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

**Dyddiad: Dydd Mercher, 1 Mehefin 2016**

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Cynllunio** yn cael ei gynnal yn **Siambwr y Cyngor - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mercher, 8fed Mehefin, 2016** am **5.00 pm** i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
PRIF WEITHREDWR DROS DRO

## A G E N D A

Tudalennau

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

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

I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Cynhaliwyd y Pwyllgor Cynllunio ar 4ydd Mai 2016.

1 - 6

**A greener place Man gwyrddach**

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



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

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

- |   |   |         |
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| 4 | Rhif Cod 15/0563/OUT - Tir yn Nhŷ Mawr, Lôn fferm Tŷ-Mawr, Croespenmaen.          | 7 - 24  |
| 5 | Rhif Cod 15/0774/FULL - Tir ar Dyle Crwth, i r de-orllewin o Ynys-ddu, Casnewydd. | 25 - 46 |

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

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| 6  | Eitem Rhagair Rhif Cod 16/0286/OUT - Tŷ r Ysgol, Ffordd Tabor, Maes-y-cwmwr.                        | 47 - 54  |
| 7  | Rhif Cod. 13/0726/FULL - Robert Price (cyflenwyr adeiladwyr) Cyf., 145 Heol Pontygwindy, Caerffili. | 55 - 60  |
| 8  | Rhif Cod 16/0076/OUT - Tir i'r gogledd o Glos Meadowland, Caerffili.                                | 61 - 72  |
| 9  | Rhif Cod 16/0166/FULL - 34 Gelli Downey, Penpedairheol, Hengoed.                                    | 73 - 78  |
| 10 | Rhif Cod 16/0178/OUT - Tir ar Heol Tabor, Maes-y-cwmwr.   | 79 - 86  |
| 11 | Rhif Cod 16/0520/FULL - 8 Cae Ffynnon, Caerffili  | 87 - 92  |
| 12 | Penderfyniadau Apeliadau Cynllunio.   | 93 - 110 |

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| 13 | Ceisiadau a benderfynwyd gan bwerau dirprwyedig.   | 111 - 130 |
| 14 | Ceisiadau sydd allan o amser/heb ddelio â hwy o fewn 8 wythnos i ddyddiad y cofrestriad. | 131 - 134 |
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| 16 | Apeliadau yn weddill ac wedi eu penderfynu.  | 137 - 138 |

**Cylchrediad:**

Cynghorwyr M.A. Adams, J. Bevan, D. Bolter, D.G. Carter (Chair), Mrs P. Cook, W. David (Is Gadeirydd), J.E. Fussell, Ms J. Gale, L. Gardiner, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, J. Simmonds, Mrs E. Stenner, Mrs J. Summers a J. Taylor

A Swyddogion Priodol



## PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH  
(CHAMBER)  
ON WEDNESDAY, 4TH MAY 2016 AT 5:00PM

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PRESENT:

Councillor D.G. Carter - Chair

Councillors:

M. Adams, J. Bevan, D. Bolter, J.E. Fussell, Ms. J. Gale, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, D. Rees, J. Simmonds and Mrs E. Stenner.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), C. Powell (Principal Planner), P. Den Brinker (Principal Planner), A. Pyne (Senior Planner) and E. Sullivan (Democratic Services Officer).

### APOLOGIES

Apologies for absence had been received from Councillors Mrs P. Cook, W. David, L. Gardiner, K. Lloyd, Mrs G.D. Oliver, Mrs J. Summers and J. Taylor.

### 1. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: Councillor J.E. Fussell – 16/0293/OUT and 16/0120/COU details are minuted with the respective item.

### 2. MINUTES – 6TH APRIL 2016

RESOLVED that the minutes of the Planning Committee held on 6th April 2016 (minute nos. 1-15) be approved and signed as a correct record.

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

**3. CODE NO. 16/0046/COU – HOREB BAPTIST CHAPEL, CASTLE HILL, GELLIGAER, HENGOED**

The Development Control Manager provided a verbal update on the discussions that had taken place with Bereavement Services and confirmed that an agreement had been reached with regard to access and the position of the cemetery gates subject to additional conditions and requested that Officers be given powers to determine the application under delegated powers subject to the conditions contained in the Officer's report and additional conditions to be agreed with Bereavement Services.

Following consideration of the application it was moved and seconded that the recommendation of the Development Control Manager be approved and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) based on the comments of the Development Control Manager, Officers be given powers to determine the application under delegated powers, subject to conditions.
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Council Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW4 and SP10.

**4. CODE NO. 16/0204/COU – CONVERT PROPERTY TO FORM A PAIR OF SEMI-DETACHED DWELLINGS, 63 HIGH STREET, PENTYWYN-MAWR, NEWPORT, NP11 4HN**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and SP5;
- (iii) the applicant be advised that the proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place;
- (iv) the applicant be advised that it is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulation approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>;

- (v) the applicant be advised that any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action;
- (vi) the applicant be advised that property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com);
- (vii) the applicant be advised that if any coal mining features are unexpectedly during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority);
- (viii) the applicant be advised that this informative note is valid from 1st January 2015 until 31st December 2016;
- (viii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

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

### **5. CODE NO. 15/0705/FULL – LAND ADJOINING BIRCHWOOD, CAERPHILLY ROAD, LLANBRADACH, CAERPHILLY, CF83 3HZ**

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

RESOLVED that: -

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

#### **Amended Condition (10)**

The driveway to serve the proposed development shall be not less than 4.1 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.

#### **Reason**

In the interest of highway safety.

#### **Additional Condition (14)**

Prior to the occupation of the development hereby approved the proposed meads of access shall be laid-out, constructed and maintained thereafter, with vision splay of 2.4 metres x 120 metres. No obstruction or planting when mature exceeding 0.9 meters in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.

#### **Reason**

In the interest of highway safety.

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW4;
- (iii) the applicant be advised that mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required before continuing;
- (iv) the applicant also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologist (01495 235253) or Natural Resources Wales (NRW) (02920 772400).

**6. CODE NO. 16/0120/COU – UNITS A-E, CLIVE CHAMBERS, 2A CLIVE STREET AND 2 CLIVE STREET, CAERPHILLY, CF83 1GE**

Councillor J.E. Fussell declared a prejudicial interest in that the applicant is known to him and left the meeting when the application was discussed.

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

RESOLVED that: -

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

**Additional Condition (03)**

Prior to the erection of any plant or equipment for ventilation or odour control associated with the existing use of the ground floor of the building, details shall be submitted to and approved in writing by the Local Planning Authority for the control of noise arising from that plant and equipment. The measures included in the approved scheme shall be implemented prior to the first use of the plant and equipment.

**Reason**

In the interest of the amenities of flats hereby approved.

- (ii) the application be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 is relevant to the conditions of this permission: CW2;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

**7. CODE NO. 16/0225/FULL – COLINTON, ST MARTIN’S CRESCENT, CAERPHILLY, CF83 1ER**

Councillor J.E. Fussell declared a prejudicial interest in that the applicant is known to him and left the meeting when the application was discussed.

Mrs L. Matthews and Councillor C. Elsbury spoke in objection to the application; the applicant who had been advised and was presented decided not to speak.

It was noted that this application had been subject to a site visit on Tuesday 3rd May 2016.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer’s report be approved and by show of hands and in noting there was 1 against and 5 abstentions) this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer’s report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and LDP7.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

**8. CODE NO. 16/0286/OUT – SCHOOL HOUSE, TABOR ROAD, MAESYCWMMER, HENGOED, CF82 7PU**

It was report that the application had been deferred.

**9. CODE NO. 16/0293/OUT – LAND AT COLLIERY ROAD, LLANBRADACH, CAERPHILLY**

Mr B. Davies, the applicant’s agent spoke in support of the application.

It was noted that this application had been subject to a site visit on Tuesday 3rd May 2016.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer’s report be approved and by show of hands and in noting there were 3 abstentions this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer’s report this application be granted;
- (ii) the applicant be advised of the comments of Rights of Way Officer, Countryside and Landscape Services, Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 is relevant to the conditions of this permission: CW3;
- (iv) the applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported

immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining;

- (v) the applicant be advised that property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com);
- (vi) the applicant be advised that 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);
- (vii) the applicant be advised that this standing advice note is valid from 1st January 2015 until 31st December 2016.

## 10. ITEMS FOR INFORMATION

The following items were received and noted: -

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

The meeting closed at 18.00pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 8th June 2016, they were signed by the Chair.

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CHAIR



# Agenda Item 4

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0563/OUT 03.08.2015	Trustees Of Llanover Estate C/o Asbri Planning Ltd Miss L Hughson-Smith Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect up to 50 dwellings and access with all other matters reserved Land At Ty-Mawr Ty-Mawr Farm Lane Croespenmaen Newport

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application parcel of land is located on the eastern edge of Croespenmaen.

Site description: Grazing land bounded by a mixture of mature trees and hedgerows along its eastern, southern and part of its northern edge. The western and north-western edge is characterised by predominantly timber panelled fencing which demarcate the rear gardens of the existing residential properties along Plynlimon Avenue and Plynlimon Close backing onto the site. The site is roughly rectangular in shape, with varied topography as the land falls from the highest point in the south eastern corner, to the lowest point in the north-west, where the site meets the built edge of Croespenmaen.

The site is bounded to the north and west by existing residential development at Plynlimon Close and Plynlimon Avenue respectively, and to the south by an unclassified lane, which links Croespenmaen with Treowen and Crumlin. To the east of the site is the access track serving Ty Mawr Farm, and beyond that open countryside.

Two public rights of way cross through the site, i.e. along the northern and western periphery. Both of these public rights of way feed into a pedestrian link to Plynlimon Avenue. High voltage, overhead transmission lines run on a north-south axis across the western part of the Site. Overhead power lines also run to the east of the Site. There are two pylons within the confines of the site, located on the western and the south-eastern edges.

Cont....

Application No. 15/0563/OUT Continued

Development: Outline planning permission is sought for the residential development of the site with all matters reserved for approval. However, plans have been submitted showing the following details.

50 dwellings are proposed. This includes a mixture of 2-bed houses, 3-bed houses, and 4-bedroom houses.

The proposed dwellings are laid out around a single residential estate road. The vehicular access into the site is located in the south-west corner of the site in a similar position to the existing site access.

Pedestrian footpath access points are also proposed in the north-west and south-west corners of the site.

Dimensions: The site has an area of 2.29 hectares.

Dimensions (upper and lower limits for height, width and length of each building):

2-bedroom house: width 4.5 - 5.5m, depth 6.5 - 9.0m, height 7.5 - 9.0m (to ridge height).

3-bedroom house: width 4.5 - 6.0m, depth 7.5 - 9.0m, height 8.5 - 9.5m (to ridge height).

4-bedroom house: width 5 - 7m, depth 6.5 - 9.0m, height 7.5 - 9.0m (to ridge height).

Materials: To be agreed at reserved matters stage.

Ancillary development, e.g. parking: A locally equipped area of play located in the south-west area of the site to allow and encourage use by residents of Croespenmaen.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The proposed development is located outside the settlement boundary and within Green Wedge allocation SI1.10 (Croespenmaen and Treowen).

Cont...

Application No.15/0563/OUT Continued

Policies:

Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), Policy SP5 (Settlement Boundaries), Policy SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), Policy CW2 (Amenity), CW3 (Design Considerations - Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation), CW22 (Minerals), Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010), Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY Planning Policy Wales, TAN1 [Joint Housing Land Availability Studies (2006)] and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. A Coal Mining Risk Assessment was submitted with the application that was reported to the Coal Authority. In their consultation response, the Coal Authority agreed with the recommendations contained in the report, i.e. that an intrusive site investigation be undertaken in the form of rotary boreholes to confirm coal mining conditions to identify and necessary mitigation measures prior to the commencement of the development. Such a requirement will be controlled by way of condition.

CONSULTATION

Head Of Public Protection - No objection subject to requested conditions relating to noise and dust mitigation, soil/hardcore importation, and noise mitigation for future residents.

CCBC Housing Enabling Officer - Requests provision of 25% affordable units be provided. Such provision will be secured by way of Section 106 Agreement.

Senior Engineer (Land Drainage) - Provides advice to the developer regarding land drainage.

Cont....

Application No. 15/0563/OUT Continued

Outdoor Leisure Development Officer - No objection subject to provision of a suitably sized equipped play facility. Such an area is shown on the submitted plan and will be secured by way of condition.

Head Of Public Services - No objection subject to advice.

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - No objection subject to advice.

Police Architectural Liaison Officer - No objection subject to advice.

Western Power Distribution - Provide advice to the developer.

Countryside And Landscape Services - No objection subject to requested conditions. Several of these conditions relate to biodiversity enhancement works.

Natural Resources Wales - No objection subject to requested conditions.

Rights Of Way Officer - No objection providing public rights of way are not obstructed at any time.

Senior Arboricultural Officer (Trees) - No comments although existing boundary treatments unaffected by layout as proposed.

Principal Valuer - No comments.

The Coal Authority - No objection based on submitted Coal Mining Risk Assessment. Request condition requiring site investigation.

#### ADVERTISEMENT

Extent of advertisement: 42 neighbouring properties were consulted and a site notice was displayed near the application site.

Response: 15 objections were received.

#### Summary of observations:

- Development in countryside.
- Development in green wedge/encroachment into green wedge.
- Surface water flooding.

Cont....

Application No. 15/0563/OUT Continued

- Impact on sewer capacity.
- Prematurity in relation to deposit LDP.
- Impact on bats and other wildlife.
- Loss of privacy/overlooking.
- Overshadowing impact on neighbouring houses.
- Impact on highway safety as result of additional vehicles using the highway network.
- Impact on local service capacity, i.e. doctors and dentists.
- Risk of explosion from carbon dioxide/methane in ground as ex mining area.
- Inadequate access to site.
- Impact on access to neighbouring farm.
- Dust, noise and odour impact during construction.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?  
Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The submitted preliminary ecological appraisal outlines that with the exception of the boundary hedgerows and mature trees, the habitats associated with the site were generally considered to be of little or no ecological value. Conditions in relation to the protection and/or enhancement of the mature trees and hedgerows surrounding the site are more appropriate at reserved matters stage, when the exact layout of the site would be agreed.

Is this development Community Infrastructure Levy liable? Yes. New residential development at a rate of £25 per sq. metre of internal floor space. This will be calculated accurately at the reserved matters stage.

### ANALYSIS

Policies: This is an outline application with all matters reserved for the erection of 50 houses on the eastern edge of Croespenmaen. The application has been considered in accordance with local plan policies and national planning guidance as referred to above. The main issues considered to be relevant to the determination of this planning application are the relationship of the application site to the existing settlement boundary, its green wedge allocation, its compatibility with surrounding land uses, and highway safety.

Cont....

Application No. 15/0563/OUT Continued

The application site is located outside of the defined settlement boundary, that bounds the site along its western and part of its northern boundary. Therefore the site is currently classed as open countryside, and therefore the development is contrary to Policy SP5 of the Local Development Plan (LDP).

Policy SP5 (Settlement Boundaries) states:-

"The Plan defines settlement boundaries in order to:

- A Define the area within which development would normally be allowed, taking into account material planning considerations;
- B Promote the full and effective use of urban land and thus concentrate development within settlements;
- C Prevent the coalescence of settlements, ribbon development and fragmented development;
- D Prevent inappropriate development in the countryside."

Technical Advice Note (TAN) 1 relates to Joint Land Availability Studies which are required in order to monitor the provision of market and affordable housing. Under TAN 1 Local Planning Authorities have a duty to ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing.

Paragraph 5.1 of TAN1 states:

"The results of the Joint Housing Land Availabilities Studies should be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies. In addition, local planning authorities must take steps to increase the supply of housing land."

The Council's housing land supply, as agreed in the latest Joint Housing Land Availability Schedule is only 1.9 years, compared with the requirement in Planning Policy Wales and TAN 1 to maintain a 5 year supply. The housing land supply is a material consideration in planning applications and the deficit in Caerphilly County Borough Council's housing land supply and remedying this shortfall should be considered a high priority in the determining suitable planning application, such as this one. For these reasons, although the 50 proposed dwellings are located outside of the defined settlement boundary, the lack of a 5 year housing land supply is a material planning consideration, and adds considerable weight in support of the proposed development.

Cont....

Application No. 15/0563/OUT Continued

In reference to the criteria contained in Policy SP5, given the location of the application site, and it being bounded on two sides by the existing settlement boundary, it is not considered to represent ribbon development or fragmented development, and would not lead to the coalescence of settlements. Whilst it would inevitably encroach into the green wedge, it extends no further east than the eastern extent of the Plynlimon Close development to the north.

