

# Pecyn Dogfennau Cyhoeddus

Penallta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed CF82 7PG

Ty Penallta,  
Parc Tredomen,  
Ystrad Mynach,  
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Emma Sullivan  
(Rhif Ffôn: 01443 864420 Ebst: [sullie@caerphilly.gov.uk](mailto:sullie@caerphilly.gov.uk))

**Dyddiad: Dydd Mercher, 15 Mai 2019**

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Cynllunio** yn cael ei gynnal yn **Siambr y Cyngor - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mercher, 22ain Mai, 2019** am **5.00 pm** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny. Bydd cyfieithu ar y pryd yn cael ei ddarparu ar gais.

Mae pob cyfarfod Pwyllgor yn agored i'r Wasg a'r Cyhoedd. Gofynnir i arsylwyr a chyfranogwyr ymddwyn gyda pharch ac ystyriaeth at eraill. Sylwer y bydd methu â gwneud hynny yn golygu y gofynnir i chi adael y cyfarfodydd ac efallai y cewch eich hebrwng o'r safle.

Yr eiddoch yn gywir,

**Christina Harrhy**  
PRIF WEITHREDWR DROS DRO

## A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cyngorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cyngorwyr a Swyddogion.

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Cynhaliwyd y Pwyllgor Cynllunio ar 17eg Ebrill 2019. 1 - 6

I dderbyn ac ystyried yr adroddiad(au) canlynol:-

**Ceisiadau Cynllunio O dan Ddeddf Cynllunio Gwlad a Thref - Ardal y Gogledd: -**

- 4 Rhif Cod 18/1081/FULL - Fferm Gelliargwellt Uchaf, Heol Gelligaer, Gelligaer, Hengoed, CF82 8FY. 7 - 14
- 5 Rhif Cod 19/0099/FULL - 3 Trem y Cwm, Heol Tabor, Maes-y-cwmwr, Hengoed, CF82 7PW. 15 - 22

**Ceisiadau Cynllunio O dan Ddeddf Cynllunio Gwlad a Thref - Ardal y Dwyrain:-**

- 6 Rhif Cod 18/0616/FULL - Fferm Caerllwyn Ganol, Heol Twyn-gwyn, Mynyddislwyn, Casnewydd, NP11 7AJ. 23 - 30

**Ceisiadau Cynllunio dan Ddeddf Cynllunio Gwlad a Thref - Ardal y De:-**

- 7 Rhif Cod Rhagair Eitem 17/0804/OUT - Clwb Golff a Maes Ymarfer Golff Parc Virginia, Parc Virginia, Caerffili, CF83 3SN. 31 - 66
- 8 Rhif Cod 18/0759/FULL - White Hart Inn gynt, White Hart, Machen. 67 - 86
- 9 Rhif Cod 18/0907/FULL - Tir yng Nghyfeirnod Grid 315569 188254, Heol y Ddôl, Caerffili. 87 - 96
- 10 Rhif Cod 19/0283/FULL - 70 Gelli'r Gollen, Caerffili, CF83 3BP. 97 - 104

I dderbyn a nodi yr eitem(au) gwybodaeth ganlynol: -

- 11 Ceisiadau a benderfynwyd gan bwerau dirprwyedig. 105 - 118
- 12 Ceisiadau sydd allan o amser/heb ddelio â hwy o fewn 8 wythnos i ddyddiad y cofrestriad. 119 - 120
- 13 Ceisiadau yn aros i Gytundeb Adran 106 i gael ei gwblhau. 121 - 122
- 14 Apeliadau yn weddill ac wedi eu penderfynu. 123 - 126

**Cylchrediad:**

Cynghorwyr M.A. Adams (Cadeirydd), Mrs E.M. Aldworth, C. Andrews, A. Angel, J. Bevan, M. Davies, J.E. Fussell, R.W. Gough, D.T. Hardacre, A.G. Higgs, A. Hussey, B. Miles, Mrs G.D. Oliver, J. Ridgewell, J. Simmonds, J. Taylor, A. Whitcombe (Is Gadeirydd), R. Whiting a T.J. Williams

## A Swyddogion Priodol

### **SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH**

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar [www.caerffili.gov.uk](http://www.caerffili.gov.uk). ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu. Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatrwydd> neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio [griffd2@caerffili.gov.uk](mailto:griffd2@caerffili.gov.uk) neu ffoniwch 01443 863028.

Gadewir y dudalen hon yn wag yn fwriadol



## PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH  
ON WEDNESDAY, 17TH APRIL 2019 AT 5:00PM

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PRESENT:

Councillor M. Adams - Chair  
Councillor A. Whitcombe - Vice-Chair

Councillors:

C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W. Gough, A. Hussey, B. Miles, J. Ridgewell, J. Taylor, R. Whiting and T.J. Williams.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G Mumford (Senior Environmental Health Officer), C. Powell (Principal Planner), L. Cooper (Highways Engineer), R. Kyte (Head of Regeneration and Planning).

And:

Councillor E. Stenner (Cabinet Member for Planning and Regeneration)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs E.M. Aldworth, J. Bevan, D. Hardacre, A.G. Higgs, Mrs G.D. Oliver and J. Simmonds.

### 2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start of the meeting as follows: Councillor Mrs C. Andrews, Agenda Item No. 4 – 18/1061/FULL and Councillor J.E. Fussell Agenda Item No. 6 – 18/0620/FULL and Agenda Item No. 7 – 19/0119/FULL. Details are minuted with the respective item.

### 3. MINUTES – 20TH MARCH 2019

It was moved and seconded that the minutes of the meeting held on the 20th March 2019 be agreed as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 20th March 2019 (minute nos. 1-11) be approved and signed as a correct record.

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - NORTH AREA**

**4. CODE NO. 18/1061/FULL – LAND AT GRID REF 314499200312, ADJACENT TO 128-134 LLANCAYO STREET, BARGOED**

Councillor C. Andrews declared a personal and prejudicial interest in that she has family members who are close friends with one of the objectors and the Mother-in-Law of another objector is a patient on the hospital ward where she works and left the Chamber when the application was discussed.

It was noted that this application had been subject to a site visit, which was held on Monday 15th April 2019.

Mr Poole spoke on behalf of local residents in objection to the application and the Applicant's Agent who had been advised was not present.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by a show of hands and in noting there were 2 against and 2 abstentions this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the following additional and amended conditions this application be granted;

Amended Condition (15)

Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a mitigation scheme for the control of dust, mud, surface water run off and debris 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, mud, surface water run off and debris arising from constructions works.

Reason

In the interest of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition: (18)

No construction works associated with the development hereby approved shall take place outside the following hours: Monday to Friday 8.00 hours to 17.00 hours, Saturday 9.00 hours to 13.00 hours, with no working on Sundays and Bank Holidays.

Reason

In the interest of residential amenity in accordance with policy CW2 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) the applicant be advised of the comments of DWR Cymru/Welsh Water, the Council's Ecologist, and the Senior Engineer (Land Drainage);
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: Policy SP6, CW2, CW3, CW4, CW5;

- (iv) the applicant be advised that the proposed development lies within a coal mining area which may contain, unrecorded coal mining hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

## **PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - SOUTH AREA**

### **5. PREFACE ITEM CODE NO. P/06/0037 – WATERLOO WORKS, MACHEN**

The Development Control Manager confirmed that email correspondence had been received from the Applicant's Agent and this was read out for Members information. It was noted that the Agent requested that a further deferral until the end of May 2019 be granted in order to allow the Applicant more time to consider the withdrawal of the planning application.

Members considered the correspondence and the Officer's advice and it was moved and seconded that the matter be deferred until the 31st May 2019, should the application not be withdrawn by this date then Officers be given delegated powers to refuse the application and by a show of hands this was unanimously agreed.

RESOLVED that the matter be deferred until the 31st May 2019, should the application not be withdrawn by this date then Officers be given delegated powers to refuse the application.

### **6. CODE NO. 18/0620/FULL – YEARSLEYS DISCOUNT, 1 LON-Y-TWYN, CAERPHILLY, CF83 1NW**

Councillor J.E. Fussell declared a personal and prejudicial interest in that he has known the applicant's family from school years and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of the Council's Head of Public Protection, Police Architectural Liaison Officer, The Council's Ecologist and Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the

Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing;

- (iv) the applicant also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), 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. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400);
- (v) the applicant is reminded that a registered Asbestos contractor should undertake any required asbestos removal works;
- (vi) The developer is reminded that a registered Asbestos contractor should undertake any required asbestos removal works. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

**7. CODE NO. 19/0119/FULL – TY CANOL FARM, MOUNTAIN ROAD, ABERTRIDWR TO HENDREDENNY PARK, HENDREDENNY, CAERPHILLY, CF82 2RL**

Councillor J.E. Fussell declared a personal and prejudicial interest in that he had worked for applicants in his capacity of Mortgage Adviser and left the Chamber when the application was discussed.

It was noted that this application had been subject to a site visit, which was held on Monday 15th April 2019, a briefing noted on the visit was circulated at the meeting and are appended to these minutes.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by a show of hands and in noting there was 1 abstention this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the following additional and amended conditions this application be granted;

Amended Condition (3)

The lagoon hereby approved shall only be used for the storage of chicken effluent from the egg production facility at Ty Canol Farm and no other effluent or other organic matter shall be permitted to be stored or disposed of in the lagoon without the prior written approval of the Local Planning Authority.



Reason

In order to retain control over the operation of the lagoon in the interest of Public Health and in order to ensure compliance with policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition: (07)

No works whatsoever shall commence on the construction of the lagoon hereby approved until such time as the Local Planning Authority has received written confirmation from the applicant, including any certification from DEFRA or any other regulating body, that egg production has re-commenced at the egg production facility at Ty Canol Farm.

Reason

In order to ensure that the lagoon is only constructed if necessary in the interest of the visual amenity of the area.

- (ii) the applicant be advised of the advice from Natural Resources Wales;
- (iii) the application be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this would be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

## 8-11. ITEMS FOR INFORMATION

The following items were received and noted: -

- (1) Applications determined by delegated powers;
- (2) Applications which are out of time/not dealt with within 8 weeks of date of registration;
- (3) Applications awaiting completion of a Section 106 Agreement;
- (4) Appeals outstanding and decided.

The meeting closed at 6.00pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 22nd May 2019, they were signed by the Chair.

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CHAIR

Gadewir y dudalen hon yn wag yn fwriadol

# Eitem Ar Yr Agenda 4

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/1081/FULL 15.01.2019	Bryn Recycling Ltd C/o Barton Willmore Mr J Ayoubkhani Greyfriars House Greyfriars Road Cardiff CF10 3AL	Carry out engineering works to provide surface water lagoon and associated works and infrastructure Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Gelliargwellt Uchaf is a dairy farm with lands between Gelligaer, Nelson and Trelewis. A small quarry was established to the south-east of the farmhouse in the early 1990s and a materials recycling facility and waste transfer station was developed to the west of the farmhouse following an appeal in 2013. An Anaerobic Digestion facility has also been developed to the north-west of the farmhouse, following the same appeal. The application site comprises some 5090 square metres of land within the wider farm site.

Site description: The site lies to the south of the new milking parlour and to the north of the quarry entrance and comprises currently unused land.

Development: The proposal relates to the construction of a surface water lagoon with associated works and infrastructure, which is needed to assist with continued dust management and for use in emergencies for fire-fighting. The system would be fed by intercepting a piped field drain and directing the flow to the lagoon. Additional water would be supplied from the roof drainage down pipes from the newly constructed milking parlour.

There would be two discharges from the lagoon at top water level and low water level. The top discharge would be directed back to an existing watercourse while the lower discharge would be directed to a take off valve which can either top up the wheelwash or be available as a source of water for fire suppression in the event of an emergency.

Dimensions: The submitted drawings show a lagoon with maximum dimensions of 65 metres by 13 metres and a storage volume of 755 cubic metres.

Cont'd

Application 18/1081/FULL – Continued

### PLANNING HISTORY 2005 TO PRESENT

None.

### POLICY

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

Site Allocation: The site is within a Special Landscape Area and within a Sandstone Safeguarding Area but is not allocated for any purpose.

Policies: The following policies are relevant CW15 Locational Constraints, CW2 Amenity, CW4 Natural Heritage Protection, CW 5 Water Environment, CW22 Mineral Safeguarding Areas.

NATIONAL POLICY Planning Policy Wales Ed 10, December 2018, TAN 21 Waste.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, the Coal Authority was consulted and the response is set out below.

### CONSULTATION

The Coal Authority - The lagoon site falls outside the high risk area and there is no objection in principle subject to an informative note being sent with the decision notice advising of the action the developer should take if coal seams or mine workings are unexpectedly disturbed.

Natural Resources Wales - A full hydrogeological risk assessment should be submitted to demonstrate whether the risk to groundwater can be acceptably managed. Further information should be submitted to demonstrate whether the risk to the Nelson Bog SSSI and wider environment can be acceptably managed.

Cont'd

Application 18/1081/FULL – Continued

Chief Fire Officer - No objection is raised in principle. The developer should consider the need for the provision of:-

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

Rights Of Way Officer - There are public rights of way near the application site and further information is requested to ensure access can be maintained safely.  
An advisory note should be applied to any permission granted

Senior Engineer (Land Drainage) - Recommends refusal because the applicant has not demonstrated that they can viably dispose of surface water arising from the proposed development.

Gelligaer Community Council - No objection is raised.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of notices posted in five locations in Nelson, Penybryn and Gelligaer and by letters posted to one neighbouring property.

Response: 124 letters have been received objecting to this proposal.

Summary of observations: The concerns raised are:

- The signatories do not want any more engineering works and lagoons at the site.
- The activities at the site must be dangerous if this facility is required.
- The 'common' has already been ruined by being dug up - what about the impacts on wildlife?
- The public footpaths are becoming more dangerous to use - is there a desire to close all the footpaths?

### 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 proposal is unlikely to have a significant impact on crime and disorder in the local area.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Cont'd

Application 18/1081/FULL – Continued

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No. The development is exempt.

### ANALYSIS

Policies: Planning applications must be determined in accordance with national policy and the policies in the development plan unless material considerations indicate otherwise. The relevant policies in this case are: CW15, SP6, CW2, CW5, CW5, CW22, CW23.

#### Amenity.

Policy CW2 states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land and that the use is compatible with surrounding land uses. The proposal should not result in over-development of the site and should not compromise the viability of existing neighbouring land uses. The site is well within the complex of uses present at this site, and will not have any adverse impacts in those respects.

#### Natural Heritage

The site is within NH1.3 Mynyddislwyn Special Landscape Area. Policy CW4 states that development proposals will be permitted where they conserve and where appropriate enhance the distinctive or characteristic features of the SLA. The site is well within the complex of uses present at this site, and will not have a significant impact on the surrounding SLA.

#### Protection of Water Environment

Development proposals should not have an unacceptable impact on the water environment and should not cause an unacceptable risk to the quality of watercourses, groundwater and surface water. The appropriate officers have been consulted in this respect, and further advice will be provided at committee once their comments have been received. The Council's Land Drainage officer's comments are set out above, along with those of NRW. Additional information has been submitted to address their concerns, and further consultations have been carried out.

#### Mineral Safeguarding Areas

Development proposal that may impact mineral safeguarding areas will be considered against the criteria set out in policy CW22 to ensure that the minerals that society may need in the future are not unnecessarily sterilised. This development would not sterilise this resource.

Cont'd

## Application 18/1081/FULL – Continued

### Mineral Site Buffer Zones

Policy CW 23 states that development proposals for sensitive development or minerals development will not be permitted within the buffer zones. This development would not fall into one of those categories.

This development is a response to the need for a good water supply at the site in the event of emergency. It will not harm the character of the SLA, and is a sufficient distance at some 400 metres minimum from neighbouring residential properties at Penybryn and Gelligaer for there to be no significant impact on the amenity of the occupants. Ponds and lagoons are often a feature of farms, and there are no planning objections in principle to this development, even though it will service the other uses at this site as well. The concerns raised by the drainage officer and Natural Resources Wales will be addressed further at Planning Committee.

Comments from Consultees: The comments of consultees are set out above. In respect of the comments about public rights of way, the matter will be drawn to the developer's attention, and if any diversion, temporary or permanent, is required, that can be dealt with under the appropriate legislation. Further information about drainage will be provided at Planning Committee.

Comments from public: The concerns raised are as follows and are considered in turn.

- The signatories do not want any more engineering works and lagoons at the site. The application will have to be considered on its planning merits.

- The activities at the site must be dangerous if this facility is required. There is no evidence from consultees to support this view. The development is a reasonable precaution to ensure that there is an adequate water supply at the site in the event of a fire and for dust control.

- The 'common' has already been ruined by being dug up - what about the impacts on wildlife?

This site is within the existing complex of uses, and is not on what is regarded locally as the 'common'.

- The public footpaths are becoming more dangerous to use - is there a desire to close all the footpaths?

There is a public footpath adjacent to the site, but it will not be affected directly by the development. In view of its proximity to the development there may be a need for some form of temporary diversion or closure but this can be controlled under other legislation

Cont'd

Application 18/1081/FULL – Continued

Other material considerations:

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development 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.

Advisory Note(s)

The applicant is reminded that it is an offence to obstruct a public right of way. There is one public right of way affected by the proposed and further public rights of way in the vicinity of this application. The planning permission does not authorise the stopping up or diversion of the public right of way. The public right of way may be stopped up or diverted by Order under section 257 of the Town and Country Planning Act 1990, provided that the order is made before the development is carried out. If the public right of way is obstructed before the Order is made, the order cannot proceed until the obstruction is removed.

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Cont'd



Application 18/1081/FULL – Continued

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any coal mining feature is unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)



# Eitem Ar Yr Agenda 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0099/FULL 08.02.2019	Mr & Mrs Hopkins 3 Vale View Tabor Road Maesycwmmmer CF82 7PW	Erect two storey side extension with single storey portion to rear, single storey extension to front elevation, driveway alterations to provide additional off-road parking and retaining walls with balustrading over, stone wall with iron railings over and install electric gate 3 Vale View Tabor Road Maesycwmmmer Hengoed CF82 7PW

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: 3 Vale View, Tabor Road, Maesycwmmmer.

House type: This is a two-storey, semi-detached dwelling, which is elevated above the front road level with a long front garden and side driveway. Front boundary treatments comprise of privet hedges. Pedestrian steps provide access to the dwelling.

Development: Full planning permission is sought in respect of the erection of a two-storey side extension with single storey portion to the rear, single storey extension to front elevation, driveway alterations to provide additional off-street parking and retaining walls with balustrading over, stone wall (to match appearance in locality) with iron railings over and install electric gate.

Dimensions: Two-storey extension has maximum dimensions of 11.5m in length (includes.3m projection to rear) x 3.5m in width x 6.7m in height when measured from existing ground floor level (slightly sloping ground). The front extension has maximum dimensions of 5.8m x 1.7m x 3.4m in height.

Materials: Render finish in pale yellow to walls with stone cladding detail at ground floor level to front extension; anthracite grey door and windows, retaining walls to have render finish to match the house.

Cont'd

Application 19/0099/FULL – Continued

Ancillary development, e.g. parking: Off-street parking via electric sliding gate to front enclosed with retaining walls.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: Within the settlement boundary.

Policies: SP2 - Development Strategy in the Northern Connections Corridor, SP6 - Place Making, SP10 - Conservation of Natural Heritage, SP21- Parking Standards, CW2 - Amenity, CW3 - Design considerations - highways, CW15 - General locational constraints.

Supplementary Planning Guidance contained in LDP7 - Householder Developments and LDP 5 - Parking Standards.

NATIONAL POLICY Planning Policy Wales, 10th Edition, December 2018, TAN 12 – Design.

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

#### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application but an advisory note will be attached to any consent granted.

Cont'd

Application 19/0099/FULL – Continued

### CONSULTATION

Dwr Cymru - Confirm the site is crossed by a public sewer and provide advice to be conveyed to the developer.

Ecologist - Request an initial bat survey is carried out prior to the determination of the application.

Transportation Engineering Manager - No objection subject to conditions relating to parking provision and that no rainwater run-off shall discharge into the highway surface-water drainage system.

Senior Arboricultural Officer (Trees) - No objection.

### ADVERTISEMENT

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

Response: One from the Maesycwmmmer Community Council.

### Summary of observations:

- Consider the development will be out of character for the area and aesthetically overbearing.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?  
There are no specific crime and disorder implications material to the determination of this planning application.

Cont'd

Application 19/0099/FULL – Continued

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

A Bat Survey Report has been submitted by Sylvan Ecology which confirms : -

- 5.1 Given the results of the survey, it is considered that the renovation of the building is unlikely to result in any impacts on bats and it is considered that an EPS Licence will not be required for the renovation.
- 5.2 In fact, the redevelopment of the site offers an opportunity to enhance the site's suitability for bats by removing the breathable membrane and including feature suitable for roosting in the new design.
- 5.3 It is recommended that the new design use type 1F felt to line the roof and that a Habitat woodcrete bat box, or similar design, be installed into a wall of the build, see figure below.
- 5.4 All contractors working on the build should be made aware of the potential for bats to be present, if bats are found during the development, works should stop and advice sought from a suitably experienced ecologist.

