

# Public Document Pack

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

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



[www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)  
[www.caerffili.gov.uk](http://www.caerffili.gov.uk)

For all enquiries relating to this agenda please contact Rebecca Barrett  
(Tel: 01443 864245 Email: [barrerm@caerphilly.gov.uk](mailto:barrerm@caerphilly.gov.uk))

**Date: 16th March 2022**

Dear Sir/Madam,

A digital meeting of the **Planning Committee** will be held via Microsoft Teams on **Wednesday, 23rd March, 2022 at 5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Planning Committee will be publicly available to all via the recording on the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Due to restrictions in relation to Covid19, Planning Committee Site Visits have been suspended and this meeting will not be open to the press and general public. However interested parties may make a request to attend remotely and speak in regard to any item on this agenda. To obtain further details on this process please contact the Committee Clerk at [barrerm@caerphilly.gov.uk](mailto:barrerm@caerphilly.gov.uk)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

**Christina Harrhy**  
CHIEF EXECUTIVE

## AGENDA

	Pages
1 To receive apologies for absence.	

A greener place Man gwyrddach



2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To receive and consider the following report(s): -

- |   |  |         |
|---|--|---------|
| 3 | Application No. 22/0046/COU - 25 Cedar Road, Trinant, Newport, NP11 3JW.                                 | 1 - 10  |
| 4 | Application No. 21/1192/OUT - Land At Grid Ref 318082 197935, Central Avenue To Groveside Road, Oakdale. | 11 - 36 |
| 5 | Application No. 21/1226/OUT - Ty Darren Home For The Elderly, Cromwell Road, Risca, Newport, NP11 6HF.   | 37 - 62 |

**Circulation:**

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), C. Andrews, J. Bevan, M. Davies, N. Dix, J.E. Fussell, R.W. Gough, L. Harding, A.G. Higgs, A. Hussey, B. Miles, J. Ridgewell, R. Saralis (Chair), J. Simmonds and J. Taylor

And Appropriate Officers

**HOW WE WILL USE YOUR INFORMATION**

Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk). except for discussions involving confidential or exempt items.

You have a number of rights in relation to your information, including the rights of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed. For further information on how we process your information and your rights please view the [Full Committee Meetings Privacy Notice](#) on our website or contact Legal Services by email [griffd2@caerphilly.gov.uk](mailto:griffd2@caerphilly.gov.uk) or telephone 01443 863028.

# Agenda Item 3

**Application Number:** 22/0046/COU

**Date Received:** 19.01.2022

**Applicant:** Mr Pesticcio

**Description and Location of Development:** Change the use of single dwelling into C4 HMO - 25 Cedar Road Trinant Newport NP11 3JW

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: Penultimate dwelling in a row of semi-detached properties situated on the south side of Cedar Road, a cul de sac running in an easterly direction from its junction with Pen Y Waun Road.

Site description: Semi-detached two storey dwelling, set below the level of Cedar Road, steps down to front entrance, a raised off road parking area has been created within the front garden.

Development: Full planning permission is sought to change the use from a single dwelling into C4 HMO.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2010 TO PRESENT 21/0674/NMA - Seek approval of a non-material amendment to planning consent - Application Invalid on Receipt.

21/0782/COU - Change the use from a single dwelling into C4 HMO - Application Withdrawn.

## POLICY

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

Site Allocation: Within settlement limits.

Policies: SP2 (Development Strategy - Development in the Northern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place

Making), CW2 (Amenity), CW3 (Design Considerations: Highways), and CW15 (General Locational Constraints).

Supplementary Planning Guidance Supplementary Planning Guidance LDP5 - Car Parking Standards.

NATIONAL POLICY Planning Policy Wales; Future Wales - The National Plan 2040, Planning Policy Wales 11th Edition (February 2021), Welsh Government Houses in Multiple Occupation: Practice Guidance (March, 2017).

### 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 due to the nature of the application.

### CONSULTATION

Transportation Engineering Manager - CCBC - No objection subject to the following conditions:

The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

Reasons:

In the interests of highway safety.

To ensure that adequate off-street parking facilities are provided within the curtilage of the site.

Head Of Public Protection - CCBC - No objection.

### ADVERTISEMENT

Extent of advertisement: Notification letters were sent to 24 addresses in Trinant and a site notice was displayed in the street to the front of the site.

Response: Five individual responses have been received together with a petition bearing eighty-eight signatures.

Summary of observations: The comments put forward may be summarised as follows:-

1. The street is a cul-de-sac where parking is an existing problem additional vehicles will add to the issue, not a suitable location.
2. Quiet family street, told that other HMO's have attracted drugs and anti-social behaviour, doesn't want this on doorstep.
3. The introduction of the proposed use in a street where young and old know each other well would cause the existing residents to feel vulnerable.
4. Detrimental and unsettling effect on the existing occupants of the property.
5. At least 14 children in the cul de sac, concerned as to the potential impact of additional traffic on them and who would know who would be occupying the premises.
6. Loss of an existing family home in Trinant area where there is a lack of such accommodation to meet an existing need for that type of housing.
7. Village facilities are limited, there is no doctor's surgery, only one shop and no support to find a job, with only an hourly bus service, if the occupants do not have their own transport they would be isolated and brings into question of the sustainability of the proposal.
8. Property is a two bedroomed dwelling with an attic room, not as described in the application. Planning permission has not been sought or granted for the loft to be converted when it was done in or around 2003 it was not carried out as per the Building Regulations. How can the landlord possibly rent the attic room out as a bedroom if the application is a success? Surely the application should be classed null and void due to inaccurate information being presented to the planning Committee?
9. Occupation of the premises by a number of individual adults could result in them coming and going at any time of the night, or have music playing, etc., which is not the situation at the moment with a young family occupying the property, and as such these activities would be detrimental to the health and amenities of the attached neighbouring property due to potential noise late at night.

#### 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 application.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The proposed development only affects the interior of the building. Therefore, the proposal is not liable for CIL.

## 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 the compatibility of the proposed use within a residential area, the visual appearance of the development on the character of the area, the impact on neighbour amenity and highway safety implications.

The proposal comprises the change of use of 25 Cedar Road, Trinant, from use as a single dwelling (C3) to a House in Multiple Occupation (C4). The application site is within the defined settlement boundary and the proposal is acceptable in principle conforming to the requirements of Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries).

In respect of housing delivery, the national planning guidance document Planning Policy Wales (PPW) acknowledges that there must be "sufficient sites suitable for the full range of housing types to address the identified needs of communities" (paragraph 4.2.11). Caerphilly County Borough currently has a severe shortage of this type of property and heavily relies on bed and breakfast accommodation to meet the shortfall. It is therefore considered that the proposal will assist with the provision of emergency accommodation and contribute to meeting the needs of the community in line with Planning Policy Wales.

The Welsh Government published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMOs provide a source of accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties." (Paragraph 1.3 WG HMO practice guidance note).

The application property is a semi-detached two storey dwelling within an established residential area of Trinant. The application states that the property currently has three bedrooms, two at first floor level and one in the roof space. Currently the ground floor is shown to comprise of a living room to the front of the house with dining area/kitchen to the rear with a hallway, w/c and stairs leading to the first floor. The first floor is shown as having two bedrooms and a family sized bathroom, with a landing and stairs to the roof

space. The roof space is shown on the plans as a bedroom. The application seeks full planning permission for the change of use of the property to a HMO with four bedrooms. Physically the internal arrangement of walls will be unchanged. The proposed ground floor plan shows that the living room will become 'letting bedroom 1'. The bedrooms to the first floor are identified as 'letting bedroom 2' and 'letting bedroom 3' and the bedroom shown in the loft will become 'letting bedroom 4'. There are no external alterations shown to the fabric of property. Members are advised that the carrying out of the maintenance, improvement or other alteration of any building or works which affect only the interior of the building, does not involve development as defined by the Town and Country Planning Act 1990 as amended, therefore the conversion of the loft space to a room and the installation of stairs to access that space would not have required planning permission at the time the works were undertaken.

On that basis the proposed change of use would reconfigure the internal layout and increase the capacity of the building to a total of 4 bedrooms. It is not considered that the addition of this one bedroom would lead to a significant increase in activities at the property over and above that which could occur with the lawful use of the building. It is conceivable that four adults, living as a single household, could live in the property at present without the need for planning consent. This proposal would not materially change this.

Policy CW2 of the Local Development Plan sets out criteria relating to amenity and states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land. In that respect no external alterations to the building are proposed, as such it is not considered that the development would give rise to any adverse visual impacts to the character and appearance of the surrounding area.

In terms of its impact on neighbouring amenity, given that no external alterations to the building are proposed it is not considered that the development would give rise to any loss of privacy or overbearing impacts.

With regard to the above concerns contained in the Welsh Government practice guidance it should be noted that it is stated that these issues can arise when there are concentrations of HMO's in a particular area. The research document suggested that 10% is a general 'tipping point' beyond which the evidence indicates that a concentration of HMOs can begin to have an adverse impact on the character and balance of a community. This tipping point is described as a threshold beyond which a community can 'tip' from a balanced position in terms of demographic norms and impacts, towards a demographic that is noticeably more mixed in terms of shared and family households. In this instance it should be noted that there are in the region of 200 unlicensed HMO's in the Caerphilly County Borough and that these are spread throughout the area. In that context, the Local Planning Authority is not in a position to argue that there is a high concentration of Houses of Multiple Occupation in the immediate vicinity of the application site or within Caerphilly County Borough as a whole. Taking into consideration the cumulative impacts of such HMOs within the Caerphilly County Borough and their dispersed placement, it is not considered that the

proposed change of use in itself would significantly change the immediate character of Trinant or detrimentally impact the current levels of amenity received by the neighbouring occupiers. Therefore the proposal complies with Policy CW2 in that it would not have an unacceptable impact upon the immediate character and amenity of the local area of Trinant.

Policy CW3 states that development proposals should have regard for the safe, effective and efficient use of the transportation network, and parking space should be provided in accordance with the CSS Wales Parking Standards 2008. Two existing off-street car parking spaces are shown within the front curtilage and therefore the Transportation and Engineering Manager is satisfied in highway safety term subject to imposing a condition on any consent to the effect that the existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

In conclusion the proposal complies with Policy CW2 and Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010, as such it is considered to be acceptable in planning terms and it is recommended that planning permission is granted subject to conditions.

Comments from Consultees: Transportation Engineering Manager - No objection subject to the following conditions:

The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

Reasons: In the interests of highway safety. To ensure that adequate off-street parking facilities are provided within the curtilage of the site.

Head of Public Protection - No objection raised.

Comments from public: The following comments were received:-

1. The street is a cul-de-sac where parking is an existing problem additional vehicles will add to the issue, not a suitable location - The level of off-street car parking provision provided meets the requirements for the property, any existing parking pressures cannot be taken into consideration in the determination of this application.
2. Quiet family street, told that other HMO's have attracted drugs and anti-social behaviour, doesn't want this on doorstep.
3. The introduction of the proposed use in a street where young and old know each other well would cause the existing residents to feel vulnerable.
4. Detrimental and unsettling effect on the existing occupants of the property.



5. At least 14 children in the cul de sac, concerned as to the potential impact of additional traffic on them and who would know who would be occupying the premises.

In regards to points 2, 3, 4 and 5, the impact upon neighbouring properties has been discussed in the above report however there is no evidence to suggest that the proposed use will equate to increased anti-social behaviour. If such issues occur then it is for the Police to deal with such matters.

6. Loss of an existing family home in Trinant area where there is a lack of such accommodation to meet an existing need for that type of housing - The change of one property into another type of dwelling would not significantly change the character of the area.