Policy SP2 (Development Strategy - Development in the Northern Connections Corridor) states:-

"Development proposals in the Northern Connections Corridor will promote sustainable development that:

- A Focuses significant development on both brownfield and greenfield sites that have regard for the social and economic functions of the area;
- B Reduces car borne trips by promoting more sustainable modes of travel;
- C Makes the most efficient use of the existing infrastructure;
- D Protects the natural heritage from inappropriate forms of development;
- E Capitalises on the economic opportunities offered by Oakdale/Penyfan Plateau."

The application site is served by existing infrastructure in terms of its relationship to the highway network and the employment opportunities afforded at the Croespenmaen Industrial Estate and Oakdale/Pen-y-Fan Industrial Plateaus. Furthermore, a footpath link in the south-west corner of the site will encourage non-car borne trips to local shops and facilities.

Policy SP7 (Planning Obligations) states:-

"The Council will seek to secure Planning Obligations (S106 Agreements) where they are necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Such obligations will include:

- A Infrastructure for walking, cycling, public transport, parking;
- B Schools and ancillary facilities;
- C Community facilities;
- D Strategic highway improvements in the Northern and Southern Connections Corridors;
- E Flood defence measures required to mitigate the risk of flooding;
- F Formal and informal open and leisure space;
- G Affordable housing; and
- H Other facilities and services considered necessary."

Cont....

Application No. 15/0563/OUT Continued

A Section 106 Agreement will form part of any planning permission to secure the required element of affordable housing, 25% in this instance (13 dwellings based on the proposed 50 units). The development site is also CIL liable at a rate of £25 per sq. metre of internal floor area. Such monies will contribute to the above local needs and will be calculated at reserved matters stage.

SP15 (Affordable Housing Target). The Council will seek to deliver through the planning system at least 964 affordable dwellings between 2006 and 2021 in order to contribute to balanced and sustainable communities. The proposed development will contribute 13 dwellings) depending on the reserved matters) towards this target.

Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) states:

"Development proposals that are likely to generate a significant number of trips will only be permitted provided:

A Walking and cycling are modes of travel which have been actively encouraged for short trips to and within the development and to nearby services and facilities, including public transport nodes, through the provision of appropriate infrastructure."

The applicant has included a pedestrian access points in the south-west of the site to allow access to Croespenmaen and Oakdale, as well as public transport.

Policy CW2 (Amenity) states that:-

"Development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:

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

The proposed development is bounded to the west and north by existing residential development, and the development of the site will not have an unacceptable impact on the amenity of these surrounding residential developments, particularly given the distance the proposed dwellings are set off the boundary. Furthermore, the site benefits from established hedgerows/tree lines of high quality along its southern and eastern boundaries, as well as along part of the northern boundary.

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The retention of such boundary treatments will soften the impact of the proposed development in the landscape. The proposed development is of a reasonable low density which is appropriate given its edge of settlement location, and therefore it is not considered that the development represents an over-development of the site. It should also be noted that the development is set 60 metres off the north-east corner of the site, which is also the highest part of the land. Such careful urban design will ensure the development sits sympathetically within the landscape when viewed from afar.

To the south, the site is bounded by an existing industrial use (Schulmans). Based on the noise survey submitted by the applicant, the Head of Public Protection is satisfied that the amenity of future residents can be protected by way of condition, i.e. acoustic glazing measures. However, as the layout may change at reserved matters stage, it is deemed more appropriate to revisit a noise attenuation condition at reserved matters stage when the exact layout of the site will be determined. It should also be noted that the properties at Nos. 20-26 Cae Celyn, Cwmroly House and Cwmroly Bungalow are sited closer to this industrial use than any of the proposed dwellings, Cwmroly Bungalow having been approved in 2007.

CW3 (Design Considerations - Highways) states:-

- "A The proposal has regard for the safe, effective, and efficient use of the transportation network;
- B The proposal ensures that new access roads within development proposals are designed to a standard that:
  - i. Promotes the interests of pedestrians, cyclists and public transport before that of the private car, and
  - ii. Safely and effectively accommodates the scale and nature of traffic, which those roads are intended to serve
- C Parking, appropriate servicing and operational space have been provided in accordance with the CSS Wales Parking Standards 2008;
- D Where access onto a highway is required the proposal takes account of the restrictions relevant to the class of road as designated in the road hierarchy ensuring movements and speeds are controlled through appropriate design, in order to ensure highway safety and amenity."

The Transportation Engineering Manager is satisfied with the proposed access to the development site, and road network within the development, and raises no objection subject to conditions. Of particular note, a condition is requested requiring lane improvement works between the site at Treowen to the east. Such works primarily involve lane widening at two points along the lane to improve forward visibility in the interests of highway safety.

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Application No. 15/0563/OUT Continued

The applicant has confirmed that they are agreeable to such a condition. Furthermore, the provision of several pedestrian access points will encourage modes of transport other than that of private car to accord with this policy.

CW10 (Leisure and Open Space Provision) states:-

"All new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3ha in gross site area will be required to make adequate provision for:

- A Well-designed useable open space as an integral part of the development; and
- B Appropriate formal children's play facilities either on or off site and
- C Adequate outdoor sport provision either on or off site,
- D To meet the needs of the residents of the proposed development."

As part of the development, a local equipped area of play (LEAP) is proposed in the south-west corner of the site. This area measures approximately 25m x 12m, and given its proposed location will be accessible to users from the surrounding area. Such a facility will provide an equipped amenity area for future occupiers of the development, as well as residents of the surrounding area, on land that is currently privately owned and therefore not accessible to the public.

CW11 (Affordable Housing Planning Obligation) states:-

"Legal agreements will be required to ensure that there is provision of an element of affordable housing, in accordance with an assessment of local need, for all allocated and windfall housing sites that:

- A Accommodate 5 or more dwellings or
- B Exceed 0.15ha in gross area."

The application site is located within the area defined as the Northern Connections Corridor which has an affordable housing target of 25%.

A Section 106 Agreement will be required to secure the requirement of the Housing Enabling Officer, i.e. the provision of 25% affordable housing onsite, which equates to 13 dwellings on the basis of the submitted plans, and must meet the following tests:

(a) It is necessary to make the development acceptable in planning terms.

Policy CW11 requires the provision of affordable housing and that can only be secured through a S106 Agreement.

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Application No. 15/0563/OUT Continued

(b) It is directly related to the development.

The affordable housing can only be secured as part of a housing development.

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

The amount of affordable housing is based on the requirements set out in the LDP which has been through an examination and been adopted.

Comments from consultees: No objection is raised by those consulted, although several conditions are requested in order to satisfy the various Consultees. With regard to the comments from Head of Public Protection as the application is for Outline planning permission it is not considered necessary at this stage to attach such conditions. The comments of the Head of Public Protection will be forwarded to the applicant as an advisory note to inform a subsequent reserved matters application.

In respect of the comments of the Countryside and Landscape Manager whilst the provision of bird boxes and bat roosts may be desirable, they are not necessary to enable the development to proceed and therefore are not attached. Furthermore, the requested condition relating to the bird nesting season can be controlled via the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

The requested conditions relating to Light Mitigation Strategy for bats, bat habitat survey and biodiversity landscaping scheme are not considered necessary at outline stage and will be revisited at reserved matters stage. Given that the site is considered to have low potential for reptiles with the exception of the hedgerows along the boundaries of the site, it is not considered necessary to require a reptile survey condition at this stage.

Conditions will be attached to the permission requiring a hedgerow management scheme, bat survey work in relation to any mature trees that may be impacted by the development, and the removal of the invasive plant species Monbretia.

Comments from public:

1. Development in countryside - This matter has been addressed in the analysis section above.
2. Development in green wedge/encroachment into green wedge - This matter has been addressed in the analysis section above.

Application No. 15/0563/OUT Continued

3. Surface water flooding - No objection is raised by Natural Resources Wales and the Councils Senior Engineer (Land Drainage). A condition will be attached to the permission in relation to surface water management.
4. Impact on sewer capacity - Welsh Water do not raise objection to the proposal.
5. Prematurity in relation to deposit LDP - This matter has been addressed in the analysis section above.
6. Impact on bats and other wildlife - This matter has been addressed in the analysis section above.
7. Loss of privacy/overlooking - Based on the indicative layout plan submitted with the application, the nearest residential dwelling to any proposed dwelling on the site is 38 metres away. Such a distance is considered to be acceptable in terms of residential privacy.
8. Overshadowing impact on neighbouring houses - The nearest residential dwelling to any proposed dwelling on the site is 38 metres. Therefore, the proposal will not have such an impact on nearby dwellings.
9. Impact on highway safety as result of additional vehicles using the highway network - The Transportation Engineering Manager raises no objection to the proposed development subject to conditions.
10. Impact on local service capacity, i.e. doctors and dentists - It is for the Health Board to increase services in line with population growth.
11. Risk of explosion from carbon dioxide/methane in ground as ex mining area - The Coal Authority raise no objection based on the submitted Coal Mining Risk Assessment subject to a condition requiring a ground investigation.
12. Inadequate access to site - The Transportation Engineering Manager raises no objection to the proposed development.
13. Impact on access to neighbouring farm - The proposed development does not alter access arrangements to the neighbouring farm.
14. Dust, noise and odour impact during construction - As the application is for outline planning permission it is not considered necessary at this stage to attach conditions relating to noise and dust mitigation. Such conditions would be attached to a reserved matters permission if deemed necessary.

Other material considerations: In the recently allowed (May 2016) appeal decision of Land at Cwmgelli, Blackwood (Appeal Ref: APP/K6920/A/15/3137884), a site considered to be very similar to the application site, i.e. located at the edge of settlement, within a green wedge, and identified as a Candidate site for housing in the Deposit LDP, the Inspector made the following comments:

"The proposed development conflicts with national and local policies relating to the protection of the countryside and Green Wedges. Planning Policy Wales states that substantial weight should be given to any harmful impact that a development would have on a Green Wedge and inappropriate development should not be allowed except in very exceptional circumstances.

Cont....

Application No. 15/0563/OUT Continued

It is necessary, therefore, to consider whether there are any very exceptional circumstances to overcome the harm to the Green Wedge."

"The Council cannot demonstrate a 5 year housing land supply and has not been able to do so since the LDP was adopted. The latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met. As stated above that is not the case here but, in my view, the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings."

"The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing. The emerging LDP is seeking to address the current housing shortfall but, if found sound, won't be adopted for at least 18 months. It is acknowledged that the site lies in a sustainable location and I consider that the development can proceed without causing unacceptable harm to its surroundings. In my view, there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies described above."

The above appeal decision is particularly significant to the application site given the similarity in terms of its allocation, as well as the Inspector referring to the Councils 1.9 year housing land supply as representing very exceptional circumstances. It is accepted that the development will encroach on the green wedge, however, given the extent of the Plynlimon development to the north, coupled with the access track leading to Ty Mawr farm forming a natural boundary to the east, it is not considered that the change to the green wedge outweighs the need to provide additional housing in accordance with Technical Advice Note (TAN) 1.

RECOMMENDATION that (A) The application is Deferred to allow the completion of a Section 106 Agreement as set out in the report. On completion of the Agreement (B) that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont....

Application No. 15/0563/OUT Continued

- 02) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of the permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) The development hereby permitted shall begin 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 later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 05) No development shall take place until an intrusive site investigation has been carried out. The results of the site investigation and methodology used shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.  
REASON: To ensure the stability of the site and to protect the dwellings from the effects of previous mine workings.
- 06) If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in Condition 05), additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall thereafter be carried out in accordance with the agreed scheme.  
REASON: To ensure the stability of the site and to protect the dwellings from the effects of previous mine workings.

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Application No. 15/0563/OUT Continued

- 07) Prior to the commencement of any site/vegetation clearance associated with the development hereby approved that affect any of the mature boundary trees, a bat roost survey together with an assessment of the impact of the development on this species and if necessary details of any proposed remedial measures shall be carried out and submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.  
REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity.
- 08) Prior to the commencement of works associated with the development hereby approved, a 5 year hedgerow management plan, which shall include details of the timing of its implementation shall be submitted to the Local Planning Authority for approval. The plan shall include the timing of its implementation.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2014) TAN 5 Nature Conservation and Planning (2009).
- 09) Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Monbretia on site. The treatment of Monbretia shall be carried out in accordance with the approved details.  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to introduce, plant or cause to grow in the wild any plant listed in Schedule 9 Part 2 of the Act. Monbretia is included within this schedule.
- 10) The details submitted in respect to Condition 01) shall provide for open spaces and play areas to include the provision of a Locally Equipped Area of Play (LEAP). These details shall be submitted and agreed in writing with the Local Planning Authority and thereafter implemented prior to the occupation of any dwellings that adjoin or overlook those areas of formal play equipment.  
REASON: To ensure that the site is provided for in respect to formal play provision.
- 11) The existing lane serving Croespenmaen to Crumlin/Treowen located on the southern boundary of the site shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on the development hereby approved. The improvements shall be in the form of constructing two passing bays along the lane at locations to be firstly agreed in writing and be completed in materials as approved in writing by the Local Planning Authority before the development is brought into beneficial use.  
REASON: In the interests of highway safety

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Application No. 15/0563/OUT Continued

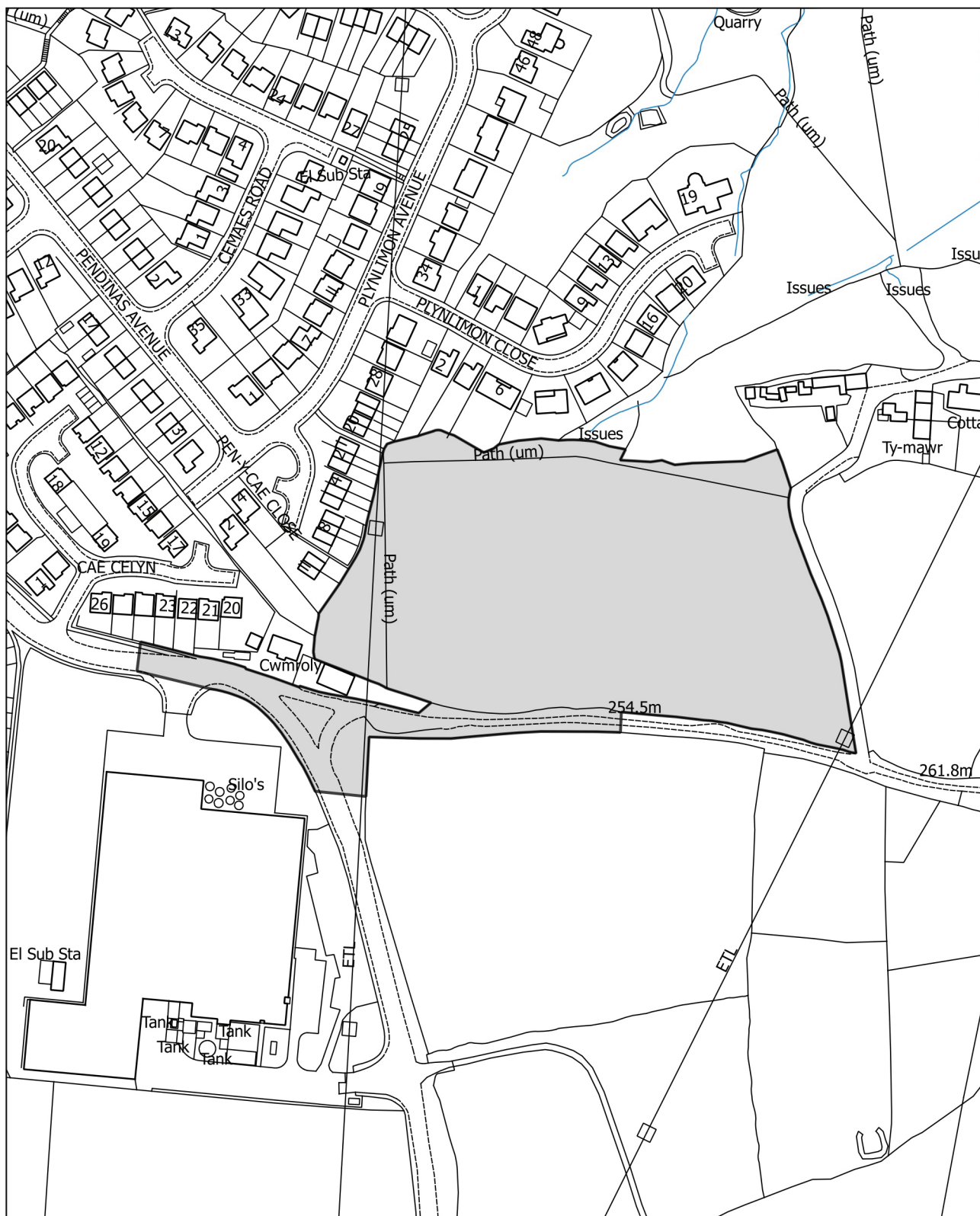
- 12) A suitable width footway shall be provided from the proposed site entrance along Melin Place to tie into the existing footway network which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to beneficial occupation of the development hereby approved.  
REASON: In the interests of highway safety.
  
