymister, Risca, Newport.	Considering flood issues.
13/0354/FULL 13.05.13	Demolish existing single-storey extension, erect new single-storey extension to rear and side to provide kitchen, dining room, utility and bathroom and convert attic to create bedroom at 62 Bedwlwyn Road, Ystrad Mynach, Hengoed.	Awaiting amended plans.

13/0356/FULL 14.05.13	Erect first floor extension over former nursery wing (now residential home use) at Millbrook Residential Home, Gelligroes Road, Pontllanfraith, Blackwood.	Awaiting bat survey.
13/0360/FULL 16.05.13	Provide dormer extension to front of property at 9 Solent Close, Pontllanfraith Blackwood.	Considering results of bat survey.
13/0363/CLEU 16.05.13	Obtain a Lawful Development Certificate for an Existing use for the storage of builders materials to the rear and the parking of commercial vehicles on the front part of the site overnight and at the weekends at 13/13A Tredegar Street Risca, Newport.	Awaiting additional evidence.
13/0387/FULL 28.05.13	Erect two-storey extension to the rear of properties at 37/38 Blaen-Blodau Street Newbridge, Newport.	Awaiting amended plans.
13/0390/FULL 28.05.13	Carry out alterations to front and rear of property at 23 Gelli Crescent, Risca, Newport.	Awaiting amended plans.
13/0392/NOTA 28.05.13	Construct hardstanding at Tredomen Farm, Hengoed.	Awaiting additional information.
13/0393/FULL 28.05.13	Erect nutrient storage lagoon to supply storage capacity for compliance with SSAFO Regulations at Gelliargweltl Uchaf Farm, Gelligaer Road, Gelligaer, Hengoed.	Awaiting additional details regarding objection from NRW.
13/0399/LBC 29.05.13	Replace roof of main church and hall at St Mary & Abu Saifain Coptic Orthodox Church, St Mary Street, Risca, Newport.	Awaiting bat survey.

APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/05/1091 25.07.05	Erect fifteen new dwellings on Land adjacent to Marne Street, Cwmcarn.	Draft agreement sent to Solicitors for consideration. Reminder sent. On hold pending resolution of issues at Cwmcarn school.
P/05/1683 23.11.05	Erect residential development at Austin Grange, Bartlett Street, Caerphilly.	Draft sent to applicant for consideration. Application under consideration by Agents.
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Planning in discussions with developers over new terms.
08/0752/OUT 24.06.08	Erect residential and commercial development on Land At Hawtin Park, Gelli-Haf, Pontllanfraith, Blackwood.	Sending figures to the DV for viability test. Planning compiling figures. DV has provided a report of the viability of the site. Officers are currently considering it.
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on Land At Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association.
09/0614/OUT 03.07.09	Erect residential development on Land To Rear Of Ty Fry Road, Aberbargoed, Bargoed.	Clarifying instructions regarding the terms of Agreement. Additional title information received and under consideration. Seeking instructions on the terms of Agreement and considering the additional title information.
09/0817/FULL 19.10.09	Provision of replacement play area and equipment on Land Off Marne Street, Cwmcarn, Crosskeys.	Draft Agreement sent to Solicitors. Provisions of Agreement under consideration. Reminder sent. See first application. On hold pending resolution of issues at Cwmcarn school.
10/0016/FULL 15.01.10	Erect seven two-storey dwellings at The Former Coal Yard, Pandy Road, Bedwas, Caerphilly.	Queried title evidence and sent drafts. Solicitors applied for registration of the title with Land Registry.