7. Village facilities are limited, there is no doctor's surgery, only one shop and no support to find a job, with only an hourly bus service, if the occupants do not have their own transport they would be isolated and brings into question of the sustainability of the proposal - The dwelling is located within a defined settlement within the adopted Local Development Plan and therefore the principle of development is considered to be acceptable subject to satisfying all other material planning considerations.

8. Property is a two bedroomed dwelling with an attic room, not as described in the application. Planning permission has not been sought or granted for the loft to be converted when it was done in or around 2003 it was not carried out as per the Building Regulations. How can the landlord possibly rent the attic room out as a bedroom if the application is a success? Surely the application should be classed null and void due to inaccurate information being presented to the planning Committee? - Planning permission was not required for the conversion of the loft. The internal arrangements of the property would be covered by separate legislation.

9. Occupation of the premises by a number of individual adults could result in them coming and going at any time of the night, or have music playing, etc., which is not the situation at the moment with a young family occupying the property, and as such these activities would be detrimental to the health and amenities of the attached neighbouring property due to potential noise late at night -Whilst there may be an increase in noise from the proposed use it is not considered that this would be materially different to that which could be expected from family a dwelling or to such an extent that refusal of this application would be justified. Noise where it was shown to be a Statutory Nuisance would be covered under other legislation.

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.

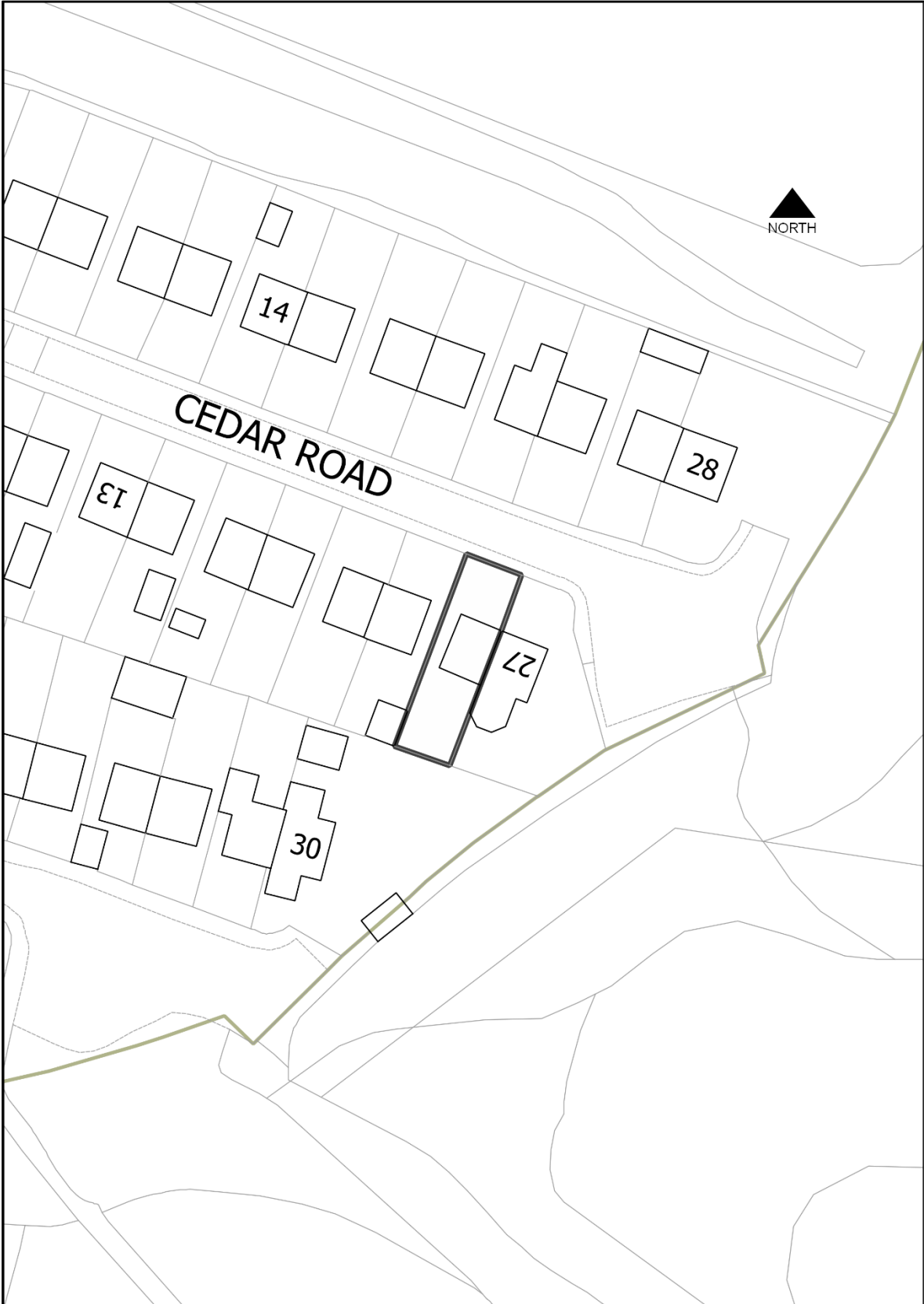
Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

**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, Dated 27th July 2021, Received 19th January 2022;
  - Existing and Proposal Floor Plans, Drwg. No. KD1817/1A, Received 19th January 2022.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.  
REASON: In the interests of Highway safety in accordance with policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Advisory Note(s)



This page is intentionally left blank

**Application Number:** 21/1192/OUT

**Date Received:** 07.12.2021

**Applicant:** Caerphilly Homes

**Description and Location of Development:** Erect residential development comprising of up to 99 No. units and associated works with all matters reserved - Land At Grid Ref 318082 197935 Central Avenue To Groveside Road Oakdale

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is located on the western side of Oakdale Terrace and to the north of Penmaen Estate.

Site description: The application site comprises of the former Oakdale comprehensive school and grounds and has an area of approximately 3.6 hectares. The site is located in a predominantly residential area and the former school buildings have now been demolished. Crushed materials associated with the demolition of the buildings remain on site along with the former school car parking area, other areas of hard standing and a multi-use games area. The latter is located in the south-eastern corner of the site and remains in use by the public. Whilst much of the site has previously been disturbed, there are some areas of less disturbed land, particularly to the west. There are also a number of existing individual, and groups, of trees, including a group on the northern part of the site which are covered by a tree preservation order (TPO No. 119/81/GCC). The site falls steeply from east to west with terraces evident on parts of the site. There are existing accesses into the site from Oakdale Terrace, Penmaen Estate and The Rhiw.

The residential houses of Penmaen Estate primarily adjoin the southern boundary of the site, while the eastern site boundary abuts the highway of Oakdale Terrace with residential properties beyond. A short section of the northern boundary adjoins a lane (The Rhiw) while the remainder of this boundary adjoins a wooded area. The western boundary of the site also adjoins a strip of woodland with the land beyond sloping steeply down to the B4251 Road. A number of public rights of way are also located to the south, west and north of the site.

Development: Outline planning permission is sought for a residential development comprising of up to 99 units and associated works. The proposed mix of units would be split equally between 50% affordable and 50% market houses. The indicative plans submitted with the application indicate that the proposed development would comprise of a mixture of houses and apartments and would be served by a single vehicular access off Oakdale Terrace. Several pedestrian links to surrounding streets and the public rights of way network are also shown on the indicative plans, along with on site

public open space and a water attenuation basin functioning as a sustainable drainage feature.

All matters have been reserved for future consideration and as such, only the principle of the proposed residential development is being considered at this stage.

Dimensions: The scale parameters for the proposed houses are as follows:

Length - Min. 8m and Max. 9.5m  
Width - Min. 5m and Max. 10m  
Height to eaves - Min. 3m and Max. 9.5m  
Height to ridge - Min. 5m and Max. 12.5m

The scale parameters for the proposed apartment buildings are as follows:

Length - Min. 7m and Max. 48m  
Width - Min. 7m and Max. 23m  
Height to eaves - Min. 5.5m and Max. 9.5m  
Height to ridge - Min. 8.5m and Max. 12.5m

Materials: To be determined at reserved matters stage.

Ancillary development, e.g. parking: To be determined at reserved matters stage.

PLANNING HISTORY 2010 TO PRESENT 17/0841/NOTD - Demolish all single and multi storey buildings on site excluding youth club - Prior Approval Not Required - 25.10.2017.

## POLICY

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

Site Allocation: The site is within settlement limits.

Policies: Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), Policy SP4 (Settlement Strategy), Policy SP5 (Settlement Boundaries), Policy SP6 (Placemaking), Policy SP7 (Planning Obligations), Policy SP8 (Minerals Safeguarding), Policy SP10 (Conservation of Natural Heritage), Policy SP14 (Total Housing Requirements), Policy SP15 (Affordable Housing Target), Policy CW2 (Amenity), Policy CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), Policy CW5 (Protection of the Water Environment), Policy CW6 (Trees, Woodland and Hedgerow Protection), Policy CW8 (Protection of Community and Leisure Facilities), Policy CW10 (Leisure and Open Space Provision), Policy CW11 (Affordable Housing Planning Obligation); Policy CW15 (General Locational

Constraints); Policy NH3 (Site of Importance for Nature Conservation); and Policy SI1 (Green Wedges).

Supplementary Planning Guidance: LDP1 Affordable Housing Obligations (Revision) and LDP4 Trees and Development.

Future Wales: Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 3 - (Supporting Urban Growth and Regeneration - Public Sector Leadership), Policy 7 (Delivering Affordable Homes), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 13 (Supporting Digital Communications).

NATIONAL POLICY Planning Policy Wales (Edition 11, February 2021), Technical Advice Note 2: Planning and Affordable Housing (June 2006), Technical Advice Note 5: Nature Conservation and Planning (September 2009), Technical Advice Note 11: Noise (October 1997) and Technical Advice Note 24: The Historic Environment (May 2017).

#### 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? Yes but the Site Investigation Report submitted with the application confirms that only a thin intact coal seam was encountered on the site with no evidence of working. As such, the Report has adequately proven that the site is safe and stable from a mining legacy perspective. The Coal Authority has also raised no objection to the proposed development.

#### CONSULTATION

Transportation Engineering Manager - CCBC - No objection to the proposed residential development subject to conditions relating vehicular access, site layout, car parking, residential travel plan, construction management plan and new pedestrian crossing facility.

CCBC - 21st Century Schools - In isolation there is sufficient capacity within both primary and secondary catchment schools to meet the needs of future children arising from the proposed residential development. However, when the proposed development is considered alongside all other planning applications for this area, it appears that at this stage there could be a potential shortfall in places at Islwyn High School.

Heritage And Placemaking Officer - No objection to the proposed residential development as the indicative layout shows a positive design intent with strong street

frontages, good active street development with appropriate parking and good levels of natural surveillance. An enhanced approach to sustainable design is also welcomed.

CCBC Housing Enabling Officer - The proposed residential development is supported and it is advised that the proposal would benefit from Welsh Government grant funding and is included in the Council's 2021/22 Programme Development Fund.

Parks And Open Spaces - No comments received.

Head Of Public Services - No comments made.

Dwr Cymru - It has been confirmed that no problems are envisaged in relation to water supply or the treatment of domestic foul water discharges from the proposed residential development. Attention is also drawn to the existence of a public sewer crossing the site and it is highlighted that there is currently no agreement to communicate surface water flows to the public sewerage network.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that a separate application will need to be made to Western Power Distribution if a new connection or service alteration is required.

Landscape Architect - CCBC - No objection is raised to the proposed residential development. It is, however, advised that careful consideration should be given to the removal of trees with category A and B trees ideally retained. Advice is also given in respect of mitigating tree loss through landscaping proposals and detailed requirements are provided for any future reserved matters application.