A condition may be attached to any consent ensuring compliance with the recommendations of the Bat report.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is less than 100 square metres.

### ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance and local plan policies. The main issues to be considered in the determination of this application are in respect of design, amenity and highway issues.

The property is located on the western side of Vale View where the streetscene is characterised in the main by two-storey, semi-detached dwellings set back and above the level of the front highway. Some houses have front porches and some have two-storey projecting front gables, and some have both. Privet hedges in the main form front boundaries but are punctuated at certain properties where drives exist or have been created at road level and retained by retaining walls with side steps leading up to the dwellings. On the opposite, western side of Vale View are a mix of bungalows and two-storey, villa style dwellings set back, punctuated by access drives and below the road level with a mix of stone/brick front boundary walls - some with railings.

Cont'd

## Application 19/0099/FULL – Continued

Policy SP6 of the LDP considers design. An objection has been raised by the Maesycwmmer Community Council concerned that the proposed development will be out of character with the area and aesthetically overbearing. The form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. The design of the development has picked up the built form and scale of existing buildings in the area in terms of the introduction of a front gable and porch in the extension. The use of render in the external walls is typical of the area. However, where the development differs is in terms of the use of materials in the fenestration i.e. aluminium anthracite grey frames and also in terms of the style of windows used in the front gable i.e. a pair of french doors with Juliet balcony at first floor level and two narrow windows at ground floor level. The extension also includes a single storey rear projection which includes a contemporary roof lantern in a flat roof to allow light into the new lounge. In assessing the planning implications relative to the development, given the mix of house types and recent modern householder development in the vicinity it is not considered that these elements would particularly jar with the character of the streetscene or adversely affect the visual amenity of the area. The works to the front of the dwelling to provide off street parking including the erection of a stone wall and electric gate are acceptable in design terms. Therefore, it is considered that the proposed development represents good design and is acceptable in planning terms and is in accordance with Policy SP6.

Policy CW2 of the LDP and supplementary planning guidance contained in LDP7 - Householder developments considers amenity. In this respect it is considered that the proposed development will not have an adverse impact on the amenity of adjacent properties or land, would not result in the over-development of the site and / or its surroundings, and is compatible with surrounding land-uses.

Policy CW3 of the LDP considers highway implications. In this respect this Council's Highways Engineer has raised no objection to the development subject to conditions referred to above.

Comments from Consultees: See above.

Comments from public: None.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Cont'd

Application 19/0099/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 shall be carried out in accordance with the following approved plans and documents:  
Site location plan drawing no:169-108;  
Proposed site plan drawing no.169-04;  
Proposed floor plans drawing no.169-105;  
Proposed elevations drawing no.169-106;  
Proposed rear elevations drawing no.169-107.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The proposed development shall be carried out fully in accordance with paragraph 5 - Interpretation and Recommendations of the Bat Survey Report prepared by Sylvan Ecology dated 22/4/19.  
REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity in accordance with policies CW4 and SP10 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Notwithstanding the submitted details, the proposed parking area shall be completed in accordance with the approved plans in materials, details of which shall be submitted to and approved in writing with the local planning authority. The development shall be carried out in accordance with the agreed details prior to the beneficial occupation of the development hereby approved.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021.
- 05) The gates hereby approved shall not open outwards over the public highway.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd



Application 19/0099/FULL – Continued

06) Rainwater run-off shall not discharge into the highway surface-water drainage system.

REASON: To ensure adequate drainage of the site in accordance with Policy CW5 of the Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

The applicant is advised of the comments of Dwr Cymru/Welsh Water, Transportation Engineering Manager.



# Eitem Ar Yr Agenda 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0616/FULL 21.08.2018	Mrs J Thomas Caerllwyn Ganol Farm Twyn-gwyn Road Mynyddislwyn NP11 5JY	Convert sixteen stables into four one bedroom holiday chalets Caerllwyn Ganol Farm Twyn-gwyn Road Mynyddislwyn Newport NP11 7AJ

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located on Twyn-gwyn Road, Mynyddislwyn.

Site description: The application site comprises a block of stables adjacent to a farmhouse and associated agricultural buildings. The applicant also appears to operate a landscaping business from the land.

Development: It is proposed to convert the existing stable block (comprising 16 stables) to four holiday let chalets.

Dimensions: The building has a footprint measuring 36 metres x 8 metres. The building has a maximum ridge level of 4 metres.

Materials: Painted render and slate.

Ancillary development, e.g. parking: Additional parking provision comprising four formal parking spaces (one disabled) and a further parking area measuring approximately 20 metres x 25 metres.

## PLANNING HISTORY 2005 TO PRESENT

None.

Cont'd

Application 18/0616/FULL – Continued

POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located outside the settlement boundary in the open countryside.

Policies: Policy SP11 (Countryside Recreation), CW2 (Amenity), CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales 10th Edition (December 2018) and Technical Advice Note 12 (Design) and 13 (Tourism).

### 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? Not applicable as no ground disturbance works are proposed.

### CONSULTATION

Transportation Engineering Manager - Raises objection to the proposed development for the following reasons:

1. The access road leading to the site is unsuitable to serve further development by virtue of its narrow width, restricted forward visibility and poor vertical alignments; and
2. The proposed development would increase traffic hazards to the detriment of highway safety and the free flow of traffic on the access roads leading to the site.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection subject to a land drainage condition being attached to any permission. However, as it is not proposed to significantly increase the amount of impermeable surfaces at the site, this condition is not considered necessary in this instance.

Dwr Cymru - Provide advice to the developer.

Cont'd

Application 18/0616/FULL – Continued

Rights Of Way Officer - Provides advice to the developer regarding public rights of way in the vicinity of the application site.

Minerals Officer - No comments.

Ecologist - No objection subject to conditions.

### ADVERTISEMENT

Extent of advertisement: Three neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: One letter of objection was received from the Open Spaces Society.

Summary of observations: Raise issues regarding public rights of way in the vicinity of the application site.

### 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? Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Holiday lets/accommodation is classed as a C3 residential accommodation use. The application site is located within the Mid-Range Viability zone where the chargeable rate is £25 per square metre (plus indexation). However, if the applicant is able to demonstrate that the existing stables have been used for their lawful purpose for a continuous period of 6 months in the past 3 calendar years, the development will be CIL exempt.

Cont'd

## ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main consideration in the determination of this application is whether the proposed holiday chalets would have an unacceptable impact upon the character of the area, the amenity of any nearby residential properties, or have an unacceptable impact on highway safety.

Given that limited alterations are proposed to the existing elevations, the development will have no impact in visual amenity terms. Furthermore, as the nearest residential dwellings (7, 8 and 9 Quarry Cottages) are located approximately 60 metres to the north of the application building, there will be limited impact in terms of residential amenity.

In terms of highway safety, Policy CW3 of the Adopted Caerphilly Local Development Plan states:

"CW3 - Development proposals must satisfy the following highways requirements:

A - The proposal has regard for the safe, effective, and efficient use of the transportation network;"

The Transportation Engineering Manager raises objection to the proposal for the following reasons:

1. The access road leading to the site is unsuitable to serve further development by virtue of its narrow width, restricted forward visibility and poor vertical alignments; and
2. The proposed development would increase traffic hazards to the detriment of highway safety and the free flow of traffic on the access roads leading to the site.

However, this highway objection needs to be balanced against relevant local and national planning policy and guidance that encourages and seeks to promote tourism/recreation proposals and opportunities.

Policy SP11 relates to Countryside Recreation, and states:

"Access to opportunities for enjoyment of the County Borough will be promoted and encouraged where the proposals are sustainable in terms of its impact on the natural heritage, the local community and the rural environment within which they are located."

Given the limited scale of the proposal, it is considered that the proposal will be sustainable in terms of its impact, whilst encouraging tourism within the area.

Cont'd

Application 18/0616/FULL – Continued

Section 5.5 of Planning Policy Wales 10th Edition (December 2018) relates to Tourism. The following paragraphs are of relevance:

"5.5.1 - Tourism involves a wide range of activities, facilities and types of development and is vital to economic prosperity and job creation in many parts of Wales. Tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection."

"5.5.2 - The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. The planning system can also assist in enhancing the sense of place of an area which has intrinsic value and interest for tourism. In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In some places however there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors."

"5.5.5 - Long-distance routes, rights of way, disused railways, waterways and other green infrastructure are important tourism and recreation facilities, both in their own right and as a means of linking attractions."

"5.5.7 Planning authorities should adopt positive approaches to proposals which utilise previously developed or disused land and water bodies for tourism uses, particularly in relation to urban regeneration."

As can be seen, there is strong national policy support to encourage tourism in appropriate locations given the benefits such proposals can provide. Given the fact that the proposal is to convert existing building as opposed to building a new structure; the existing use of the site, i.e. stables; as well as the national policy support for tourism, it is considered that the objection of highways ground does not outweigh the benefits the proposal would bring, and the development is therefore considered to be acceptable in planning terms.

It is also noted that it is often the case that tourist accommodation is located along narrow country lanes in rural locations, and any marginal increase in traffic as a result of the development would relate to predominantly tourists from outside the area who would generally navigate the highway network leading to the site with caution.

Cont'd

Application 18/0616/FULL – Continued

Comments from consultees: The comments of the consultees have been set out above, and any concerns can be accommodated by condition.

Comments from public: The concerns relating to the impact on existing public rights of way are an issue for the Council's Rights of Way Officer to deal with.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Block Plan, received 09.07.2018;  
Site Location Plan, received 21.08.2018;  
Chalet 1 Plan Disabled, received 09.07.2018;  
Proposed Ground Floor Plan, received 09.07.2018;  
Proposed Elevations, received 09.07.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The development hereby approved shall be used for holiday accommodation only, let on a short term basis of no more than one month at a time, and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.  
REASON: The site is located in an area where it is the policy of the Local Planning Authority to restrict the erection of new dwellings.

Cont'd

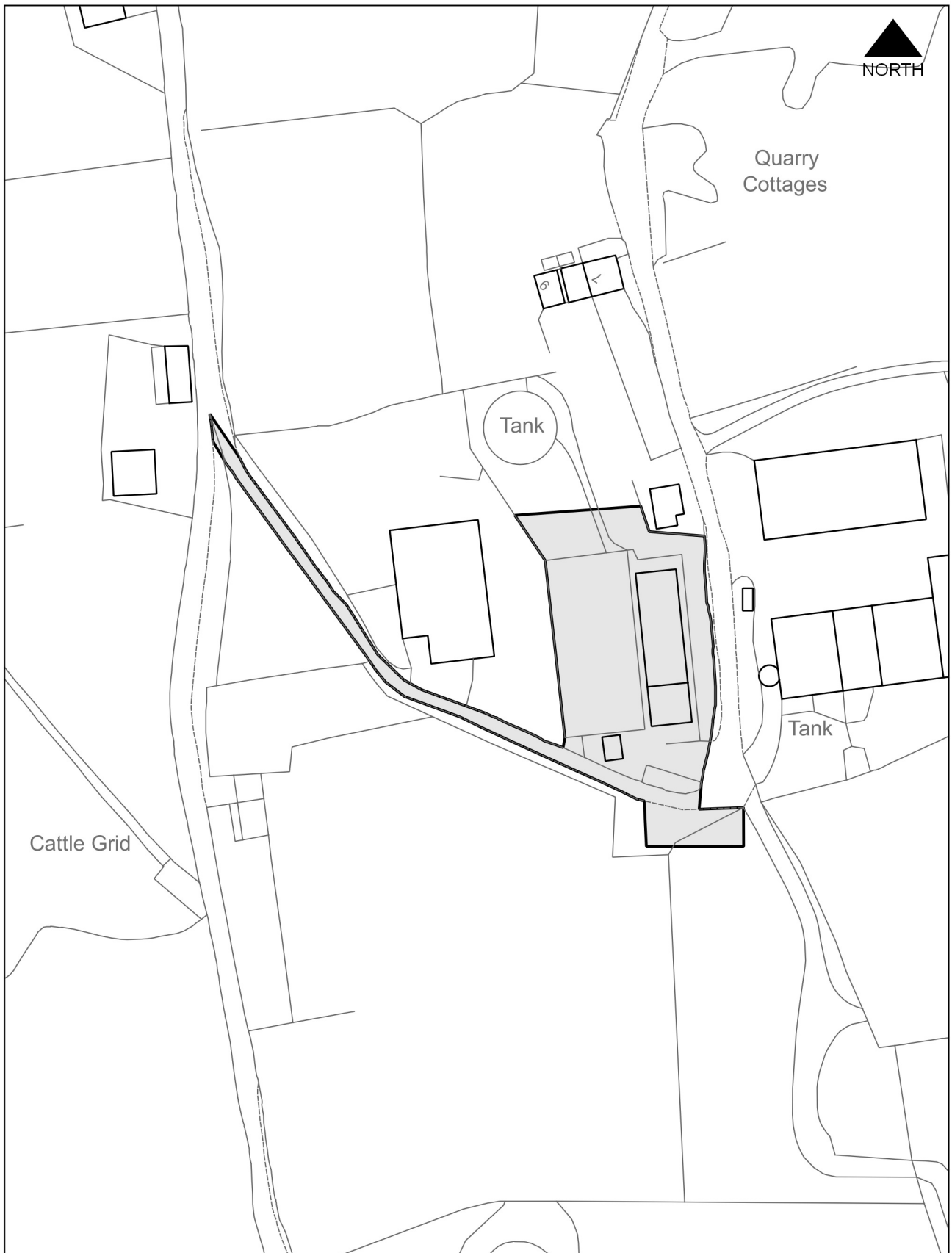


Application 18/0616/FULL – Continued

- 04) 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 in the existing building at Caerllwyn Ganol Farm, Twyn-gwyn Road, Mynyddislwyn, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use hereby approved is first utilised.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 05) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, House martin or Starling) in the existing building at Caerllwyn Ganol Farm, Twyn-gwyn Road, Mynyddislwyn, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use hereby approved is first utilised.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Advisory Note(s)

Please find attached the comments of Rights of Way Officer, The Council's Ecologist, Dwr Cymru/Welsh Water, The Head of Public Protection that are brought to the applicant's attention.



## **PREFACE ITEM**

APPLICATION NO. 17/0804/OUT

APPLICANT(S) NAME: Mr C Withey

PROPOSAL: Erect up to 350 homes, public open space, a local centre and community building, new vehicular, cycle and pedestrian accesses, associated engineering works and seek approval of access.

LOCATION: Virginia Park Golf Club And Driving Range, Virginia Park, Caerphilly, CF83 3SN

1. Members will recall that this application was deferred at Committee on 20<sup>th</sup> March 2019. A copy of the previous report is attached.
2. Members will recall that the applicant had offered to provide 10% of the dwellings on the site as affordable units on a 'Discount Market Value' basis. Their viability review was forwarded to the District Valuer (as the Council's independent advisor on such matters) who determined that a 14% of the dwellings could be provided as affordable on that basis.
3. Members were advised at committee that 'Discount Market Value' houses did not comply with the definition of affordable housing as set out in Planning Policy wales and as such the proposal was effectively not providing any 'policy compliant' affordable housing. Members expressed concerns with this and requested that the matter be referred back to the developers to discuss the provision of 'policy compliant' affordable housing.
4. The matter was subsequently referred to the District Valuer. They have carried out a thorough review of the viability of the proposal and have determined that a 'policy compliant' affordable housing level of 7.14% is viable on this site. The developer has confirmed that this is acceptable and has agreed to the provision of 7.14% of the dwellings as affordable units in a mix to be agreed with the Local Planning Authority.
5. It is considered that the review carried out by the District Valuer is a thorough examination of the costs of developing this site having regard for its former use as a refuse tip and the associated contamination therein.
6. Whilst Members may be concerned that the target of 40% affordable housing as set out in Policy CW11 of the Local Development Plan, it should be noted that this is a target rather than a fixed requirement and it must be considered against viability. In that regard it is considered that, having regard for the viability of the development, the provision of 7.14% affordable housing complies with Policy CW11.

Cont'd

17/0804/OUT - Continued

7. Since the previous meeting Local Members have also raised further concerns with regard to the ownership of the access to the site and the method for dealing with the contamination of the site. Each of these matters will be dealt with in turn below
8. In respect of the ownership of the access to the site off Heol Bro Wen, the submitted details confirm that all of the land to which the application relates, including the access point, is owned by the applicant.
9. In respect of the measures for dealing with the contamination of the site Members are advised that the applicant has submitted a comprehensive report that sets out a raft of measures. These would include removing approximately 1.5m depth of contaminated material from the site, lining the site with a non-permeable membrane and importing clean material to restore the site to an agreed level. These measures have been commonly used in other contaminated sites throughout the County Borough and are considered to be an acceptable means of dealing with contamination.

#### Recommendation

That the application be approved in accordance with the Officer's recommendation contained in the attached report.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0804/OUT 29.09.2017	GHR Developments Ltd Mr C Withey C/O Barton Willmore Greyfriars House Greyfriars Road Cardiff CF10 3AL	Erect up to 350 homes, public open space, a local centre and community building, new vehicular, cycle and pedestrian accesses, associated engineering works and seek approval of access Virginia Park Golf Club And Driving Range Virginia Park Caerphilly CF83 3SN

**APPLICATION TYPE:** Outline Application

SITE AND DEVELOPMENT

Location: The application site is located approximately 1km to the north of Caerphilly Town Centre and to the south and east of Caerphilly Leisure centre.

Site description: The site was previously a municipal rubbish tip which was closed in 1963 and was most recently used as a golf course and a driving range covering approximately 16.94 hectares of flat land. A golf club and car park are located in the southern area of the site and to the west of the leisure centre. Natural features on the site consist of mown grass, golf bunkers, small clumps of woodland, scattered trees and several ponds and ditches.

A mix of mature woodland and scrub lines all the boundaries except where the Caerphilly Leisure Centre and Rugby Club are located to the west. A Public Right of Way runs along the northern boundary. The site benefits from views south to Caerphilly Castle and north to the Ridgeway.

Apart from the leisure centre and Caerphilly Rugby Club to the north, the site is surrounded by residential development of differing styles and tenures ranging from terraced dwellings on Pontygwindy Road to the west and more modern housing developments to the south and east.

The site is currently accessed via a shared access with the leisure centre off Virginia Park which leads onto Heol Bro Wen and then either to the west onto Pontygwindy Road or to the north east towards Gallagher Retail Park.

Cont....

Application 17/0804/OUT Continued

Development: The application seeks outline planning consent with all matters other than access reserved for future consideration.

Residential development is proposed comprising of up to 350 new homes, local centre, new accesses for vehicles, pedestrians and cyclists, creation of public open space and landscaping, and sustainable drainage measures and associated works.

The indicative layout shows the majority of development being located in the central and northern part of the site with the existing Golf Clubhouse being retained as a local centre, surface water drainage attenuation ponds and the area in the southern part of the site being developed as public open space with a playing field immediately to the south of the clubhouse.

The main vehicular access to the site will be obtained from a new junction off Heol Bro Wen with a secondary access to the local centre off the existing shared access to the leisure centre. Several pedestrian access points are also proposed to link the development to the wider area.

Dimensions: Dwellings will have minimum dimensions of 4m by 7m with maximum dimensions of 12m by 15m. The ridge height of the dwellings will depend on their location within the site with those in the central core having higher maximum heights of up to 12.5m and the remainder on the edges of the site being lower with maximum ridge heights of 10.5m.

Materials: A pallet of materials will be used that reflect the character of the surrounding area such as render, stone, brick, slate and concrete tiles.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

13/0088/RET - Retain the change of use of the first floor/roof from offices to D1 use - Refused 21.06.13.

POLICY

Local Development Plan: Within settlement limits.

Cont....

Application 17/0804/OUT Continued

### Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place Making), SP7(Planning Obligations), SP10 (Conservation of Natural Heritage), SP14(Total Housing Requirements), SP15(Affordable Housing Target), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), CW7 (Protection of Open Space), CW8 (Protection of Community and Leisure Facilities), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 4 Trees and development provides relevant advice.

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

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

Supplementary Planning Guidance LDP 8 Protection of Open Space confirms that for the purposes of development management, golf courses are to be considered as a leisure facility rather than public open space and therefore the applicable LDP policy in this instance is Policy CW8 'Protection of Community and Leisure Facilities'.

### National Policy: Planning Policy Wales

2.24 states:- Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.

2.25 states:- Key factors in the assessment process include: Social Considerations, Economic Considerations, Cultural Considerations and Environmental Considerations.

Cont....

## Application 17/0804/OUT Continued

3.16 states:- Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

3.51 states:- Previously developed (also referred to as brownfield) land (see definition overleaf) should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated. For sites like these it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health. There may be instances where it may not be possible to develop sensitive uses on previously developed land without placing unnecessary constraints on adjacent existing businesses and activities which require that particular location. In such circumstances the agent of change principle will be a relevant consideration.