11/0124/FULL 18.02.11	Create fishpond on Land At Fair Oak Farm, Woodland Terrace, Argoed, Blackwood.	Waiting for advice on nature conservation points. Expected through shortly. Chasing response.
11/0191/OUT 11.03.11	Demolish existing farmhouse and farm buildings and construct new two-storey residential units at Gelli Pystyll Farm, Elm Drive, Ty Sign, Risca.	Sent drafts.
11/0779/FULL 12.10.11	Erect single dwelling house on Land Within The Curtilage Of 59 The Bryn, Trethomas, Caerphilly.	Raised title queries.
11/0900/FULL 05.12.11	Erect two four-bedroomed terraced houses at Land Adjacent To Trecenydd Snooker Club, North Court, First Avenue, Trecenydd, Caerphilly.	Requested title. Answered query they had about highway. Waiting for title.
12/0030/NCC 24.01.12	Vary conditions (2) & (3) to renew outline consent 07/1564/NCC to erect residential development on land a George Street, Cwmcarn.	New instructions. File being opened and requesting details of Developer's title to the land.
12/0104/NCC 08.02.12	Vary Condition 03 of planning permission P/06/0671 to extend the period for the submission of reserved matters by a further three years at Land East Of Bedwellty Road And Cwrt Neuadd Wen, Aberbargoed.	Draft document circulated internally for comments. Developers Solicitors requested amendments. Currently under consideration.
12/0296/FULL 17.04.12	Erect a pair of semi-detached houses on Land Adjacent To Old Station House, Old Station Yard, Bedwas, Caerphilly, CF83 8QZ.	Queried title. Chased. They have submitted application to mortgage company to remove them from title.
12/0375/OUT 21.05.12	Demolish existing garage building with proposed new building containing four residential units with associated car parking and amenity area and change use from B1(c) to residential at John Paul Motors Ltd, 31 Newport Road, Bedwas, Caerphilly.	Sent engrossments.
12/0448/FULL 11.06.12	Change dwelling design at plot 1, previously approved (06/0681/FULL) at Land At Old Junction House Commercial Street, Pontllanfraith, Blackwood.	Requested Solicitors details from the applicant direct as advised by agent. Applicant requested matter be put on hold for a month or so due to health issues.
12/0441/FULL 26.06.12	Demolish existing chapel and erect four 1-bed apartments in a single block at Chapel, De Winton Terrace, Llanbradach, Caerphilly.	Draft sent for approval. Chased Solicitors details.
12/0549/OUT 12.07.12	Erect detached three bed dwelling with attached garage at Land to the rear of 20 Church Street, Bedwas, Caerphilly.	Sent drafts. Solicitors sorting out title.

12/0578/OUT 25.07.12	Erect residential development of 57 dwellings on Land West Of Old Pant Road, Pantside, Newbridge.	Sent Drafts. Waiting for comments from other side. Planning in discussions with other side.
12/0734/FULL 12.10.12	Demolish existing Ambulance Station building and erect 9 no. dwellings and associated access, parking and landscaping at Welsh Ambulance Services N H S Trust, Caerphilly Ambulance Station, Waunfach Street Caerphilly.	Instructions received 19.06.13. Letter sent requesting Solicitors details – awaiting response.
13/0014/FULL 08.01.13	Erect detached dwelling and garage at Land Adjoining 62 Pandy Road, Bedwas, Caerphilly.	Sent engrossments for signing.
13/0233/NCC 03.04.13	Vary Condition 1 of planning approval 10/0019/NCC to extend the period within which the development can commence for a further five years on Land Adjacent To The Bungalow, Libanus Road, Blackwood.	File opened 05.06.13, letter sent 05.06.13 requesting Solicitors details – awaiting response.
13/0364/COU 16.05.13	Change use from church to residential dwelling at Saron Congregational Church, Pandy Road, Bedwas, Caerphilly.	Sent Solicitors letter req title.

OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
12/0012/REF 11/0376/RET	Green Valley Moto X Mr C Jones C/o DLP Planning Ltd Mr M Hard Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Retain use of land for motor-cross for two days per calendar month and associated works on Land adjoining Wyth-Erw Farm, Mountain Road, Bedwas.	01.05.12
13/0011/REF 11/0632/FULL	Mrs J Evans 29 Bryngoleu Street Cefn Fforest Blackwood NP12 3ND	Remove existing garage and construct swimming pool and pool building for commercial use (small business) at 29 Bryngoleu Street, Cefn Fforest, Blackwood.	22.04.13
13/0012/REF 12/0701/FULL	Wasp Utility Services Ltd McLaren House McLaren Cottages Abertysswg Tredegar NP22 5BH	Erect detached four bedroom dwelling on Land adj. to McLaren House, McLaren Cottages, Abertysswg	10.06.13
13/0013/REF 12/0777/RET	Lonsdale Car Sales (Wales) Limited Mr D Jones Point Service Station Nine Mile Point Road Wattsville NP11 7QT	Retain the use of land for the display of vehicles for sale with associated hard surfacing on Land Adjacent To Point Service Station, Nine Mile Point Road, Wattsville, NP11 7QT.	12.06.13
13/0014/REF 13/0260/FULL	Mr D A Whelpton 11 Mendip Close Trenwydd Park Risca Newport NP11 6QZ	Convert attic to provide 3 No. bedrooms and convert existing bedrooms to a dining room and study at 11 Mendip Close, Trenwydd Park, Risca	25.06.13

APPEAL DECISIONS

APPEAL REF/ PLANNING APP NO.	PROPOSAL & LOCATION	APPEAL DECISION/ DATE	COMM/ DEL
13/0010/REF 12/0566/OUT	Erect four bedroom dwellinghouse and integral garage at Homeleigh House, Park Place, Newbridge, NP11 4RL	Dismissed 16/07/13	DEL