Ecologist - No objection raised to the proposed residential development subject to conditions relating to a reptile strategy, biodiversity enhancement strategy, construction environment management plan and bats.

The Coal Authority - No objection raised in relation to the proposed residential development. Advice also provided in relation to mine gas and the implications of sustainable drainage.

Rights Of Way Officer - It is has been confirmed that the proposed residential development would not directly affect the Public Rights of Way (PRoW) adjacent to the site. It is also advised that the proposed links to the PRoW would result in additional usage and as such, improvements to the existing infrastructure would be required. Subject to such improvements to the PRoW being secured, no objection is raised the proposed residential development.

Strategic & Development Plans - No objection raised in relation to the proposed residential development subject to the adequate replacement of the existing multi-use games area.



Head Of Public Protection - CCBC - No objection raised in relation to the proposed residential development subject to conditions relating to land contamination, floodlighting, dust and noise mitigation during construction, noise mitigation in respect of the development and air quality mitigation measures.

Senior Engineer (Land Drainage) - Concerns are raised in relation to the proposed residential development based on surface and ground water issues and the acceptability of the proposed drainage strategy.

Senior Arboricultural Officer (Trees) - No objection is raised to the proposed residential development. Any future reserved matters application would, however, need to be supported by, among other things, an updated Arboricultural Impact Assessment, Tree Protection Plan, Arboricultural Method Statement and Tree/Woodland Management Plan.

Natural Resources Wales - No objection to the proposed residential development subject to a condition relating to a pre-commencement survey relating to bats.

## ADVERTISEMENT

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

Response: A local ward member has raised a number of matters for consideration but is neither objecting to, or supporting, the proposed residential development. Objections from thirteen members of the public have also been received as a result of the public consultation exercise.

Summary of observations: The matters raised by the local ward member are as follows:

- The existing layby to the front of the former school site should be retained to support local car parking.
- Pedestrian access to the proposed houses from the main road should be restricted to prevent additional parking on the road.
- The development layout should prevent loss of privacy to residents of Vancouver Drive.
- Views to the west for residents of Penmaen Villas should be retained.
- The existing Multi-Use Games Area (MUGA) must be relocated within the Penmaen Ward.
- Highway safety improvements should be considered alongside this development to allow safe egress from Penmaen Estate.

The matters raised by members of the public are as follows:

- The existing highway network is considered to be dangerous with cars already parking near junctions, resulting in a lack of visibility when turning out of Penmaen Estate and a nearby private access lane.

- Vancouver Drive should not be used for vehicular access into the proposed development.
- Existing highway safety issues would be exacerbated by having three junctions in such close proximity to one another, the additional volume of traffic and increased parking on the highway.
- The loss of the layby to the front of the former school site would result in less parking provision for local businesses and church.
- Traffic survey is considered to be flawed.
- Additional highway safety measures are required, such as double yellow lines, dedicated resident parking, speed bumps, 20 mph speed limit, speed cameras, alterations to existing junctions and the potential introduction of a mini roundabout.
- Any additional parking restrictions by Penmaen Villas, post office and public house would detrimentally impact local businesses and residents.
- Insufficient capacity within local schools, GP surgeries and dentist practices to accommodate additional children and patients respectively.
- The loss of the MUGA is unacceptable as it is a vital, well-used local facility.
- Already too much housing in the area and there is a lack of infrastructure to accommodate it.
- Proposed play spaces within the site will be out of sight with the potential for an increase in anti-social behaviour.
- Concerns over site subsidence, due to previous mining activities.
- Loss of views to the west across the valley.
- Overlooking of the rear gardens at Vancouver Drive.
- Impact on the residential amenity of surrounding residential properties during the construction phase as a result of noise, dust etc.
- Increase in noise, light and air pollution as a result of the additional residents and associated traffic generation.
- The density of the proposed development should be reduced.
- Local properties would be de-valued.
- Concerns over the impact on existing water pressure in the local area and the lack of capacity within existing drains.
- Land should be used for a community use.
- Concerns over the loss of well-developed trees.
- Impact on local wildlife.
- Proposed path at the side lane (The Rhiw) would become an area of anti-social behaviour.
- Proposed flats would have an unacceptable visual impact.

## SECTION 17 CRIME AND DISORDER ACT

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

None

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, but there are trees with moderate potential to support roosting bats. Such trees should therefore be subject to a precautionary bat check prior to felling.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, the application site is located in the higher viability area where CIL is charged at £25 per square metre plus indexation.

## ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The vast majority of the application site is located within the settlement boundary within which development is normally permitted subject to the requirements of other relevant LDP policies and material planning considerations (Policy SP5). The main area of the site within the settlement boundary is not covered by any allocations or designations according to the LDP proposals Map.

A small strip of land running along the western edge of the site falls outside of the settlement boundary and is covered by two designations, namely a green wedge (Policy SI1.9 - Blackwood, Oakdale and Penmaen) and minerals safeguarding area (Policy SP8 - sandstone). However, the submitted illustrative site layout plan clearly indicates that this western edge of the site would be retained as woodland and would therefore remain largely unaffected by any proposed built development. As such, it is not considered that the proposed residential development would adversely affect, or conflict with, these designations in land use terms.

The application site was previously occupied by the former Oakdale Comprehensive School and is therefore classified as brownfield land. Among other things, Policy SP2 supports significant development on brownfield sites that have regard to the social and economic function of the area. As the surrounding area is primarily residential in character, it is considered that the proposed residential development would accord with the role and function of the settlement within which it is located (Policy CW15 - criterion A), while also being compatible with surrounding land uses (Policy CW2 - criterion C). As such, the proposed development is considered to be acceptable in principle.

Notwithstanding this general land use acceptability, regard must also be had to the existing Multi-Use Games Area (MUGA) located in the south-eastern corner of the site, which would be lost as a result of the proposed residential development. The MUGA is classified as a community/leisure facility that is protected by Policy CW8. The latter states that the loss of a community/leisure facility will only be permitted where a

comparable replacement facility can be provided within easy and convenient access on foot or by bicycle, or it can be demonstrated that the facility is surplus to requirements.

In order to address this matter, the applicant has provided supporting information which indicates that a replacement MUGA of a similar size and function to the existing facility would be provided on land within the grounds of Islwyn High School. Whilst the school would have access to the replacement MUGA during the day for use by school pupils, it would be available during evenings, weekends and school holidays for wider public use. A letter has also been received from Islwyn High School confirming their willingness to accommodate the replacement MUGA within the grounds of the school and the applicant has demonstrated that a significant proportion of the local community would live within a 15-minute walk of the facility. It is also noted that Policy CW8 indicates that it is also acceptable for a replacement facility to be within convenient access by bicycle which increases the acceptable travel distance for more local residents. Finally, the applicant has stated that the existing MUGA would not be closed before the replacement MUGA is available to ensure the continuity of local provision and it is considered that this requirement can be secured via a suitably worded condition.

It is therefore considered that there is a reasonable prospect of a comparable replacement MUGA being provided within the local ward to meet the needs of the community. Moreover, a suitably worded condition can prevent the loss of the existing MUGA prior to the replacement facility being provided. Accordingly, the proposed residential development meets the requirements of Policy CW8.

With regards to highway matters, the submitted indicative site layout plan indicates that the proposed residential development would be served by a new vehicular access to the east of the site off Oakdale Terrace. The submitted Transport Statement (TS) also indicates that the existing pedestrian crossing at Oakdale Terrace would be relocated a short distance to the north and would comprise of either a zebra or signal controlled arrangement. The existing vehicular access from Penmaen Estate to the former school car park would become a pedestrian only access and a number of additional pedestrian links to the adjacent streets and rights of way network to the west and south of the site are also proposed. The application site is considered to be located within a reasonably sustainable location with good access to bus services and certain local facilities. Oakdale local centre is located approximately 700m to the north-east.

In relation to trip generation, the submitted TS indicates that the proposed residential development is likely to generate 46 and 44 two-way vehicle movements during the AM and PM peak periods respectively. A total of 437 two-way vehicle movements is also estimated throughout the day. In comparison, the TS indicates that the previous comprehensive school use would generate 183 and 37 two-way vehicle movements during the AM and PM peak periods respectively, while a total of 636 two-way vehicle movements are estimated throughout the day. It is therefore evident that the proposed residential use would generate significantly less vehicle movements during the AM peak period and as a total throughout the day. Moreover, whilst an additional 7 vehicle movements are anticipated during the PM peak period, this is not considered to be

significant, equating to an additional vehicle movement every 9 minutes. The Council's Highway Engineer has reviewed the findings of the TS and has raised no objection to the proposal on highway capacity or safety grounds.

It is noted that a number of concerns have been raised by local residents in relation to existing parking and highway safety issues, particularly near the junction between Penmaen Estate and Oakdale Terrace. The proposed vehicular access to serve the residential development would be located approximately 120m north of this junction and whilst the issues raised by local residents in terms of difficulties turning right and vehicles parking inappropriately are appreciated, the key consideration is whether the additional vehicular movements generated by the proposed development have an unacceptable impact on the safe, effective and efficient use of the highway network. The submitted TS has confirmed that the amount of traffic generated by the proposed residential development would in most scenarios be significantly less than when the site was used as a comprehensive school. Moreover, other than the relocation of a pedestrian crossing, no additional highway safety measures have been identified as being necessary by the applicant's transport consultant or been requested at this stage by the Council's Highway Engineer. In respect of the concerns over the loss of the use of the existing layby on Oakdale Terrace, this part of the highway is located outside of the application site boundary and the illustrative plans submitted do not indicate that any significant changes would occur in this location.

In summary, the proposed residential development is considered to be located in a reasonably sustainable location and the surrounding highway network is considered to have sufficient capacity to accommodate the increase in vehicular movements without having a detrimental impact on highway safety. Detailed highway design matters would be addressed at reserved matters stage and accordingly, the proposed development would meet the requirements of Policy CW3.

In relation to the historic environment, immediately opposite the north-eastern boundary of the site lies the Grade II Listed Penmaen House. As such, the proposed residential development falls within its setting. Planning Policy Wales (PPW) advises that there is a statutory requirement to have special regard to the desirability of preserving the setting of a listed building (paragraph 6.1.10). Technical Advice Note (TAN) 24: The Historic Environment also explains that the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape (paragraph 1.25). Moreover, TAN 24 goes on to state that the extent of any setting is not fixed and may change as the historic asset and its surroundings evolve.

The submitted indicative site plan indicates that the north-eastern corner of the site, which sits opposite this listed building, would accommodate a residential car parking area, due to the difference in ground levels between this part of the site and Oakdale Terrace. As such, the proposed car parking area would be positioned lower than the adjacent highway and is indicatively shown to be well-screened by soft landscaping, which would further reduce its visual prominence. Whilst it is acknowledged that these

development details are only indicative at this stage, it is evident that a sensitively designed housing scheme which respects the character and appearance of the street scene at Oakdale Terrace would preserve the setting of Penmaen House. The full details of the development's layout, scale, appearance and landscaping can be adequately controlled at reserved matters stage and accordingly, it is considered that the proposed residential development meets the requirements of PPW and TAN 24 in respect of this matter.

In terms of residential amenity, it is noted that objections have been received stating that the proposed residential development would overlook the rear gardens of adjacent residential properties to the south at Penmaen Estate. Whilst the exact details of the development's layout, scale and appearance are reserved for future consideration, the indicative site plan shows the potential location of proposed dwellings and their associated curtilages adjoining the existing properties at Penmaen Estate. This plan demonstrates that the rear elevations of the proposed dwellings can be set approximately 15m from a shared boundary with these existing neighbouring properties, which is considered to be sufficient to prevent any unacceptable impact by means of overbearing, overshadowing or overlooking.