3.52 states:- Planning authorities should work with landowners to ensure that suitably located previously developed sites are brought forward for development and to secure a coherent approach to their development. To incentivise the appropriate re-use of previously developed land, planning authorities should take a lead by considering and identifying the specific interventions from the public and/or private sector necessary to assist in its delivery. This will normally support regeneration initiatives and land allocations in development plans and will include the need to raise awareness of risks as part of an effective de-risking strategy. This approach will inform the development of appropriate risk assessments and remediation strategies at the application level intended to safeguard new developments from the health and environmental risks arising from past land uses, such as contamination, old mine workings or former landfill sites.

The Definition of Previously Developed Land is as follows:-

Previously developed (also known as brownfield) land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure.

Cont....



## Application 17/0804/OUT Continued

The curtilage (see note 1 below) of the development is included, as are defence buildings and land used for mineral extraction and waste disposal (see note 2 below) where provision for restoration has not been made through development management procedures. Excluded from the definition are:

- land and buildings currently in use for agricultural or forestry purposes;
- land which has not been developed previously, for example parks, recreation grounds, golf courses and allotments, even though these areas may contain certain urban features such as paths, pavilions and other buildings;
- land where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings;
- land which is species rich and biodiverse and may qualify as section 7 habitat' or be identified as having nature conservation value; and
- previously developed land subsequently put to an amenity use.

4.11 states:- The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution by:

- Enabling More Sustainable Travel Choices - measures to increase walking, cycling and public transport, reduce dependency on the car for daily travel;
- Network Management - measures to make best use of the available capacity, supported by targeted new infrastructure; and
- Demand Management - the application of strategies and policies to reduce travel demand, specifically that of single-occupancy private vehicles.

4.1.35 states:- The availability of public transport is an important part of ensuring a place is sustainable. It enables people to undertake medium and long journeys without being dependent on having access to a car. The planning system should facilitate this by locating development where there is, or can be, good access by public transport. The design, layout, density and mix of uses of a place are also fundamental to sustaining public transport services, and encouraging and enabling people to use them.

4.1.36 states:- Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services, reallocating their use if necessary. In rural areas, planning authorities should designate local service centres, or clusters of settlements where a sustainable functional linkage can be demonstrated, as the preferred locations for new development.

## Application 17/0804/OUT Continued

4.1.39 states:- To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development.

4.2.15 states:- Planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five year supply of land for housing judged against the general objectives, scale and location of development required in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints and be economically viable, in order to support the creation of sustainable communities. For land to be regarded as genuinely available it must be a site included in either a Joint Housing Land Availability Study (JHLAS) or, until a JHLAS is required to inform the first Annual Monitoring Report (AMR), in the housing trajectory agreed as part of an adopted development plan. The housing trajectory demonstrates how the planning authority will maintain a five-year supply of housing land over the plan period.

6.4.3 states:- The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

6.4.4 states:- It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. Since these considerations are not confined by administrative boundaries they must be addressed strategically through consultation and collaboration with adjoining planning authorities and other bodies such as NRW and the third sector. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.

Application 17/0804/OUT Continued

National Planning Guidance contained in Technical Advice Note 12 - Design, and Technical Advice Note 15 - Development and Flood Risk.

### 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 The Coal Authority is satisfied that an adequate assessment of the coal mining risks associated with this development has been carried out and subject to the imposition of a condition requiring that the development is carried out in accordance with approved remediation and mitigation measures the proposal is considered to be acceptable from a mining risk perspective.

### CONSULTATION

Strategic & Development Plans - On balance, the proposal is considered acceptable in policy terms subject to the detailed consideration of technical matters in respect of issues such as flood risk, contamination, minerals and transportation.

Transportation Engineering Manager - No objection subject to conditions.

Natural Resources Wales - No objection subject to conditions.

Rights Of Way Officer - Footpath 57 on the community of Caerphilly abuts the northern boundary of the site and must not be affected.

CADW - No objection.

Principal Valuer - Raises objection with regard to the proposed access as this is immediately adjacent to a proposed access to the nearby leisure centre that may be constructed in the future.

Glam/Gwent Archaeological Trust - No objection.

The Coal Authority - No objection.

Countryside And Landscape Services - Raises no objection to the principle of the development but offers advice in respect of the indicative layout as submitted.

Head Of Public Protection - No objection subject to conditions.

Cont....

Application 17/0804/OUT Continued

Senior Arboricultural Officer (Trees) - Raises no objection to the principle of the development but offers advice in respect of the indicative layout and the impact on trees.

CCBC Housing Enabling Officer - Raises no objection subject to the provision of 40% of the units as affordable homes.

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

Parks And Open Spaces - Raises no objection to the principle of development and requests the provision of adequate leisure provision within the development in accordance with Policy CW10 of the Local Development Plan.

Head Of Public Services - No objection to the principle of development subject to the provision of adequate refuse facilities.

Dwr Cymru - Raises no objection to the proposal but offers advice to be conveyed to the developer.

Police Architectural Liaison Officer - No objection.

Wales & West Utilities - Provide advice to be conveyed to the developer.

Western Power Distribution - Provide advice to be conveyed to the developer.

ADVERTISEMENT

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

Response: A petition containing 38 signatures and 249 objection letters were received together with 6 letters in support of the application.

Summary of observations:

1. There has been an over-provision of housing in the Caerphilly Basin area since the adoption of the LDP.
2. Whilst the site is a former refuse tip it does not comply with the definition of Brownfield Land as set out in Planning Policy Wales and approval of the application would be contrary to Policies contained in the LDP.
3. Recent applications have been approved at appeal because of the reported shortage of a 5 year housing land supply despite not meeting other planning criteria. Hopefully this will not be the case here.
4. At least half of the site should be retained as public open space.

Cont....

Application 17/0804/OUT Continued

5. The proposed layout does not adequately address pedestrian and cycling routes to the town centre.
6. More consideration should be given to the views into the site and out from the site and the relationship with Caerphilly Castle.
7. The proposal would have an unacceptable impact on traffic in the area with the highway network unable to accommodate the increased flows.
8. The increase in traffic will lead to an increase in pollution.
9. The ground under the site is heavily contaminated and development is likely to release these pollutants into the atmosphere.
10. There is inadequate public transport in the area to serve the development.
11. The developer has removed a requirement to provide 40% of the homes as affordable units. This risks pricing out future purchasers.
12. There is a covenant in place requiring the land to be retained for leisure purposes.
13. The new residents would place a strain on dental and health services in the area, which are already at or nearing capacity.
14. The site is defined as being within Zone C2 in the flood maps attached to Technical Advice Note (TAN) 15 - Development and Flood Risk and is liable to flooding.
15. The dwellings will be out of keeping with the character of existing houses in the area.
16. A permanent access onto Beech Grove is unacceptable.
17. Insufficient capacity in the local schools.
18. There is little advantage in the provision of electric charging points as only a very small percentage of the cars purchased in the Country are electric vehicles.
19. The trees around the site should be retained.
17. All future housing should be directed to the northern part of the County Borough.
18. Pedestrian access from the site into Beechgrove will lead to anti social behaviour.
19. The development will lead to increased flooding elsewhere.
20. Where are the play areas proposed to be?
21. The proposal will have unacceptable ecological impacts.
22. The proposed dwellings will have an overbearing impact on adjacent dwellings.
23. The impact of the development on areas outside Caerphilly County Borough is not fully considered as part of the application.
24. Potential encroachment onto neighbouring land.
25. Potential damage to property during construction.
26. Conflict with other uses in the area such as floodlighting at the adjacent tennis club.
27. How will the proposed community centre be funded?
28. Devaluation of property.

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.

Application 17/0804/OUT Continued

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The application is supported by ecological reports that assess the impact of the development on the ecology of the area. Based on the amended plans that seek to retain the wooded area on the northern boundary of the site it is not considered that the proposal would have a negative impact on the ecology of the area.

Is this development Community Infrastructure Levy liable? Yes, but this can only be calculated at the reserved matters stage.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The application is assessed as follows:-

Principle of Development and Housing Land Supply

The Application Site is a vacant site which lies within the defined settlement boundary of Caerphilly (as defined by Policy SP4), which comprises a 'Principal Town' within the County Borough and therefore the principle of new residential development is considered to be acceptable. Whilst the site has commonly been referred to as a brownfield site given its past use as a refuse tip, under the definition of previously developed land contained in Planning Policy Wales (PPW) the site would be considered to be predominantly greenfield (except for the clubhouse, driving range buildings, and car park which are brownfield).

Policy SP3 Development Strategy (Southern Connections Corridor) requires development proposals within the SCC to promote sustainable development. Specifically proposals in this area should: be targeted to previously developed land within settlement limits in the first instance; reduce car borne trips by promoting more sustainable modes of travel; make the most efficient use of existing infrastructure; have regard to the social and economic function of the area; and protect the natural heritage from inappropriate forms of development.

The application is for the development of a predominantly greenfield site within the identified settlement limit, and whilst the development in its entirety would not use previously developed land as defined by PPW, it would nevertheless make use of land within the identified settlement limit of the town. The site is also located in an area that is well served by regular bus services.

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## Application 17/0804/OUT Continued

In terms of the role and function of the area, the Strategy defines Caerphilly as a Principal Town within the SCC, based on its role as a provider of retail and other services and as an area that provides significant employment opportunities. The Principal Towns are also the areas that are targeted for new residential development given their position in the settlement hierarchy as defined by Policy SP4 Settlement Strategy. The LDP targets new residential development in Caerphilly to a number of brownfield sites throughout the Caerphilly Basin area. A significant number of these have since been developed and the plan has successfully regenerated these areas as a consequence. The development of additional housing to serve Caerphilly would have regard to the social and economic function of the area in line with the provisions of Criterion D of Policy SP3.

Policy SP3 also requires development in the SCC to protect the natural heritage from inappropriate forms of development. Clearly, there would be some impact on natural heritage features as a consequence of this development but satisfactory protection and mitigation has been proposed as part of the proposal and the development is considered acceptable in terms of Criterion E of Policy SP3.

The proposal is contrary to the provisions of Criterion A when the PPW definition of previously developed land is applied. However the site is conveniently located, in close proximity to Caerphilly Town centre and is capable of promoting short trips by sustainable modes of transport. The site is well served by existing public transport routes and has the potential to maximise walking and cycling for short trips. The proposal is therefore considered to be acceptable in terms of the remaining Criteria B to E of Policy SP3.

Whilst Policy CW8 seeks to protect existing community facilities (including golf clubs), criterion (B) of Policy CW8 allows for the loss of such facilities where it can be demonstrated that the facility is surplus to requirements. Virginia Park Golf Club closed in March 2017 due to the continued operation of the club proving to be financially unviable, which was caused by a decline in memberships. In addition, Caerphilly is well served by a number of alternative golf clubs including Caerphilly Golf Club, Castell Heights Golf Club and Ridgeway Golf Club. Residents of Caerphilly are also served by a number of other golf clubs slightly further afield including Bryn Meadows Golf Club (Ystrad Mynach), Castell Coch Golf Club (Tongwynlais) and Llanishen Golf Club (Thornhill, Cardiff). In light of the above, it is considered that the continued use of Virginia Park Golf Club is unviable and surplus to requirements in accordance with criterion (B) of Policy CW8.

Moreover, the Council currently cannot demonstrate a five-year supply of housing as required by PPW (with the latest JHLAS demonstrating only a 2.3 year housing land supply), which comprises a material consideration in favour of the Proposed Development. The Proposed Development will make a significant and much needed contribution to the overall housing land supply in the County Borough in accordance with paragraph 9.2.3 of PPW.

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## Application 17/0804/OUT Continued

## Sustainability

As mentioned above, Caerphilly is a defined 'Principal Town' within the LDP settlement hierarchy (which is the highest rank within the hierarchy) due to the wide range of employment opportunities and local services and facilities that it provides. The Application Site is also highly accessible via modes of transport other than the private car including bus, rail, cycle and foot.

In light of the above, it is considered that the Proposed Development complies with Policies SP3, SP6 and Key Objectives 8 and 16 of the adopted LDP. The proposed development also complies with the Welsh Government's Key Policy Objectives relating to sustainability set out with paragraph 4.4.3 of PPW.

## Design

This application is submitted in outline with all matters other than access reserved for future consideration. However, a comprehensive rationale for the design of the Proposed Development is set out within the Design & Access Statement ("DAS") submitted with the application. It is suggested that, the proposed development will create a distinctive place with new walking and cycling links to the site. A green corridor running north to south will be provided on site while landscape buffers to nearby dwellings will be retained wherever possible.

Adequate amenity standards can be maintained throughout the Proposed Development and on adjacent land and the proposed residential use of the site is considered to be compatible with surrounding land uses. The Proposed Development therefore complies with the requirements of Policies SP6 and CW2 and Key Objectives 2, 10 and 13 of the LDP, taking into account the local character and context, amenity, energy efficiency, public open space, footpaths and cycle paths, biodiversity and landscaping.

## Flood Risk and Drainage

As confirmed within the Flood Consequences Assessment that accompanies the application, the Application Site is located between Porset Brook and Nant yr Aber on their approach to the Afon Rhymni. Following the recent revision of Natural Resources Wales' (NRW) Development Advice Maps (DAMs) attached to Technical Advice Note 15 Development and Flood Risk, the majority of the site is located within Flood Risk Zone A. Flood Risk Zone A comprises land that is "Considered to be at little or no risk from river, tidal or coastal flooding".

Approximately 13% of the site is located within Flood Zone C2. This area is at risk of flooding (during a 1 in 1000-year return period event) by flood waters from the Nant yr Aber routing west-east through the site from the Rugby Club to Hazel Grove. Whilst the predicted depth of flooding remains shallow, these areas are inappropriate for residential development and as such they have been allocated as public open space.

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## Application 17/0804/OUT Continued

Any modifications to the existing ground profile will need to ensure that flowpaths through the site are maintained. Where residential buildings are in close proximity to Flood Risk Zone C2 a threshold of 300mm above ground levels is recommended to mitigate uncertainty in model results. This will also be considered for areas predicted to be at flood risk were a significant blockage to coincide with an extreme flood event.

Following consultation between the developer and NRW, the proposed community centre has been relocated outside of Flood Zone C2 in order to remove any perceived conflict with TAN15. A local centre, consisting of 'Less Vulnerable' retail / commercial uses and associated parking is proposed partly within Flood Zones C2 and A. Commercial development is generally suitable in Flood Zone C2 (with a minimum threshold requirement and flood resilience/resistance incorporated into the design). Care has also been taken to ensure flood flowpaths are unhindered through the site.

To ensure that the development does not create additional run-off, Sustainable Drainage Systems ("SuDS") form an integral part of the site. In light of the above, the Proposed Development is considered to fully comply with LDP Policy CW5, Key Objectives 4 & 15 and the relevant guidance contained within PPW and TAN15.

## Access and Parking

Access is the only matter that is not reserved for future consideration and as such the adequacy of the site with regard to highway safety has to be considered at this stage. In terms of access, the Transport Assessment by Hydrock, which has been assessed by a firm of consultants working for the Council, confirms that the Application Site is sustainably located in close proximity to public transport facilities together with local services and facilities. The Proposed Development will therefore encourage and promote sustainable travel behaviour. A Framework Travel Plan has also been produced in order to promote the use of alternative modes of transport at the Application Site.

Following the statutory public consultation exercise undertaken by the Applicant prior to the submission of this planning application, the Applicant has resolved to amend the scheme's access arrangements. The initial scheme included a primary access off Heol Bro Wen with a secondary access off Beech Grove for emergency vehicles only.

The Access and Movement Plan and Illustrative Layout Plan by Barton Willmore demonstrate that the primary vehicular access will be achieved via Heol Bro Wen to the north-west of the Application Site with an emergency access proposed via Beech Grove. An emergency access (which will also serve the local centre) is also proposed via the existing access road adjacent to the leisure centre. Pedestrian and cycle access points are proposed at various locations around the Application Site boundary including at Sir Stafford Close, Hazel Grove, Close Tir Maes / Meadowland Close and Caerbragdy.

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## Application 17/0804/OUT Continued

The Proposed Development will incorporate an appropriate level of car parking and cycle parking in accordance with adopted standards, and the operational assessments undertaken at the application site confirm that the key junctions are capable of accommodating the proposed development, subject to minor mitigation works at Heol Bro Wen / Pontygwindy Road. These mitigation works include extending the right turn lane at the junction and the provision of central refuge islands. Discussions during the application process have also identified that minor improvements to the Parc Pontypandy arm of Bedwas Bridge Roundabout. These works have been agreed with the developer and can be required by condition.

In light of the above, the Proposed Development is considered to comply with all transport related policies and objectives set out within Policies SP3, SP6 and CW3 and Key Objectives 8 and 16 of the adopted LDP. Furthermore, the Proposed Development is considered to comply with the relevant transport-related guidance set out within PPW and TAN18.

## Air Quality

With regards to air quality, the Air Quality Assessment by Hydrock suggests that the Proposed Development would have a "Negligible" to "Moderate" impact on emissions in the area in the construction and operational phases of the development. The Application Site lies immediately to north of the Caerphilly Town Centre Air Quality Management Area and the Air Quality Assessment sets out a number of mitigation measures to reduce the impact of the Proposed Development both in terms of the operational phase and the construction phases. Accordingly, the Proposed Development is considered to comply fully with the requirements of Policy SP6 of the adopted LDP. However Para 4:1.39 of PPW states that the planning system should encourage the use of ULEV's through the provision of electric charging points as part of development schemes. In that regard it is considered that it would be reasonable to require electric charging points on 50% of the dwellings on the site. This would be secured by condition.

## Arboriculture

A Tree Survey has been prepared for the Application Site by Treescene. The Survey confirms that the Application Site contains a number of mature trees and hedgerows although none are affected by any Tree Preservation Orders ("TPOs"). Whilst the majority of the trees fall within Categories B, C and U, the Application Site does however contain one Category A tree, which is situated at the central portion of the site. The proposed development will incorporate the retention of existing trees where possible, although it should be noted that there is a need to remediate this brownfield former landfill site in its entirety. Further details are set out within the Site Investigation Report submitted with the application. This report suggests that the site will be completely stripped of the vegetation contained within the site (other than those trees on the boundaries of the site that screen it from the surrounding development) in order to carry out the remediation.

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## Application 17/0804/OUT Continued

The remediation includes the removal of a large group of mature trees in the northern part of the site identified as Category A or B trees. BS5837:2012 describes Category A trees as "trees of high quality" which should be retained and protected during the development phase as far as is at all possible. Category "B" trees are described in the Standard as "trees of moderate quality" whose retention and subsequent protection is desirable. Category "C" trees are of lower quality and may usually be removed if their effective retention is in conflict with approved development plans: Category "U" trees are those in such a condition that their removal is recommended. In that regard it was considered that these trees have significant merit and were worthy of retention, notwithstanding the need to remediate the site for development.

It was also considered that the wooded area had significant ecological importance as a wildlife corridor for protected species. The removal of this wooded area would remove this important wildlife corridor which could not be adequately mitigated and as such the removal was considered to be unacceptable. This view was conveyed to the applicant and whilst it was argued that the remediation of the site was of paramount importance it was acknowledged that the site could be remediated without the need to remove the group of trees. The applicant has now submitted an indicative layout plan that retains this group of trees and indicates that 350 dwellings can still be accommodated within the site.

Therefore, subject to the retention of the group of trees referred to above the proposed development is considered to comply with Policy CW6 of the LDP.

#### Ecology

The Preliminary Ecological Appraisal submitted with the application states that the application site supports a 'limited range' of habitats comprising "intensively managed amenity grassland with ponds, semi-natural broadleaved woodland, scrub and scattered trees and small patches of poor semi improved grassland, and tall ruderal vegetation (that which tends to occur on waste ground).

In terms of protected species, the Preliminary Ecological Appraisal confirms that no evidence of badgers or great crested newts were found on site. However, the Appraisal sets out a number of recommended works / measures to mitigate any impact of the Proposed Development on protected species including badgers, bats, birds and reptiles.

A Bat Emergence Survey has subsequently been prepared which states that the existing buildings within the Application Site can be demolished (if required) without compromising the favourable conservation status of bats.

The Application Site is therefore capable of accommodating the Proposed Development without unacceptable adverse impact upon ecology. The Proposed Development is therefore considered to comply with Policies SP10 and CW4 of the adopted LDP.

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## Application 17/0804/OUT Continued

## Ground Conditions

The Scoping Site Investigation Report by Integral Géotechnique confirms that the whole Application Site was previously used as a landfill (for inert industrial, commercial and household waste) prior to the development of the golf club and course. The Report sets out the recommended remediation works in detail. The report has been assessed by a firm of consultants employed by the Council and the proposed remediation measures are considered to be acceptable subject to the imposition of conditions requiring that the works be carried out in accordance with an agreed scheme. In that regard it is considered that the remediation of the site would not only not have any detrimental impact on the public health of the area it would in fact have a positive impact on public health by remediating the contamination on the site. The proposed development therefore complies with Policies SP3 and SP5 of the adopted LDP.