- 13) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 45 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.

Advisory Note(s)

The following policies in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: policies CW2, CW3 and CW4.

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# Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0774/FULL 24.09.2015	Fine Energy Ltd Mr G Hygate 202 Keys Court 82-84 Moseley Street Birmingham B12 0RT	Erect a single turbine up to a blade tip height of 76.45m, 50.0m hub height, 52.9m rotor diameter and output of 800kW with associated track access, electric cabinet and crane pad Land At Tyle Crwth South West Of Ynysddu Newport

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Tyle Crwth, South west of Ynysddu, NP11 7JX (Grid ref: 317349 191685). The site is located just less than 1 km south west of the settlement of Ynysddu. Urban development locally is predominantly focussed within the Valley bottom, including the settlements/built up areas of Ynysddu and Cwmfelinfach. The general pattern of scattered rural dwellings and farmsteads in the surrounding area is rather limited with the nearest dwelling to the proposed site being Tyle Crwth, 605.2m away. To the east of the site open land gives way to woodland plantation on the western side of the valley, including some areas of ancient woodland. Large tracts of this woodland area form part of the Sirhowy Valley Country Park. The Graig Y Prisiad Woodlands are a locally designated Site of Interest for Nature Conservation (SINC). The Country Park also contains the Graig Goch Local Nature Reserve, and ancient and mixed woodland. The woodlands/park contains a number of walks/paths e.g. the Sirhowy Valley and Raven Walks. The floodplain area of the River Sirhowy is also a SINC. An existing 33Kv overhead line passes to the east of the site from the 33/11kV Cwmfelinfach substation.

To the west, beyond the Rhymney Valley Ridgeway Walk the site is bounded by a significant area of Registered Common Land known as Mynydd Y Grug (Ref CL32), which is also a SINC.

The North Caerphilly Special Landscape Area (SLA) and others in the wider vicinity, including Mynyddislwyn SLA are located to the east over the River Valley.

A recently constructed wind turbine is situated 0.5km to the north at Bryn Ysgawen Farm.

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Application No. 15/0774/FULL Continued

Site description: The application site is located within an enclosed upper valley side pastoral landscape, just below the ridgeline of Mynydd Bach / Mynydd y Grug. Coniferous plantations on the western slopes of the Sirhowy Valley form the immediate context of the site to the north, south and define its eastern boundary. To the west of the site is an area of open rough grazing land which forms part of Mynydd y Grug Common and the Special Landscape Area. Within approximately 1km of the application site is the operational Bryn Ysgawen turbine, the top tip of the Bedwas tip complex, the tele-communications mast on the summit of Mynydd Bach and an electricity line mounted on wooden poles.

Development: Full planning approval is sought in respect of the erection of a single 800kW turbine up to a blade tip height of 76.45m, 50m hub height, 52.9m rotor diameter with associated track access, electric cabinet and crane pad. The wind turbine is the E-53 wind turbine, which has a gearless drive system.

Associated works include installation of approximately 1.3km of underground cabling to the point of grid connection (33/11kVCwmfelinfach Substation).

Access to the turbine field shall be provided via an existing gate over a distance of 190m. Access shall also be routed over the existing vehicle tracks on Mynydd Y Grug Common / Site of Importance for Nature Conservation (SINC).

The turbine comprises various components, which will be individually transported and assembled on site using a mobile crane.

The application is supported by a Design and Access Statement, a Landscape and visual Impact Assessment, Gould Ecology - Bat and Nightjar survey, Gould Ecology - Great Crested Newt Survey, Gould Ecology - Phase 1 Ecology Survey, Noise Impact Assessment Report, Shadow Flicker Assessment, Access Study, Landscape and Visual Impact Assessment.

Dimensions:

Turbine:-

800 kW output. Brynysgawen is a 500kW turbine which operates without a gear box.  
76.45m high.  
50m to the hub.  
52.9m rotor diameter.

Electrical Cabinet: -

3m x 3m x 2.8m high.

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Application No. 15/0774/FULL Continued

The site area, which includes the temporary crane pad measures 2764.7 square metres.

Materials: The tower will be made of grey galvanised steel with grey blades made of Epoxy Resin/Glass reinforced Plastic (GRP). Their rotational direction will be clockwise. Electrical cabinet is made of glass reinforced Plastic (GRP) containing all metering and electrical connection and isolation equipment.

Ancillary development, e.g. parking: Not applicable.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies outside the settlement boundary.

Policies: SP3 (Development strategy - development in the Southern Connections Corridor), SP5 (settlement boundaries), SP10 (conservation of natural heritage, CW2 (amenity), CW3 (design considerations - highways), CW4 (natural heritage protection) and CW15 (general locational constraints).

#### NATIONAL POLICY

Technical Advice Note 8: Planning for Renewable Energy, July 2005.  
Planning Policy Wales (Edition 8), January 2016.

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

#### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this planning application.

Cont....

Application No. 15/0774/FULL Continued

## CONSULTATION

Countryside And Landscape Services - Requests conditions are attached to any consent in respect of both ecological issues together with details of the colours of the wind turbine and associated apparatus and materials to be used in the access road.

Natural Resources Wales - Having considered the additional information from Gould Ecology dated 21st March 2016, NRW remove their original objection to the development, subject to the recommendations described in the various survey documents being secured through suitably worded conditions attached to any planning permission granted. They provide advice to be conveyed to the developer.

Transportation Engineering Manager - No objection to the development subject to conditions being attached to any consent requiring a revised Traffic Management Plan and a highway condition survey along the lane from the A472 Crown Roundabout to the application site.

Senior Engineer (Land Drainage) - Requests a standard condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. Advice is provided to be conveyed to the developer.

Rights Of Way Officer - No PROW directly affects the proposed turbine location. However, Restricted Byways 157, 158 and 160 all in the Community of Bedwas would form the access route. There would need to be measures in place to protect users of these paths during periods of transport activity. This land is also under the ownership of CCBC. Outside of this land is Common Land, and permission must be sought from the Welsh Government for works on Common land.

In addition, it has been noted that WPD will be laying cable along the route of Footpaths 234 and 235 in the Community of Mynyddislwyn and across Footpath 238 in the Community of Mynyddislwyn. These paths will need to be temporarily closed for health and safety during the works period. Any proposed groundworks affecting the Public Rights of Way need to be agreed with the Rights of Way Dept prior to works commencing.

Police Architectural Liaison Officer - No objections.

Police Air Support Services - No response.

Cont....

Application No. 15/0774/FULL Continued

National Air Traffic Services - The proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. They provide advice to be conveyed to the developer.

Ministry Of Defence - No objection. It provides advice to be conveyed to the developer.

Wales & West Utilities - Based on the information given and the address provided, Wales & West Utilities have no apparatus in the area of the application. It provides advice to be conveyed to the developer.

Glam/Gwent Archaeological Trust - The Historic Environment Record curated by the Trust shows that the application area is located in close proximity to a number of burial monuments of prehistoric date, some of which are protected as scheduled ancient monuments (SAM MM196, MM149 and MM033). It is often the case that these monuments appear as parts of a group, and as such it is possible that remains of a similar date could be impacted on by the proposed development. They therefore recommend that a condition requiring the applicant to submit a programme of archaeological work in accordance with a written scheme of investigation should be attached to any consent granted.

OFCOM - Provides advice to be conveyed to the developer.

Public Health Wales - Confirms at the time of writing it has not identified any evidence to suggest that noise from wind turbines has a direct physiological impact on health. It recommends the LPA be satisfied that the inputs, assumptions and cumulative noise assessment submitted with the application are locally appropriate and accurate. With regard to shadow flicker effects, they confirm current evidence suggests that the frequency of the flickering caused by the wind turbine rotation is such that it should not cause a significant risk to health.

Head Of Public Protection - The cumulative shadow flicker assessment submitted indicates that the proposed increase in shadow flicker from the wind turbines would still be within governmental guidelines. Conditions are requested to be attached to any consent requiring noise, shadow mitigation and monitoring measures.

Principal Valuer - The access to the proposed turbine site is over land owned by the Council. The access track is a Restricted Byway and any alterations will require planning consent. Fine Energy has applied for access rights over the common but this application has not yet been determined.

Cont....

Application No. 15/0774/FULL Continued

### ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and 118 neighbouring properties have been consulted.

Response: Petitions signed by a total of 307 persons and 44 e-mails and letters objecting to the development with one letter of support subject to issues of shadow flicker and excess noise being remediated.

### Summary of observations:

- Location not appropriate on the valley side and cumulative effect with existing wind turbine will be overbearing and visually unacceptable.
- Long term health complaints - adverse in respect of epilepsy, tinnitus, migraines, insomnia, anxiety.
- Increase in Noise nuisance as experienced from existing wind turbine at Bryn Ysgawen.
- Shadow flicker.
- Interference with electromagnetic transmissions.
- No community support from the company.
- Company is insolvent.
- Traffic movements associated with the turbine will have an adverse impact upon highway safety and result in congestion.
- Owner lives in Birmingham and does not reside in the affected community.
- Development is for financial gain.

### SECTION 17 CRIME AND DISORDER ACT

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

There are no specific crime and disorder implications material to the determination of this planning application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

This Council's Ecologist has considered all the reports submitted by the applicant together with the responses from Natural Resources Wales. The ecological surveys and assessments which included an extended phase 1 survey, a great crested newt survey, a bat survey, and nightjar survey, undertaken in connection with this application have confirmed the following.

Cont....



Application No. 15/0774/FULL Continued

The turbine location is on land of low nature conservation interest and its position in the field is unlikely to have an impact on habitats or protected species. The access track and cable route were found to have potential impact on Woodland habitats and on nesting birds and potential impacts on Great crested newts associated with the nearby Mynydd y Grug Pond. The applicant's ecologist has made recommendations to minimise impact on habitats and protected species which if implemented will also not require a derogation licence for the European Protected Species - Great Crested Newt. The applicant's ecologist has also provided additional assurance by the provision of an Ecological Working Methods for the underground cabling and access track improvement works, and these together with the recommendations as set out in section 6.6 of the extended Phase 1 Habitat Survey, Section 6.1 of the bat and Nightjar Survey and Section 6 of the Great Crested newt Survey should be included as conditions in the planning approval.

It is also recommend that the enhancements proposed in Section 6.7 of the Extended Phase 1 habitat survey are also conditioned and details submitted for local authority approval.

#### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No.

#### ANALYSIS

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

The application site is located within an enclosed upper valley side pastoral landscape, just below the ridgeline of Mynydd Bach / Mynydd y Grug. Coniferous plantations on the western slopes of the Sirhowy Valley form the immediate context of the site to the north, south and define its eastern boundary. To the west of the site is an area of open rough grazing land which forms part of Mynydd y Grug Common and the Special Landscape Area. Within approximately 1km of the application site is the operational Bryn Ysgawen turbine, the top tip of the Bedwas tip complex, the tele- communications mast on the summit of Mynydd Bach and an electricity line mounted on wooden poles.

The Welsh Government in Planning Policy Wales (PPW) (Edition 8), January 2016 states its commitment to delivering sustainable development in Wales, including the sustainable use of resources (para 4.1.5) and ensuring Wales uses only its fair share of the Earth's resources. PPW recognises that an adequate and efficient supply of infrastructure, including electricity is crucial for the "economic, social and environmental sustainability of Wales."

Cont....

Wind turbines contribute to this agenda, as such the sustainability aspect of the proposal accords with PPW. The proposal also assists the Welsh Government's renewable energy target, which is currently 7TWh by 2020, including 800MW from on shore wind sources. Similarly Technical Advice Note 8 Planning for Renewable Energy (TAN 8) recognises that in order to try and meet the renewable targets set by the Welsh Government "on-shore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to long term" (Para 2.2).

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

Policy SP3 of the Council's Adopted Local Development Plan (LDP) sets out broad criteria governing development in the Southern Connections Corridor, and Policy SP5 states that settlement boundaries are defined in order to (among other criteria) prevent inappropriate development in the countryside. Policy CW15 states that outside settlement boundaries proposals would not be permitted unless they fall within certain defined categories which include development associated with the provision of public utilities and infrastructure that cannot reasonably be located elsewhere. It is considered that the proposed turbine would comply with such broad locational policies subject to the following consideration of detailed matters.

#### LANDSCAPE AND VISUAL IMPACTS ASSESSMENT

Objection has been raised regarding the location of the wind turbine on the valley side and cumulative adverse visual impact with the existing Bryn Ysgawen wind turbine. In this respect this Council's Landscape Planner has considered the Landscape and Visual Impact Assessment (LVIA) prepared by VLM Landscape Design submitted with the application and whether or not the proposed development would have a significant detrimental effect in terms of cumulative visual impact and also in terms of impact upon landscape character.

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In 2014 the Council commissioned Gillespies LLP to produce a "Landscape Sensitivity and Capacity Study" in relation to potential Smaller Scale Wind Turbine Development in the southern part of the county borough. This study complements a similar study commissioned jointly with other Heads of the Valleys Authorities which covers the northern half of the county borough. The studies offer generic rather than site specific guidance and cannot replace the need for a site specific LVIA. The study places the site of the proposed turbine in Landscape character Unit 7 (Risca Sirhowy and Ebbw Valleys). This large landscape character unit is assessed as having "medium" sensitivity to wind turbines of between 50-80m in height to blade tip. The study notes that development of this size may impact upon the scale of the valley and the setting of development in the valley bottom. The application site is also immediately adjacent to Landscape Unit 4 (North Caerphilly), which is assessed as having medium sensitivity to wind turbines of this size.

The LVIA has assessed the potential impact of the proposed development as being "major or major / moderate adverse" upon Landscape Character and Visual Receptors, within approximately 1 kilometre of the site, which is significant. Beyond this distance the impact of the proposed development varies between "none to moderate adverse" which is not significant. No residential amenity assessment was undertaken in respect of the five named properties within 770m of the application site. However it is considered the adjacent landform and vegetation cover is likely to preclude or severely restrict potential views of the proposed turbine from these properties.

Ynysddu and Cwmfelifach are the closest settlements with potential views of the proposed development. Some properties within these settlements already have views of the operational Bryn Ysgawen turbine. No representative photo viewpoints were originally selected from within these settlements, though subsequently wireframes were produced for seven viewpoints within these settlements. Views from west facing properties within these settlements are heavily influenced by the large scale forestry plantations on the western valley side, the steep topography of the valley sides and panoramic view along the pastoral and conifer ridgeline. The operational Bryn Ysgawen turbine is a prominent but relatively small scale feature within this landscape and despite the impending change to this landscape with the loss of the Larch plantations it is considered the scale of this landscape is sufficient to accommodate the existing and the proposed turbine.

The upland landscape immediately adjacent to the western boundary of the site is part of the large North Caerphilly SLA and Landscape Unit 4 (North Caerphilly). The topography of this area is varied, views of the operational turbine are restricted and the ZTV plans suggest the same will be true for the proposed turbine.

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There are currently no operational or 'in-planning' turbines within the boundaries of these defined areas and it is considered the effect of operational Bryn Ysgawen turbine upon these areas as a whole is not significant and the effect of the proposed turbine would only be significant within approximately 1 kilometre of the application site.

TAN 8 Annex D paragraph 8.4 states that "In the rest of Wales outside the Strategic Search Areas, the implicit objective is to maintain the landscape character i.e. no significant change in landscape character from wind turbine development. This is interpreted as "Typically a Landscape with occasional wind turbine developments". The majority of operational consented or 'in-planning' wind energy developments identified within the 12 kilometre study area are situated between 8 and 12 kilometres from the application site. The LVIA considered that in local views the proposed turbine would be seen within the same arc of view as the existing operational turbine at Bryn Ysgawen but that the addition of the proposed turbine would barely change the characteristics of the landscape or view. From distant viewpoints and particularly those from higher elevations additional turbines would also be visible within the same arc of view however the separation distance between the proposed and Bryn Ysgawen turbines and the other turbines within the relatively large scale upland landscape means that there would be no significant cumulative effect.