Additional concerns have been raised by local residents in relation to noise impacts and impacts on amenity during the construction phase of development. It is not, however, considered that the proposed residential development would generate unacceptable levels of noise given that it would be compatible with surrounding residential uses. Moreover, any amenity impacts during the construction phase of the development would be temporary and capable of being adequately controlled through the implementation of a construction working method statement.

It is therefore considered that the application site is capable of accommodating the proposed residential development without having an unacceptable impact on the amenity of the occupiers of neighbouring properties and accordingly, the proposal would meet the requirements of Policy CW2.

In respect of trees, the submitted Arboricultural Impact Assessment (AIA) indicates that a total of 21 trees, four groups of trees and sections of four groups of trees have the potential to be removed based on the indicative site layout plan submitted. This would include a number of individual trees and groups of trees assessed as being category A (high quality) or category B (moderate quality). However, the AIA also highlights the fact that the majority of trees within and adjacent to the site will be retained around the central, western and northern parts of the site.

The Arboricultural Officer has reviewed the AIA and raised no objection to the proposed residential development based on its findings and recommendations. It is, however, advised that the loss of any more trees should be avoided at reserved matters stage through a sensitively designed layout. Similarly, the Council's Landscape Architect has raised no objection to the proposed development and acknowledges that a large percentage of trees are to be retained and protected, notably category A tree groups

along the northern and western perimeters and central area of the site. The potential loss of trees as a result of the proposal is, however, also considered to be significant and the Landscape Architect recommends that detailed layout design proposals at reserved matters stage should seek to maintain as many category A and B trees as possible. Where it is not possible to retain such trees, it is advised that mitigation measures will be required as part of a robust landscaping scheme that incorporates suitably sized native and non-native mixed species tree planting.

It is therefore considered that subject to a sensitively designed layout and appropriate landscaping proposals at reserved matters stage, the proposed residential development would not have an unacceptable impact on the site's existing trees and woodlands. Moreover, an updated AIA, tree protection plan and arboricultural method statement can be further considered at reserved matters stage along with landscaping scheme details that include appropriate mitigation measures. Accordingly, it is considered that the proposed residential development would meet the requirements of Policy CW6.

In terms of local ecology, a number of surveys and assessments have been submitted which relate to a Preliminary Ecological Appraisal (PEA), a Habitats Regulations Screening Assessment (HRSA) and various individual species surveys relating to bats, badgers, great crested newts and reptiles. The application site is not covered by any statutory or non-statutory nature conservation designations and the PEA indicates that the main habitats on the site comprise of open mosaic on previously development land, neutral grassland and other lowland mixed deciduous woodland. In respect of surrounding designations, the site's northern boundary adjoins a Site of Importance for Nature Conservation (SINC NH3.87 - Penmaen Woodlands) and Aberbargoed Grasslands Special Area of Conservation / Site of Special Scientific Interest / National Nature Reserve lies approximately 1.8km to the north-west of the site.

The HRSA has been undertaken in relation to Aberbargoed Grasslands and the screening process has found that the proposed residential development would not have a likely significant effect on the conservation condition of the qualifying features of this site. The Council's Ecologist agrees with the findings of the HRSA and as such, it is considered that a further Appropriate Assessment is not required in relation to this European protected site.

In relation to individual species surveys, it is noted that no badger setts, or other signs of badger, were found on site or within a 30m survey buffer area. Similarly, no suitable waterbodies to support great crested newt were found on the site or within a 500m survey buffer. As such, badgers and great crested newts are considered to be absent and do not therefore pose a constraint to the proposed residential development.

In respect of bats, a Ground Level Bat Roost Assessment has been submitted which indicates that on the application site a total of 20 trees have the potential to be bat roost features suitable of supporting roosting bats. Of the 20 trees, 7 are considered to have moderate potential while 13 are considered to have low potential. A further 8 trees within 30m of the site have also been assessed as having a low potential to support

roosting bats. As trees of moderate potential for supporting roosting bats were identified on site, dusk emergence and dawn entry surveys were undertaken. The associated Dusk Emergence and Dawn Re-entry Bat Survey Report submitted with the application confirms that no bats were observed emerging from or returning to these trees and as such, concludes that bats are likely to be absent and no mitigation measures are required. The Survey Report also indicates that bats may be using the site and wider area for commuting and foraging.

Natural Resources Wales has reviewed the bat related reports and raised no objection to the proposed residential development subject to the imposition of a condition that secures either a further bat roost assessment of the trees or an emergence/re-entry bat survey prior to any works with the potential to impact trees with moderate bat roost potential. The Council's Ecologist also concurs that a condition of this nature should be imposed if planning permission were to be granted.

With regards to reptiles, the submitted reptile survey indicates that slow worm was the only reptile recorded on site with a total of four slow worms recorded across seven site visits. The slow worm population is therefore classed as small and in order to prevent any harm to the species a Reptile Mitigation Method Statement (RMMS) has been submitted with the application. Whilst the mitigation measures set out within the RMMS are considered broadly acceptable, a revised/updated method statement is required setting out the exact mitigation measures proposed which will not be known until the detailed development proposals have been finalised. The Council's Ecologist recommends that such mitigation measures should be secured in the form of a reptile strategy via condition.

In addition to the above, the Council's Ecologist has indicated that habitat suitable to support dormouse, such as woodland, would be retained on site and has raised no objection to the proposed residential development. Two further conditions are, however, recommended which relate to a construction environmental management plan and a biodiversity enhancement strategy. Whilst it is agreed that a construction environmental management plan condition is necessary at this stage, it is considered that biodiversity enhancement measures can be incorporated into detailed design proposals at reserved matters stage. It is therefore considered that subject to relevant ecological conditions, the proposed residential development would not have an unacceptable impact on protected or local species. Accordingly, the proposal would meet the requirements of Policies SP10 and CW4.

In terms of air quality, an Air Quality Technical Note (AQTN) has been submitted with the application, which states that a detailed air quality impact assessment is unlikely to be required based on the indicative air quality assessment criteria published by the Institute of Air Quality Management and the amount of vehicle trips generated by the proposed residential development. The AQTN also indicates that a more detailed air quality screening assessment will be provided at reserved matters stage in order to confirm whether or not this current judgment is correct. The Council's Environment Health Officer has reviewed the AQTN and indicated that the proposed screening



assessment should also consider the wider air quality impacts having regard to other applications for housing developments within the local area. A condition is also recommended relating to the submission and approval of air quality mitigation measures. It is not, however, clear at this stage whether such mitigation measures are necessary given that the detailed screening assessment has not yet been considered. It is therefore recommended that air quality matters are considered further at reserved matters and if necessary, air quality mitigation measures can be secured at that time.

In relation to noise, an Environmental Noise Assessment (ENA) has been submitted with the application which has split the site into two broad groups of differing noise exposure levels: areas on the western and southern parts of the site that are categorised as Exposure Level 1, where noise levels are above 48dB(A); and areas on the eastern part of the site that are categorised as Exposure Level 2, where noise levels are 48dB(A) and below. Whilst the proposed houses located in the Exposure Level 1 areas would require higher sound insulation performance, the ENA concludes that both areas fall within the acceptable noise exposure categories for dwellings as set out in Annex A of Technical Advice Note (TAN) 11. In accordance with the requirements for TAN 11, consideration should be given to securing higher sound insulation performance requirements for proposed houses within the Exposure Level 1 areas via a condition.

The Council's Environmental Health Officer has reviewed the ENA and has raised no objection to the proposed residential development subject to two noise related conditions that ensure acceptable noise levels are achieved both internally within the proposed houses and externally within garden areas. Given the findings of the ENA in relation to Exposure Level 1 areas, such conditions are considered necessary to meet the requirements of TAN 11.

With regards to contamination, the submitted Site Investigation Report (SIR) indicates that asbestos fibres have been identified at shallow depths within made ground and asbestos containing materials have also been identified at the site surface. The Council's Environmental Health Officer has reviewed the SIR, and other associated reports, and indicated that the site has the potential to contain widespread contamination across the site, due to re-profiling works that were undertaken post demolition of the school buildings. As such, it is recommended that a further detailed site investigation is undertaken after any site re-profiling/cut and fill works are carried out as part of the proposed residential development. This would enable any potentially exposed contaminants that may pose a risk to future residential users to be identified and allow for a final remediation strategy to be submitted for approval prior to implementation. It is also recommended that further ground gas monitoring is undertaken as part of any future site investigation works and a materials management plan is included as part of the remediation strategy. It is considered that these requirements can be secured via the imposition of land contamination related conditions.

In relation to public rights of way, the application site is located adjacent to four public rights of way (footpaths 64, 65, 68 and 69) which broadly run alongside the southern,

western and northern boundaries of the site. The proposed residential development would create pedestrian links to footpaths 64 and 65 but would not directly affect them as confirmed by the Council's Countryside and Rights of Way Officer. The latter has also requested a financial contribution via a Section 106 agreement to improve the existing footpath infrastructure given that future residents from the proposed residential development would increase pressure on the network as a result of additional use. Whilst it is possible that the proposed improvement works could meet the three planning obligation tests, a Section 106 agreement is not an appropriate mechanism for securing a financial contribution in this instance, as the applicant is Caerphilly Homes (i.e. the Council).

In respect of drainage, the submitted SAB Strategy and Foul Drainage Report (SSFDR) indicates that foul drainage would be conveyed to the combined sewer located within the site, while surface sustainable drainage measures would comprise of a mixture of swales, detention basins and bioretention / rain gardens. Only general details of the sustainable drainage proposals have been provided at this stage, which indicate that controlled surface water discharge off site would potentially be via an existing part overland / part culverted discharge to the Sirhowy River or via a connection to an existing public surface water sewer. The SSFDR confirms that a full sustainable drainage application will be submitted to the Sustainable Drainage Approval Body (SAB).

Dwr Cymru/Welsh Water (DCWW) has raised no concerns in respect of the capacity of the public sewerage network to accept foul flows from the proposed residential development and the applicant would need consent from DCWW in relation to diverting any public sewer on the site, if necessary. DCWW has also confirmed that a water supply can be made available to service the proposed development.

The Council's Drainage Engineer has raised concerns in relation to the proposed development on the basis that the limited information provided does not demonstrate compliance with the statutory sustainable drainage standards. However, he has also acknowledged that separate sustainable drainage pre-application advice has been provided to the applicant by the Sustainable Drainage Approval Body and it is considered that as only the principle of development is being considered at this stage, there is sufficient scope to incorporate any necessary changes to sustainable drainage proposals into the final residential development scheme. Additional concerns raised in relation to the contamination of ground and/or surface water can be addressed by the contamination related condition highlighted above and the potential for any groundwater flooding at lower levels on site can also be considered in more detail at reserved matters stage when the exact ground reprofiling works and development plateaus are known. Finally, it is noted that a request has been made for a small flood consequences assessment to be undertaken in relation to flooding from surface water and small watercourses. However, there is currently no national or local planning policy requirement for an assessment of this nature to be undertaken and to require such an assessment via a planning condition would fail to meet the tests set out in the Welsh Government Planning Conditions Circular.

In terms of leisure and open space provision, Policy CW10 requires all new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3 ha to make adequate provision for useable open space, appropriate formal children's play facilities and adequate outdoor sport provision. The play facilities and sport provision can be provided on or off site. The indicative site layout plan shows an area of open space with a play area, a surface water detention basin that can also be used as open space and a green corridor through the centre of the site. The provision of appropriate levels of public open space to serve the proposed development in accordance with the Fields in Trust standards can be secured by way of condition. It is also noted that there are other play facilities and sports pitches within close proximity to the application site and the Community Infrastructure Levy (CIL) contributions from the market housing element of the proposed development are capable of being used for off-site leisure facilities if deemed to be necessary. As such, it is considered that the proposed residential development would meet the requirements of Policy CW10.