## Archaeology &amp; Cultural Heritage

In terms of archaeology and cultural heritage, the desk-based assessment submitted with the application confirms that no designated archaeological assets (inc. Scheduled Ancient Monuments, Listed Buildings, Conservations Areas, Historic Parks & Gardens and Historic Landscapes) will be directly affected by the Proposed Development. However, the Application Site does enjoy views of Caerphilly Castle, which lies approximately 900m to the south-west, which is a Grade I Listed Building and a Scheduled Ancient Monument. Notwithstanding the above, the impact of the Proposed Development on views and the setting of the Castle is considered to be negligible. Moreover, the indicative layout shows that the proposed development can be sensitively designed incorporating a central spine route which has been aligned to allow for direct views of the Castle. In light of the above, the Proposed Development is considered to be fully in accordance with Policy SP6 of the LDP.

## Leisure &amp; Open Space Provision

Policy CW10 of the LDP requires the provision of well-designed open space, formal children's play facilities and adequate outdoor sport provision. In this instance the indicative layout plan shows the provision of a Local Equipped Area for Play (LEAP), three local areas for play (LAP's) and a full sized sports field, changing rooms and significant areas of open space. It is considered that this is in accordance with the requirements of Policy CW10 and can be secured by an Agreement Under S106 of The Town & Country Planning Act 1990.

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## Application 17/0804/OUT Continued

## Affordable Housing

Policy CW11 Affordable Housing Provision indicates that where there is evidence of need the Council will seek to negotiate 40% affordable housing within the Caerphilly Basin. This target is indicative and regard should be had for the up to date Local Housing Market Assessment, the information from the Housing Division in terms of the affordable housing waiting list, and critically the viability of the development. A viability assessment has been submitted with the application which indicates that the provision of affordable housing is not viable having regard for the costs of developing the site, particularly with regard to remediation of on-site contamination. This report has been independently assessed by the District Valuer who agrees with these findings and in that regard it is considered that the provision of affordable housing on the site is not viable in this instance. Whilst this is regrettable it is not considered that the proposal is contrary to the above Policy.

Nevertheless the applicant has agreed to provide 14% of the total units on site on a 'Discounted Market Rate' basis. Whilst this does not meet the definition of affordable housing as set out in national planning guidance, it is considered to be a planning gain over and above the planning requirements. This provision should be secured through a legal agreement under Section 106 of the Town and Country Planning Act 1990.

Comments from Consultees: Whilst the Councils Principal Valuer has raised concerns in respect of the access to the development site, this is purely in order to safeguard the Councils position as adjacent landowner. This is a private matter between the two parties and has no bearing on the determination of this application. No other objections have been raised in respect of the application and all matters raised can be adequately addressed by conditions.

Comments from public: The comments of the public are addressed as follows.

1. Figures have been produced by an objector that suggests that there has been an overprovision of housing in the Caerphilly Basin area since the adoption of the LDP. The first point to note in response to this is that the LDP does not contain specific targets for house building in the Caerphilly Basin area but does allocate certain sites. Criterion A of Policy SP3 of the LDP states that Development of the Southern Connections Corridor will promote sustainable development that uses previously developed land within settlement limits as this would serve to constrain development within the area and also provide remediation of those sites. However, evidence suggests that house building in the north of the County Borough is not viable or attractive to developers or purchasers and as such the Council is under pressure to consider applications in the south of the County Borough. Each application has to be treated on its own planning merits and in that the housing demand for the County Borough does not distinguish between the three areas within the LDP, any proposal that serves to meet that demand has to be considered. In that regard it is not considered that the proposal would lead to an overprovision of housing in the Caerphilly Basin area and in fact would make a positive contribution to meeting the housing needs within the County Borough as a whole.

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## Application 17/0804/OUT Continued

2. It is acknowledged that the proposal does not strictly conform to Criterion A of Policy SP3 of the LDP in that the site is not Brownfield Land (in accordance with the definition contained within PPW) and there is a preference for the use of previously developed land in the Southern Connections Corridor. However, it should be noted that the supporting text to that Policy states that brownfield land should only be used where feasible to do so and each application should have regard for the role and function of settlements within the strategy area. In this instance the site is in close proximity to Caerphilly Town Centre and is within walking and cycling distance of it and other retail and community facilities in the area. As such the development of the site would serve to support the role of Caerphilly as a Principal town centre. In that regard it is considered that the proposal complies with the broad aims of Policy SP3 and would not be contrary to National Planning Policy.
3. The Housing Land shortage within the County Borough is well reported and the latest Joint Housing Land Availability Study identifies that there is currently only a land supply of 2.3 years in the borough. Nevertheless it is wrong to suggest that other applications approved at appeal have been granted despite non-compliance with development control criteria. It is accepted that the majority of these sites have been outside of the defined settlement limits and as such the applications were refused for failure to comply with Policies seeking to restrain development in the open countryside. In this instance the application site is within the defined settlement limits, situated in a sustainable location within walking distance of a Principal Town Centre and well served by public transport and facilities. It is also considered, as demonstrated above, that the site can be developed without having detrimental impacts on amenity, privacy and highway safety and as such it is considered that this proposal is acceptable in planning terms.
4. Whilst the application site was previously used as a golf course and there was an element of open access to it, at present it is not in use and access to the site is only within the gift of the land owner. It is also noted that some of the surrounding dwellings, particularly those in Caerbragdy, Meadowland Close and Pontygwindy Road, have views into the site and as such the land has significant amenity value in visual terms. However, the indicative layout shows that approximately 1/3 of the site is to be left undeveloped as a result of issues such as flooding and ecology and as such the visual amenity of the site will be largely retained. The area to the north of Caerbragdy and Meadowland Close is to be retained as public open space thereby retaining most of its existing character and the trees around the remainder of the boundary are proposed to be retained thereby screening views into and out of the areas that are to be more affected by development. It should also be noted that the proposal will actually improve public access into the site by the introduction of pedestrian links and the formalising of the leisure provision on the site. In that regard it is considered that adequate amenity space can be provided and retained as part of the development and that the proposal would not have a detrimental impact on the visual character of the area.

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## Application 17/0804/OUT Continued

5. A total of 7 pedestrian links and three vehicular accesses are shown on the indicative layout plan shown with the application. Notwithstanding that links can only be created where there is sufficient control over land ownership to enable the connections to be made, it is considered that those suggested provide an adequate level of permeability to the site and connect it as far as is practically possible to the town centre.
6. As stated above the south west part of the site, which is within Flood Zone C2, is not capable of being developed and is to be left as public open space. The indicative layout also shows the main spine road being designed in such a way that it frames views from the site towards the Castle. In that regard it is considered that adequate regard has been given to the impact of the development on that structure and vice versa.
7. As discussed earlier in this report the traffic impact of this development has been assessed by a consultant working for the Local Planning Authority and is considered to be acceptable subject to improvements to road junctions in the area.
8. Again as discussed earlier it is not considered that the proposal would have an unacceptable impact in terms of air pollution subject to the provision of mitigation.
9. The remediation of the site is fully considered above and is considered to be acceptable subject to works being carried out in accordance with an agreed scheme.
10. The issue of public transport has been considered and it is considered that adequate provision is made in the area.
11. Whilst the developer has indicated that affordable housing is not viable on this site, this has been justified by a Viability Assessment. This is in line with Policy CW11 of the LDP.
12. The covenant on the land is not a material planning consideration.
13. Additional demand on health facilities is a matter for the Local Health Board to consider.
14. The issue of flooding on the site is addressed above.
15. As the design of the dwellings is reserved for future consideration it is difficult to see how it can be determined that the design of these dwellings would be out of keeping with the character of the area. Moreover, there is such a diverse range of house types and styles in the surrounding area that there is no overriding character at present.

Cont....

## Application 17/0804/OUT Continued

16. A recent application for four dwellings accessed off Beechgrove was refused planning consent and an appeal was subsequently dismissed. The development was considered to be unacceptable in terms of the impact on the belt of trees between Beechgrove and this application site. That site was immediately adjacent to the proposed emergency access onto Beechgrove. This application proposes the creation of an emergency only access through that wooded belt but precise details of its construction have not been provided at this time. Whilst the provision of an emergency access may be desirable in health and safety terms, a permanent vehicular access is neither required in this location nor would it be acceptable in planning terms. In that regard it is considered that a condition should be attached to any consent granted preventing such an access from being created.
17. The desire for building in the Southern Connections Corridor in preference for the remainder of the County Borough is discussed above.
18. The provision of pedestrian links can lead to an increase in anti-social behaviour but they are an essential part of any development of this type and scale, and have to be appropriately designed. As such this issue would not warrant refusal of the application.
19. The application will be required to be carried out in accordance with a comprehensive drainage scheme that will be required by condition. This scheme would have to ensure that the development does not increase the risks of flooding onto adjacent land.
20. The proposed play areas are clearly shown on the indicative layout but as the application is submitted in outline this is subject to change. However, as the area that is proposed for the open space is within Zone C2, that area of the site would not be suitable for house building and would be most suitable to locate the open space.
21. The impact of the proposal on the ecology of the area has been fully assessed by the Council's Ecologist and it is considered that the proposal is acceptable in ecological terms.
22. Again as the application is submitted in outline only it is not possible at this stage to determine the exact impact of the development on surrounding properties. However, it is considered that there is adequate space within the site to accommodate the development whilst not having a detrimental impact on the amenity of neighbouring properties.
23. The impact of the development on areas outside of Caerphilly County Borough has been considered as part of the Screening Opinion under the Environmental Impact Regulations. The impact is considered to be acceptable.

Cont....



Application 17/0804/OUT Continued

24. Encroachment onto neighbouring land is a private legal matter.
25. Potential damage to property is a private matter.
26. Whilst the application site is located within a mainly residential area it is accepted that there are some commercial and leisure uses surrounding the site. It would be for the developer to ensure at the reserved matters stage that the neighbouring land uses would not impact on the amenity of occupiers of the new dwellings on the site.
27. There is no requirement for the Council to adopt any community centre if it is not considered that such a facility is viable in this area. The ownership and use of the existing Golf Club for community and leisure uses is being considered separately by the Council and whilst the determination of this application would have a bearing on whether or not such a facility is required it has no bearing on the acceptability of the proposal.
28. Loss of property value is not a material planning consideration.

Other material considerations:

Whilst the Welsh Government has chosen to dis-apply paragraph 6.2 of TAN 1 in relation to the need to have regard for the 5 year housing land supply and the considerable weight to be given to that matter, it is still a material planning consideration that has to be taken into account.

However, an important consideration here is the fact that the site is within the defined settlement limits and situated in a sustainable location in close proximity to Caerphilly Town Centre and well served by facilities. As such development of the site would meet the objectives set out in the LDP and complying with the policies set out therein. There would be no demonstrable harm to amenity, highway safety, air quality, public health, drainage or flooding and the site can be developed without having an impact on the privacy of neighbouring uses. Therefore and on balance it is considered that the proposed development is acceptable in planning terms subject to the imposition of conditions.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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Application 17/0804/OUT Continued

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

1. The necessary funding of the proposed Travel Plan and the sustainable transport measures contained therein.
2. The provision of 14% of the total number of dwellings on site on a 'Discounted Market Rate' basis in accordance with details to be submitted for approval.
3. The provision of on-site open space and play provision and the necessary commuted sum for the long term maintenance of same, in accordance with details to be submitted for approval.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions.

- 01) Approval of the details of Appearance, Landscaping, Layout and Scale(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the Appearance, Landscaping, Layout and Scale, of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont....

Application 17/0804/OUT Continued

- 05) The development shall be carried out in accordance with the following approved plans and documents:  
Site Location Plan (22205 - 9001 Rev A);  
Access and Movement Plan (22205 - 9601 Rev E);  
Green Infrastructure Plan (22205 - 9604 Rev F);  
Design and Access Statement;  
Planning Statement;  
Pre Application Consultation Report;  
Scoping Site Investigation Report;  
Air Quality Assessment;  
Transport Assessment;  
Framework Travel Plan;  
Preliminary Ecological Assessment;  
Bat Emergence Survey;  
Archaeological Desk Based Assessment;  
Utilities Statement;  
Drainage Strategy;  
Flood Consequences Assessment;  
Tree Survey;  
Tree Constraints Plan; and  
Topographical Survey.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) Notwithstanding the submitted details the site shall be developed for no more than 350 dwellings and in accordance with a masterplan that shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.  
REASON: In order to retain effective control over the size of the development in the interests of amenity, highway safety and air quality.
- 07) 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.

Cont....

Application 17/0804/OUT Continued

- 08) The wooded area on the northern boundary of the site shall be protected and managed as a wildlife corridor area in accordance with a 5-year management plan to be submitted to and agreed in writing by the Local Planning Authority before the commencement of any works on site. That plan shall include the timing of its implementation.  
 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).
- 09) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted 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).
- 10) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.  
 REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 11) Prior to the commencement of any works on site, details of the provision of nest/roost sites for barn owls 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 ensure proper measures are taken to safeguard the habitat of protected species present on the application site, in the interests of biodiversity.
- 12) 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), the means of vehicular access to the development shall be from Heol Bro Wen only via a right hand turn facility in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.  
 REASON: In the interests of highway safety.

Cont....

Application 17/0804/OUT Continued

- 13) The estate layout shall be designed to the principles of Department of Transport documents Manual For Streets and Manual For Streets 2 and shall include the pedestrian and cycle links indicated on drawing number 22205 9406 Rev F.  
REASON: In the interests of highway safety.
- 14) Prior to the commencement of work on site a residential travel plan shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.  
REASON: In the interests of highway safety.
- 15) 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), there shall be no vehicular access or egress from the site onto Beechgrove.  
REASON: In the interests of highway safety.
- 16) Notwithstanding the submitted plans prior to the commencement of work on site full engineering details of the off-site infrastructure improvements and the timing of their implementation detailed below shall be submitted to and approved in writing by the LPA:-
  - Road junction improvements to the B4623 Pontygwindy Road/Heol Bro Wen junction by way of an extended right hand turn facility and provision of a central refuge island pedestrian crossing facility.
  - Proposed road improvements to the Parc Pontypandy arm of A468 Bedwas Bridge Roundabout.
 The improvements shall be completed in the timescale agreed in writing with the Local Planning Authority.  
REASON: In order to ensure that the development is served by an adequate highway infrastructure in the interests of highway safety.
- 17) Off street parking provision shall be provided in accordance with the Local Planning Authority's Adopted Supplementary Planning Guidance LDP5 Car Parking Standards.  
REASON: In the interests of highway safety.
- 18) The means of access serving the proposed development from Heol Bro Wen shall be laid out, constructed and maintained thereafter with visibility splays of 2.4m x 43m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.

Cont....

Application 17/0804/OUT 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 commencement of works on site, a scheme to prevent mud and other debris being deposited on the public highway shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed scheme.  
REASON: In the interests of highway safety.
- 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. Those details shall include:  
(a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and  
(b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and  
(c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/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 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: In the interests of the visual amenity of the area.
- 22) 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.

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Application 17/0804/OUT Continued

- 23) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only. REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.
- 24) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:
- (i) control of noise,
  - (ii) control of dust, smell and other effluvia,
  - (iii) control of surface water runoff,
  - (iv) site security arrangements including hoardings,
  - (v) proposed method of piling for foundations,
  - (vi) construction and demolition working hours,
  - (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.
- The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority. REASON: In the interests of the amenity of the area.
- 25) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors,
  - (b) Loading and unloading of plant and vehicles,
  - (c) Storage of plant and materials used in constructing the development,
  - (d) Wheel cleaning facilities
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written agreement of the Local Planning Authority. REASON: In the interests of amenity and highway safety.

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Application 17/0804/OUT Continued

- 26) 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. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
  - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
  - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
  - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
  - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
  - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
  - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
  - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
  - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
  - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
  - k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
  - l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,

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Application 17/0804/OUT Continued

- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity.

- 27) Prior to the commencement of any vegetation clearance, works or development a specification of all proposed tree planting shall be submitted to and agreed in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS3936 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS4043, 1989, Transplanting root-balled trees; and BS4428, 1989, Code of practice for general landscape operations (excluding hard surfaces).

REASON: In the interests of visual amenity.

- 28) The following activities must not be carried out under any circumstances:
- a) no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - b) no works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
  - c) no equipment, signage, fencing, tree protection barriers, materials, components, utilities, vehicles or structures shall be attached to or supported by a retained tree.
  - d) no mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
  - e) no alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity.

Cont....

Application 17/0804/OUT Continued

- 29) Prior to the commencement of any vegetation clearance, works or development a scheme of supervision for the arboricultural protection measures shall be submitted to and agreed in writing with the Local Planning Authority. That scheme will be appropriate to the scale and duration of the works and where the Local Planning Authority considers appropriate include details of:
- a) induction and personnel awareness of arboricultural matters.
  - b) identification of individual responsibilities and key personnel.
  - c) statement of delegated powers.
  - d) timing and methods of site visiting and record keeping, including updates.
  - e) procedures for dealing with variations and incidents.
- REASON: In the interests of visual amenity.
- 30) 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 scheme shall also include details of a scheme of monitoring to ensure the ongoing effectiveness of the mitigation measures carries out. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.
- 31) 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.
- 32) 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.
- 33) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.

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Application 17/0804/OUT Continued

- 34) Notwithstanding the submitted plans, the development shall be carried out in accordance with a scheme for leisure provision which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The scheme shall include as a minimum the following facilities:-  
 . A suitably scaled local equipped area for play (LEAP) and appropriate wet pour safety surfacing (enclosed with 1 metre bow top fencing and easy gates for access together with connecting footpaths),  
 . A tarmac court with a footprint of circa 13 metres x 22 metres (with 1 metre fencing/railing to the sides and 3 metre fencing to the ends),  
 . Three no. suitably scaled local areas for play (LAP's) and appropriate wet pour safety surfacing (enclosed with 1 metre bow top fencing and easy gates for access together with connecting footpaths where applicable),  
 . A suitably scaled and landscaped sports pitch.  
 REASON: In order to ensure that adequate open space and leisure facilities are made available in order to meet the needs of the future occupiers of the site.
- 35) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the phasing of the development. The scheme shall include:  
 (a) A list of the land use components (including floorspace/number of dwellings) of each phase of the development,  
 (b) The precise location of each phase of the development,  
 (c) A schedule for the expected completion of each phase of the development.  
 In the event that there is any variation from the agreed details that accelerates the development schedule, a revised Air Quality Management Assessment shall be submitted to and approved in writing by the Local Planning Authority that sets out the mitigation measures required at the expected completion date.  
 The development shall only be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.  
 REASON: In order that the Local Planning Authority retains control over the development in the interests of the proper planning of the area.
- 36) Prior to works commencing on site details shall be submitted for a minimum of 50% of the residential units to be constructed to make provision to allow for the installation of electric charging points for vehicles.  
 REASON: In order to ensure that adequate mitigation is provided in respect of air quality in the interests of residential amenity.
- 37) During development works, should any contamination be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the remediation strategy, a revised report shall be submitted to the Local Planning Authority within an agreed timescale for written approval.  
 REASON: In the interests of public health.

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Application 17/0804/OUT Continued

- 38) Prior to the remediation strategy commencing, a risk assessment shall be agreed in writing with the Local Planning Authority which shall include measures to protect the health and safety of persons living and working in the surrounding neighbourhood. As part of this requirement a nominated, suitably qualified person(s) shall be available site for the duration of the remediation works and attend site as and when required.  
 REASON: In the interests of public health.

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, CW4 and CW6.