The significant effects of this proposal are restricted to an area in close proximity to the site, and there would be no significant cumulative effects if the application were approved. It is noted that any strobe effect of flashing of reflected light, which can be visible from some distance may be ameliorated by the development of an industry standard (light grey semi-matt) for the colour and surface finish of turbine blade. This may be addressed by attaching an appropriate condition to any consent.

#### NOISE IMPACTS

Objection has been raised regarding potential noise nuisance generated from the wind turbine. As part of the planning application a noise assessment was provided prepared by EWT dated 9/5/12. The information submitted has been assessed in accordance with the above guidance and having regard for local noise conditions and accepted noise levels set out within the guidance. This submission has been assessed by the Council's Head of Public Protection and it is considered that the predicted noise levels from the proposed turbine are within accepted levels. Whilst there are many variables that can affect turbine noise it is considered that the submission was carried out in accordance with the relevant guidance and as such its findings is a relevant material planning consideration. Conditions would also be attached to any consent granted controlling the levels of noise that can be produced by the turbine and requiring it to be modified, limited or shut down in order to comply with the guidance.

Cont....

With respect to noise from construction and decommissioning activities it is considered that given the small scale of the project and short period of construction and decommissioning activities (estimated to be 3 months), noisy activities are unlikely for prolonged periods. The adoption of standard construction working practices and hours of working would ensure that these temporary phases would not give rise to adverse disturbance.

#### HIGHWAYS/TRANSPORTATION IMPACTS

Objections have been received, concerned that traffic movements associated with the turbine will have an adverse impact upon highway safety and result in congestion. Ainscough Wind energy services prepared an Access Study Report dated 18/3/14, which identifies the proposed vehicular route and methodology associated with the mobile crane and its associated transport for the installation of the wind turbine. This information has been considered by this Council's Transportation Engineering Manager who advises that the proposal is acceptable in highway safety terms subject to conditions requiring a revised Traffic Management Plan which would identify the traffic management measures required, and a condition survey of the lane from the Crown roundabout to the access to the site. On this basis it is considered that the proposal would be in compliance with LDP Policy CW3 (design considerations - highways). It should also be noted that as the delivery of the equipment would involve abnormal indivisible loads, the consent of the Welsh Government Transport division would be required in addition to any consent from the Local Highway Authority in relation to the use of the Trunk Highway Network. In that regard it is not felt that the development would have any detrimental impact on highway safety issues and the proposal can be accommodated without the need for major highway improvements. The improvement and extension of the farm access track have no bearing on the highway network.

Caerphilly CBC is the freehold owner of the Mynydd Y Grug Common and the access track, which is a restricted Byway. Consent will be required from Welsh Government for any works to the Common and any alterations to the existing track will require Council approval. (The access track is included in the planning application submitted.) Fine Energy has applied for access rights over the common but this application has not yet been determined by Cabinet. Where works are to take place on the Byway, then the developer is required to apply to the Rights of Way department of the Council for a closure notice. The Mynydd Dimlaith, Mynydd Grug and Mynydd Machen Commoners Association have confirmed in writing to this Council's Property Services Department they have no objection to the proposal of widening and improving the existing access track over the common for the construction, delivery and maintenance of the proposed turbine but feel strongly that the proposed road should be retained and maintained during the life of the turbine. These matters will be addressed through the Property Services Department.

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### SHADOW FLICKER

Objection has been raised regarding the adverse impact upon residential amenity as a result of shadow flicker. A report prepared by Fine Energy addresses shadow flicker for the proposed turbine at Tyle Crwth and the cumulative impact with the existing turbine at Bryn Ysgawen Farm. The term 'shadow flicker' refers to the flickering effect caused when rotating wind turbine blades periodically cast shadows over neighbouring properties as they turn, through constrained openings such as windows. The magnitude of the shadow flicker varies both spatially and temporally and depends on a number of environmental conditions coinciding at any particular point in time, including, the position and height of the sun, wind speed, direction, cloudiness, and position of the turbine to a sensitive receptor.

Planning Policy Wales (2016) and Technical Advice Note 8 Planning for renewable Energy (2005) require the effects of wind turbine development to be adequately assessed but does not specify methodologies. Shadow flicker is acknowledged as a material planning consideration in relation to planning applications for wind turbine development. The Department of Energy and Climate Change (DECC ) Evidence Base publication contains a review of shadow flicker assessment best practice across Europe. Current recommendations in Planning for Renewable Energy " A Companion Guide to PPS22 Office of the Deputy Prime Minister (2004) makes the following statements:

- Shadow flicker only occurs inside buildings where the flicker appears through a narrow window opening;
- Only properties within 130 degrees either side of north of the turbines can be affected at UK latitudes;
- Shadow flicker has been proven to occur only within ten rotor diameters of a turbine position;
- Less than 5% of photo-sensitive epileptics are sensitive to the lowest frequencies of 2.5-3 Hz; the remainder being sensitive to higher frequencies; and
- A fast-moving three-bladed wind turbine will give rise to the highest levels of flicker frequency of well below 2 Hz. The new generation of wind turbines is known to operate at levels below 1 Hz.

The Shadow flicker assessment submitted with the application confirms the rotor diameter of the proposed turbine is 53m. Ten times the rotor diameter equals 530m as the DECC recommended distance to avoid shadow flicker issues. There are no residential properties within the 530m of the proposed turbine site.

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No published significance criteria exist for the assessment of shadow flicker impacts and there is no UK statutory limit or guidance to stipulate acceptable levels of shadow flicker. Predac, an EU sponsored organisation promoting best practice in energy use and supply, suggests that a maximum of 30 hours of shadow flicker in a calendar year is acceptable, with no longer than 30 minutes on any single occasion . These criteria have been used in the assessment to represent the longest amounts of time that shadow flicker impacts can reasonably occur before causing what can be considered an unacceptable nuisance and therefore requiring mitigation.

The developer has carried out an analysis of the cumulative shadow flicker effects of the proposed turbine taken together with the constructed turbine at Brynysgawen. In the following properties, the proposed turbine would increase the length of time during which shadow flicker would be experienced but in each case the increased exposure remains within these limits:

- Old Tredegar Arms: 16.5 hours per year (maximum 20 minutes per day)
- Ty Graig Cottage: 17.2 hours per year (maximum 20 minutes per day)

The report concludes there will be no adverse effects on residential amenities due to cumulative shadow flicker.

This Council's Head of Public Protection has considered the Shadow Flicker Assessment submitted and has raised no objection to the development subject to conditions being attached to any consent to mitigate against noise nuisance and shadow flicker.

#### HEALTH

Objection has been raised regarding the long term health complaints particularly in respect of epilepsy, tinnitus, migraines, insomnia, and anxiety as a result of a wind turbine. The DECC Report advises that "On health effects and nuisance of the shadow flicker effect, it is considered that the frequency of the flickering caused by the wind turbine rotation is such that it should not cause a significant risk to health. Mitigation measures which have been employed to operational wind farms such as turbine shut down strategies, have proved very successful, to the extent that shadow flicker cannot be considered to be a major issue in the UK." Public Health Wales has not raised an objection to the development subject to appropriate conditions being attached to any consent to control and mitigate against noise and shadow flicker.

Complaints regarding shadow flicker in respect of the Bryn Ysgawen Wind Turbine are subject of ongoing investigations by this Council's Planning Enforcement Section. The discussion, however, relates to the control of flicker rather than the principle of the acceptability of the turbine.

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#### HERITAGE IMPACT

The key impacts of wind turbines, either individually or as larger groups, on features of cultural heritage (such as scheduled ancient monuments; listed buildings; conservation areas; registered historic landscapes; and parks and gardens of special historic interest) include:

- Loss or direct impact on identified features of historic interest, including undiscovered archaeology.
- Indirect impacts on the character or appearance and setting of features of historic interest.

The application has been considered by this Authority and the statutory consultees have been consulted. No adverse comments have been received in respect of the proposal but conditions are requested to be attached to any consent to ensure no adverse impacts upon cultural heritage assets, which may be within the area.

#### ECOLOGICAL IMPACT

The main ecological impacts resulting from wind turbines are associated with the site infrastructure i.e. construction compounds, the turbines themselves and cable trenches. These impacts may occur both during construction and during the operation of the turbines. The key potential ecological impacts include:

- Direct and indirect impacts of wind turbine construction on ecological receptors e.g. habitat loss and/or loss of plant or animal species, disturbance and fragmentation.
- Direct and indirect impacts of wind turbine operation on ecological receptors e.g. the disturbance of habitats and birds/bats colliding with the turbine blades during operation (known as 'bird strike').

The application has been supported by a Bat and Nightjar Survey, Great Crested Newt survey, Phase 1 Ecology Survey, which have been considered by this Authority together with the relevant statutory consultees. Conditions may be attached to any consent to address concerns raised in respect of the same.

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Cont....



Application No. 15/0774/FULL Continued

Comments from public: Some of the objections raised have been considered above. In addition the following objections are addressed:-

- Inteference with electromagnetic transmissions. The relevant statutory consultees have been consulted and there have been no adverse comments received. However, advice is provided to be conveyed to the developer.
- No community support from the company. There is no planning requirement to seek community contributions.
- Company is insolvent. This is not a planning matter.
- Owner lives in Birmingham and does not reside in the affected community. This is not a planning consideration.
- Development is for financial gain. This not a planning consideration

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from Tyle Crwth wind turbine. Written confirmation of the first export date shall be sent to the Local Planning Authority within one month of the first export date.  
REASON: In order to retain effective control over the development.
- 03) Within 25 years from the date when electricity is first generated to the grid, or within six months of the cessation of electricity generation by the wind turbine facility, whichever is sooner, the wind turbine and all associated works/equipment shall be dismantled and removed from the site and the land restored to its former condition in line with a restoration scheme, details of which shall be submitted and approved in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity.

Cont....

Application No. 15/0774/FULL Continued

- 04) Within the year prior to decommissioning of the site, and during the appropriate survey period prior to decommissioning, a full ecological survey of the site shall be undertaken to inform decommissioning, as required by Condition 03). A survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning and then implemented as approved. The report shall include ecological mitigation measures, as appropriate, based on the ecological assessment findings to be followed during commissioning and beyond.  
REASON: In the interests of visual amenity and biodiversity.
- 05) Prior to the commencement of the development hereby approved a Habitat Management and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the mitigation recommendations as outlined in Section 6.6 of the Extended Phase 1 Habitat Survey and Preliminary Ecological Appraisal dated March 2015 by Gould Ecology, section 6.1 of the Bat and Nightjar Survey Version 2 dated June 2015 by Gould Ecology, section 6 of the Great Crested Newt Survey version 1 dated June 2015, the Ecological working Methods for the underground cabling and access track improvements works, version 2 dated 21st march 2016 by Gould Ecology, together with details of habitat protection and reinstatement measures. The measures in the approved Habitat Management and Mitigation Plan shall be carried out under the supervision of an Ecological Clerk of Works.  
REASON: To ensure adequate protection and mitigation for habitats and protected species.
- 06) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted and a Welsh Assembly Government European Protected Species licence is required, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority."  
REASON: to ensure that plant and animal species which come within the terms of the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended) are effectively protected and that a copy of the WAG development licence is submitted to the Local Planning Authority.

Cont....

Application No. 15/0774/FULL Continued

- 07) No development shall commence until details of a scheme for the disposal of surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 08) The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties (Not financially involved) shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties
- 09) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 10) Following the commissioning of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.  
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.

Cont....

Application No. 15/0774/FULL Continued

11) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 07.00 and 19.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.  
REASON: In the interest of residential amenity.

12) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:

Block Plan drawing 01 received 17/9/15.

Location Plan drawing no:02 received 17/9/15.

Location Plan 2 drawing 03 received 17/9/15.

Turbine elevation received 17/9/15.

Electrical and cabinet Details - drawing details 2 received 17/9/15.

Route Survey report prepared by Plant Speed received 5/4/16.

Gould Ecology - Ecological Working Methods for the underground cabling and access track improvements dated 21/3/2016.

Tyle Crwth Photomontage Viewpoint Location Plan.

New wire frames received 5/11/2015.

Tyle Crwth Shadow Flicker assessment Rev1, received 5/11/2015.

Landscape and Visual Impact Assessment Report No.11508..

Gould Ecology - Bat and Nightjar Survey June 2015 v2.

Gould Ecology - Great Crested Newt survey June 2015 v1.

Gould Ecology - Phase 1 Ecology survey March 2015.

Noise Impact assessment Report.

and other supporting information - LVIA received 17/9/15.

(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

13) Prior to the commissioning of the wind turbine hereby approved it shall be fitted with a control system that automatically shuts down the turbines during times that shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority.

REASON: To control flicker in the interests of the amenity of nearby flicker-sensitive properties.

Cont....

Application No. 15/0774/FULL Continued

- 14) Prior to the commencement of the construction of the wind turbine hereby approved the Ministry of Defence shall be notified in writing of the start date for its construction together with confirmation of their maximum height and Ordnance Survey positions.  
REASON: To ensure that military flying charts are properly updated.
- 15) The external surface finishes/colours of the wind turbine and tower hereby approved shall be light grey, non-reflective semi-matt as described in paragraph 2.09 of the Planning Statement, and the lower section of the tower may include graduated colouring to reflect the background. The external surface finishes/colours of the wind turbine and tower shall not include any symbols, signs, logos or other lettering or markings designed to draw attention, and they shall be maintained as hereby approved unless any variation has been first submitted to and then agreed in writing by the Local Planning Authority.  
REASON: In the interest of visual amenity.
- 16) The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute for Archaeologists. The Local Planning Authority shall be informed, in writing, at least two weeks prior to the commencement of the development of the name of the said archaeologist and no work shall begin until the Local Planning Authority has confirmed, in writing, that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.  
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 17) No works shall commence on site until after a revised Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority which provides a detailed report on the proposed route to be taken to the application site. This should include the adequacy of the route and provide details of any improvements required to the highway network to allow the movement of the abnormal loads. All improvements must be implemented before the movement of any abnormal load can take place. The plan will need to indicate full consultation and approval with neighbouring Authorities which the loads pass through, consultation and approval with the Welsh Government and South Wales Police Liaison Transport Officer who co-ordinates the safe passage of the vehicles and consultation and approval with the Highways Agency. The development shall be carried out in accordance with the agreed Traffic Management Plan.  
REASON: In the interests of highway safety. Cont....

Application No. 15/0774/FULL Continued

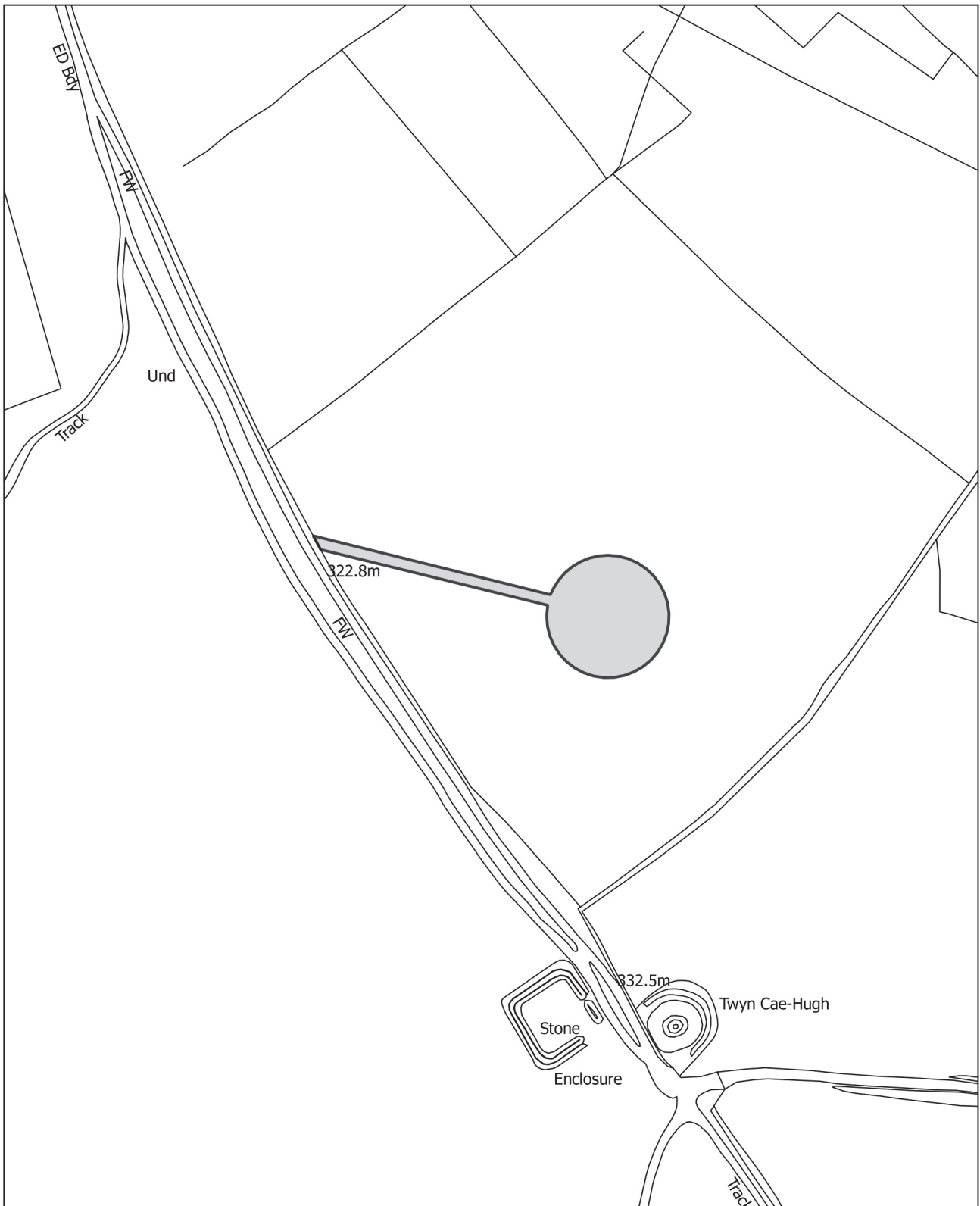
- 18) Prior to the transportation of any AIL turbine components; a highway condition survey along the lane from the A472 Crown Roundabout to the application site shall be carried out and agreed in writing with the Local Planning Authority, which includes a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.  
REASON: In the interests of highway safety.