With regards to the need for planning obligations relating to education provision, the 21st Century Schools Officer has indicated that in isolation, there is sufficient capacity within both primary and secondary catchment schools to meet the needs of future children arising from the proposed residential development. However, when the proposed development is considered alongside all other planning applications for this area, it appears that at this stage there could be a potential shortfall in places at Islwyn High School. As indicated above, CIL contributions would be required in relation to the market housing element of the proposed development and if a need did arise for additional offsite school provision in the form of an extension to a school building or an additional building, the potential is there for CIL monies to contribute to its funding.

Comments from Consultees: All relevant matters raised by consultees have been addressed above.

Comments from public: A number of the main concerns raised by local residents have been addressed above. A response to the remaining concerns is provided below.

In respect of concerns over the insufficient capacity of local services and facilities to meet the needs of future residents, matters relating to local school and play provision have been addressed above. Whilst the capacity levels of local GP surgeries and dental practices is unknown, it is considered that the provision of health services for the local community is a matter for the health trust and associated private practice.

In terms of the housing density being too high, the site has an area of approximately 3.6 hectares and would provide up to 99 dwellings. The site's maximum housing density would therefore be 27.5 dwellings per hectare, which is not considered to be a high density.

Matters relating to the scale and appearance of the buildings, the location of play spaces in relation to houses, street lighting and the exact location of pedestrian

footpaths would be determined at reserved matters stage. Members of the public would therefore have a further opportunity to comment on these detailed design proposals at this stage.

Finally matters relating to the loss of views and devaluing of local properties are not material planning considerations.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

#### RECOMMENDATION that Permission be GRANTED

- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (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 access, appearance, landscaping, layout and scale of the development, 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.
- 05) The development shall be carried out in accordance with the following approved plans and documents:  
- Site Location Plan, Drawing No. ODSR-HMA-ZZ-00-DR-A-PL0001 (Rev. P01);  
- Parameter Plan: Land Use; Drawing No. ODSR-HMA-ZZ-00-DR-A-PL0600 (Rev. P03) (Scale Parameters Only);  
- Former Oakdale Comprehensive, Blackwood: Supplemental Site Investigation Report, Document Ref: 12894/GNS/21/SSI, Prepared by Integral Geotechnique, dated October 2021;  
- Preliminary Ecological Appraisal: Former Oakdale Comprehensive School, Project No. NWIL233/001/001, Prepared by Thomson Environmental Consultants, dated July 2021;  
- Preliminary Ground Level Roost Assessment: Former Oakdale Comprehensive School, Project No. NWIL233/001/002/002, Prepared by Thomson Environmental Consultants, dated September 2021;  
- Dusk Emergence & Dawn Re-entry Bat Surveys: Former Oakdale Comprehensive School, Project No. N-WIL233/002, Prepared by Thomson Environmental Consultants, dated September 2021;  
- Reptile Mitigation Method Statement: Former Oakdale Comprehensive School, Project No. NWIL233/005/001/001, Prepared by Thomson Environmental Consultants, dated November 2021;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) The development hereby approved shall be served by a primary means of vehicular access onto Oakdale Terrace.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The means of access serving the development hereby approved onto Oakdale Terrace shall be laid out, constructed and maintained thereafter with visibility splays of 2.4m x 43m. No obstruction or planting when mature exceeding 600mm 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The development hereby approved shall not be brought into beneficial use until full details of a new pedestrian crossing facility on Oakdale Terrace have been

submitted to and approved in writing by the Local Planning Authority. The new pedestrian crossing facility shall be implemented in full accordance with the approved details prior to first occupation of any of the dwellings 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.

- 09) The development hereby approved shall not be brought into beneficial use until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan as approved shall be implemented in accordance with the details and any timescales contained therein.  
REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) Notwithstanding any details within the approved Supplemental Site Investigation Report, prior to any works progressing beyond ground and re-profiling works a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 11) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 12) 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 and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 13) Details submitted in relation to Condition 1 of this permission shall include a topographic site survey demonstrating existing and proposed levels and detailed cross section drawings of the site.

REASON: To enable the relationship between new and existing buildings to be carefully considered in the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 14) Details submitted in relation to Condition 1 of this permission shall include details of the proposed public open space (a LEAP and/or LAP) to be designed in accordance with the standards set out in Fields in Trust guidance. The development shall be carried out in accordance with the approved details and provided in accordance with the timetable contained therein.  
REASON: To ensure the adequate provision of public open space in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) The existing multi-use games area on the site shall remain open and in use by members of the public at all times until a replacement facility, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, has been provided within Penmaen Ward and is open and available for public use.  
REASON: To ensure that a comparable replacement leisure facility is provided to meet the needs of local residents in accordance with Policy CW8 of the Caerphilly County Borough Local Development Plan up to 2021.
- 16) No development shall commence on site until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;
  - the timing of the construction of the affordable housing and its phasing in relation to the occupancy of any market housing;
  - the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing, if no RSL involved;
  - the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
  - the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- REASON: In the interests of providing appropriate levels of affordable housing in accordance with Policies SP15 and CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 17) Prior to any works progressing beyond ground preparation and laying of the slab details of an acoustic scheme shall be submitted to and approved in writing by the Local Planning Authority. The acoustic scheme shall include glazing systems capable of achieving an internal LMAX level of 45 dB(A) inside bedrooms and 35 dB (A) measured as a 16 hr L(A)eq in all other habitable rooms. The development shall be carried out in accordance with the approved details before first occupation of the dwellings hereby approved.  
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 18) Prior to any works progressing beyond ground preparation and laying of the slab, details of an acoustic barrier system shall be submitted to and approved in writing by the Local Planning Authority. The dimensions and positions of the acoustic barrier system shall be capable of achieving an external noise level of 50 dB (A) measured as a 16 L(A)eq in garden areas. The development shall be carried out in accordance with the approved details before first occupation of the dwellings hereby approved.  
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 19) Notwithstanding any details within the approved Reptile Mitigation Method Statement, prior to the commencement of development a Strategy for the protection of reptiles shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be carried out as approved.  
REASON: To prevent killing or injury to reptiles in accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016 and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) Prior to the commencement of any works on site, including site clearance, a further survey of trees with moderate potential to support bat roosts shall be carried out in accordance with Section 6.3 of the approved Preliminary Ground Level Roost Assessment, prepared by Thomson Environmental Consultants, dated September 2021. If the survey confirms the presence of bats the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be carried out in accordance with the approved details.  
REASON: To prevent accidental offences related to bats in accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2021), Tan 5 Nature Conservation and Planning (2009) and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) Prior to any works progressing beyond ground preparation and laying of the slab 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 and approved in writing by the Local Planning Authority. 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 accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2021), Tan 5 Nature Conservation and Planning (2009) and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 22) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve all of the approved dwellings. The necessary infrastructure required shall be installed prior to the first occupation of the dwellings.

REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.

- 23) Details submitted in accordance with Condition 1 of this permission shall include the provision of Electric Vehicle (EV) charging points for all dwellings benefitting from off road parking provision within their curtilage. The EV charging points shall be installed prior to occupation of each of the relevant dwellings.

REASON: In the interests of promoting renewable energy and reducing airborne emissions.

- 24) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:

- hours of working;
  - the on-site parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used during construction works;
  - wheel washing facilities;
  - the erection and maintenance of security hoardings;
  - measures to control noise during construction works;
  - measures to control pollution from plant and runoff;
  - measures to control the emission of dust and dirt during construction works;
- and
- details of a scheme for the recycling/disposing of waste resulting from construction works.

Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.

REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 25) Prior to the commencement of the development hereby approved a Japanese Knotweed and Cotoneaster remediation plan shall be submitted to and approved

in writing by the Local Planning Authority. The remediation plan shall be implemented as agreed by a suitably qualified and licenced contractor.  
REASON: To prevent possible offences under the Wildlife and Countryside Act 1981 (as amended) by preventing damage to the proposed new building and infrastructure and to prevent the spread of a schedule 9 species.

#### Advisory Note(s)

##### Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

##### Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

##### Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

#### WARNING:

**SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems

must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

The applicant/developer is advised that a revised and updated Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement will need to be submitted with the reserved matters application.

The applicant/developer is advised that the ground gas monitoring undertaken (frequency/duration) does not comply with Table 5.5a and 5.5b within Ciria 665 2007. As such, further monitoring will be required as part of further site investigation works.

The applicant/developer is advised that a Materials Management Plan in accordance with the current CL:AIRE protocol will need to be submitted as part of a remediation strategy to ensure that any site won material intended to be utilised from areas of potential asbestos contamination is appropriately managed and dealt with accordingly.

The applicant/developer is advised that biodiversity conservation and enhancement measures should be considered at reserved matters stage including the following:

- the use of native species and local provenance in the landscaping scheme;
- diverse species mixes for open/amenity areas of grassland, with an appropriate management plan;
- landscaping to include rich-in-diversity boundaries such as hedgerows or tree lines;
- refugia/nesting site for birds, bats and hedgehog throughout the development (minimum 25 bird boxes; to incorporate at least 3 No. 3-chamber sparrow terrace boxes, note that a 3-chamber box will count as 3 boxes in the total count);
- provision of refugia such as deadwood/log piles etc; and
- 100mm high continuous gaps under all fence panels.

This page is intentionally left blank



This page is intentionally left blank

**Application Number:** 21/1226/OUT

**Date Received:** 22.12.2021

**Applicant:** Caerphilly Homes

**Description and Location of Development:** Erect development of over 55's supported housing apartments with community accommodation, landscaped allotments and communal gardens, ancillary electric scooter and bicycle storage, car parking and associated works and seek approval for access and layout - Ty Darren Home For The Elderly Cromwell Road Risca Newport NP11 6HF

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is located on the south-western side of St Mary Street at the corner with Ravenswood Court, Risca.

Site description: The application site comprises of the former Ty Darren Care Home building and associated hard standing and soft landscaped amenity areas. The care home building remains in situ and has been secured to prevent unauthorised access. There is an existing vehicular and pedestrian access into the site off St Mary Street and there is currently no boundary separating the site from the adjoining health centre buildings to the north-west. The shared boundaries with residential properties to the south and south-west comprise of a mixture of soft landscaping (trees/hedgerows) and close board fencing, while metal railings and wire fencing with concrete posts define the north-eastern and south-eastern boundaries with St Mary Street and Ravenswood Court respectively. A number of existing trees are also located along both of these boundaries, resulting in the trees being visually prominent within the immediate street scenes.

The site is bounded by the residential properties of Ravenswood Court and Crescent Road to the south and southwest of the site respectively and Risca Health Centre to the north-west. The site's north-eastern boundary lies adjacent to the highway of St Mary Street with the war memorial and The Darran public house just beyond. The site's south-eastern boundary lies adjacent to the highway of Ravenswood Court with the local doctor's surgery and pharmacy just beyond.

Development: Outline planning permission is sought for a residential development that would provide supported housing apartments and community accommodation for older residents aged over 55. A total of 46 affordable units are proposed that would be accommodated within two main buildings. The proposal would also include a smaller, ancillary building providing a community gathering space.

Access and layout are currently being considered at outline stage, while appearance, scale and landscaping are reserved for future consideration.

Dimensions: The proposed larger residential building would be 'L' shaped and up to 4 storeys in height. The proposed scale parameters for this building are as follows:

Height - Min. 9m and Max. 21m;  
Depth - Min. 10m and Max. 12m; and  
Width - Min. 45m and Max. 65m.

The proposed smaller residential building proposed would be rectangular in shape and up to 3 storeys in height. The proposed scale parameters for this building are as follows:

Height - Min. 7m and Max 15m;  
Depth - Min. 10m and Max. 12m; and  
Width - Min. 35m and Max 38m.