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

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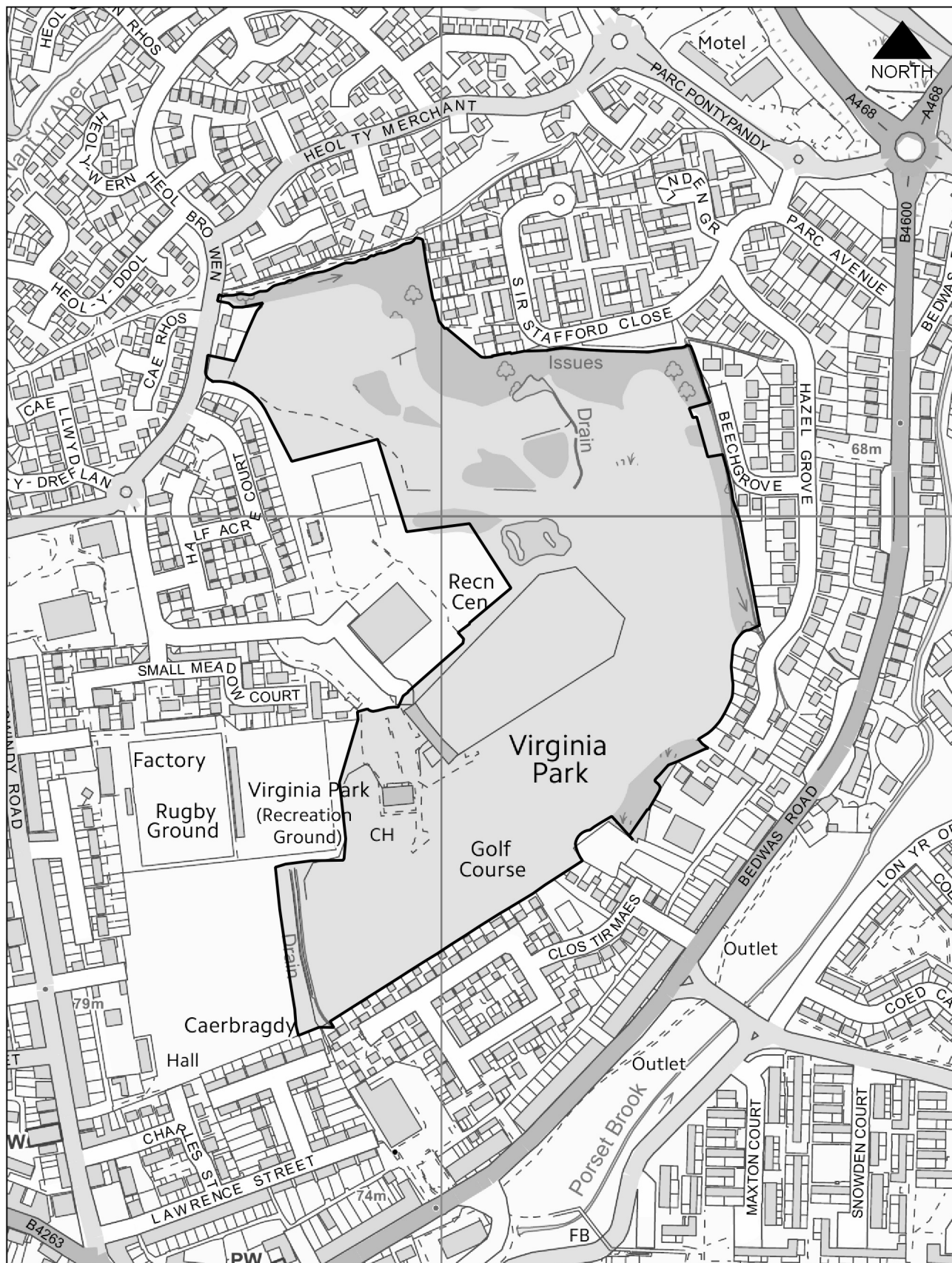
Application 17/0804/OUT Continued

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

Please find attached comments from Dwr Cymru/Welsh Water, Wales and West Utilities, the Council's Landscape Architect, the Council's Senior Engineer (Land Drainage), the Council's Transportation Engineer Services Manager and the Council's Ecologist.

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# Eitem Ar Yr Agenda 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0759/FULL 03.01.2019	Mr B Hill C/o C2J Architects & Town Planners Mr R Chichester Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Erect residential development of 8 detached dwellings Former White Hart Inn White Hart Machen

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Former White Hart Inn, White Hart, Machen

Site description: The application site is located within the defined settlement boundary for Machen and is comprised of the former White Hart Public House and its large triangular shaped service/amenity area. The site is approximately 140m long and 40m wide at the biggest points; however, it tapers to each end and has significant tree screening on the northern boundary with much of this retained. The vacant public house building is located to the eastern end of the site and a tarmac car park lies to the west with vegetation towards the northern boundary at the western end. The site is bound by roads on the northern and south-western boundaries. To the south-west located across the lane are two detached dwellings (Lausanne and Windermere) set up from the road level. At the north-western site boundary across a lane serving White Hart Cottages is a detached dwelling (Magnolia Cottage, 12 White Hart Cottages), moving eastwards are a pair of semi-detached dwellings (11 and 9 White Hart), further eastwards there is a detached dwelling (9a White Hart), then in a position opposite the public house building on the application site but located across the lane serving White Hart Cottages and set back further northwards and higher is a detached property (Forge Side). At the eastern tip of the site boundary there are a row of dwellings with the closest being 8 White Hart Cottages. A cycle path (Cycle Route 4 - Celtic Trail East) runs to the south-eastern site boundary and then rises above the height of the application site to cross a former railway bridge which crosses the vehicular access route from Newport Road.

Cont'd

Application 18/0759/FULL – Continued

Development:

The proposed development seeks planning permission for 8 detached dwellings comprising the following mix:

One 4 Bedroom dwelling measuring approximately 7m wide by 10.7m deep (max extent excluding garage) with an overall height of 9.1m

Five 4 Bedroom dwellings measuring approximately 5.9m wide by 10.1m deep (max extent) with an overall height of 9.1m

Two 5 bedroom dwellings measuring approximately 10.4m wide by 6.5m deep (max extent) with an overall height of 8.7m

Five of the proposed dwellings are accessed from the existing entrance point for the public house at the most southerly point of the application site. A detached dwelling to the western end of the site would be served by a new access point onto the southern lane and two detached properties located in north-east end of the site (where the existing public house building is currently located) would be served from a new access point off the northern access lane which serves White Hart Cottages.

Materials: The dwellings are proposed to be finished in render with feature brick detailing and slate roofs.

Ancillary development, e.g. parking: Parking is provided with garages and/or parking spaces to the front/side of properties. A new turning facility which will be for public use will also be created on the northern access lane.

PLANNING HISTORY 2005 TO PRESENT

None.

Cont'd



Application 18/0759/FULL – Continued

## POLICY

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

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW8 (Protection of Community and Leisure Facilities), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints), SP3 (Development Strategy in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

## SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance LDP 6 (Building Better Places to Live)

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a High risk area a Coal Mining Risk assessment accompanied the application and the Coal Authority requested a planning condition be attached to any permission.

## CONSULTATION

CADW - Having carefully considered the information provided with the planning application, our records show that there are no scheduled monuments or registered parks and gardens that would be affected by the proposed development will not be affected.

We therefore have no comments to make on the proposed development.

Cont'd

Application 18/0759/FULL – Continued

Head Of Public Protection - Environmental Health have no objections to the above planning application but request planning conditions to address noise/dust during construction.

Senior Engineer (Land Drainage) - The applicant has proposed to construct several units (5 number) over/within the Byelaw distance stipulated by Caerphilly County Borough Council Land drainage Byelaws. Land Drainage Byelaws were implemented by Council on 3rd September 2018, preventing the building of structures pipes etc. within the byelaw distance, the purpose of which is to assist in the management of activities which have an adverse impact on flood risk. Given the adverse increased flood risk associated with the proposed activity we strongly recommend the application be Refused.

Rights Of Way Officer - There are no Public Rights of Way affecting the proposed site.

CCBC Housing Enabling Officer - Confirms that following the submission of viability information from the developer that an affordable housing contribution would not be forthcoming on this site due to viability issues.

Bedwas, Trethomas & Machen Community Council - Objection remains as raised by the Council previously who have also received a letter from the residents of the area. There are concerns about the height of the dwellings and the impact upon the privacy of existing residents in the area. As a result of such a build they expect there to be over a 40% increase in traffic and noise in a small area. The road and parking access is currently very narrow and restricted and this causes additional concerns for access for Emergency Services and residents. The Council understand an application for 2 dwellings were turned down in this area around 2014 so concerned about the development of 8. Should the application go ahead for some reason Councillors have requested that consideration is given to social housing as part of the application and that S106 funding is sought for adjustments to the junction.

Transportation Engineering Manager - No objection subject to planning conditions addressing detailed Highway considerations.

Senior Arboricultural Officer (Trees) - No objection to this development with regards to the site arboriculture.

Ecologist - Advises that upon reviewing the submitted Bat Survey Report that due to the timing of the surveys a further survey should be carried out prior to the determination of the planning application.

Cont'd

Application 18/0759/FULL – Continued

Landscape Architect - The current layout along the south western boundary is still dominated by the end of the proposed property with no landscaping. In the interests of visual amenity, I would recommend that the layout is amended and softer improved visually acceptable boundary treatment incorporated (in the form of a hedgerow and tree planting along the south western perimeter. Close-board fencing along this boundary would be unacceptable.

I have concerns over the visual impact the rear boundaries will have on the visual amenity afforded from the cycle track and note that some landscaping appears to be proposed but no detail or further information is provided.

Should you be minded to approved the application provides recommended conditions.

The Coal Authority - The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site and to inform any remedial measures necessary to ensure the safety and stability of the proposed development.

Should planning permission be granted for the proposed development, a condition should therefore require the following prior to the commencement of development:

The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity;  
The submission of a report of findings arising from the intrusive site investigations and a scheme of proposed remedial works for approval; and  
The implementation of those remedial works.

Dwr Cymru - Public Sewer Crosses Site.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and 19 neighbour notification letters were sent. Following the receipt of amended plans a reconsultation was carried out.

Response: 17 letters of objection and a 30 signature petition have been submitted and following the reconsultation on amended plans a further 7 letters of objection were received.

Cont'd

Summary of observations:

- Overdevelopment
- Out of keeping and overbearing contrary to Policy CW2 (Amenity)
- Dwellings would be higher than the public house building
- Overlooking and loss of privacy
- Existing highway safety issues and Increase in traffic congestion and parking from development contrary to Policy CW3 (Highways)
- Existing access problems including with emergency vehicles, refuse vehicles and farm vehicles
- Restricted access due to existing railway bridge
- Provision of parking spaces within the application site for existing residents of White Hart should be made
- Existing road system is dangerous and cars travel too fast
- Will introduce problems with parking and turning in the road
- Lack of pavements and lighting in area
- Proposed new accesses would be dangerous, existing access only should be used
- Insufficient Infrastructure
- Impact on trees/wildlife including bats
- Risk of Flooding as current site acts as a soakaway
- Existing drainage and flooding problems
- Removal of trees by future residents
- Problems with Construction traffic and routes to site
- Planning has been denied previously on grounds that vehicles cannot be allowed to reverse into Lane
- Increase of delivery vehicles resulting from new dwellings
- Insufficient parking
- Future road improvements could make the route a "rat run"
- Public House when in operation was not busy
- Concern development might affect cycleway
- Impact on Culvert
- Incorrect section drawing
- Overlooking to new dwellings from Cycleway
- Site Stability
- Increased Pollution
- Adverse impact on well-being of existing residents
- Noise and disruption that would be involved in the demolition and construction process

Cont'd

Application 18/0759/FULL – Continued

- Recent reinstatement of double yellow lines has reduced parking in area
- No visitor parking
- Health implications from dust from piling works/laying foundations and impact on wildlife

### 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 crime and disorder will be materially affected by the development.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes a survey was carried out and this is addressed in the body of this report.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes the development is within the Higher Viability area attracting a CIL charge of £40sqm subject to index linking.

### ANALYSIS

#### Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The application site which is comprised of a former public house and its curtilage meets the definition of Previously Developed Land set out in chapter 3 of Planning Policy Wales (Edition 10, December 2018). Its location within the settlement boundary of Machen as defined in adopted Local Development Plan Policy SP5 (Settlement Boundary) means that the principle of residential development for the site is acceptable in Policy terms subject to material planning considerations.

The main considerations for the application are the impact on neighbour amenity, highway considerations and the visual appearance of the development on the character of the area.

Cont'd

## Application 18/0759/FULL – Continued

The proposed dwellings would be 2.5 storeys high with accommodation in the roof space served by pitched roof dormers on rear roof slopes with roof lights utilised on some principal roof slopes. The new dwellings would have two storey projecting feature front gables with the dwelling facades finished in both brick and render. In terms of the existing housing in the locality of White Hart there is a mixture of bungalows and two storey properties. The application site is positioned within a triangular land parcel separated from existing dwellings by roads. It is considered that the architectural appearance of the new dwellings would be appropriate for the site as there is no single established house type within the area and whilst they would contrast with some of the other dwellings in the area the development would have an acceptable visual impact on the character of the area. The development would accord with adopted Local Development Plan Policy SP6 (Placemaking).

The impact on neighbour amenity has been considered. In respect of the two detached properties located to the application's site eastern end (on the footprint of the existing public house) they would be located at lower level than the detached property (Forge Side) which is set back across the lane and there would be acceptable distance between fenestration in the new dwelling and windows in Forge Side. They would also have no unacceptable impact on properties either side of forge side within White Hart Cottages. The five proposed properties served from a private drive which utilises the existing access face into the application site are angled in relation to each other and are considered to have an acceptable impact in terms of amenity on each other and upon existing properties surrounding the site.

The detached property at the western end of the site faces across the existing access lane which runs north-west from the former railway bridge and the proposed dwelling is angled in relation to the existing bungalows (Lausanne and Windermere). In terms of the closest bungalow (Lausanne) there would be overlooking introduced towards the front elevation of Lausanne (at approximately 10m separation to the closest window). However, this is the public frontage of the dwelling and the fenestration is already visible from the road when travelling along the lane. It is not considered that unacceptable overlooking would be introduced by the development. The impact of the massing of the proposed new dwellings upon the bungalows (Lausanne and Windermere) is reduced by the elevated position of these two existing bungalows which are retained above the road level.

Cont'd

The impact of the development on the Highway network has been considered. It is acknowledged that there are existing constraints to the road network including the former railway bridge and in certain parts the existing width of the road network. In respect of the lane to the north serving White Hart Cottages this narrows along its length and an area of widening of the carriageway to the west of the pair of dwellings with access proposed from it and also a new turning head are proposed. It is considered that this will be a betterment to the existing access lane arrangements and the additional traffic generated by these two properties will not be so substantial to warrant refusal of the application.

In terms of the five dwellings served from a private drive arrangement, this would accord with the Highway Authority requirements and would utilise the existing access point for the former public house. A further access for a single dwelling located to the north-west has been deemed acceptable by the Highway Authority as it includes areas of widening to the existing lane which will benefit all highway users. It is considered that the proposed layout includes sufficient parking for the dwellings. The development accords with adopted Local Development Plan Policy CW3 (Highways).

#### Comments from Consultees:

The Land Drainage Officer and Dwr Cymru have provided consultation responses to the planning application in respect to drainage infrastructure on or within the application site. The developer has surveyed the site and has identified a culvert running along the south-western boundary of the site. The developer is aware of this constraint and has included a 1m buffer from the culvert to built development; however, this does not meet the recommended buffer distance proposed by the consultees and the Land Drainage Officer has recommended refusal of the application. Where a culvert crosses private land the landowner is termed the riparian owner. The land owner has rights and responsibilities which includes maintenance of the culvert via the un-obstructed flow of water. It is considered that having made the developer aware of the presence of the culvert and the concerns of the Land Drainage Officer, that subject to informative advice highlighting the matter, responsibility would rest with the developer and does not preclude the planning application being approved.

The Council's Ecologist has considered a bat survey that has been submitted in support of the application and has requested that further survey work be undertaken prior to the determination of the planning application.

Cont'd

## Application 18/0759/FULL – Continued

The submitted Bat Survey indicates that Emergence surveys of the main public house building found that it was a day roost for a maximum of four common pipistrelle bats. Bats were recorded emerging from it with roost features consisting of lifted roof and ridge tiles and damaged soffit boxes. No evidence of bats was observed within the internal loft space during the structures inspection and it was assessed that bats were not using the internal roof space. Updated structures inspection of the garage assessed it as having negligible potential for roosting bats and the report concludes that no further actions are required.

The applicant's Ecologist has proposed an alternative course of action including adopting a worst case scenario in terms of bats with a pre-commencement condition requiring further survey work to support a future European Protected Species Licence application to Natural Resources Wales. At the time of writing this report discussions are being sought between the applicant's Ecologist and the Council's Ecologist. Members will be updated at Planning Committee on this matter.

The Landscape Architect has raised some concerns in relation to Landscaping however it is considered these can be addressed through submission of details under a Landscaping Condition. The proposed layout retains a good amount of existing trees towards the northern boundary.

### Comments from public:

- Overdevelopment

It is considered that the proposed layout does not constitute overdevelopment of the site as each property would be provided with adequate amenity space. It is noted that Planning Policy Wales advises that through the development management process Planning Authorities should ensure that they make the most efficient use of land (PPW 10, paragraph 4.2.22).

- Out of keeping and overbearing contrary to Policy CW2 (Amenity)

The development would be divorced from existing properties due to the existing lanes bounding the south-west and northern boundaries. The proposed dwellings are considered acceptable in their visual amenity and appearance.

- Dwellings would be higher than the public house building

This has been considered and the scale of the new dwellings is acceptable.

- Overlooking and loss of privacy

It is considered that there would be no unacceptable loss of privacy or overlooking introduced by the development.

Cont'd



Application 18/0759/FULL – Continued

- Existing highway safety issues and Increase in traffic congestion and parking from development contrary to Policy CW3 (Highways)
- Existing access problems including with emergency vehicles, refuse vehicles and farm vehicles
- Recent reinstatement of double yellow lines has reduced parking in area
- No visitor parking
- Restricted access due to existing railway bridge
- Provision of parking spaces within the application site for existing residents of White Hart should be made.
- Existing road system is dangerous and cars travel too fast
- Problems with Construction traffic and routes to site
- Increase of delivery vehicles resulting from new dwellings
- Insufficient parking
- Future road improvements could make the route a "rat run".
- Proposed new accesses would be dangerous, existing access only should be used.

The Highway Authority have considered the application within the context of the existing Highway network, traffic generation of the former public house use and have offered no objection to the proposed access or parking requirements.

- Will introduce problems with parking and turning in the road
- Planning has been denied previously on grounds that vehicles cannot be allowed to reverse into Lane

There is sufficient space within parking areas of dwellings for vehicles to park and leave the site in a forward gear.

- Lack of pavements and lighting in area

The former use of the site as a public house would have been visited by patrons on foot as well as by car. The development includes widening to parts of the highway network but due to the existing highway constraints it was not considered feasible to require installation of footways. The Highway Authority have considered the application and have not requested any additional lighting.

- Insufficient Infrastructure

The development is relatively limited in scale being a minor development for less than 10 dwellings and is located in walking distance to bus stops and existing services in Machen.

Cont'd

## Application 18/0759/FULL – Continued

- Impact on trees/wildlife including bats

The applicant has submitted a bat survey and planning conditions have been imposed requiring additional surveying and to clarify that the developer will be required to obtain a bat licence prior to demolition of the public house.

- Risk of Flooding as current site acts as a soakaway
- Existing drainage and flooding problems

The site is not within a designated flood zone and it is noted that the existing site has significant areas of hard surfacing for the public house parking/servicing area. Dwr Cymru have offered no objection to the application.

- Removal of trees by future residents

This is possible in all situations where trees are not protected by Tree Preservation Orders and none of the trees on site are subject to such an order. The developer is retaining a number of trees on site within the proposed layout.

- Public House when in operation was not busy

It is noted that although the public house is at present vacant it could reopen without the need for planning permission. The Highway Authority have considered the difference in the extant use and the proposed development and have not objected to the development considering the likely traffic generation acceptable.

- Concern development might affect cycleway

The cycleway is outside of the application site and will not be affected.

- Impact on Culvert

This has been considered in the body of this report.

- Incorrect section drawing

This has been amended following the submission of revised plans.

- Overlooking to new dwellings from Cycleway

It is not considered that the overlooking would be so severe to warrant refusal.

- Site Stability

A coal mining risk assessment and site investigation report have been submitted in support of the application and a planning condition imposed in terms of mining legacy issues.

Cont'd

Application 18/0759/FULL – Continued

- Increased Pollution
- Noise and disruption that would be involved in the demolition and construction process
- Health implications from dust from piling works/laying foundations and impact on wildlife

The Environmental Health Officer has considered the application and offered no objection to the development in terms of pollution. Planning conditions are proposed to address noise/dust during construction.

- Adverse impact on well-being of existing residents

It is not considered that there would be such an adverse impact on the existing levels of amenity enjoyed by residents to warrant refusal of the application.

Other material considerations:

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

The proposed development would facilitate the redevelopment of brownfield land comprising of a vacant Public House and provide new housing within Machen. The design and layout is considered acceptable and subject to planning conditions the application is recommended for approval.