Advisory Note(s)

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

The applicant is advised of the comments of National Air Traffic Services, Wales and West Utilities, Ofcom, Defence Infrastructure Organisation, Council's Ecologist, Public Right's of Way Officer, Senior Engineer (Land Drainage), Glamorgan Gwent Archaeological Trust., Dwr Cymru/Welsh Water and National Resources Wales.

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## **PREFACE ITEM**

APPLICATION NO. 16/0286/OUT

APPLICANT(S) NAME: Mr & Mrs G Howells

PROPOSAL: Erect detached dwelling with associated access and groundworks

LOCATION: School House Tabor Road Maesycwmmmer Hengoed CF82 7PU

At the last meeting of the Planning Committee on 4<sup>th</sup> May, 2016 Members resolved to defer consideration of this application to enable further information to be submitted in relation to the ownership of the site, in particular with regard to the storage shed in the north east corner of the site. This shed contains the service meters for the school.

The applicant has now submitted a copy of his deeds for the site and they confirm that he has full control over the whole of the application site. It can also be confirmed that there are no covenants on the deeds that would prevent the development of the land.

In that regard the ongoing use of the shed by the school is a private matter between the applicant and the Education Authority and is not a planning matter.

**RECOMMENDATION:** That planning permission is granted in accordance with the attached report.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0286/OUT 17.03.2016	Mr & Mrs G Howells Flat 130 Lauderdale Lauderdale Road London W9 1NG	Erect detached dwelling with associated access and groundworks School House Tabor Road Maesycwmmmer Hengoed CF82 7PU

**APPLICATION TYPE:** Outline Application

### SITE AND DEVELOPMENT

Location: The application site is situated on the junction of Tabor Road with Jenkin Street.

Site description: The application site forms part of the garden of School House, which is the former Headmaster's accommodation attached to Maesycwmmmer Primary School. It is a relatively flat parcel of lawned garden enclosed behind a stone wall with mature hedgerow above. There is a pedestrian access into School House from the frontage onto Tabor road with a vehicular access to the side onto Jenkin Street. School House is an imposing two storey Edwardian style building finished in stone with red brick quoins and a slate roof. The rear boundary of the site is also the boundary to the yard of the school with the pine end of the dwelling acting as the other boundary to the site. The garden is elevated above Tabor Road but is level with Jenkin Street at the rear.

Development: The application seeks outline planning consent for the erection of a single detached dwelling with all matters other than access reserved for future consideration. The indicative layout plan shows the provision of a dwelling adjacent to the Jenkin Street boundary of the site with a shared access for both dwellings off Jenkin Street. The proposal also shows the provision of three parking spaces per dwelling.

Dimensions: The proposed dwelling will have minimum dimensions of 7m by 6.5m by 5.6m high, with maximum dimensions of 9.5m by 10.5m by 7.9m high.

Materials: Not specified.

Ancillary development, e.g. parking: None.

Cont....

Application No. 16/0286/OUT Continued

### PLANNING HISTORY 2005 TO PRESENT

No previous planning history.

### POLICY

Local Development Plan: Within settlement limits.

#### Policies

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

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

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

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

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to conditions.

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

### ADVERTISEMENT

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

Response: Two letters of objection were received. One from Maesycwmmmer Primary School and one from a local resident.

Cont....

Application No. 16/0286/OUT Continued

Summary of observations:

1. The close proximity of the vehicular access to the main entrance to the lower school building and the increase in traffic would create dangers to highway safety.
2. Part of the application site includes a building that houses the gas meters for the school.
3. The school boundary abuts the site.
4. The dwelling will cause loss of light and have an overbearing impact on the properties in Jenkin Street.
5. It will also lead to a loss of privacy to those dwellings.

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.

Is this development Community Infrastructure Levy liable? Not at this stage because the application is in outline.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks outline planning consent for residential development in a mainly residential area and as such the principle of development is acceptable. Therefore the main points to consider in the determination of this application are the objections raised which are considered in turn below: -

1. The proximity of the proposed access to the existing school access and the junction of Jenkin Street with both Tabor Road and North Road has been considered by the Transportation Engineering Manager and no objection is raised. It is considered that subject to conditions requiring improvements to the access and adequate levels of off street parking, the development would not cause dangers to highway safety that would warrant refusal of the application.

Cont....

## Application No. 16/0286/OUT Continued

2. It is noted that the small storage building that houses the gas meters for the school is contained within the application site. Whilst the indicative site layout plan does not show the removal of this building, this would be a private matter between the two parties in any event. As such this is not a material planning consideration.
3. It is acknowledged that the application site has a common boundary with the school. The submitted plans do not propose to alter that boundary but in any event such a proposal would be unlikely to be acceptable in planning terms. However, this would be a matter for consideration at the reserved matters stage.
4. In that this is an outline application with all matters reserved for future consideration it is not yet known what the exact height of the dwelling would be. However, even with the maximum scale parameters given, it is not felt that the proposed dwelling would have any overbearing impact or cause a loss of light to neighbouring dwellings. The proposed dwelling is shown as being in the region of 13m away from the nearest property at number 2 Jenkin Street and this is considered to be sufficient distance to protect the amenity of those dwellings.
5. Again as this is an outline application the exact details of the fenestration of the proposed dwelling are not known. The dwelling can be designed such that no habitable room windows face directly onto the properties in Jenkin Street and a condition to that effect should be added to any consent granted.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: In conclusion it is considered that the application is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of appearance, landscaping, layout and scale(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont....

Application No. 16/0286/OUT Continued

- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout and scale, of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 06) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 07) The existing access shall be improved, in a manner to be agreed in writing with the Local Planning Authority before any works commence and be completed in materials as approved by the Local Planning Authority before the development is brought into beneficial use.  
REASON: In the interests of highway safety.

Cont....

Application No. 16/0286/OUT Continued

- 08) Parking throughout the development shall be provided in accordance with the requirements of LDP5 Car Parking Standards.  
REASON: In the interests of highway safety.

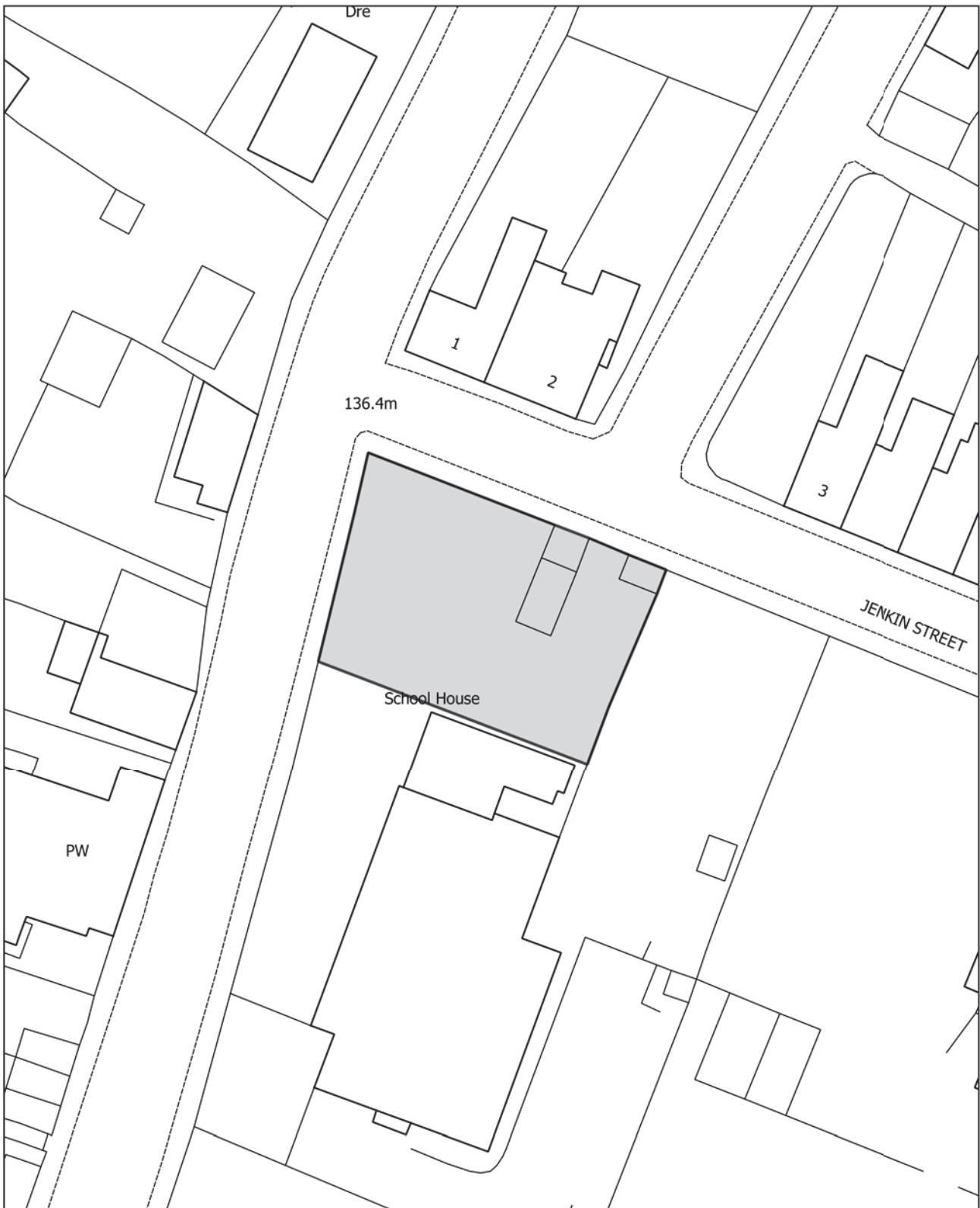
Advisory Note(s)

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

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

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# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0726/FULL 08.10.2013	Robert Price & Sons Ltd Park Road Abergavenny Monmouthshire	Erect two bay extension to existing storage building Robert Price (Builders Merchants) Ltd 145 Pontygwindy Road Caerphilly CF83 3TD

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the western side of Pontygwindy Road.

Site description: The application site is an established builders merchant's including a retail showroom towards the front of the site and a storage yard to the rear. The yard is largely given over to open air storage but there is a large portal frame storage building in the north west corner of the site adjacent to the side boundary of the rear garden of the dwelling at number 151 Pontygwindy Road. The storage building is steel clad with a profile sheeting roof.

The application site is located in a mixed use area with residential properties to the north, a supermarket to the west and south and a public house to the east.

Development: The application seeks full planning consent for the erection of an extension to the existing storage building. It would be a two bay extension of the same width and height as the existing building, having an apex roof to match.

Dimensions: The extension measures 12m long by 15m wide by 6.2m high.

Materials: To match the existing building.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

5/5/95/0409 - Erect single-storey food retail store with associates parking - Refused 26.09.95.

5/5/94/0755 - Erect single-storey retail food store with associated car parking - Refused 11.07.95.

Cont....

Application No. 13/0726/FULL Continued

P/02/0516 - Construct storage building - Granted 05.07.02.

P/02/1102 - Adjust existing vehicular access - Granted 14.11.02.

07/1036/FULL - Erect single-storey extension to accommodate sanitary and canteen facilities, alterations to front elevation of building - Granted 03.10.07.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

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

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

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

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

## CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection.

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

## ADVERTISEMENT

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

Cont....

Application No. 13/0726/FULL Continued

Response: One letter of objection was received.

Summary of observations:

1. Loss of light and amenity to rear garden.
2. Increased traffic.
3. Increased noise.
4. Increased dust.

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.

Is this development Community Infrastructure Levy liable? The development would be CIL liable but a rate of £0 is currently charged for industrial development.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is an established builder's merchants and as such the principle of development is established on this site. The main points to consider in the determination of this application are the objections raised by the member of the public and these will be considered in turn below: -

1. The objector alleges that the building would cause a loss of amenity to the rear garden of his property. The area referred to is at the end of the garden that is sited some 50m away from the objector's dwelling. In that regard it is not felt that the proposed building would have any unduly unacceptable impact on the amenity of the neighbouring dwelling. The building was causing shade at the far end of the neighbours' garden, but at the immediate rear of their dwellings, buildings are at a domestic scale and they enjoy adequate light.

Cont....

Application No. 13/0726/FULL Continued

2. The area where the storage building is located is already used for storage purposes but the extension will allow better storage for materials that cannot be left out in the elements. The extension is also relatively small in comparison to the existing buildings on site and as such it is not felt that it would lead to a marked increase in traffic to the site.
3. As the extension would increase the covered storage within the site and also create a screen on the common boundary with the objector's property it is felt that the proposal would actually lead to a reduction in noise impacts.
4. Again the extension would increase the covered storage on site and therefore it is considered that there would be a decrease in dust impact as a result of the development.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: In conclusion it is considered that the proposal is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

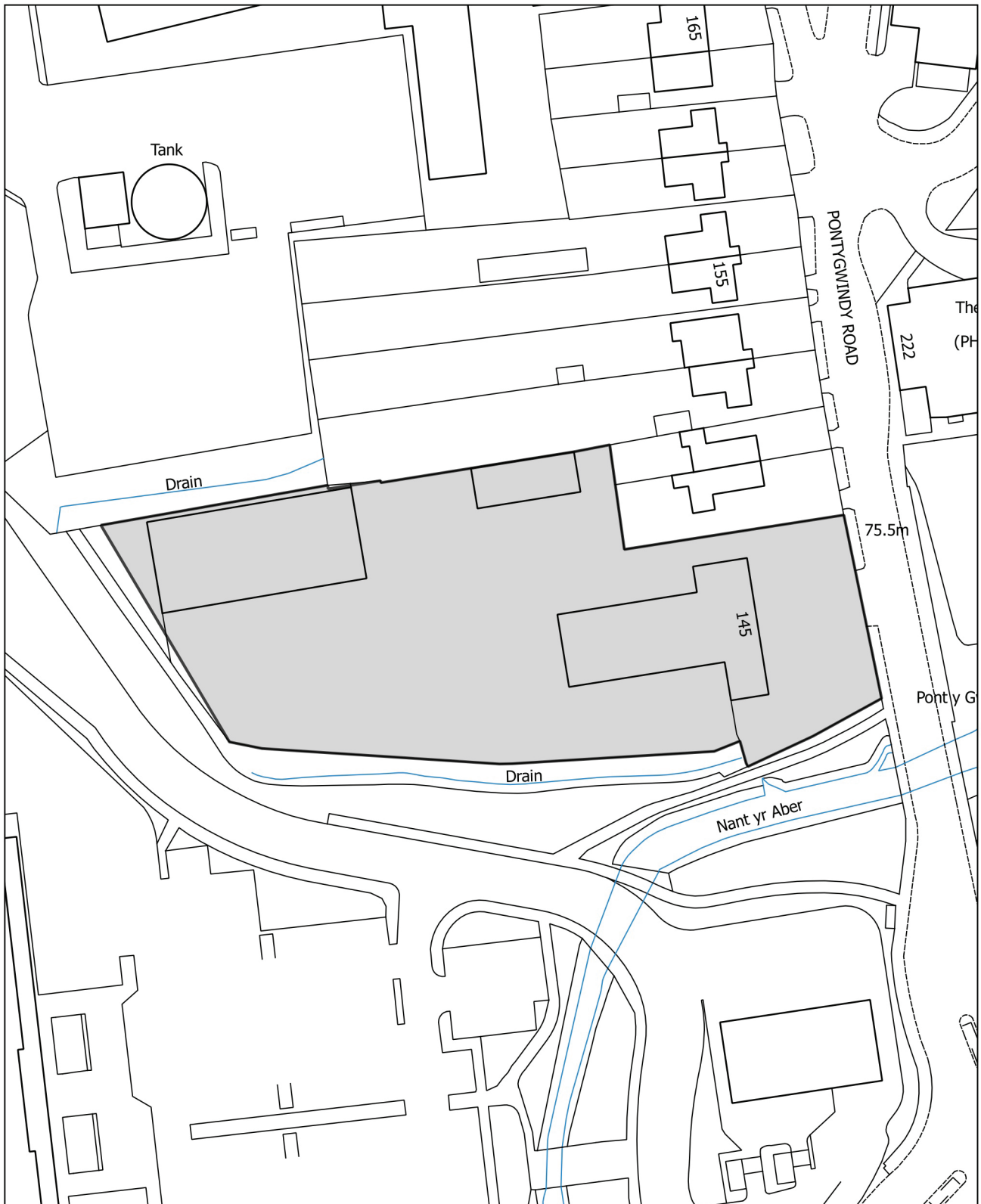
This permission is subject to the following condition(s)

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.