The proposed communal building would also be rectangular in shape and up to 2 storeys in height. The proposed scale parameters for this building are as follows:

Height - Min. 6m and Max. 10m;  
Depth - Min. 10m and Max. 12m;  
Width - Min. 20m and Max. 23m.

Materials: To be determined at reserved matters stage under the consideration of the buildings' appearance.

Ancillary development, e.g. parking: The proposed buildings would enclose a central community garden with further allotment gardens proposed to the rear of the site. A new single vehicular access off Ravenswood Court would serve 19 car parking spaces to the rear of the site as well a rear drop-off area. Proposed plant, bin stores and electric scooter and bike storage/charging facilities would be accommodated within the proposed buildings.

PLANNING HISTORY 2010 TO PRESENT 20/1096/NOTD - Demolish care home - Notification - Details Approved - 30.04.2021.

## POLICY

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

Site Allocation: Within settlement limits.

Policies: Policy SP3 (Development Strategy - Development in the Southern Connections Corridor), Policy SP4 (Settlement Strategy), Policy SP5 (Settlement



Boundaries), Policy SP6 (Placemaking), Policy SP7 (Planning Obligations), Policy SP10 (Conservation of Natural Heritage), Policy SP14 (Total Housing Requirements), Policy SP15 (Affordable Housing Target), Policy CW2 (Amenity), Policy CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), Policy CW5 (Protection of the Water Environment), Policy CW6 (Trees, Woodland and Hedgerow Protection), Policy CW10 (Leisure and Open Space Provision), Policy CW11 (Affordable Housing Planning Obligation); and Policy CW15 (General Locational Constraints).

Supplementary Planning Guidance: LDP1 Affordable Housing Obligations (Revision), LDP4 Trees and Development, LDP5 Car Parking Standards and LDP 6 Building Better Places to Live.

Future Wales: Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 3 (Supporting Urban Growth and Regeneration - Public Sector Leadership), Policy 7 (Delivering Affordable Homes), Policy 8 (Flooding), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 13 (Supporting Digital Communications).

NATIONAL POLICY Planning Policy Wales (Edition 11, February 2021), Technical Advice Note 2: Planning and Affordable Housing (June 2006), Technical Advice Note 5: Nature Conservation and Planning (September 2009), Technical Advice Note 12: Design (March 2016), Technical Advice Note 15: Development and Flood Risk (2004), Technical Advice Note 24: The Historic Environment (May 2017).

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within a low risk coal mining area and an advisory note can be added advising the applicant/developer of this fact if planning permission were to be granted.

## CONSULTATION

Senior Arboricultural Officer (Trees) - An objection is raised to the proposed residential development on the basis that two category A and two category B trees would be lost as a result of the proposed development. It is also advised that the loss of these trees cannot be compensated for through a landscaping scheme.

Strategic & Development Plans - The proposed residential development is acceptable in principle provided that it meets the justification test for development in a high risk flood zone and the consequences of flooding are found to be acceptable.

Landscape Architect - CCBC - An objection is raised to the proposed residential development on the basis that two category A and two category B trees would be lost, resulting in an adverse impact on visual amenity.

Head Of Public Protection - CCBC - No objection is raised to the proposed residential development subject to the imposition of the following conditions:

- 1) dust and noise mitigation during construction phase; and
- 2) associated plant, odour/fume mitigation, opening and delivery times and commercial waste measures in relation to the operation of the communal building.

It is also recommended that prior to the demolition of any structures on site an asbestos survey is undertaken to identify and dispose of any asbestos containing material in accordance with the control of Asbestos Regulations 2012.

CCBC Housing Enabling Officer - The proposed residential development is supported and it is advised that the proposal would benefit from Welsh Government Grant funding and is included in the Council's 2021/22 Programme Development Plan.

Senior Engineer (Land Drainage) - Objection raised in relation to proposed residential development due to insufficient information provided in relation to the proposed sustainable drainage scheme and a lack of clarity on whether the proposed development would comply with statutory sustainable drainage standards. Some concerns also raised in relation to the proposal being located in a high risk flood zone.

Head Of Public Services - No comments received.

Transportation Engineering Manager - CCBC - No objection is raised to the proposed residential development subject to the imposition of a number of conditions relating to vehicular access, parking, travel plan and off-site highway works.

Dwr Cymru - No objection is raised to the proposed residential development. Advice is also provided in relation to the location and protection of the public sewer which crosses the site, and the requirements for foul and surface water discharge and connection to the public sewerage network.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that a separate application will need to be made to Western Power Distribution if a new connection or service alteration is required.

Principal Valuer - No comments made in respect of the proposed residential development.

Parks And Open Spaces - No comments received.

Heritage And Placemaking Officer - No objection to the proposed residential development as it represents an exemplar development combining sustainability and good building design with integrated SuDS, active living and learning space, gardens, good landscaping, communal areas and community gathering space.

Natural Resources Wales - No objection raised to the proposed residential development subject to the imposition of conditions relating to flooding and bats.

Ecologist - No objection raised to the proposed residential development subject to the application of the Habitats Regulations derogation tests for European Protected Species and the imposition of conditions relating bird and bat mitigation, a reptile strategy and a planting scheme that benefits local wildlife.

### ADVERTISEMENT

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

Response: One objection has been received as a result of the public consultation exercise.

Summary of observations: The objection raises the following matters of concern:

- The proposed 4 storey building would be out of keeping with the scale of surrounding buildings and appear visually overbearing.
- Health centre buildings would be overshadowed.
- Rear gardens of Crescent Road would be overshadowed and overlooked.
- Consideration should be given to hedgehogs on 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?

None

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species (bats) have been identified by a survey.

The Local Authority must apply the following three tests to the planning application:

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or

economic nature and beneficial consequences of primary importance for the environment.

(ii) There is no satisfactory alternative.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:

(i) The proposed residential development would be specifically designed to meet the needs of people aged over 55 and would provide much needed, high quality affordable accommodation with exemplary space and sustainable design standards. The proposal would also provide a range of communal and community space that would ensure a strong community is formed to the benefit of the residents' health and wellbeing. It is therefore considered that the proposed redevelopment of the site for affordable housing would have significant social benefits and as such, meets the overriding public interest test.

(ii) The existing care home building has been closed since 2010 and is no longer fit for purpose as a modern form of residential accommodation. Moreover, it is not considered that the existing building is capable of meeting the requirements of the development proposed and the extent of refurbishment and alterations the building would require to bring it back into a beneficial use is also likely to result in significant levels of disturbance to the bat roost. It is therefore considered that there are no satisfactory alternatives to the proposed development.

(iii) An Ecological Impact Assessment Report, Method Statement and Preliminary Ecological Assessment have been submitted with the application, which include measures to minimise potential impacts on the common pipistrelle bats that are using the existing care home building as a day roost. Such measures include the timing of demolition works to avoid the bat hibernation period, employing an Ecological Clerk of Works during high-risk activities, implementing bat sensitive working practices during demolition works, the installation of a temporary bat boxes and a permanent bat roost replacement as part of the proposed redevelopment of the site.

Natural Resources Wales (NRW) has reviewed the aforementioned reports and confirmed that a bat licence will be required to undertake works in relation to the proposed development. Moreover, NRW states that subject to the implementation of the proposed bat mitigation measures, it is not considered that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, the application site is located in the higher viability area where CIL is charged at £40 per square metre plus indexation.

## 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 is located within the settlement boundary within which development is normally permitted subject to the requirements of other relevant LDP policies and material planning considerations (Policy SP5). The site is not covered by any allocations or designations according to the LDP Proposals Map. The site is, however, located within a Flood Zone C1 according to the Natural Resources Wales' Development Advice Map. In terms of surrounding constraints, immediately opposite the north-eastern boundary of the site lies the Grade II Listed St Mary Street War Memorial and associated Grade II Listed Railings and Gates.

The application site falls within the Southern Connections Corridor where, among other things, the use of previously developed land within settlement limits is promoted (Policy SP3 - criterion A). The site is classified as brownfield land and the principle of residential use on the site has previously been established by the former Ty Darren care home facility. As such, the proposed residential development would be compatible with surrounding land uses, which comprise of a mixture of residential, community and commercial uses (Policy CW2 - criterion C) and would also accord with the role and function of the settlement within which it is located (Policy CW15 criterion - B). It is therefore considered that the proposed residential development is acceptable in principle.

With regards to flooding, the application site falls within a Flood Zone C1 which is described in Technical Advice Note (TAN) 15: Development and Flood Risk as an area of the floodplain which is developed and served by significant infrastructure, including flood defences (See Figure 1). The source of flooding pertaining to the site is the River Ebbw located approximately 80m to the west of the site. Highly vulnerable development, such as the proposed residential development, can be permitted within Flood Zone C1 provided that the justification tests set out in Section 6 of TAN 15 are met and the consequences of flooding are found to be acceptable (See Section 7 and Appendix 1).

In respect of the justification tests, the application site is defined as brownfield land and the proposal would result in the redevelopment of the site for necessary affordable housing that accords with the development strategy for the Southern Connections Corridor. As such, it is considered that the proposed residential development meets the justification tests of TAN 15.

In relation to the consequences of flooding, a Flood Consequence Assessment (FCA) has been submitted with the planning application, which is based on the finished floor levels of the buildings being set at 51.95m AOD and other ground levels within the site

remaining as existing. The FCA confirms that during a 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event, the proposed development site is predicted to be flood free. This meets the requirements of TAN 15, which states that all residential development should be flood free during this event. During a 0.1% (1 in 1000 year) annual probability fluvial flood event, the proposed buildings are predicted to flood to a maximum depth of 260mm which is within the tolerable limits as set out in TAN 15. Moreover, the overall flooding hazard for the proposed buildings, which includes consideration of both depth and velocity of flood water, during the 0.1% annual probability fluvial event is likely to be of a 'low' flood hazard.

The flooding hazard for external areas within the site is greater than that of the proposed buildings and Natural Resources Wales (NRW) has indicated that the flood depths externally to the buildings would be in the range of 410mm and 1410mm which is partially within the tolerable limits of TAN 15. The FCA does, however, confirm that the site would retain a safe access and egress in the south-eastern corner of the site via St Mary Street where it is likely to be flood free or have a 'very low' flood hazard. Moreover, NRW has confirmed that the FCA demonstrates that the risks and consequences of flooding can be managed to an acceptable level.

It should also be noted that the part of the site with the highest flood risk is the proposed car parking area located adjacent to the southern boundary of the site. In order to minimise the higher level of flood risk in this area, the submitted Drainage Strategy and Flood Consequences Assessment Addendum Letter (dated 3rd February 2022) recommends the implementation of a flood management plan. It is considered that this requirement can be brought to the attention of the applicant via a suitably worded informative.

It is therefore considered that the submitted FCA adequately demonstrates that the consequences of flooding can be managed down to a level which is acceptable for the proposed residential development. Accordingly, the proposal meets the requirements of TAN 15.

In respect of the site layout, the proposed development would comprise of three main buildings that would enclose a central community garden. The larger 4 storey 'L' shaped building would be positioned so that it fronts on to both St Mary Street and Ravenswood Court, providing a strong active frontage. The corner block of this building also has the potential to be a key design feature that acts as a landmark within the local area. The proposed 3 storey rectangular shaped building would be positioned along the north-western boundary, facing towards the adjacent health centre buildings, while the smaller 2 storey rectangular shaped building would be located to the rear, facing towards the proposed allotment gardens and the residential properties of Crescent Road beyond.

The proposed orientation of the buildings and the access routes within the site would provide good visual connectivity and movement between the proposed community spaces across the site. The retention of two pedestrian accesses from St Mary Street

and the proposed vehicular access off Ravenswood Court would also provide good connectivity with existing routes surrounding the site.

