



PLANNING COMMITTEE - 9TH APRIL 2014

SUBJECT: SITE VISIT - CODE NO. 11/0650/FULL - ERECT NEW HOUSING DEVELOPMENT COMPRISING OF 13 DETACHED AND 1 PAIR OF SEMI-DETACHED DWELLINGS, LAND ADJACENT TO FORMER WATERLOO WORKS, MACHEN, CAERPHILLY, CF83 8NL.

REPORT BY: DEPUTY CHIEF EXECUTIVE

PRESENT:

Councillor D. G. Carter – Chairman
Councillor W. David – Vice Chairman

Councillors Mrs E. Aldworth, H. Davies, Mrs J. Gale, L. Gardiner, N. George, R.W. Gough, D. Havard, Mrs B. Jones and Mrs J. Summers.

1. Apologies for absence were received from Councillors M. Adams, J. Bevan, Mrs. E. Stenner and Mrs G. D. Oliver
2. The Planning Committee deferred consideration of this application on 12th March 2014 for a site visit. Members and Officers met on site on Tuesday 25th March 2014.
3. Details of the application to erect new housing development comprising of 13 detached and 1 pair of semi-detached dwellings, on the land adjacent to the former Waterloo Works, Machen, Caerphilly were noted.
4. Those present viewed the site, walked the site area in order to determine its boundary and examined the layout plan submitted with the application to fully appreciate the proposals.
5. Members were asked to note that the site is located outside the settlement limits identified in the Adopted LDP, lies within a Site of Interest for Nature Conservation (SINC) and is also part of a Special Landscape Area (SLA). Officers confirmed that a Tree Preservation Order (TPO) was in place with regard to the sites alder woodland. The site is also located entirely within a C1 flood Zone and was noted to have failed two of the four test requirements of TAN15 (Development and Flood Risk).
6. Members sought clarification as to the position of the settlement boundary in relation to the development site. Officers confirmed the boundary limits and identified the position of the development as outside the settlement limits. Reference was made to the flood risk and the Flood Consequence Assessment submitted by the applicant. Officers acknowledged that this submission did comply with test (iv), which related to the potential consequences of a flood however the site failed to meet tests (i), and (iii).

A Local Ward Member confirmed that he had visited the site throughout the winter and advised that no flooding had been noted. The Member also referenced further studies

submitted by the applicant not only with regard to flooding but also concerning the conservation value of the site. Officers reiterated the position of the Council's Ecologist and Arboricultural Officer in considering this submitted information and the objections that they have raised in this regard. However it was felt by some Members having seen the woodland in question that it did not present an important conservation feature. It was also noted that the applicant would be willing to undertake a replacement planting scheme in order to mitigate the trees lost through the development.

7. Members again referenced the settlement boundary limits and the close proximity of an adjacent site which had been the subject of a Council resolution to grant permission for 545 dwellings and a school, subject to the completion of a S106 Agreement (yet to be signed) particularly as the boundaries between the two sites had been in dispute. Concerns were also expressed at the length of time taken with this particular application. Officers confirmed that the position of the adjacent site as within the settlement boundary had been based on the existing development area occupied by the Former Cray Valley paint Works site. In terms of the history of the application, Officers confirmed that two applications for the residential development of this land had been submitted (the first was refused in 2010) whilst the current application had remained undetermined since the summer of 2011. The issues, relating to both applications however remained the same.

A Member expressed concern that to proceed with the application against the Officer's recommendation would go against the Council's own governing document and would be a serious breach of the LDP. Clarification was sought as to the legal consequence of this action and the Principal Solicitor confirmed that failure to following the Councils own policies and processes could result in a judicial view.

A Member expressed the view that the best way forward would be for the applicant to submit an application for the sites to be included within the settlement boundary as part of the current LDP review and await the outcome of that process.

8. Officers confirmed that statutory objections had been received from the Countryside and Landscape Services Section, the County Arboricultural Officer and Strategic Planning, and following advertisement to 10 neighbouring properties, advertisement in the press and a site notice being posted, a number of responses on the proposal had been received from Total Limited. Details are contained within the Officer's report.
9. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be unacceptable and Officers recommended that permission be refused.
10. A copy of the report submitted to the Planning Committee on 12th March 2014 is attached. Members are now invited to determine the application.

Author:	E. Sullivan	Committee Services Officer, Ext. 4420
Consultees:	G. Lewis	Principal Planner
	J. Rogers	Principal Solicitor
	M. Noakes	Senior Engineer (Highway Development Control)
	A. Brown	Environmental Health Officer

Appendices:

Appendix 1 Report submitted to Planning Committee on 12th March 2014