Advisory Note(s)

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

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# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0076/OUT 28.04.2016	Messrs B & R Pugh 28 Hafon Werdd Morningson Meadows Caerphilly CF83 3BU	Erect residential development Land To The North Of Meadowland Close Caerphilly

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is situated to the north of Meadowland Close and to the rear (west) of Bedwas Road.

Site description: The application site is a grassed area of land between an existing housing site to the south and an industrial estate to the north. The land is relatively flat on the eastern end with a steep slope at the western end leading to the boundary with Virginia Park Golf Club. The land is currently used for the keeping and grazing of horses. Part of the site is also used for storage by the applicant and there are a number of single storey ramshackle buildings including stables on the site. The majority of the site is enclosed by close boarded fencing with a profile sheeting fence to the boundary with the industrial estate. There is an existing gated access into the site from Meadowland Close and the applicant has secured rights of access over this land from the developer of that estate.

Development: The application seeks outline planning consent for residential development with all matters reserved for future consideration. The plans show 11 dwellings. The indicative layout shows the dwellings being accessed via an adopted drive of 5m width with 2m footways on either side. There would be a mixture of detached, semi-detached and link dwellings with off street parking spaces. Access will be derived via Meadowland Close through the existing gated access.

Dimensions: The scale parameters for the plots shown on the indicative layout are as follows:-

- 1 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,
- 2 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,

Cont....

Application No. 16/0076/OUT Continued

3 & 4 Min 10.0m x 7.6m Max 11.0m x 8.6m Ht 8.0m,  
5 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,  
6 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,  
7 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,  
8 Min 6.0m x 8.0m Max 7.0m x 9.0m Ht 8.0m,  
9,10 & 11 Min 15.0m x 7.6m Max 17.0m x 8.6m Ht 8.0m.

Materials: Not specified.

Ancillary development, e.g. parking: The indicative layout shows parking at each plot, with each dwelling having front and rear gardens.

### PLANNING HISTORY 2005 TO PRESENT

07/0447/FULL - Construct 116 dwellings and associated works - Granted 24.06.11.

### POLICY

Local Development Plan: Within settlement limits.

### Policies

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

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

Guidance Note 2 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on extensions and conservatories.

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

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

Cont....



Application No. 16/0076/OUT Continued

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

### CONSULTATION

Natural Resources Wales - No objection subject to conditions.

Transportation Engineering Manager – No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions relating to contamination, dust and noise suppression during construction and noise mitigation in respect of the adjacent industrial use.

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

Dwr Cymru - No objection subject to conditions.

CCBC Housing Enabling Officer - No objection subject to the provision of suitable affordable housing to meet local needs.

Head Of Public Services - No objection.

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

### ADVERTISEMENT

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

Response: Six letters of objection were received.

### Summary of observations:

1. Access to and from the site onto Bedwas Road is already a problem, this proposal will exacerbate that.
2. What will happen to the existing fence and gate at the access to the site?
3. The development will cause noise and dust pollution during construction.
4. What will happen to the existing trees on the site?
5. Construction traffic would cause dangers to children playing in the nearby play area.
6. Loss of privacy to neighbouring dwellings.
7. The site is constantly water logged and soakaways are an unacceptable means of draining the site.

Cont....

Application No. 16/0076/OUT Continued

8. Any works may cause subsidence to the drive of 79 Meadowland Close, which is immediately adjacent to the site.
9. The access to the site is not in the ownership of the applicant.

#### 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. The site has been assessed by the Council's Ecologist and there is no objection to the principle of the development.

Is this development Community Infrastructure Levy liable? No. CIL would be liable at the Reserved Matters stage.

#### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is located within the defined settlement limits and within a mainly residential area and as such the principle of development is considered to be acceptable. The development of the site makes best use of available urban land and the site is not protected for any use in the Local Development Plan. In that regard the main points to consider in the determination of the application are the objections raised by members of the public which will be considered in turn below:-

1. The existing access onto Bedwas Road from Meadowland Close has been an ongoing concern for residents for some time with concerns regarding visibility at the junction with Bedwas Road and in terms of the narrowness of the access road serving the site. The visibility at the junction with Bedwas Road is being dealt with by the Council's Traffic Management Section, with a number of solutions being considered. With regard to this application it is not considered that an additional 11 dwellings would lead to a significant increase in the volume of traffic accessing the site that would warrant refusal of the application as the percentage increase in traffic would be minimal.

With regard to the narrowness of the road serving Meadowland Close it should be noted that the existing carriageway is 5.5m wide which is the standard width for a new estate.

Cont....

Application No. 16/0076/OUT

It is often the case that vehicles are parked on the carriageway rather than on the drives provided with the dwellings and this can lead to some narrowing of the carriageway at some points. However, it would be unreasonable to refuse an application for planning consent on the basis of the narrowness of the carriageway when that issue could be resolved by the Police if the vehicles are causing an obstruction to the highway.

As access is reserved for future consideration the access within the proposed site is not for consideration here. Therefore, and whilst the indicative layout may require some amendment there is no highway objection to the proposal.

2. The existing gated access into the site will need to be removed to provide access to the development. How this is achieved is a matter that will be considered at the reserved matters stage.

3. It is inevitable that there would be some disruption to existing households during the construction stage. However, conditions will be attached to any consent granted requiring the submission of schemes to deal with dust and noise and on that basis no objection is raised by Head of Public Protection.

4. The effect of the development on the existing trees on the site is a matter to be considered fully at the reserved matters stage. However, it is considered that the trees along the western boundary of the site adjacent to the golf course should be retained in order to provide a natural buffer between the two sites. A condition would be attached to any consent granted requiring the submission of a tree survey and measures for protection and enhancement.

5. Construction traffic is a small and transient part of any housing development and it is the traffic generated by the dwellings themselves that is the main concern of the Planning system. In any event the risks posed by construction traffic are no greater than those posed by other traffic that can currently access the site and would be able to access the proposed dwellings.

6. Whilst the submitted plans are purely indicative they show that the dwellings can be accommodated within the site without having a detrimental impact on the privacy of neighbouring dwellings with minimum distances of 21m being achieved between all habitable rooms.

7. It was clear from the case officer's visit to the site that it currently has issues with regard to pooling of water and it may well prove that soakaways are not suitable to serve as the surface water drainage for the site. However, this matter would be covered by condition in any consent granted and the developer would have to satisfy the council that the site can be adequately drained by whatever means is chosen.

Cont....

Application No. 16/0076/OUT Continued

If a soakaway is considered to be unacceptable then an alternative means of draining the site would have to be used.

8. Given the existing levels on site it is unlikely that any subsidence would be caused and no information has been submitted to substantiate this claim. In any event this would be a private matter between the two parties.

9. The agent has submitted copies of Land Registry Plans that prove that the land is in the ownership of Persimmon Homes. He has also confirmed that his client has secured rights of access over the land to serve the site and this is reflected in the amended plans submitted.

In conclusion it is considered that the application is acceptable in planning terms and it is recommended that consent be granted subject to conditions. The consent should also be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 in order to secure 40% affordable housing on the site in a mix to be agreed.

Comments from consultees: No objections raised.

Comments from public: These are addressed above.

Other material considerations: The requirements of the proposed Section 106 Agreement are necessary, reasonable in scale and kind and directly related to the development.

RECOMMENDATION that (A) the application is DEFERRED to allow the applicant to enter into a Section 106 Agreement. On completion of the Agreement (B) Permission be GRANTED

This permission is subject to the following condition(s)

- 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.

Cont....

Application No. 16/0076/OUT Continued

- 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) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.

Cont....

Application No. 16/0076/OUT Continued

- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 09) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area.
- 10) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area.
- 11) The plans and particulars submitted in accordance with Condition 2) shall include:  
a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) or general landscape factors) must be shown.  
b) the details of each tree as required at para. 4.2.6 of BS5837 in a separate schedule.

Cont....

- c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruning and other remedial or preventative work.
- d) the details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring ground.
- e) the details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development.
- f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.
- g) No 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. In this condition a "retained tree" means an existing tree that is to be retained in accordance with the plan referred to at paragraph (a) above.

REASON: To safeguard the vegetation that is considered to be worthy of retention in the interests of visual amenity of the area.

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

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

- 13) Prior to the commencement of any vegetation clearance, site clearance or development a detailed Reptile Assessment shall be carried out and the results of the assessment, together with any proposed remedial measures (including methodologies) shall be submitted for the agreement of the Local Planning Authority. The measures shall be complied with as agreed.

REASON: To ensure adequate protection for protected species.

- 14) Prior to the commencement of any development works, a survey shall be carried out to establish the use of the site and the mature trees along the boundary by roosting, commuting and feeding bats and the details of the survey together with any measures to minimise impact from lighting or from tree/hedge management works, shall be submitted to the Local Planning Authority for agreement. The development shall be carried out in accordance with the agreed details.

REASON: To ensure adequate protection to protected species.

Cont...

Application No. 16/0076/OUT Continued

- 15) The development hereby approved shall be carried out in accordance with the recommendations contained within the Flood Consequences Assessment by GWP Property Services LTD submitted on 28th April 2016.  
REASON: In order to ensure that the development has regard for the possible risks of flooding in accordance with Technical Advice Note 15 (Development and Flood Risk).
- 16) Parking throughout the development hereby approved shall be in accordance with Caerphilly Council Approved Supplementary Planning Guidance LDP5 - Car Parking Standards (November 2010).  
REASON: In the interests of highway safety.

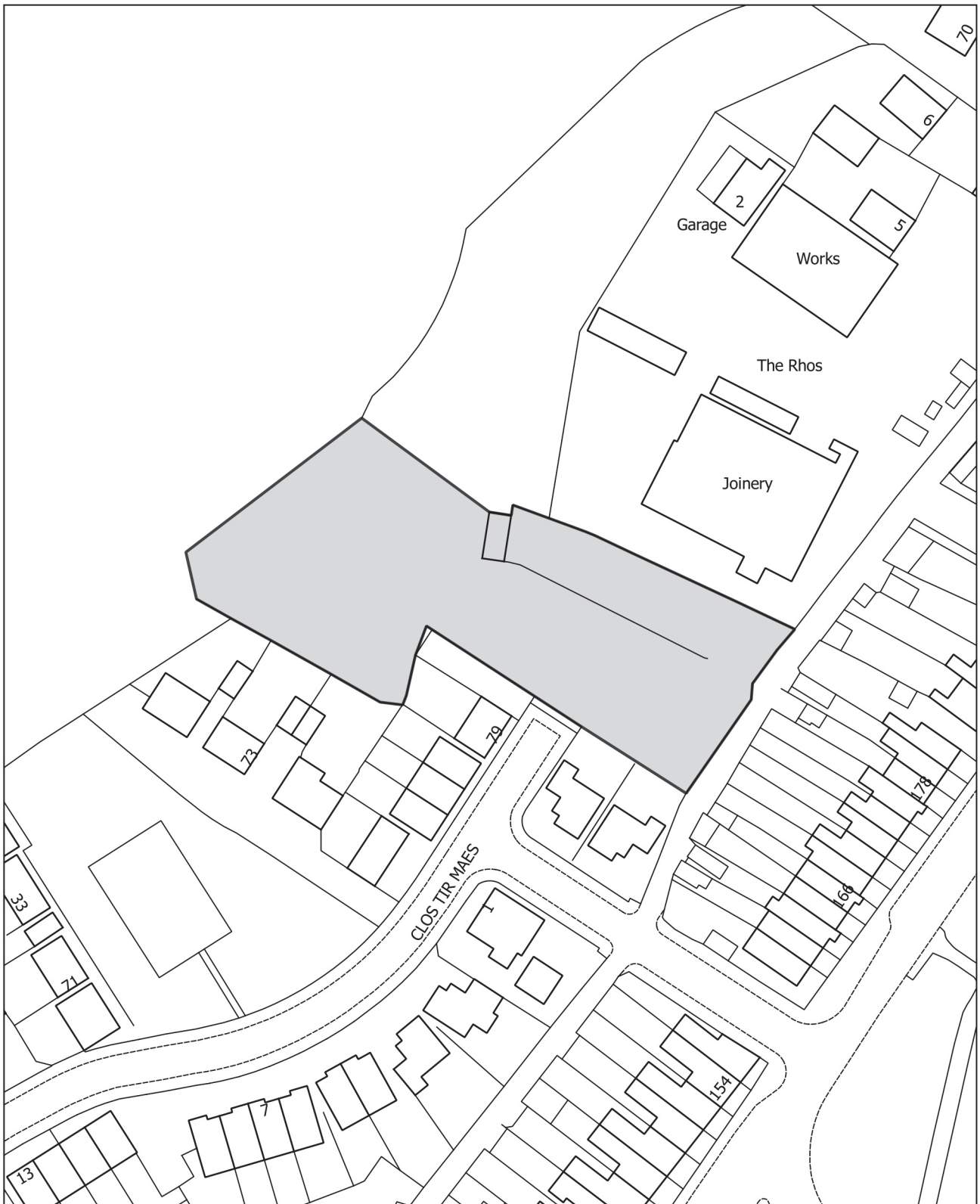
Advisory Note(s)

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

Please find attached the comments of Head of Public Services, Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and Natural Resources Wales that are brought to the applicant's attention.

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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0166/FULL 19.04.2016	Mr R Parr 69 Aberbeeg Road Abertillery NP13 2EQ	Erect a single-storey rear extension 34 Downey Grove Penpedairheol Hengoed CF82 8LE

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located at 34 Downey Grove, Penpedairheol.

House type: The house is a modern end link house on a residential estate.

Development: The proposed development comprises a single storey extension to provide a bedroom and shower room.

Dimensions: The extension would measure five metres from the rear wall of the house and approximately four metres wide.

Materials: The application states that the materials will match those of the host dwelling.

Ancillary development, e.g. parking: Not shown.

## PLANNING HISTORY 2005 TO PRESENT

None.

## POLICY

## LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the settlement boundaries identified in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Policies: The following policies are relevant to the determination of the application CW2 Amenity, CW3 car parking, SP6 Placemaking and Supplementary Planning Guidance in LDP 7 Householder Development.

Cont....

Application No. 16/0166/FULL Continued

NATIONAL POLICY Planning Policy Wales 2016 and Technical Advice Note 12 Design.

### 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 within the coalfield and an advisory note will be sent with any permission granted.

### CONSULTATION

None.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of a site notice and letters to five neighbouring properties.

Response: Two letters of objection have been received.

Summary of observations: The grounds for objection are loss of light to the kitchen window and to the garden of an adjoining property.

### SECTION 17 CRIME AND DISORDER ACT

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

The proposed development is unlikely to have a significant effect on crime and disorder in the local area.

### EU HABITATS DIRECTIVE

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

Cont....

Application No. 16/0166/FULL Continued

## COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No, the extension is less than 100 square metres in floor area.