In relation to the scale and design of the proposed residential development, the full details of these matters are reserved for future consideration. The submitted plans and scale parameters do, however, indicate that the proposed buildings would be between 2 and 4 storeys in height. It is acknowledged that the proposed 3 and 4 storey buildings would not be wholly in keeping with the local context as the site is predominantly surrounded by single and 2 storey buildings. However, it is considered that the existing built form along this section of St Mary Street is not well-defined, with large spaces between buildings and a poorly established building line along the street frontage. The surrounding buildings also vary in terms of form, design and character because of their different use types, and there is a large, elevated retaining wall within the immediate street scene located behind the war memorial on the north-eastern side of St Mary Street. As such, it is considered that the area doesn't have a strong prevailing character that must be rigidly replicated and the visually prominent retaining wall, along with the existing group of trees located immediately to the southeast of the war memorial, would help balance the scale and massing of the proposed 4 storey building within the street scene. The row of existing trees located adjacent to the south-eastern boundary of the site would also help soften the built form of this larger building and it is noted that the Council's Placemaking and Building Conservation Officer has raised no objection in principle to accommodating a building of up to 4 storeys within the local streetscape. He has, however, advised that the architectural form, materials and detailing will be important to ensure that the building has longevity in its architectural design and visual integrity within the surrounding environment. Such detailed design matters can be addressed at reserved matters stage.

It is therefore considered that the proposed residential development, including 3 and 4 storey buildings, would not have an unacceptable impact on the character and appearance of the street scene provided that the full details of scale and appearance submitted at reserved matters stage ensure that the proposal integrates effectively with the surrounding built environment. Accordingly, it is considered that the proposed development meets the requirements of Policy SP6 in respect of this matter.

In relation to the historic environment, immediately opposite the north-eastern boundary of the site lies the Grade II Listed St Mary Street War Memorial and associated Grade II Listed Railings and Gates. As such, the proposed residential development falls within their setting. Planning Policy Wales (PPW) advises that there is a statutory requirement to have special regard to the desirability of preserving the setting of a listed building (paragraph 6.1.10). Technical Advice Note (TAN) 24: The Historic Environment also explains that the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape (paragraph 1.25). Moreover, TAN 24 goes on to state that the extent of any setting is not fixed and may change as the historic asset and its surroundings evolve.

The application site's historic residential use would continue as part of the proposed development and, as indicated above, the Placemaking and Building Conservation Officer is satisfied that the siting of buildings up to 4 storeys in height on the site is acceptable subject to appropriate detailed building designs. It is therefore considered that a sensitively designed scheme which respects the character and appearance of the street scene at St Mary Street would preserve the settings of the Listed War Memorial and associated Railings and Gates. The full details of the scale, appearance and landscaping can be adequately controlled at reserved matters stage and accordingly, it is considered that the proposed residential development meets the requirements of PPW and TAN 24 in respect of this matter.

In terms of highways and parking, the proposed residential development would be served by a new vehicular access to the south of the site off Ravenswood Court. The existing vehicular access off St Mary Street would be closed and the footway reinstated as part of the proposal. An informal crossing, with dropped kerbs and tactile paving, will also be provided on St Mary Street to improve access to the bus stop on the opposite side of the road to the application site. A car parking area is proposed to the rear of the site providing 19 car parking spaces. Electric scooter and bike storage with charging facilities would also be accommodated within the proposed 4 storey building and sufficient space would be provided to the rear of this building for the turning of refuse vehicles and the provision of an emergency vehicle bay, if necessary. The application site is considered to be located within a reasonably sustainable location with good access to bus services and certain local facilities. Risca Town Centre is located approximately 920m to the southeast.

In relation to trip generation, the submitted Transport Statement (TS) indicates that the proposed residential development is likely to generate 8 two-way vehicle movements during both the AM and PM peak periods and 131 two-way vehicle movements throughout the day. Whilst the amount of vehicle movements is likely to be higher than the previous care home use (estimated to be 102 two-way vehicle movements throughout the day), the TS concludes that the proposed residential use would have a minimal impact on the surrounding highway network. The Council's Highway Engineer has reviewed the findings of the TS and has raised no objection to the proposal on highway capacity or safety grounds.

In respect of car parking, the submitted TS demonstrates that the application site is located in a reasonably sustainable location and the level of car ownership is likely to be as low as 0.23 cars/vans per residential unit, due to the age of future residents. The proposed development would also incorporate sustainable transport measures, such as bike/buggy stores and car club spaces, and a travel plan, which further seeks to promote sustainable modes of transport and reduce car use, would be required as part of the proposed development. The Council's Highway Engineer has reviewed the car parking proposals and confirmed that they are acceptable and sufficient to meet the needs of future residents.



It is therefore considered that the proposed residential development is located in a reasonably sustainable location and would be provided with a sufficient level of onsite car parking that would meet the needs of future residents. The surrounding highway network is also considered to have sufficient capacity to accommodate the increase in vehicular movements generated by the proposed development and the proposed highway works and travel plan can be adequately secured via condition. As such, the proposed development would not have an unacceptable impact on the safe, effective and efficient use of the transportation network and accordingly, meets the requirements of Policy CW3.

In relation to residential amenity, the submitted site plan demonstrates that the proposed buildings can be accommodated on the site without having an unacceptable impact on surrounding properties by means of overbearing or overshadowing. The proposed 4 storey building would maintain adequate separation distances of approximately 11m and 19m from the boundary and building of the nearest residential property at Ravenswood Court respectively. A minimum separation distance of approximately 12m would also be maintained between the proposed buildings and the rear boundaries of residential properties at Crescent Road. The separation distances to the actual dwellings within this road are also much greater, measuring at least approximately 50m. Whilst the exact height and position of windows of the proposed buildings is not known at this stage, given these separation distances, it is considered that the proposed buildings can be adequately designed to prevent any unacceptable loss of privacy to surrounding residential properties.

A single storey health centre building is located to the northwest of the application site and it is noted that an objection has been received, indicating that the proposed development would have an unacceptable overshadowing impact on this building. Whilst the proposed building adjacent to the northwest boundary of the site would only maintain a separation distance of approximately 10m from this health centre building, the proposed building would be a maximum of 3 storeys in height in this location. Moreover, standards of amenity applied to non-residential uses, such as the health centre, are not as high as those afforded to the occupiers of residential properties, and whilst a degree of overshadowing and overbearing on this adjacent building can be expected, it is not considered to be unacceptable. Any direct overlooking between the ground floor windows of the proposed and existing neighbouring building can also be prevented by the incorporation of suitable boundary treatments along the north-western boundary of the site. The latter can be adequately addressed at reserved matters stage.

In addition, the proposed residential development would include a 2 storey community building towards the rear of the site, which would provide a flexible community gathering space primarily used by residents. The submitted Design and Access Statement does, however, indicate that this building would also be available for community groups and local residents to visit/hire. Given the proximity of this proposed building to sensitive residential uses, the Council's Environmental Health officer has recommended conditions controlling the opening times for its use and the times for any deliveries. It is

agreed that such conditions are necessary and should be imposed as part of any planning permission.

It is also noted that the Council's Environmental Health Officer has recommended additional conditions for the community building in respect of associated plant/machinery and fume control stacks/vents. As only matters relating to access and layout are being considered at this stage, it is not clear whether such conditions are necessary. As such, it is recommended that these conditions are not imposed as part of any outline planning permission, but instead, are given further consideration at reserved matters stage when more details are available in respect of the scale, appearance and function of this community building.

It is therefore considered that the proposed residential development, subject to the aforementioned conditions and appropriate building design and boundary treatments at reserved matters stage, would not have an unacceptable impact on the occupiers of neighbouring properties by means of overbearing, overshadowing, overlooking or noise and disturbance. Accordingly, the proposed residential development would meet the requirements of Policy CW2.

In terms of trees, the submitted Tree Report (TR) indicates that the proposed residential development would result in the loss of a privet ash tree (category C), a linear group of sawara cypress trees (category C), a sweet gum tree (category B), a Norway spruce tree (category B), and two Corsican pine trees (category A). The category A and category B trees are considered to be of a high and moderate quality respectively and in particular, the TR describes the Corsican pine trees as fine specimen examples of semi-mature trees for the species. All four of the category A and B trees are located along the front boundary of the site adjacent to St Mary Street and both the Council's Arboricultural Officer and Landscape Officer have objected to the proposed residential development based on the loss of these trees. The broad reasons for objecting are that the trees are considered to have significant public amenity value and other green infrastructure benefits.

The TR states that the category A and B trees would be removed, due to the footprint of the proposed building and the proposed repositioning of the existing sewer, which currently sterilises a significant portion of the north-western part of the site. By repositioning the existing sewer along the periphery of the site, a much larger developable area is created enabling a more cohesive design for the proposed development as a whole and the provision of a higher number of residential units which improves the scheme's viability. The corner block of the proposed 4 storey building, which would accommodate numerous communal facilities for future residents, is also considered by both the applicant and the Council's Placemaking and Building Conservation Officer to be a key design element of the proposal that requires a strong active frontage. As such, certain urban design benefits are considered to be gained from the removal of the two category A Corsican pine trees that are found in this location. Moreover, the Placemaking and Building Conservation Officer is of the opinion that the proposed building's location within the street scene is already compromised by

the proposed repositioning of the sewer and to move it further back from the street edge, which could potentially overcome the conflict with these trees, would diminish the building's visual contextual importance and active frontage benefits within the street scene.

Whilst landscaping matters are reserved for future consideration, it is noted that the applicant has indicated that the loss of the category A and B trees could be adequately compensated for by replacement tree planting within the development site. The effectiveness of any landscaping proposals to compensate for the loss of the existing trees is, however, contested by the Arboricultural Officer and Landscape Officer given the size and maturity of the existing trees and the anticipated inability to plant replacement heavy standard trees along the frontage of St Mary Street, due to the service easements associated with the repositioned sewer. This constraint is accepted by the applicant and as such, it is considered that the loss of the category A and B trees is unlikely to be directly compensated for by a future landscaping scheme and the loss of the trees would result in a degree of harm to the amenity of the local area.

Notwithstanding this degree of harm, it is noted that a number of existing trees located adjacent to the northern and south-eastern boundaries of the site would remain within the adjacent street scenes, and there are also existing, large, mature trees located immediately opposite the application site on the north-eastern side of St Mary Street immediately to the south-east of the war memorial. It is not therefore considered that the loss of the trees would have an unacceptable impact on the amenity of the local area, and collectively, the remaining trees within the street scene would continue to soften the impact of the built form of the proposed development. Moreover, local biodiversity benefits could still be achieved with native tree and other planting proposals within the application site. It is therefore considered that, on balance, when the significant social benefits of redeveloping this brownfield site for affordable housing are taken into account, the loss of the category A and B trees is justified in this instance.

With regards to ecology, the submitted Ecological Impact Assessment Report (Bats & Nesting Birds) confirms that the existing care home building on the site is a day roost for a small number of common pipistrelle bats. House martin nests have also been found to be using the building with numerous nests identified along the eaves of the building. In addition, the submitted Preliminary Ecological Assessment indicates that on site scrub habitats and trees provide opportunities for nesting birds and the site may support low numbers of common reptiles, particularly slow worm and/or common lizard.

The demolition of the existing care home building has previously been considered under the prior notification procedure (See Application No. 20/1096/NOTD) and as such, the timing and method of demolition does not form part of this outline planning application. PPW does, however, state that the presence of European Protected Species (EPS), such as bats, is a material consideration when a planning authority is considering a development proposal which is likely to result in disturbance or harm to the species or its habitat (paragraph 6.4.22). Moreover, PPW advises that planning authorities must take into account the three requirements (tests) for a derogation from the provisions of

the Habitats Directive where an EPS is present. An assessment against these requirements is set out in the above Habitats Directive section of the report and it is considered that subject to appropriate mitigation measures being secured, the proposed residential development meets the derogations tests and would not cause harm to the bat population.