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'd

Application 18/0759/FULL – Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Proposed House Type A, drawing reference AL(01)05, received 30.08.18;  
Proposed House Type B drawing reference AL(01)06, received 30.08.18;  
Proposed House Type C Floorplans revision A drawing reference AL(01)07, received 18.03.19;  
Proposed House Type C Elevations revision A drawing reference AL(01)08, received 18.03.19;  
Location Plan, drawing reference AL(90)01, received 30.08.18;  
Proposed Site Plan, drawing reference AL(90)02 rev H, received 03.05.19;  
Proposed Site Sections, drawing reference AL(01)11, received 30.08.18;  
Proposed Site Sections, drawing reference AL(01)10 rev B, received 30.08.18;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 18/0759/FULL – Continued

- 05) 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 in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the commencement of development the application shall submit for the written approval of the Local Planning Authority the following:  
The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity;  
The submission of a report of findings arising from the intrusive site investigations and a scheme of proposed remedial works for approval; and  
The implementation of those remedial works.  
The development shall be implemented in accordance with the approved details.  
REASON: To address mining legacy issues.
- 07) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 18/0759/FULL – Continued

- 09) Prior to the occupation of the dwelling(s) hereby approved all hard surfacing within the curtilage(s) shall have been:
- 1) constructed in porous or permeable materials, or
  - 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse, and
  - 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials, and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.
- REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) The proposed means of access serving the shared private driveway which utilises the existing site access to the public house shall be laid out, constructed and maintained thereafter, with vision splays of 2.0m x 23m. No obstruction or planting when mature exceeding 0.6m in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) The proposed means of access serving the proposed single detached dwelling to the north-western corner of the site shall be laid out, constructed and maintained thereafter with vision splays of 2.0m x 23m. No obstruction or planting when mature exceeding 0.6m in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) The proposed means of access serving the 2 proposed dwellings at the eastern corner of the site, served via White Hart Cottages, shall be laid out, constructed and maintained thereafter, with vision splays of 2.0m x 17m. No obstruction or planting when mature exceeding 0.6m in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 18/0759/FULL – Continued

- 13) The existing lane network along White Hart shall be improved in a manner to be first agreed in writing with the Local Planning Authority before any works commence and shall be completed in materials as approved in writing by the Local Planning Authority before any building works commence. The lane improvements shall be in the form of road widenings to allow for two way traffic flow and the provision of a suitable turning facility.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) Prior to the commencement of any works on site, a Traffic Management Construction Plan shall be submitted to and approved in writing by the Local Planning Authority. The development of the site shall be carried out in accordance with the approved Traffic Management Construction Plan.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) The development shall be carried out in accordance with the recommendations contained within sections 2, 3.3, 3.4 and 4 of the submitted Arboricultural Survey Report, dated 01.10.18 prepared by Cardiff Treescapes.  
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 16) The development shall be carried out in accordance with section 5 (Programme for Arboricultural Monitoring Input) as detailed within the submitted Arboricultural Survey Report, dated 01.10.18 prepared by Cardiff Treescapes.  
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 18/0759/FULL – Continued

- 18) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.  
REASON: To ensure adequate protection to protected species.
- 19) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 20) Prior to the demolition of the Public House building, an updated Bat Report incorporating additional survey information and provision of compensatory provision for bat roosting shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of The Council's Land Drainage Officer, Coal Authority and Dwr Cymru/Welsh Water that are brought to the applicant's attention.

Prior to commencing any development works the developer is advised to contact Dwr Cymru/Welsh Water on 0800 085 3968 to establish the location and status of their apparatus in relation to the site. In accordance with the Water Industry Act 1991, Dwr Cymru/Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Should the proposed development be located within the protection zones of any sewer crossings, there would be a requirement to divert the public sewers, which can be applied for under Section 185 of the Water Industry Act 1991.

Cont'd



## Application 18/0759/FULL – Continued

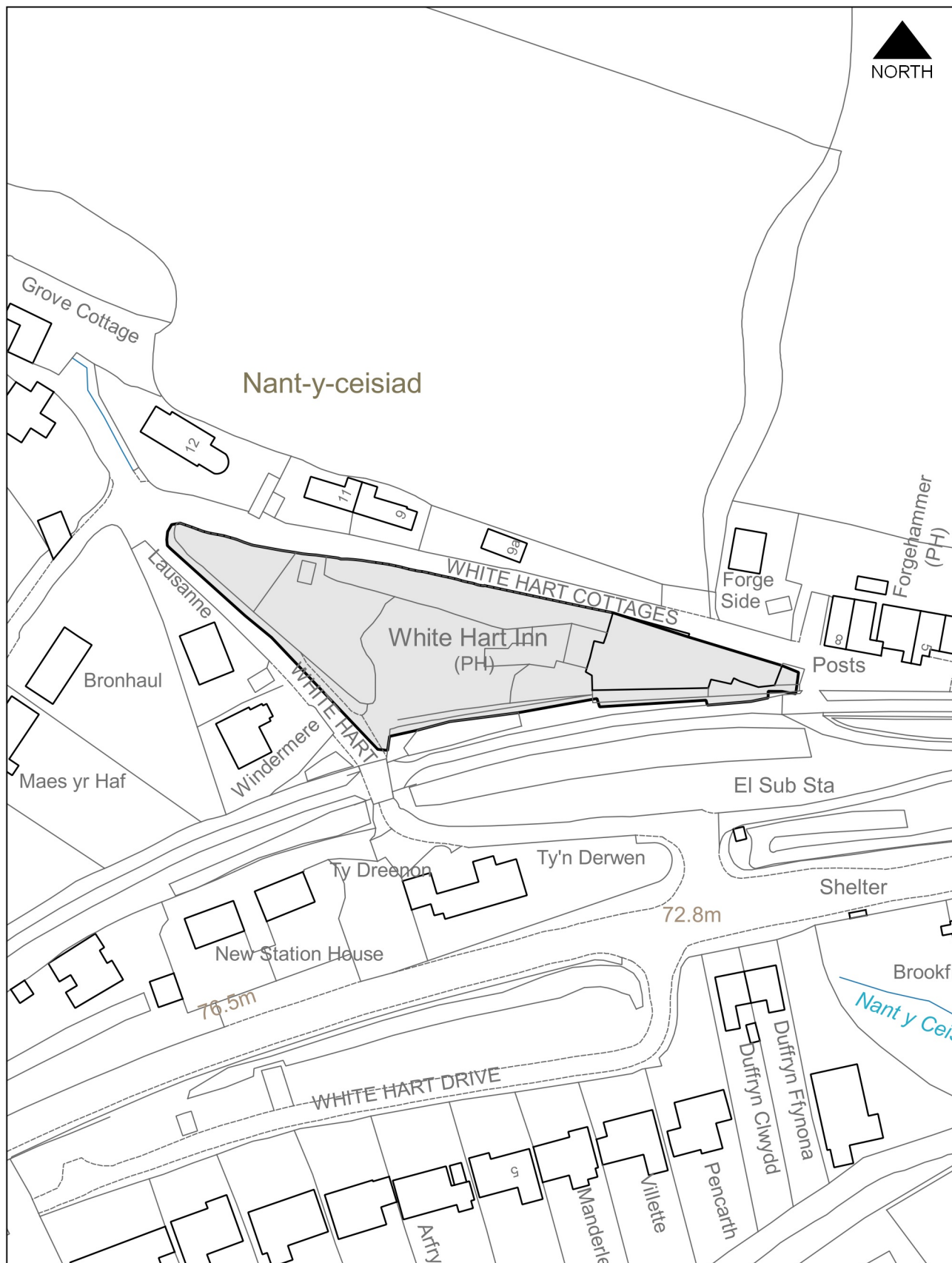
The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).



# Eitem Ar Yr Agenda 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0907/FULL 17.10.2018	Mrs M Roberts 86 Heol-Y-Ddol Caerphilly CF83 3JN	Erect bungalow Land At Grid Ref 315569 188254 Heol-Y-Ddol Caerphilly

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located to the north west and rear of numbers 84 to 126 Heol-Y-Ddol.

House type: The application site is a parcel of undeveloped land adjacent and to the rear of the housing development known as Pontypandy estate. It encompasses an irregular shaped parcel of land forming part of the river bank to the Nant Yr Aber together with wild flower meadows forming part of the flood area for that watercourse.

Part of the land is currently used as part of the rear garden to the property at number 86 Heol-Y-Ddol and has been landscaped and maintained as such for approximately 10 years. The site is fenced off from the meadow to the north east by a palisade fence and to the rear of the adjacent dwellings by close boarded fencing. The site also forms part of the bund constructed as a flood defence for the properties on the estate.

The site is accessed via an existing track adjacent to number 126 Heol-Y-Ddol and in front of numbers 55 to 59 Heol-Y-Ddol. The access track then continues across the top of the flood bund to the area now used as private garden.

Development: This application seeks full planning consent for the erection of a dwelling. It is proposed to erect a single storey modern design dwelling with an oval footprint and monopitch roofs. The dwelling is proposed to be sited on the upper level of the site and to the rear of the dwellings at numbers 90 to 94 Heol-Y-Ddol. The property will have three bedrooms (one with en-suite) a bathroom, living area, dining area, kitchen and utility room all on one level.

Dimensions: The dwelling has overall dimensions of 18.6m wide by 9.6m deep by 4m high.

Materials: The dwelling will be clad in a mixture of larch cladding and stone with a roof that will be part sedum /green roof and part aluminium panels.

Cont'd

Application 18/0907/FULL – Continued

Ancillary development, e.g. parking: Three off street parking spaces are proposed with access being derived off the existing access track.

### PLANNING HISTORY 2005 TO PRESENT

None.

### POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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

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

National Policy: Paragraph 3.16 of Planning Policy Wales states

"Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence"

National Planning Guidance contained in Technical Advice Note 12 - Design, and TAN 15 - Development in Flood Risk Area.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont'd

Application 18/0907/FULL – Continued

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within the low risk area.

### CONSULTATION

Landscape Architect - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

CCBC Housing Enabling Officer - No objection.

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

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - Provide advice to be conveyed to the developer.

Natural Resources Wales - No objection subject to the imposition of a condition controlling the finished floor level of the property.

### ADVERTISEMENT

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

Response: Two letters of objection have been received.

#### Summary of observations:

1. Flooding issues.
2. Additional traffic.

### 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.

Cont'd

Application 18/0907/FULL – Continued

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Yes, the site is within the higher viability area where the charge would be £40 per square metre subject to index linking.

## ANALYSIS

Policies: This application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are whether the design of the dwelling is acceptable, whether the access to the site is acceptable, whether the proposal would have an impact on flooding and whether the proposal is acceptable in terms of landscape and ecological impact.

In respect of the design of the dwelling it is accepted that the proposed is an unusual design that is significantly different to the existing dwellings in Heol-Y-Ddol and on the wider estate. However, in that the application site is located behind the existing dwellings and is not located within a street scene it is possible to consider an alternative design in this instance as the proposal would not have a detrimental impact on the character of the area. Moreover, Planning Policy Wales states that Local Planning Authority's should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions and in that regard it is considered that the dwelling is acceptable in design terms.

Because of its single storey design and orientation there would be no loss of privacy or overbearing impact on the neighbouring dwellings and as such the proposal complies with Policy CW2 of the LDP.

With regard to the access to the site it is accepted that passes across the front of the dwellings at 57 and 59 Heol-Y-Ddol and to the side of number 126. However, it is not considered that this is sufficient to warrant refusal of the application. The Transportation Engineering Manager has raised no objection to the application subject to conditions and it is not considered that one additional dwelling would significantly increase traffic in the area, and sufficient parking is provided within the site. As such it is considered that the proposal complies with Policy CW3 of the LDP.

Cont'd

Application 18/0907/FULL – Continued

It is noted that the site is located within Zone C2 as defined in the development advice maps attached to Technical Advice Note 15 - Development and Flood Risk. However, the application has submitted information in respect of the location and finished floor levels of the dwelling and the impact of the access track on the flood bund to satisfy Natural Resources Wales that the proposal would not have an unacceptable impact on flooding in the area.

Section 6 of Technical Advice Note 15 (Development and Flood Risk) advises in paragraph 6.2 that

"New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii) It concurs with the aims of PPW and meets the definition of previously developed land; and,
- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.
- 

In response to these criteria, it is considered that the following is relevant to the proposed development:

- i) The provision of housing on the site within the defined settlement boundary of Caerphilly is supported by the adopted Local Development Plan particularly policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries) and the wider vision for the Caerphilly Basin that seeks to support the development of housing in sustainable locations within settlements including Caerphilly, as defined in strategic objective H of the adopted Caerphilly Basin Masterplan.

Cont'd

Application 18/0907/FULL – Continued

- ii) not required to be met as part i) is already met;
- iii) The application site does not meet the definition of previously developed land and therefore this test is not met;
- iv) NRW conclude that the proposed development is acceptable based on the submitted FCA subject to a planning condition to require the development plateau to be raised to a minimum of 77mAOD.

It is noted that the requirement in terms of test iii) has not been met by virtue of the application site being greenfield land. In considering the failure of this part of the justification test, this has been balanced with other material planning considerations which include the site's location within the defined settlement boundary, the sustainable location of the site which is well served by public transport and facilities and the acknowledged shortfall in the 5 year housing land supply which at present is at only 2.3 years. It has also been weighed against the response from Natural Resources Wales who have considered the submitted Flood Consequence Assessment and offered no objection to the development subject to the raising of ground levels. On balance, despite the failure of the site to accord with test iii) of paragraph 6.2 of Technical Advice Note 15, it is considered that the other material planning considerations specified above outweigh this matter.

In terms of the landscape and ecological impacts of the development it should be noted that no objections have been received from the Council's Landscape Architect and Ecologist in respect of these matters. Tree surveys have been carried out and measures have been suggested for the protection of trees within and adjacent to the site and the area between the dwelling and the river is to be allowed to return to its natural form. As such it is not considered that there would be any detrimental impact on the landscape character or ecology of the area.

Comments from Consultees: No objections raised.

Comments from public: The objections of the residents are addressed above.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of suitable conditions.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Cont'd



Application 18/0907/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 shall be carried out in accordance with the following approved plans and documents: MS p01/01, MS p01/03b, MS p01/04b, SD 108 01/05A, SD 108 01/08A (2 sheets), Extended Phase One Ecological Survey by Ecological Services Ltd, Initial Arboricultural Survey Report by G M Ayres and Flood Consequences Assessment by Marsden Associates.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The access to serve the proposed development shall be constructed in materials to be agreed in writing with the Local Planning Authority and shall be completed prior to beneficial occupation of the development.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Notwithstanding the submitted plans, no works whatsoever shall commence until details have been submitted to and approved in writing by the Local Planning Authority incorporating a widening/pull-in arrangement to the proposed private drive access in the area of land shown to be within the applicant's control which lies between no's 59 and 126 Heol-Y-Dol. The proposed private drive shall be constructed in materials to be agreed in writing with the LPA, and shall be completed prior to beneficial occupation of the development.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 18/0907/FULL – Continued

- 06) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 07) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 08) 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.
- 09) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise and 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 noise arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) The dwelling hereby approved shall be built with a finished floor level set at 75m AOD.  
REASON: In order to ensure that the development takes account of the risks of flooding.

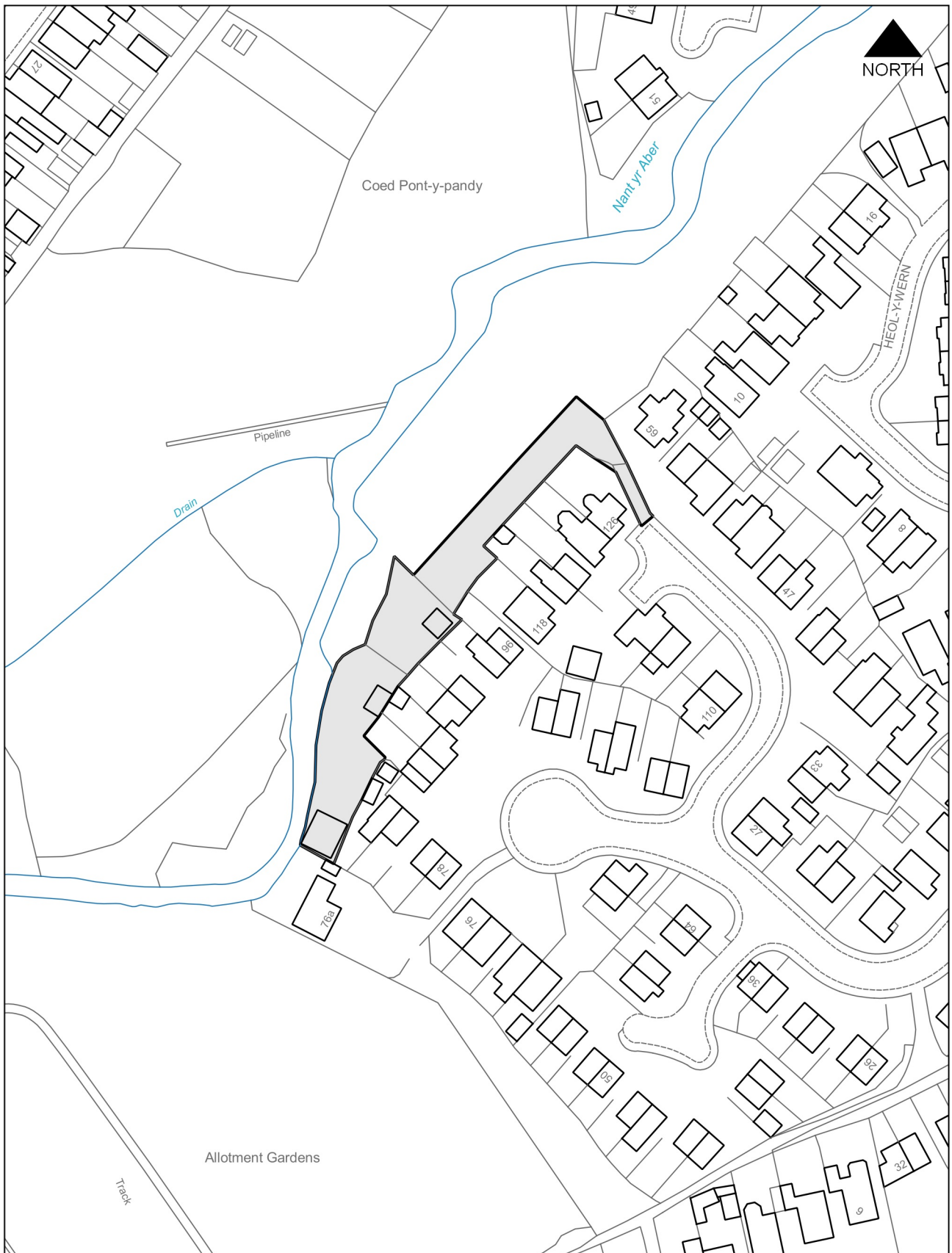
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Application 18/0907/FULL – Continued

- 11) 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 in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached comments from Dwr Cymru/Welsh Water and Natural Resources Wales.



Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0283/FULL 02.04.2019	Mr & Mrs Crean 70 Hazel Grove Caerphilly CF83 3BP	Erect single storey annexe to front 70 Hazel Grove Caerphilly CF83 3BP

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application property is located at the southern end of Hazel Grove.

House type: The application property is a large detached dwelling situated on a private drive at the end of the cul de sac at the southern end of Hazel Grove. The dwelling is finished in face brickwork with a tiled roof and it has a large forecourt area to the front and an integral garage. The dwelling is at 90 degrees to the dwelling to the front at 85 Hazel Grove. At the southern end of the forecourt there is a raised planter area that is approximately 1m above drive level. To the south of the site are some industrial units with Virginia Park Golf course to the west and dwellings to the north and east.

Development: This application seeks full planning consent for the erection of a detached annexe building to the front of the dwelling. The existing raised planter is to be removed and the new building is to be erected backing onto the common boundary with the industrial buildings to the south. The annexe will include a kitchen, lounge, bathroom and bedroom and will have a monopitch roof sloping up to the south.

Dimensions: The building measures 9m wide by 5m deep by 4.25m high at the ridge.

Materials: Not specified.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2005 TO PRESENT

12/0224/FULL - Erect two-storey side extension and single-storey wrap-around extension on side/rear - Granted 25.04.12.

Cont'd

Application 19/0283/FULL – Continued

## POLICY

Local Development Plan: The site is located within settlement limits.

Policies SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), 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 2 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on extensions and conservatories.

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

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

National Policy: Paragraph 3.16 of Planning Policy Wales states

"Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence".

National Planning Guidance contained in Technical Advice Note 12 - Design (March 2016).

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont'd

Application 19/0283/FULL – Continued

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within an area where a coal mining report is not required, however standing advice will be provided.

### CONSULTATION

None.

### ADVERTISEMENT

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

Response: Six letters of objection have been received.

### Summary of observations:

1. The proposal is out of keeping with the character of the street.
2. Lack of parking in the area.
3. It has been suggested that the annexe will be used for business purposes. There is a covenant on the deeds for the property preventing business use.
4. There is a water main and sewer pipe under the application site.
5. The proposed building is forward of the building line of the house where no development should be approved. Other front extensions have been refused in the past.
6. Increase in traffic would cause dangers to highway safety.
7. The property has previously been extended to its maximum size.

### 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.

Contd

Is this development Community Infrastructure Levy liable? No.

## ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations in the determination of this application is whether the annexe is acceptable from a design perspective together with its impact on the character of the area, neighbouring amenity and the highway network.