## ANALYSIS

Policies: The application has been considered in the context of national policy and policies in the adopted local development plan. The main issues are considered to be:

### Amenity

The rear wall of the existing house is 21 metres from the house at 1 Tansy Close but is set at an acute angle. The extension would bring the house 5m closer but, because of the angle and because a small, high level window is proposed on the rear elevation, it is not considered that there would be a significant impact on neighbouring houses in terms of loss of privacy.

The house is the end of a terrace of 6 houses, which are staggered in pairs. The houses are set on relatively small plots and the mid link houses have narrow gardens. If the extension was constructed, the adjoining house would be sandwiched between the wall of the adjoining house, which projects approximately 3m on one side and the 5m proposed extension on the other.

### Design

The design of the extension incorporates a pitched roof with concrete tiles and facing brick external finish to the walls. The new building would extend across the full width of the existing house, which is 4m wide and would be 5m long. The rear elevation includes a high, horizontal emphasis window, which is somewhat at odds with the vertical emphasis windows in the windows of the upper floor.

### Car parking provision

The house has a driveway at the side with space for two cars. The proposed extension would create an additional bedroom requiring the provision of an additional space, but the house would still be a small house and so it would not be reasonable to require an extra space.

Comments from consultees: No adverse comments have been received.

Comments from public: The comments received from neighbours have been taken into account in the recommendation. Loss of light and overshadowing of the principal rooms of the neighbouring house will affect amenity interests.

Cont....

Application No. 16/0166/FULL Continued

Other material considerations: The fall-back position is that normally an extension of up to 4m in length can be built at the back of a house provided that the height does not exceed 4m and the eaves height does not exceed 3m within two metres of the boundary. The proposed extension would meet the height restrictions, although it is one metre longer than permitted development. However, when permission was granted for the estate, permitted development rights were removed for plots 108 to 113, which now relate to 34 to 39 Downey Grove.

Conclusion: Guidance in TAN 12 and LDP 7 recommends that extensions should have windows that are similar in size, shape, design and proportion to the existing house and should have regard to the existing arrangement of windows. The high level window proposed on the rear elevation is not in line with that guidance, but is acceptable on this small scale.

Because of the layout of the houses and the restricted curtilages, the proposed 5m long extension would have an unacceptable adverse impact on the amenity of the adjoining house, contrary to Policy CW2.

RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) The proposed development would have an unacceptable adverse impact on the amenity of the neighbouring house due to its scale and proximity to the shared boundary, contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
-



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# Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0178/OUT 04.04.2016	Inca Block Mrs P Evans Sudbury Road Bradfield Combust Bury St Edmunds Suffolk	Erect a detached dwelling and garage Land At Tabor Road Maesycwmmmer Hengoed

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is situated on the western side of Tabor Road, opposite the junction with Jenkin Street and to the rear of 68 and 69 Main Road, Llanbradach.

Site description: The site is located within a predominantly residential area within the settlement limits of Maesycwmmmer. It is situated opposite the junction of Jenkin Street with Tabor Road. A single storey garage building is located to the south of the site and the rear garden of 67 Main Road, Maesycwmmmer abuts the northern boundary of the site. The rear garden of a commercial premises at 68 Main Road and a residential property at 69 Main Road abut the rear boundary of the site.

The site comprises a large blockwork garage with tin sheeting lean-to extension to the front. The boundary of the site is made up of a mix of tin sheeting, blockwork wall and wooden boards and panels. The site is generally in a state of poor amenity.

The topography of the site is such that it slopes from Tabor Road to meet the rear gardens of the properties at 68 and 69 Main Road.

Development: Outline planning consent is sought in respect of residential development with matters in respect of access, appearance, layout, landscaping and scale reserved for future consideration.

Dimensions: The site has a frontage with Tabor Road of approximately 10 metres and a maximum depth of 15 metres. The minimum dimensions of the dwelling are proposed to be 5.5m by 6.5m by 6.8m high whilst the maximum dimensions are 6.0m by 7.5m by 7.3m high.

Materials: Not applicable.

Ancillary development, e.g. parking: The indicative site layout shows the provision of a garage with two parking spaces and turning facilities within the site.

Cont....

Application No. 16/0178/OUT Continued

### PLANNING HISTORY 2005 TO PRESENT

07/1138/OUT - Erect residential development - Granted 15.11.07.

15/0684/OUT - Erect a two bedroom dwelling with car parking space - Refused 12.11.15.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

#### Policies:

Strategic Policies

SP2 - Development Strategy in the Northern connections Corridor, SP6 - Place making, SP21 - Parking Standards.

Countywide Policies

CW2 - Amenity, CW3 - Design considerations highways, CW15 - General locational constraints, supplementary planning guidance contained in LDP 6 - Building Better Places to Live, LDP5 - Parking Standards, LDP7 - Householder Developments.

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

### NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 - Design.

### 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 an issue in respect of this planning application.

Cont....

Application No. 16/0178/OUT Continued

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Cadw - No objection.

Head Of Public Protection - No objection subject to a condition controlling the importation of soils onto the site.

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

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

### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

None.

### EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? No. CIL would be calculated at the reserved matters stage.

Cont....

## ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main issues to be considered in the determination of this planning application are considered to be in terms of the compatibility of the proposed residential use with surrounding land uses, amenity and highway considerations.

Given that the site subject of this application is included within the settlement boundary for Maesycwmmmer as identified in the LDP, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement. Also outline planning consent has previously been granted in respect of the residential development of the site in 2007 but that consent has expired.

General development control considerations are set out in policies SP6 (Place making), CW2 (Amenity) and CW3 (Design consideration: Highways) of the LDP.

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land.

The proposed development site is located within a predominantly residential area within the settlement area of Maesycwmmmer and offers the opportunity to provide housing, which will be close to residential areas and local facilities. This is an outline application with all matters reserved for subsequent consideration. As with any outline planning application for development there is a requirement to provide an increased level of detail to be submitted. An indicative site layout has been proposed, which identifies one dwelling to be constructed with vehicular access obtained via the existing adopted highway, off Tabor road and in this respect it is considered the development fits into the existing pattern of development evident in this street. Parking is proposed by the provision of off-street parking spaces within the site.

Policy CW2 sets out criteria relating to amenity. It is considered that the proposed residential development is compatible with surrounding land uses and no harm would be caused to the character or appearance of the surrounding area. The amenity of the occupants of neighbouring residential properties would not be adversely affected by the development.

Cont....

Application No. 16/0178/OUT Continued

Policy CW3 of the LDP considered highway matters and in this respect the Transportation Engineering Manager has raised no objection to the development. Whilst a previous application on this site was refused on parking and visibility grounds, the submitted plans indicate that the site can be developed adequately in this regard.

Comments from consultees: No objections raised. The conditions required by the Council's Ecologist and Head of Public Protection are not considered to be necessary at the outline stage but can be attached to any subsequent reserved matters consent.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 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.

Cont....

Application No. 16/0178/OUT Continued

- 05) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) The boundary wall fronting onto Tabor Road shall be restricted in height to that not exceeding 900mm to ensure optimum visibility can be provided for the driveway.  
REASON: In the interests of highway safety.
- 07) Off street parking provision shall accord with the requirements of Supplementary Planning Guidance LDP5 Car Parking Standards.  
REASON: In the interests of highway safety.
- 08) A suitable turning facility shall be provided within the curtilage of the site to ensure vehicles can both enter and leave the property in a forward gear at all times.  
REASON: In the interests of highway safety.
- 09) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the building hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the amenity of the area.
- 10) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: site location plan (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

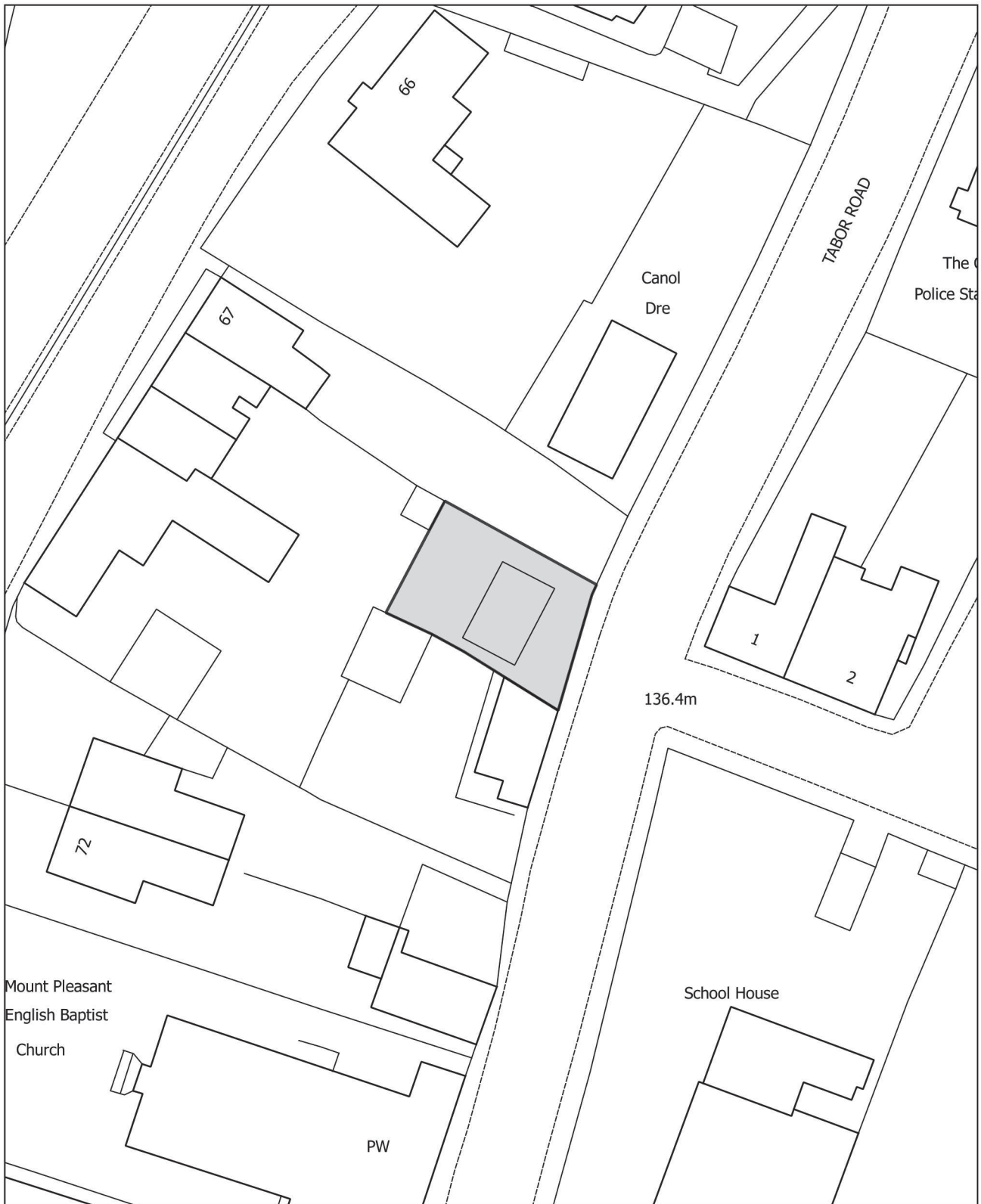
The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2 and CW3.

Cont....

Application No. 16/0178/OUT Continued

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

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# Agenda Item 11

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0520/FULL 21.04.2016	Mr S Skivens 8 Cae Ffynon Energlyn Caerphilly CF83 2UT	Install dormer window to front of property 8 Cae Ffynnon Caerphilly CF83 2UT

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the northern side of Cae Ffynnon.

House type: The application property is a detached two storey dwelling with a single storey annexe to the side. It is finished in face brickwork with a tiled roof and it has a double drive to the front.

Development: The application seeks full planning consent for the construction of a dormer to the front roof plane of the single storey side annexe. It is proposed to erect a pitched roof dormer in the centre of the roof plane and set down from the ridge and back from the eaves. The dormer would create additional floor space to create an enlarged master bedroom.

Dimensions: The dormer measures 2.4m wide by 2.3m high.

Materials: To match the host dwelling.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2005 TO PRESENT

None.

## POLICY

Local Development Plan: Within settlement limits.

## Policies

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

Cont....

Application No. 16/0520/FULL Continued

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

Guidance Note 4 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on dormer windows and roof lights.

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

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

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

#### CONSULTATION

None.

#### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

#### SECTION 17 CRIME AND DISORDER ACT

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

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Cont....

Application No. 16/0520/FULL Continued

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is whether the proposed dormer would have a detrimental impact on the street scene. In that regard Guidance Note 4 of Supplementary Planning Guidance LDP7 Householder Development states that normally dormer windows are discouraged to the front of houses unless they are an existing feature of the area. Whilst there are no other dormers in this street, dormers of the type proposed here, on the catslide roof above a single storey side annexe, are a common architectural feature seen throughout the county borough. Guidance Note 4 goes on to state that dormers should be subservient to the roof slope and sets out other design criteria. It is considered that the proposal complies with this criteria and as such is acceptable in design terms.

There would be no impact on the privacy or amenity of neighbouring dwellings and there is no need for additional off street parking.

Comments from consultees: No objections raised.

Comments from public: None.

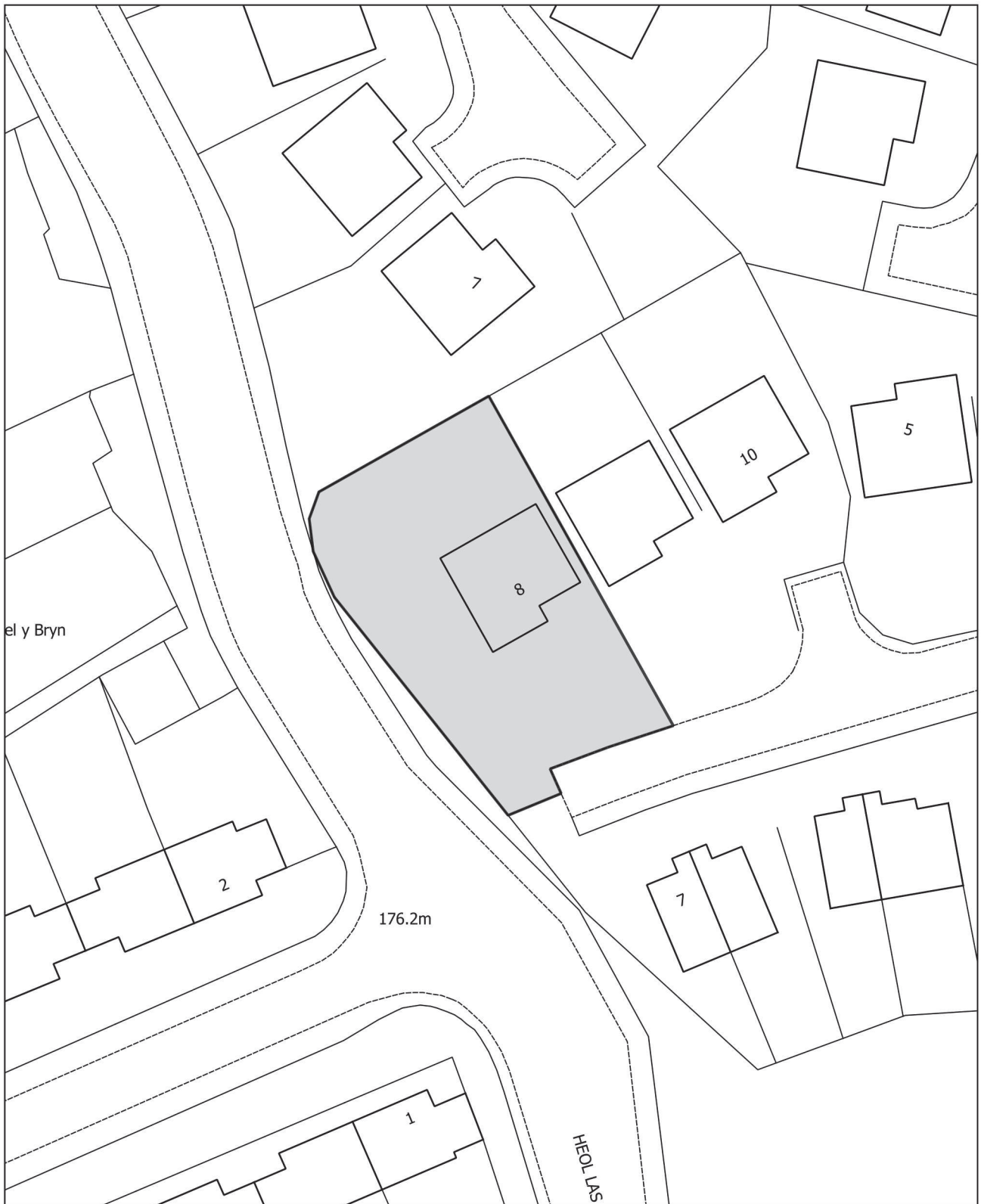
Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The approved development shall be carried out in accordance with the following plans:
  - proposed floor plans
  - proposed elevationsas submitted with the application subject of this consent.  
REASON: For the avoidance of doubt as to the extent of this consent.