In terms birds and reptiles, the Council's Ecologist has recommended a number of conditions relating to a revised/updated reptile strategy and biodiversity and enhancement measures. Whilst it is agreed that the updated reptile strategy should be secured via condition, the biodiversity enhancement measures can be incorporated into the development proposal at reserved matters stage. A suitably worded informative can bring this requirement to the attention of the applicant.

Given the above, it is not considered that the proposed residential development would have an unacceptable impact on protected or local species. Accordingly, the proposed development meets the requirements of Policies SP10 and CW4.

With regards to drainage, the submitted Drainage Strategy (DS) indicates that foul drainage would be conveyed to the combined sewer located within the site which would also be repositioned to facilitate the proposed development. The DS provides only general details for sustainable drainage proposals, but in broad terms, it is anticipated that sustainable drainage features would be incorporated within the proposed central courtyard communal garden, with surface water ultimately discharging to the existing surface water sewer located in Ravenswood Court at an agreed discharge rate. The DS confirms that a full sustainable drainage application will be submitted to the Sustainable Drainage Approval Body (SAB).

Welsh Water has raised no concerns in respect of the capacity of public sewerage network to accept foul flows from the proposed residential development and the applicant would need consent from Welsh Water in relation to the repositioning of the public sewer which currently crosses the site. In terms surface water drainage, the Council's Drainage Engineer has raised an objection to the proposed development on the basis that the limited information provided does not demonstrate compliance with the statutory sustainable drainage standards, particularly the discharge hierarchy. However, he has also acknowledged that a separate SAB application will be required for the proposed residential development, and it is advised that this requirement should be brought to the attention of the applicant. Whilst it is noted that the applicant has acknowledged the need for a separate SAB application, a suitably worded informative can re-emphasise this requirement.

In respect of planning obligations other than affordable housing addressed above, the proposed apartments would have single bedrooms and meet the needs of people aged 55 years and over. As such, there is no requirement for planning obligations in relation to schools and ancillary facilities or children's play facilities.

Comments from Consultees: All relevant matters raised by consultees have been addressed above.

Comments from public: The concerns raised in relation to the proposed residential development's scale and visual impact and impact on the amenity of surrounding properties have been addressed above. In terms of hedgehogs using the site, the submitted Preliminary Ecological Appraisal (PEA) does not identify any specific concerns in relation to this species and it is considered that the general biodiversity mitigation and compensation measures included within the PEA would prevent any unacceptable impact.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of scale, appearance and landscaping (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 scale, appearance and landscaping 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.
- 05) The development shall be carried out in accordance with the following approved plans and documents:  
- Site Location Plan, Drawing No. 3851-PEN-ZZ-ZZ-DR-A-1000-S4 (Rev. P2), dated Aug '21;  
- Proposed Block Plan (including scale parameters), Drawing No. 3851-PEN-ZZ-SF-DR-A-0004-S0 (Rev. P4), dated 07/03/22;  
- Ty Darran, Risca: Phase 1 Geoenvironmental Assessment Desk Top Study, Job No. AO110489-10, Prepared by WYG Environment Planning Transport Ltd, dated March 2019;  
- Ty Darren Care Home Re-Development: Flood Consequences Assessment Report & Drainage Strategy, Project No. 2051, Prepared by phg Consulting Engineers, dated November 2021;  
- Preliminary Ecological Assessment, Project: Ty Darren, Risca, Prepared by Ecological Services Ltd, dated 11th November 2021;  
- Ecological Impact Assessment Report (Bats & Nesting Birds): Former Ty Darran Care Home, Risca, Document Ref. WWE20122 ECIA REV A, Prepared by Wildwood Ecology Ltd, dated 15/07/2020; and  
- Method Statement: Former Ty Darran Care Home, Risca, Document Ref. WWE20112.MS.A, Prepared by Wildwood Ecology Ltd, dated December 2020.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) The development shall not be brought into beneficial use 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.
- 07) The development hereby approved shall not be occupied until the means of vehicular access has been provided in accordance with the approved plans.  
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) Prior to the occupation of the building(s) hereby approved all hard surfacing within the site 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 site, and
  - 3) where a surface is to be used as a parking area or vehicular access 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.
- 09) No development shall commence on site until details of the highway works along St Mary Street, including closing off the existing vehicular access, reinstatement of the footway and provision of an uncontrolled pedestrian crossing have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be completed in accordance with the approved details before the buildings hereby approved are occupied.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) Prior to the commencement of work on site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.
- REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) 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,
- 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 in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.



- 12) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
- a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.
- b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- 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.
- 13) No development shall commence on site until a plan showing details of the provision of permanent roosts and a means of access for bats has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the buildings hereby approved are occupied and retained thereafter.
- 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.
- 14) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.
- REASON: To ensure adequate protection to protected species in accordance with policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021 in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) No development, including vegetation clearance, shall commence on site until a revised and updated strategy for the protection of reptiles has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented as approved.
- REASON: To ensure proper measures are taken to safeguard the habitat of 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.

- 16) No development shall commence on site until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;
  - the timing of the construction of the affordable housing and its phasing in relation to the occupancy of any market housing;
  - the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing, if no RSL involved;
  - the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
  - the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- REASON: In the interests of providing appropriate levels of affordable housing in accordance with Policies SP15 and CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve all of the approved residential buildings. The necessary infrastructure required shall be installed prior to the first occupation of the residential buildings.
- REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.
- 18) Details submitted in accordance with Condition 1 of this permission shall include the provision of Electric Vehicle (EV) charging points to be installed within the car parking area that would serve the development hereby approved. The EV charging points shall be installed prior to the buildings hereby approved being occupied.
- REASON: In the interests of promoting renewable energy and reducing airborne emissions.
- 19) The community building hereby approved shall not be open to residents and/or members of the public outside the following times:
- (a) 08.00 hours to 22.00 hours Monday to Saturday, and
  - (b) 09.00 hours to 20.00 hours Sunday.
- REASON: In the interests of residential amenity in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 20) No deliveries shall be taken at or dispatched from the community building hereby approved outside the hours:  
(a) 08.00 hours to 18.00 hours Monday to Saturday, and  
(b) 09.00 hours to 17.00 hours Sunday.  
REASON: In the interests of residential amenity in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:  
- hours of working;  
- the on-site parking of vehicles of site operatives and visitors;  
- loading and unloading of plant and materials;  
- storage of plant and materials used during construction works;  
- wheel washing facilities;  
- the erection and maintenance of security hoardings;  
- measures to control noise during construction works;  
- measures to control the emission of dust and dirt during construction works;  
and  
- details of a scheme for the recycling/disposing of waste resulting from construction works.  
Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.  
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010.
- 22) The premises shall be used for affordable over 55's supported housing apartments only 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) without the approval of the Local Planning Authority.  
REASON: In the interests of ensuring that adequate parking is provided in perpetuity in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

#### Advisory Note(s)

#### Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

#### Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

Warning: A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require a EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

**WARNING:**

**SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

The applicant/developer is advised that the landscaping scheme provided at reserved matters stage should incorporate native species and planting for the benefit of local wildlife, including reptiles and nesting birds.

The applicant/developer is advised that prior to the demolition of any structures on site that an Asbestos Survey is conducted to identify and appropriately dispose of any ACM in accordance with the Control of Asbestos Regulations 2012. Failure to do this could result in the contamination of the site.

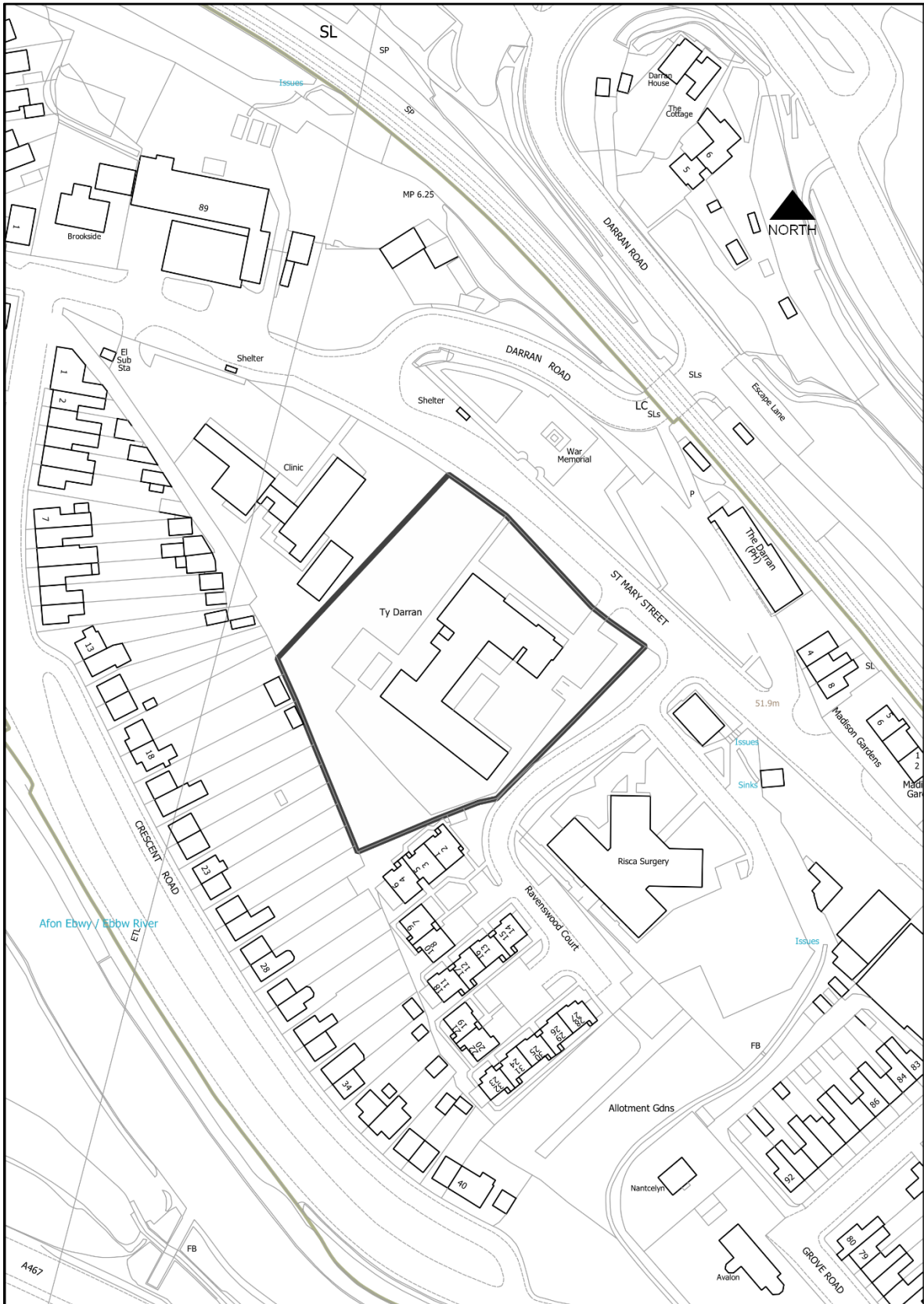
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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).

The applicant/developer is advised of the need to prepare and implement a flood management plan as recommended within the submitted Drainage Strategy and Flood Consequences Assessment Addendum Letter (dated 3rd February 2022).

This page is intentionally left blank

# 21/1226/OUT



This page is intentionally left blank