In terms of the proposed annexe, this is considered to be acceptable in terms of its design, scale and fenestration. However, the Local Authority's adopted supplementary planning guidance LDP7: Householder Developments (2017) has a general presumption against development forward of the principal elevation, but guidance note 2 states that exceptions can be made where the context is appropriate. In that regard the application property is situated in the south-western corner of Hazel Grove at the end of a cul-de-sac and private drive. In this instance it is considered that the proposed siting of the annexe would not give rise to an unacceptable impact on the street scene or character of the surrounding area, subject to a condition imposed to any permission ensuring matching materials are used in the external surfaces of the development.

In terms of its impact upon neighbouring amenity, policy CW2 of the LDP sets out the criteria relating to amenity. In that regard the development does not result in any overbearing or overshadowing impact on the neighbouring properties. It is acknowledged that a habitable room window is proposed in the western side elevation and as such this would provide direct views into a ground floor habitable room of the application property (no. 70 Hazel Grove). In that respect whilst this application describes the proposed development as an annexe, the interior floor plan details the provision of a shower room, kitchen/diner, bedroom and hallway, therefore consideration must be given for the potential creation of a separate dwelling. Whilst the annexe is not attached, its proximity is enough to be considered to have a close relationship with the host dwelling and is further supported by the absence of any division within the curtilage between the host dwelling and the annexe with regards to a boundary treatment, creation of additional vehicular access and parking areas. On this basis, any additional loss of privacy to the occupiers of no. 70 Hazel Grove is not considered to be an issue. Furthermore, the use of the annexe can be controlled by way of condition to ensure that the annexe remains ancillary to the host dwelling.

Cont'd



## Application 19/0283/FULL – Continued

It is also noted that the bedroom window of the annexe would be of a distance of less than 10 metres away from the first floor rear habitable window of no. 85 Hazel Grove. In that the relationship between the proposed annexe and no. 85 Hazel Grove is at an acute angle together with difference in levels between ground and first floor, any views into the first floor rear bedroom window would be limited to that of the ceiling only. This relationship is not particularly uncommon and as such, is not considered that the privacy distance is unacceptable to an extent to justify refusal of this application.

In terms of highway safety, policy CW3 Of the LDP considers highway implications. The proposal will not will not prejudice the safe, effective and efficient use of the transportation network and on this basis the Transportation and Engineering Manager has raised no objection to the proposal.

In conclusion the proposal complies with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021 -adopted November 2010.

Comments from Consultees: None.

Comments from public: The following objections were raised:

1. The proposal is out of keeping with the character of the street -This has been addressed in the above report.
2. Lack of parking in the area - Whilst there may be existing parking pressures within the area, the remaining front curtilage can provide a minimum of four off-street car parking spaces in addition to the car parking space provided within the integral garage of the main dwelling. On this basis it is not considered that the proposal will increase on-street car parking pressures within the area.
3. It has been suggested that the annexe will be used for business purposes. There is a covenant on the deeds for the property preventing business use - The use of the building will be controlled by way of conditions imposed to any planning consent.
4. There is a water main and sewer pipe under the application site - This will be a matter for the applicant to address through the building regulations approval process.

Cont'd

Application 19/0283/FULL – Continued

5. The proposed building is forward of the building line of the house where no development should be approved. Other front extensions have been refused in the past - There are no planning records to indicate that previous applications have been refused in the past for front extensions within the immediate street scene. Notwithstanding this, the merits of any application received will be considered on an individual basis and discussions relating to the siting of the proposed annexe forward of the building have been addressed in the report above.

6. Increase in traffic would cause dangers to highway safety - It is not considered that the vehicular movements associated with a one-bedroom annexe would be detrimental to highway safety.

7. The property has previously been extended to its maximum size - It is noted that the application property has benefited from previous planning consent to extend the property. In that the application property benefits from a reasonably large curtilage, the proposal is not considered overdevelopment.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Site Location Plan received on 02.04.2019;  
Dwg No. 19.7.2 Proposed Ground Floor Plan received on 02.04.2019; and  
Dwg No. 19.7.3 Proposed Elevations received on 02.04.2019.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd

Application 19/0283/FULL – Continued

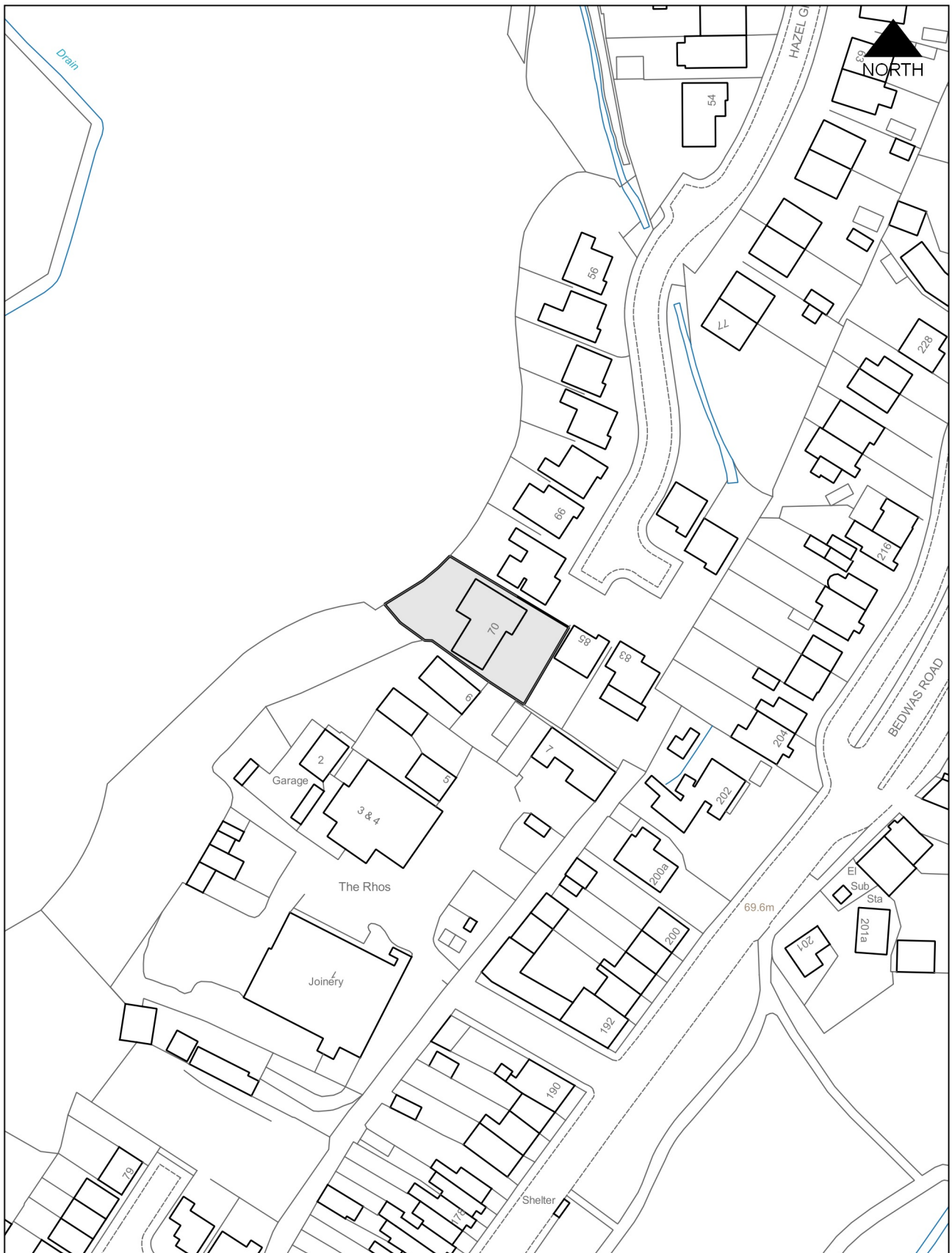
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The use of the building hereby approved shall be limited to that ancillary and incidental to the enjoyment of the main dwelling at 70 Hazel Grove, Caerphilly and shall not be used for any commercial purposes.  
REASON: To control the use of the building in the interest of amenity, character and appearance of the locality and the safety of the local highway network in accordance with policies CW2 and CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).



## APPLICATIONS DETERMINED BY DELEGATED POWERS

<b>APP NO. DATE REC'D</b>	<b>NAME AND ADDRESS OF APPLICANT(S)</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DECISION</b>
19/0107/NCC 11.02.2019	Mr N Colbourne 3A Llanarth Street Risca NP11 6EA	Vary condition 8 (Approved Plans) of planning consent 18/0386/FULL (Demolish garages, workshops and redundant buildings and erect single dwelling with courtyard and large garage/storage unit) Stanfield House 79 Park Place Pontymister Risca	Granted 08.04.2019
19/0112/FULL 11.02.2019	Mr & Mrs R Williams 6 Elidyr Road Treowen NP11 3EE	Erect two storey rear extension 6 Elidyr Road Treowen Newport NP11 3EE	Granted 08.04.2019
19/0078/COU 28.01.2019	W & W Properties Unit 84 Seawall Road Cardiff CF24 5TH	Change the use from commercial to residential use - ground floor 29 Commercial Street New Tredegar NP24 6AA	Granted 09.04.2019
19/0109/FULL 11.02.2019	Mr G Phillips 29 Mandeville Road Blackwood NP12 3PH	Erect single storey rear sun lounge extension and a detached garage 29 Mandeville Road Blackwood NP12 3PH	Granted 09.04.2019
19/0115/FULL 12.02.2019	Mr B Cleaton 8 Western Terrace Crosskeys NP11 7BZ	Erect a first floor extension above existing kitchen/bathroom plus a detached domestic garage 8 Western Terrace Crosskeys Newport NP11 7BZ	Granted 09.04.2019
19/0116/FULL 12.02.2019	Miss Y Morris 27 The Crescent Maesycwmmmer Hengoed CF82 7QF	Convert existing garage space into new study, replacing garage door with new UPVC casement window 27 The Crescent Maesycwmmmer Hengoed CF82 7QF	Granted 09.04.2019

19/0123/COND 12.02.2019	Mr J Crocker 12 Cemaes Road Croespenmaen Newport NP11 3GQ	Discharge conditions 4 (Bat roost provision) and 5 (Bird nesting provision) on planning consent 18/0801/FULL (Erect part single storey, part two storey extensions to side and front of property and bay window to the front with extended canopy) 12 Cemaes Road Croespenmaen Newport NP11 3GQ	Decided - Discharge of Conditions 09.04.2019
18/0981/FULL 15.11.2018	Mr A Nagle 1 Penywaun Lodge Heol Fawr Nelson Treharris CF46 6PL	Erect two storey extension with balcony to rear and alterations to conservatory roof 1 Penywaun Lodge Heol Fawr Nelson Treharris	Granted 10.04.2019
19/0068/FULL 25.01.2019	Mr & Mrs R Belbin The Cottage Baden Hill Titherington Wotten Under Edge GL12 8PY	Erect detached dwelling with associated external works Tir Yng Nghyfeirnod Grid 322211 187400 The Row To Pont Y Draethen Draethen	Granted 10.04.2019
19/0080/FULL 29.01.2019	Mr James 14 Cwmtorlais Road Newbridge NP11 4LY	Erect two storey extension to side and rear of existing dwelling 14 Cwmtorlais Road Newbridge Newport NP11 4LY	Granted 10.04.2019
19/0110/FULL 11.02.2019	Mr N Jones 5 Pandy Road Bedwas Caerphilly CF83 8EH	Erect a single storey rear kitchen extension and a detached garage 5 Pandy Road Bedwas Caerphilly CF83 8EH	Granted 10.04.2019
19/0111/COND 11.02.2019	Starburst Ltd C/O DPP Planning Miss S Thomas Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Discharge condition 15 (Bird and Bat Mitigation) of planning consent 17/0729/FULL (Demolish existing dilapidated industrial building and erection of Class B1, B2, B8 development together with associated parking, servicing and landscaping) Units 1-4 Coopers Court Caerphilly Road Ystrad Mynach	Decided - Discharge of Conditions 10.04.2019

19/0124/FULL 13.02.2019	Mrs J Peterson 14 Tanybryn Pontymister Risca NP11 6JP	Erect two storey extension to side of dwelling 14 Tanybryn Pontymister Risca Newport	Granted 10.04.2019
19/0126/COU 13.02.2019	D2 Propco Ltd Unit 8 Melyn Mair Wentlog Avenue Cardiff CF3 2EX	Change the use of dwelling to a house in multiple occupation 5 Bradford Street Caerphilly CF83 1GA	Granted 10.04.2019
19/0137/FULL 14.02.2019	Mr D Challenger 16 Asquith Street Tir-y-Birth Hengoed CF82 8AR	Erect a two storey side extension 16 Asquith Street Tir-y-berth Hengoed CF82 8AR	Granted 10.04.2019
19/0044/FULL 18.01.2019	Mr M Cuff Twyn Gwyn Cottage Ty Capel Twyn-Gwyn Road Mynyddislwyn Newport NP11 7AU	Erect an extension to cottage to include all associated works Twyn Gwyn Cottage Ty Capel Twyn-gwyn Road Mynyddislwyn	Granted 11.04.2019
18/0586/COU 29.06.2018	Playworks Childcare Ltd Ms K Watkins The Meadows Gypsy Lane Nantgarw Caerphilly CF15 7UN	Change of use from commercial offices to childcare services Unit 6-8 Block C Western Industrial Estate Caerphilly	Granted 12.04.2019
18/1083/OUT 20.12.2018	Mr M Morgan 10 Waun Erw Caerphilly CF83 3QU	Erect three bedroom house Land At Grid Ref 315743 188327 Heol Bro Wen Caerphilly	Refused 12.04.2019
19/0070/TPO 25.01.2019	Miss A Worgan 8 Coleridge Gardens Machen CF83 8SZ	Remove trees in back garden (Tree Preservation Order 34/68/MCC) 8 Coleridge Gardens Graig-y- rhacca Caerphilly CF83 8SZ	Granted 12.04.2019

19/0117/FULL 12.02.2019	Senghenydd URC Mrs C Thomas C/o 12 Caldicot Court Hendredenny Caerphilly CF83 2TJ	Disabled access improvements to include alterations to pedestrian access including new ramp, front gates, steps and associated balustrading Senghenydd United Reform Church Commercial Street Senghenydd	Granted 12.04.2019
19/0132/FULL 15.02.2019	Mr D Hall Ivy Cottage 24 Main Road Maesycwmmmer Hengoed CF82 7RN	Erect two storey side extension Ivy Cottage 24 Main Road Maesycwmmmer Hengoed	Granted 12.04.2019
19/0136/FULL 18.02.2019	Mr A Barham The Chemical Corporation Atlas House, Unit 9 Bedwas Business Park Caerphilly CF83 8DU	Erect rear extension to existing unit to provide additional storage Lenstec Unit 4 Bedwas Business Centre Bedwas House Industrial Estate	Refused 12.04.2019
18/1062/FULL 17.12.2018	Crematoria Management Ltd Chapel View Westerleigh Road Westerleigh Bristol BS37 8QP	Construct a crematorium building with associated car parking, access roads and memorial parkland Land South Of Glanbrynar Farm Pontllanfraith Blackwood NP12 2AS	Granted 15.04.2019
19/0094/FULL 01.02.2019	Mr M Williams 7 Fairview Pengam Blackwood NP12 3NS	Erect single storey rear extension and amend pitch roof of existing extension to a flat roof 13 Elm Street Aberbargoed Bargoed CF81 9FB	Granted 16.04.2019
19/0096/RET 04.02.2019	Mr J Harry Cherry Lyn New Bryngwyn Road Newbridge Newport NP11 4NF	Retain loft conversion with dormers Cherry Lyn New Bryngwyn Road Newbridge Newport	Granted 16.04.2019



19/0101/FULL 06.02.2019	Mr H Harries 42 Woodside Drive Newbridge NP11 4NQ	Erect ground floor front extension and all associated works 42 Woodside Drive Newbridge Newport NP11 4NQ	Granted 16.04.2019
19/0139/FULL 19.02.2019	Mr N Gardiner 4 Coedcae Ystrad Mynach Hengoed CF82 7EZ	Erect detached double garage 4 Coedcae Ystrad Mynach Hengoed CF82 7EZ	Granted 16.04.2019
19/0156/NMA 25.02.2019	Caerphilly Miners Centre For The Community Mrs K Hughes Caerphilly Miners 1 Beech Tree View Caerphilly CF83 1DX	Seek approval of a non-material amendment to planning consent 18/0787/FULL (Carry out engineering operations and external works) for the variation of condition 2 to allow the substitution of plans The Miners 1 Beech Tree View Caerphilly CF83 1DX	Granted 16.04.2019
19/0173/FULL 05.03.2019	Mrs J Davies 2 Beechwood Avenue Wattsville Newport NP11 7QF	Erect a single storey rear extension 2 Beechwood Avenue Wattsville Newport NP11 7QF	Granted 16.04.2019
19/0090/FULL 01.02.2019	Mr D Reynolds Prospect House Goshen Street Rhymney NP22 5NE	Demolish ancillary outbuildings and replace with single storey extension and first floor bathroom addition Prospect House Goshen Street Rhymney Tredegar	Granted 17.04.2019
19/0121/FULL 12.02.2019	Mr C Bassett 2 Police Houses Nelson Road Ystrad Mynach Hengoed CF82 7EJ	Erect single storey extension to side and rear 2 Police Houses Nelson Road Ystrad Mynach Hengoed	Granted 17.04.2019
19/0135/FULL 18.02.2019	Mr & Mrs Andrews 44 High Close Nelson CF46 6HJ	Erect two storey side and single storey rear house extension, changes to cladding and roofing materials and construction of rear double garage 76 Bryncelyn Nelson Treharris CF46 6HN	Granted 17.04.2019

19/0141/FULL 20.02.2019	Mr S Howells 3 Fothergills Road Phillipstown NP24 6AP	Erect garage to rear garden 3 Fothergills Road Phillipstown New Tredegar NP24 6AP	Granted 17.04.2019
19/0144/FULL 20.02.2019	Dr & Mrs Royal 4 Cae Uwchllyn Caerphilly CF83 1TY	Erect first floor bedroom and en-suite extension 4 Cae Uwchllyn Caerphilly CF83 1TY	Granted 17.04.2019
19/0150/FULL 20.02.2019	Mr R Tedstone 2 Porset Cottages Old Bedwas Road Porset Caerphilly CF83 3RZ	Erect porch 2 Porset Cottages Old Bedwas Road Porset Caerphilly	Granted 17.04.2019
17/0545/NCC 28.06.2017	Mr T Howell C/O Turley Mr G Barton 18 Windsor Place Cardiff CF10 3BY	Vary Condition 3 of planning consent 12/0531/OUT (Erect mixed residential development comprising of fifteen new build dwellings) to extend the time for submitting reserved matters applications Land At (Grid Ref 323900 190615) Station Approach Risca	Granted 18.04.2019
18/0620/FULL 10.07.2018	Mr H Yearsley C/o Mr L Evans 2 Craig Ysguthan The Rise Llanbradach CF83 3PY	Demolish existing retail shop and erect residential flats Yearsleys Discount 1 Lon-Y- Twyn Caerphilly CF83 1NW	Granted 18.04.2019
19/0077/FULL 28.01.2019	Mr & Mrs Gornicki 8/9 Pen-Y-Cwarel Road Wyllie Blackwood NP12 2HP	Form disabled parking bay to front of properties 8/9 Pen-Y-Cwarel Road Wyllie Blackwood NP12 2HP	Granted 18.04.2019
19/0082/FULL 08.02.2019	Mr W Townsend Stable House Bargoed CF81 8SS	Erect two storey side extension Stable House Upper Capel Street Bargoed CF81 8SS	Granted 18.04.2019

19/0119/FULL 12.02.2019	E R Morris And Partners Mr E R Morris Ty-Canol Farm White Cross Lane Caerphilly CF83 2RL	Undertake engineering works to construct a chicken effluent storage lagoon Ty Canol Farm Mountain Road Abertridwr To Hendredenny Park Hendredenny Caerphilly	Granted 18.04.2019
19/0120/FULL 12.02.2019	Ms V Howells 77 High Street Nelson CF46 6HA	Erect a two storey rear extension 77 High Street Nelson Treharris CF46 6HA	Refused 18.04.2019
19/0140/FULL 20.02.2019	Mr I Isaac 14 Moriah Mews Risca Newport NP11 6RL	Erect detached garage 14 Moriah Mews Risca Newport NP11 6RL	Granted 18.04.2019
19/0145/FULL 20.02.2019	Ms D Jenkins 4 Cefn Fforest Avenue Cefn Fforest NP12 3NW	Erect single storey kitchen/dining room extension to rear of dwelling 4 Cefn Fforest Avenue Cefn Fforest Blackwood NP12 3NW	Granted 18.04.2019
19/0183/FULL 07.03.2019	Mr D Mansfield 42 Hill Street Pontymister Risca NP11 6QH	Demolish existing single storey lean-to side annexe and erect new two storey side extension 42 Hill Street Pontymister Risca Newport	Granted 18.04.2019
19/0196/TCA 11.03.2019	Miss H Wilson 119 High Street Rhymney NP22 5NG	Fell all ash, sycamore and conifer trees and fell 1 horse chestnut tree on site 119 High Street Rhymney Tredegar NP22 5NG	No objection raised 18.04.2019
19/0161/CLPU 26.02.2019	Mr C Jones 7 Red Kite Close Cwm Calon Penallta CF82 6GU	Obtain Lawful Development Certificate for proposed erection of single storey rear extension and new front porch 14 Hengoed Hall Close Cefn Hengoed Hengoed CF82 7JH	Refused 23.04.2019

19/0194/CLPU 08.03.2019	Mrs V Jaskola 4 Nydfa Road Pengam Blackwood NP12 3SX	Obtain a Lawful Development Certificate for proposed change of the current use class of the premises from B1 - Business to D1 - Non Residential SERS Energy Solutions Ltd Offices Nyddfa Yard Pengam Blackwood	Refused 23.04.2019
19/0254/NMA 26.03.2019	Hub Enterprises (Newport) Ltd C/O C2J Architects & Town Planners Mr R Chichester Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Seek approval of non-material amendment to planning consent 16/0032/FULL (Erect a two-storey mixed development of three apartments and four commercial units with on-site car parking, refuse and cycle storage facilities), to alter the shop front height and car parking, compound and bin storage layout 70 Commercial Road Machen	Granted 23.04.2019
19/0162/FULL 27.02.2019	Mr V Jones Coed-Alban Old Nantgarw Road Nantgarw RCT CF15 7TL	Erect single storey kitchen extension 4 Beechgrove Caerphilly CF83 3BQ	Granted 24.04.2019
19/0163/COU 27.02.2019	Mr R Mann 46 Commercial Street Aberbargoed Bargoed CF81 9BW	Change the use of ground floor commercial premises to a one bedroom flat 46 Commercial Street Aberbargoed Bargoed CF81 9BW	Granted 24.04.2019
19/0164/FULL 27.02.2019	Mr T Watkins 7 Cwmgelli Villas Cwmgelli Blackwood NP12 1BU	Erect two storey rear extension 7 Cwmgelli Villas Cwmgelli Blackwood NP12 1BU	Granted 24.04.2019
19/0168/FULL 01.03.2019	Mr M Carnell 59 Twyn Road Abercarn Newport NP11 5JY	Erect first floor rear extension and balcony 59 Twyn Road Abercarn Newport NP11 5JY	Granted 26.04.2019

19/0265/NMA 28.03.2019	CCBC Mr M Owen Cwmcarn Forest Visitor Centre Cwmcarn Forest Drive Cwmcarn Newport NP11 7FE	Seek approval of a non-material amendment to planning consent 17/0366/LA (Install ten varied design self-contained glamping units and associated soft landscaping to create additional alternative accommodation facilities on site) to change the design of units to be installed on site, core materials remain unchanged Cwmcarn Forest Drive Caravan Site Cwmcarn Forest Drive Cwmcarn Newport	Granted 26.04.2019
19/0085/FULL 30.01.2019	Mr D Harrhy 53 Pwll Yr Allt Tir-y-berth Hengoed CF82 8FR	Convert integral garage into a dining room 53 Pwll Yr Allt Tir-y-berth Hengoed CF82 8FR	Granted 29.04.2019
19/0172/FULL 04.03.2019	Andrew Lawford And Sons Mr A Lawford 229 High Street Blackwood NP12 1AL	Replace old brown UPVC shop front with new grey UPVC shop front and doors 229 High Street Blackwood	Granted 29.04.2019
19/0174/FULL 04.03.2019	Mr C Newell Greenacres Bungalow Collins Row Butetown Rhymney Tredegar NP22 5QL	Erect a detached garage Green Acres Collins' Row Bute Town Rhymney	Granted 29.04.2019
19/0175/NCC 04.03.2019	Mr M Watkins 72 Church Street Aberbargoed Bargoed CF81 9FF	Vary condition 02 (approved plans) of planning consent 18/0407/FULL (Erect part two storey, part single storey rear extension) to alter roof on two storey element to mono-pitch 72 Church Street Aberbargoed Bargoed CF81 9FF	Granted 29.04.2019
19/0134/COU 18.02.2019	Catch 22 Charity Ltd Mr R Chohan 27 Pear Tree Street London EC1V 3AG	Change the use from non-residential education and training centre (Use Class D1) to Offices (B1) Castle House Southern Street Caerphilly CF83 1LH	Granted 30.04.2019

18/0995/COND 19.11.2018	CCBC Mr L Raposo Countryside & Landscape Services Ty Bargoed 1 Gladys Way Bargoed CF81 8AB	Discharge conditions 03 (access materials), 04 (landscaping), 05 (external materials), 06 (boundary treatment), 07 (CCTV details), 08 (drainage), Condition 11 (Hedgerow Management) 12 (tree survey), 13 (Himalayan Balsam) and 14 (Visibility Splays) of planning consent 16/0533/LA (Develop a new cemetery for the provision of approximately 2000 burial plots and 1800 cremated remains plots, a new building comprising offices and welfare facilities together with public toilets, site infrastructure and car parking) Land At Grid Ref 312984 186278 Adj To Old Nantgarw Road Groeswen	Decided - Discharge of Conditions 01.05.2019
19/0143/FULL 19.02.2019	Mr & Mrs S D Pawluk 33 Heol Isaf Nelson Treharris CF46 6NS	Erect two storey rear extension and attached garage 33 Heol Isaf Nelson Treharris CF46 6NS	Granted 01.05.2019
19/0177/FULL 05.03.2019	Motor Fuel Group Gladstone Place 36-38 Upper Marlborough Road St Albans AL1 3UU	Raise an existing canopy from 3.8m to 4.5m Texaco Mabon Filling Station Mafon Road Nelson	Granted 01.05.2019
19/0180/RET 06.03.2019	Mr B McDonald 72 Glyn Bedw Llanbradach Caerphilly CF83 3PG	Retain and complete detached garage 72 Glyn Bedw Llanbradach Caerphilly CF83 3PG	Granted 01.05.2019
19/0023/FULL 10.01.2019	Mr & Mrs Jeffery April Rise 18 Mountain View Machen CF83 8QA	Erect first floor extension and loft conversion, including raising of eaves and ridge April Rise 18 Mountain View Machen Caerphilly	Granted 02.05.2019

19/0113/RET 12.02.2019	Mr R Walters 40 Skomer Island Way Caerphilly CF83 2AR	Retain conversion of garage into a habitable room 40 Skomer Island Way Caerphilly CF83 2AR	Granted 02.05.2019
19/0122/ADV 13.02.2019	Mr K Jenkins Subzero Ice Cream Ely Industrial Estate Williamstown CF40 1RA	Install 1 No. internally illuminated fascia sign Unit 4 Riverbank Court Newport Road Trethomas	Granted 02.05.2019
19/0185/TPO 07.03.2019	Highgate Unit Trust C/O Cording Real Estate Group Mr P Evans 18 Savile Row London W1S 3PW	Carry out various tree works (Tree Preservation Order 11/99/CCBC) Land At Grid Ref 317738 194931 Gelligroes Mill Road Pontllanfraith	Granted 02.05.2019
19/0191/FULL 07.03.2019	Mrs K Chaffey 65 Pwll-Yr-Allt Tir-y-berth Hengoed CF82 8FR	Convert garage to playroom and enclose porch area 65 Pwll-Yr-Allt Tir-y-berth Hengoed CF82 8FR	Granted 02.05.2019
19/0153/FULL 25.02.2019	Mr & Mrs K Bradwick 8 Hillside Terrace Tredomen CF82 7BT	Erect single storey rear extension 8 Hillside Terrace Tredomen Hengoed CF82 7BT	Granted 03.05.2019
19/0187/FULL 08.03.2019	Mr & Mrs N Owen Shangri-La 64 Elim Way Pontllanfraith NP12 2AB	Erect single storey extension to rear of dwelling and dormer extensions to front and rear of dwelling Shangri-La 64 Elim Way Pontllanfraith Blackwood	Granted 03.05.2019
19/0290/NOTA 03.04.2019	Trustees Of Llanover Newport Mr M Lennon 23A Gold Tops Newport NP20 4UL	Create dirt tracks to aid access for forestry harvesting machinery Ty Coch Woodland Tyle Coch House Access Road Abercarn	Prior Approval Not Required 03.05.2019

19/0303/NMA 08.04.2019	Mr P Bell 78 Bailey Street Deri Bargoed CF81 9HW	Seek approval of a non-material amendment to planning consent 17/0471/RET (Retain and complete single storey rear and side extensions) for an addition of a 100mm ventilation duct to side elevation and to amend the finish of the external walls from storm blue pvc cladding to fine render finish 78 Bailey Street Deri Bargoed CF81 9HW	Granted 03.05.2019
19/0042/COND 18.01.2019	Mr J Powell 3 Gellideg Lane Maesycwmmmer Hengoed CF82 7SD	Discharge conditions 3 (Drainage), 4 (Contamination - Scheme to Treat), 10 (Lighting), 11 (Woodland Exclusion), 12 (Bat Roost Provision), 13 (Bird Nesting Provision) of planning consent 18/0211/FULL (Erect detached dwelling and detached garage) Plot 2 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane	Decided - Discharge of Conditions 07.05.2019
19/0043/COND 18.01.2019	Mr J Thomas 2 The Boundary Blackwood NP12 1FE	Discharge conditions 5 (Drainage), 6 (Contamination - Scheme to Treat), 11 (Lighting), 12 (Woodland Exclusion), 13 (Bat Roost Provision), 14 (Bird Nesting Provision) of planning consent 16/0509/OUT (Erect a residential self-build dwelling) Plot 3 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane	Decided - Discharge of Conditions 07.05.2019
19/0114/COND 12.02.2019	Mr M Williams 4 Caldicot Close Grove Park Blackwood NP12 1HH	Discharge conditions 5 (Drainage), 6 (Contamination - scheme to treat), 11 (Lighting), 12 (Woodland exclusion), 13 (Bat roost provision) and 14 (Bird breeding provision) of planning consent 16/0507/OUT (Erect a residential self-build dwelling) Plot 1 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane	Decided - Discharge of Conditions 07.05.2019



19/0155/FULL 25.02.2019	Mr & Mrs Rees 78 Almond Avenue Ty Sign Risca NP11 6PG	Carry out alterations to existing steps to accommodate an external platform lift for a disabled person 78 Almond Avenue Ty Sign Risca Newport	Granted 07.05.2019
19/0203/FULL 11.03.2019	Mr C West 10 Llys Nant Pandy Caerphilly CF83 3JB	Erect single storey extension providing shower and sun room 10 Llys Nant Pandy Caerphilly CF83 3JB	Granted 07.05.2019
18/1074/FULL 19.12.2018	Mr S Dury 40 Beaumaris Way Grove Park Blackwood NP12 1DE	Erect 2 No. semi detached dwellings (Plot At) 46 Gelynos Avenue Argoed	Granted 08.05.2019
19/0159/FULL 25.02.2019	Mr M Roberts 9 Glynmarch Street Deri Bargoed CF81 9HZ	Construct a detached garage 9 Glynmarch Street Deri Bargoed CF81 9HZ	Granted 08.05.2019
19/0188/FULL 08.03.2019	Mr & Mrs G Perry Ravenswood Medart Place Crosskeys NP11 7DJ	Demolish existing defective garage and replace with the same with additional garden room and shower/toilet facilities Ravenswood Medart Place Crosskeys Newport	Granted 08.05.2019

Gadewir y dudalen hon yn wag yn fwriadol

## LIST OF PLANNING APPLICATIONS WHICH ARE NOT DEALT WITH IN TIME

APPLICATION NUMBER & DATE VALID	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
17/0971/NCC 13.11.17	Vary condition 18 of planning permission 12/0570/FULL (Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works) to enable the variation of the approved restoration scheme details to reflect the positioned earth bund and landscaping - Gelliargwelt Farm, Gelligaer Road, Gelligaer .	Subject to further discussion and consideration.
18/0160/OUT 16.02.18	Erect residential development up to 131 dwellings and associated works - Land Adj To Tiryberth Farm, Hengoed Road, Penpedairheol.	Subject to further discussion and consideration.
18/0323/FULL 11.04.18	Change the use of land to use as residential caravan site for two gypsy families, each with two caravans, including no more than one static caravan/mobile home and erection of two amenity buildings - Ynsyddu Yard - Vine Tree Ynsyddu Hotel Approach, Ynsyddu..	Awaiting additional information.
18/1009/FULL 26.11.18	Seek approval of the reserved matters regarding details of access, appearance, landscaping, layout and scale in relation to planning consent 14/0239/NCC (Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters) - Land At Grid Ref 320738 198125, Albertina Road, Treowen.	Subject to further discussion and consideration.
18/1032/FULL 29.01.19	Erect single storey extensions to rear and side – Martindale, Pennar Lane, Pentwyn-mawr.	Subject to further discussion and consideration.
18/1048/FULL 10.12.18	Demolish existing two storey extension and replace with a part two storey and part single storey extension - Ffald Gerrig Cottage, Rudry Road, Rudry.	Subject to further discussion and consideration.

18/1077/FULL 27.02.19	Demolish an existing office building and construct 42 affordable housing apartments together with a ground floor retail unit and associated external works and parking - Llys Ifor, Crescent Road, Caerphilly.	Subject to further discussion and consideration.
18/1080/OUT 27.02.19	Erect up to 8 No. dwellings with associated works - Land At Grid Ref 317561 196510 Libanus Road, Blackwood.	Subject to further discussion and consideration.
18/1084/FULL 20.12.18	Erect six bungalows with off-street parking - Land At Grid Ref 320775 196886, Tynewydd Terrace, Newbridge.	Subject to further discussion and consideration.
19/0060/FULL 24.01.19	Erect five houses with 14 self-contained assisted living residence flats - Land At Grid Ref 311814 205796, Waterloo Terrace, Pontlottyn.	Subject to further discussion and consideration.
19/0127/OUT 08.03.19	Erect a detached dwelling - Land At 104 Bailey Street, Deri.	Subject to further discussion and consideration.
19/0199/FULL 11.03.19	Erect a new dwelling – 8-9 Golden Grove, Newbridge.	Subject to further discussion and consideration.
19/0202/TPO 07.03.19	Remove Yew tree (Tree Preservation Order 49/82/RVDC) – Land to the rear of 27 Kingswod Close, Hengoed.	Awaiting views of Consultees.

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

<b>APPLICATION NUMBER &amp; DATE VALID</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Received draft agreements. Waiting for internal comments. Can't agree over some clauses regarding Affordable Housing. Waiting for instructions from Planning.
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. File closed due to no progress.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Sent amended draft to Solicitors and they are taking instructions. Sols asked for completion statement sent. Chased several times..
16/0085/NCC 05.02.16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue, Cefn Fforest, Blackwood .	Waiting for instructions from housing. No change.
17/0088/OUT 03.02.17	Construct housing development of 17 properties at Land At Fair View Garage, Pengam Road, Pengam, Blackwood.	Issued engrossed documents for signature.
17/0616/COU 14.07.17	Convert former night club at second floor level to 7 No. flats (D2 to C3) at Pulsars Niteclub, 3A Pentrebane Street, Caerphilly.	Issues with title and changes to plan; in process of resolving. Asked Planning for advice. Chased.
17/0888/FULL 16.10.17	Construct 60 No. dwellings, access, parking, landscaping, agricultural improvement works (includes the redistribution of onsite material and the raising of levels) and associated works at Land At Grid Ref 319662 198758, Ton-Y-Felin Farm Lane, Croespenmaen.	Draft is with Llanover's Solicitors as landowner.
17/0973/FULL 13.11.17	Retain and formation of a repositioned approved earth bund, landscaping and associated works at Gelliargwelt Farm, Gelligaer Road, Gelligaer, CF82 8FY	In discussions about the draft.

18/0286/OUT 27.03.18	Outline planning permission for up to 22 dwellings and seek approval of access at PD Edenhall Ltd, Dan Y Graig Works, Dan Y Graig Road, Risca.	Draft sent. Chased.
18/0415/OUT 08.05.18	Erect residential development of up to 14 apartments, of total floor area less than 1,000 sqm, and associated access, car parking, engineering and landscape works, including car parking for the existing guest house at Land At Grid Ref 314932 189096 (Adjacent To Y Fron), Pwllypant Roundabout To Coed-Y-Brain Roundabout, Pwllypant, Caerphilly.	Working though initial stages.
18/0988/OUT 19.11.18	Erect two detached properties with public off street parking and turning area Land At Grid Ref 311602 191525 Graig Terrace, Senghenydd.	Solicitors have advised Legal that they will be responding shortly.
18/0444/FULL 14.05.18	Construct two social rented units and one market house at The Rectory, High Street, Nelson, Treharris.	Solicitors have advised that they are looking at the case.
18/1059/NCC 17.12.18	Vary condition 2 of planning consent 15/0252/OUT (Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access) granted on appeal reference APP/K6920/A/15/3137884 to extend the period for the submission of reserved matters by a further three years at Land At Gelli Farm, Tredegar Road, Cwmgelli, Blackwood.	Draft sent.
19/0002/FULL 02.01.19	Redevelop the former Somerfield Supermarket, including the partial demolition of the existing structure and construction of 47 No. 1 and 2 bed apartments over three storeys; and development of 19 permanent artisan market units, to be located on the existing market square to the south of The Market Place shopping centre at Unit A, 12 The Market Place, Blackwood, NP12 1ZP	New matter. Working though initial stages.

## OUTSTANDING APPEALS

<b>APPEAL REF/ PLANNING APP</b>	<b>APPELLANT</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DATE APPEAL REGISTERED</b>
18/0013/LB 18/0178/LBC	Mr N Watkins Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood NP12 0JH	Retain and complete works to install new entrance gates and install flue pipe and storm cap to existing chimney breast to allow for installation of a wood burner - Ty Tallis, 3 Penrhiw Terrace, Oakdale.	08/11/2018
19/0003/REF 17/0864/FULL	Sirius Renewable Energy Mr Davies 4245 Park Approach Thorpe Park Leeds LS15 8GB	Erect a wind turbine with a maximum overall tip height of 93m 10m micro siting associated infrastructure including a transformer hardstanding areas a control building and cabling to operate for 25 years and subsequently decommission - Durisol UK, Unit 4 Parkway, Pen-y-fan Industrial Estate, Pen-y-fan Newport.	10/04/2019
19/0004/LB 18/0264/LBC	Network Rail Mr C Field Temple Point Redcliffe Way Bristol BS1 6NL	Carry out remedial works to footbridge, including replacement deck, strengthening, redecorating and the addition of a passenger safety hand rail - Llanbradach Railway Station, Plas Cae Llwyd, Llanbradach.	16/04/2019
19/0005/REF 19/0039/FULL	Mr L Daives 58 St David's Drive Graig-y-rhacca Caerphilly CF83 8RH	Erect 2 bedroom detached new build house with a single storey rear extension - Land Within The Curtilage Of 58 St David's Drive, Graig-y-rhacca, Caerphilly.	29/04/2019

19/0006/REF 16/0016/NCC	Tarmac Trading Limited Mr M Lawer Portland House Bickenhill Lane Solihull Birmingham B37 7BQ	Vary condition 01 of planning consent 2/06678 (Quarrying of Grit stone. 8.5 hectares) to extend the consent end date/expiry date to 31st December 2027 – Hafod Quarry, Hafod Fach Lane, Abercarn, Newport.	30/04/2019
19/0007/REF 16/0017/NCC	Tarmac Trading Limited Mr M Lawer Portland House Bickenhill Lane Solihull Birmingham B37 7BQ	Vary condition 01 of planning consent 2/07947/T (Storage of overburden from adjacent Quarry) to extend the consent end date/expiry date to 31st December 2027 - Hafod Quarry, Hafod Fach Lane, Abercarn, Newport.	30/04/2019
19/0008/REF 18/0568/OUT	Mr M Luther C/O LHS Planning Miss L Hughson-Smith 19 Starling Walk Penallta CF82 6BH	Demolish existing building and erect 4 No. dwellings and associated works – The Countryman Hotel, Countryman Court, Heol Tynewydd, Bedwellty, Blackwood.	08/05/2019



**APPEALS DECIDED**

<b>APPEAL REF/ PLANNING APP</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>APPEAL DECISION/ DATE</b>	<b>COMM/ DEL</b>
19/0002/REF 18/0478/FULL	Erect sales building extension with new Subway store and associated parking (Revised traffic route throughout site to include a one-way system serving 12 new parking spaces & deliveries. Kerb and barrier adjacent to offset fills removed and cut back to improve site circulation) – Texaco Mabon Filling Station, Heol Mafon, Nelson.	UPHELD 02/05/2019	COMM

Gadewir y dudalen hon yn wag yn fwriadol