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## PLANNING COMMITTEE – 8<sup>TH</sup> JUNE 2016

**SUBJECT: PLANNING APPEAL DECISIONS**

**REPORT BY: CORPORATE DIRECTOR COMMUNITIES**

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### 1. PURPOSE OF REPORT

1.1 To review two recent appeal decisions in respect of housing development.

### 2. SUMMARY

2.1 The local planning authority (LPA) refused two applications for housing developments, one within the existing settlement but on land allocated for employment, the other outside settlement. Whilst both proposals were on the face of it contrary to the adopted local development plan (LDP), other material planning considerations, in particular the five year housing land supply, weighed in favour of the proposals. This report will briefly review the issues considered by the inspectors, and their conclusions. The decision letters are attached as appendices.

### 3. LINKS TO STRATEGY

3.1 No links to strategy: this report is for information and review, rather than for decision making purposes.

### 4. THE REPORT

4.1 The two appeal decisions are:

- Former Axiom overflow car park, North Celynen, Newbridge. Residential development on 1.2 hectares of land which was allowed on 15 April 2016.
- Land at Cwmgelli, Blackwood. Erect residential development, public open space, landscaping, highway improvements and associated engineering works on 6.5 hectares of land which was allowed on 27 April 2016.

Permission for the development at Newbridge was refused on the grounds that the proximity to an industrial use would disturb the prospective residents, loss of employment land, inadequate pedestrian access, and loss of jobs at the neighbouring industrial unit. On the advice of Counsel, the reasons were not defended at the inquiry. The appeal at Cwmgelli was against the failure of the LPA to determine the application within the statutory period, but if the Council had been in a position to make a decision it would have refused it on the grounds that the site was outside the settlement boundary and within a green wedge.

4.2 The issues considered by the inspectors are set out below.

### Land at Newbridge

*The Loss of a Site Identified for Employment Use:* The loss of an allocated secondary employment site and conflict with the relevant LDP policies counted against the proposed housing but the weight to be attached was reduced by the fact that little interest had been shown in the marketing of the land, the Council had commissioned a report that concluded it was poorly located, and the site is shown as white land in the LDP review.

*Noise Issues:* The inspector commented, “The appellants undertook an assessment based on all 8 northern loading bays operating at once. This is an unrealistic scenario that has not occurred anywhere else in the noise witness’s extensive experience...The effects could be attenuated by mechanical ventilation, now in widespread use in dwellings...It is important also to note that there are existing dwellings located at a similar distance to the proposed dwellings that would be equally affected by this unrealistic scenario.”

*Loss of Jobs at the Adjoining Business/ Perceived Lack of Security:* Whilst this matter was raised by the occupier of the neighbouring unit, no evidence was submitted to support why the new development should be any more of a threat than the existing housing in the locality, and the other occupiers of that unit. The inspector concluded, “In these circumstances, the weight to be given to this matter is very low.”

*The Adequacy of the Proposed Pedestrian Link to North Road:* The inspector was satisfied that the proposed route was acceptable, and there was an alternative along the A467.

*Five-year housing land supply:* The inspector commented, “In situations where housing land supply is less than five years TAN 1 confirms that this should be treated as a material consideration in determining planning applications for housing and that the need to increase supply should be given considerable weight when dealing with planning applications, provided the development would otherwise comply with national planning policies...The proposal would add to the supply of housing land...”

The other point of note is that the inspector was of the view that, “The site is in a sustainable location on a main road with as good access to facilities and public transport as many other parts of Newbridge.”

### 4.3 Land at Cwmgelli

*Countryside/Green Wedge:* The inspector commented, “The latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met. As stated above that is not the case here but, in my view, the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings.” He went on to conclude that green wedges should be subject of review as advised by Planning Policy Wales, the LDP review shows the site as allocated for housing, questions of prematurity did not weigh against the scheme because it did not go to the heart of the plan, and housing was required now whereas the LDP review would not be adopted unit 2017.



*Heritage:* In view of the impact of the Chartist Bridge on the site, and the topography of the site the inspector was of the view that the setting of the listed buildings in the area would be preserved.

*Minerals:* In view of its location, the site is unlikely to be developed for this purpose.

Overall, the inspector came to the following conclusion, “The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing. The emerging LDP is seeking to address the current housing shortfall but, if found sound, won’t be adopted for at least 18 months. It is acknowledged that the site lies in a sustainable location and I consider that the development can proceed without causing unacceptable harm to its surroundings. In my view, there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies...”

#### 4.4 Conclusion

There are a number of broad conclusions to be drawn from these two decisions:

1. The importance of evidence to support a reason for refusal: the Local Planning Authority had no evidence of its own that the development at Newbridge would cause a loss of jobs or a reduction in security at the neighbouring premises.
2. The need to take a reasonable approach in determining any applications, and to not base decisions on unrealistic scenarios: the industrial building at Newbridge has co-existed with neighbouring housing for some 20 years, and the proposed development would have had a similar relationship.
3. The importance of the housing land supply in the decision making process, and the need for the LPA to take steps through granting planning permission for housing development to make up for the deficiency in advance of the adoption of a reviewed LDP.

#### **5. EQUALITIES IMPLICATIONS**

- 5.1 None. This report is for information and review, rather than for decision making purposes.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 None.

#### **7. PERSONNEL IMPLICATIONS**

- 7.1 None.

#### **8. CONSULTATIONS**

- 8.1 None.

#### **9. RECOMMENDATIONS**

- 9.1 That the comments in the report are noted.

## **10. REASONS FOR THE RECOMMENDATIONS**

10.1 This report is for information and review, rather than for decision making purposes.

## **11. STATUTORY POWER**

11.1 Not applicable in this case because this report is for information and review, rather than for decision making purposes.

Author: Tim Stephens, Development Control Manager

Background Papers: Inspectors' decision letters attached to this report.

Appendices:

Appendix 1 Inspector's decision notice Newbridge

Appendix 2 Inspector's decision notice Cwmgelli

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## Penderfyniad ar yr Apêl

Ymchwiliad a gynhaliwyd ar 08 & 09/03/16  
Ymweliad â safle a wnaed ar 08/03/16

**gan Aidan McCooley BA MSc MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 15.04.16**

## Appeal Decision

Inquiry held on 08 & 09/03/16  
Site visit made on 08/03/16

**by Aidan McCooley BA MSc MRTPI**

**an Inspector appointed by the Welsh Ministers**

**Date: 15.04.16**

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**Appeal Ref: APP/K6920/A/15/3133791**

**Site address: Former Axiom overflow car park, North Celynon, Newbridge, NP11 5AN**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by SRJ & JG Partnership against the decision of Caerphilly County Borough Council.
- The application Ref 14/0604/OUT, dated 5 September 2014, was refused by notice dated 6 August 2015.
- The development proposed is a residential development.

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## Decision

1. The appeal is allowed and planning permission is granted for residential development at Former Car Park, Aiwa Technology Park, Newbridge in accordance with the terms of the application, Ref 14/0604/OUT, dated 5 September 2014, and the plans submitted with it, subject to the conditions set out in the attached Annex.

## Application for costs

2. At the Inquiry an application for costs was made by the appellants against the Council. This application is the subject of a separate Decision.

## Procedural Matters

3. A screening direction has been issued on behalf of the Welsh Ministers which concludes that the development the subject of this appeal is not EIA development within the meaning of the 1999 Regulations<sup>1</sup>. I have considered this direction and agree with the conclusion reached and I shall proceed on that basis. The parameters for the proposed development are set out in the accompanying documentation, which specifies the maximum number of dwellings and their maximum and minimum dimensions. These details will be assessed as part of the necessary reserved matters submissions.

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<sup>1</sup> <sup>1</sup> The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended), which were the relevant Regulations at the time of making the screening direction.

4. The Council's Planning Committee refused the application for four reasons. This decision was contrary to officer advice provided at 4 successive Committee meetings. Following the appeal and the submission of the Council's statement of case in December 2015, the Local Planning Authority sought the advice of Counsel on its case. The legal advice was that the Council could not provide sufficient evidence to substantiate any of the reasons for refusal. The Council's Planning Committee decided on 13 January 2016 not to support any of the reasons for refusal. This decision was confirmed to the appellants, the Planning Inspectorate and the objector in January 2016. A Statement of Common Ground (SOCG) to this effect was submitted before the Inquiry. As a result whilst officers attended the Inquiry to assist and respond to the application for costs, the Council presented no evidence or case in support of the reasons for refusal.
5. The SOCG contained an amended site location plan (drawing JPW0343-001 Rev G). The amendment includes a small portion of additional land necessary to connect the proposed footpath/cycleway to the north of the site to the existing footbridge and underpass leading to North Road. The land traversed is also in the appellants' ownership and was indicated as such in the application. The route was shown on plans submitted at the application stage and the amendment does not affect any other landowner. There is an existing informal path in use at this location. In these circumstances, I am satisfied that the amendment does not change the substance of the proposal and that no one would be prejudiced by its inclusion in the appeal proposal. I shall proceed to determine the appeal on the basis of the amended site location plan - JPW0343-001 Rev G.

### **Main Issues**

6. The main issues are:
  - The significance of the loss of a site identified for employment use in the Caerphilly Local Development Plan (LDP);
  - The impact of noise from the adjacent industrial premises on future residents of the proposed dwellings;
  - Whether the proposal would result in the loss of jobs at the adjoining premises due to a perceived lack of security caused by the proximity of the proposed dwellings; and
  - Whether the proposed pedestrian link to North Road would be secure, especially the existing underpass beneath the railway line.

### **Reasons**

7. The application site is part of the Aiwa Technology Park near the A467, north of Newbridge. There is a traffic light controlled junction onto the A467 serving the appeal site and a large industrial unit to the south occupied by a firm known as Axiom<sup>2</sup>. The site principally consists of a tarmac car park with around 250 spaces. The site is at a lower level than the main road and there is an existing landscaped bund along the boundary with the main road. To the immediate north of the site is reclaimed land with a large number of semi-mature trees. The application indicates that this land and land to the west is owned by the appellants.

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<sup>2</sup> Axiom MS Ltd hereafter referred to as Axiom

8. Planning Policy Wales<sup>3</sup> states that the planning system must provide an adequate and continuous supply of land for development to meet society's needs (1.2.2). Employment and residential uses can be compatible as long as neither is unduly compromised (7.6.3). Sustainable modes of travel are to be encouraged to serve new development (8.1.3, 9.1.2). The re-use of previously developed land in preference to greenfield sites and the sustainability and other benefits of this approach are emphasised in section 4.8. Local Planning Authorities must ensure that sufficient land is available for residential development to provide a 5 year supply of land for housing (9.2.3); this is a duty under TAN1<sup>4</sup>.

*The Loss of a Site Identified for Employment Use*

9. The LDP provides 102 hectares (ha) of land for employment use under Policy SP16 and protects the site for employment use under Policies EM2 and CW13, as secondary employment site EM 2.14. However, this is not the end of the matter. The site is protected as a secondary employment site, which is at the lowest end of the spectrum of protection in the LDP. The Plan is in the process of being reviewed and latest information suggests that only around 4 ha of the 102 ha has been taken up to date. The Council commissioned an independent report<sup>5</sup> that concluded the appeal site was in a poor location and an alternative use should be promoted if possible. The consultation version of the revised Plan accordingly proposes to indicate the site as white land only. The Council considered the proposal against the tests in TAN 23<sup>6</sup> and concluded that several of the criteria for the employment site to be released were met. TAN 23 only requires one criterion to be met to satisfy the test.
10. The appellants' have undertaken marketing of the site since 2006. Copies of letters sent to potential buyers were provided. Whilst this may not have included the measures suggested by the objector (Axiom), the site has been offered for sale. There has been very little interest in the site. The only offer was from Axiom in 2015, some 10 years after Axiom had sold the site to the appellants. This offer was 50% of the original sale price. The objector has stated that the site is needed for expansion. However, the evidence was that this is not the case because a part of its premises is not used and is being marketed to let. There is no evidence of any demand for the site for employment purposes. The objector's evidence on the need for this employment site to be retained is either out-of-date or is general to the South Wales and not specific to this site.
11. The loss of an allocated secondary employment site and conflict with the relevant LDP Policies count against the proposed alternative use. The weight to be attached is reduced by the above factors.

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<sup>3</sup> Planning Policy Wales 8<sup>th</sup> Edition January 2016

<sup>4</sup> TAN1 Joint Housing Land Availability Studies (2015)

<sup>5</sup> BE Group Employment Sites and Market Supply Appraisal June 2014

<sup>6</sup> TAN23 Economic Development (2014) paragraph 4.6.9

*Noise Issues*

12. The only professional evidence on noise issues that was presented to the inquiry came from the appellants' consultants. The dominant noise source at the appeal site is the adjacent main road, the A467. The relevant guidance for the consideration of noise issues in relation to planning applications is contained in TAN 11: Noise (published October 1997). The noise assessment concluded that the impact of noise from the A467 fell within Noise Exposure Category B (NEC B in Annex A of TAN11). The advice for NEC B is that "noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection". There are several measures that can be taken to mitigate this noise impact. These measures can be addressed by conditions requiring details of noise attenuation measures to be incorporated into the scheme to be submitted for the approval of the Local Planning Authority.
13. No concerns have been raised regarding the impact of traffic noise on the occupiers of the proposed dwellings. The only issue that had been raised was the impact of industrial noise on the proposed dwellings. This was despite the fact that planning permission for the adjoining premises was limited to B1 uses because there are existing dwellings in close proximity to the unit. The concerns raised by the Council related to the potential use of loading bays to the north of the unit (those closest to the site). This part of the factory is currently empty. It was let to Royal Mail for the Christmas period last year. The appellants' noise consultants undertook surveys at peak times in the early morning when Royal Mail were operating. The results demonstrated that traffic noise was still the dominant noise source and that it was within NEC B.
14. The Council at application stage required that a BS4142 assessment be undertaken, even though TAN11 states that this is not required where industrial noise is not the dominant noise source. The appellants undertook an assessment based on all 8 northern loading bays operating at once. This is an unrealistic scenario that has not occurred anywhere else in the noise witness's extensive experience. The results showed that the vast majority of the appeal site was still within NEC B. The effects could be attenuated by mechanical ventilation, now in widespread use in dwellings. It is necessary that conditions should specify this option as a possibility. It is important also to note that there are existing dwellings located at a similar distance to the proposed dwellings that would be equally affected by this unrealistic scenario. The Council now accepts that the impacts of noise on future residents can be controlled by conditions.
15. I am satisfied that the objections on the grounds of the impact of noise on the occupiers of the proposed dwellings can be addressed by the imposition of suitable conditions and this is not a basis for the refusal of planning permission.

*Loss of Jobs at the Adjoining Business/ Perceived Lack of Security*

16. Axiom had threatened to re-locate its business with the consequent loss of employment to the area, were planning permission to be granted. This assertion was the basis for the Council's reason for refusal. Its objection fails to provide any supporting evidence to show why the introduction of housing on the appeal site would lead to any perceived lack of security. No detail on the nature of operations or how security systems would be affected was provided. There was no explanation of why the development of the appeal site as proposed would lead to any perceived lack of security. There are already residential properties located as close to the objector's operations as the proposed development. The unit in the northern part of the Axiom building has been let to tenants without any apparent concerns regarding the threat to security. Past use of the unit involved outside employees parking on the appeal site (prior to 2011).
17. The objector's premises are secured by fences and a gatehouse. The objection referred to a perceived risk to security measures as the business has international defence customers. There is no evidence of how security would be compromised by the proposal or of any intention to re-locate if the proposal is approved. In these circumstances, the weight to be given to this matter is very low.

*The Adequacy of the Proposed Pedestrian Link to North road*

18. The reason for refusal identified this issue as "*The proposed pedestrian link to North Road is not considered to provide adequate security for users particularly the underpass section because of the lack of adequate surveillance*". There are several factors that run counter to this assertion. A route through this area is already in use and the replacement LDP proposes the improvement and enhancement of an existing path to form the Rhymney Valley Linear Cycle Route (TR1.1) along the western edge of the River Ebbw, which adjoins the appeal site. This will increase use of the network in this area. The appeal proposal includes the provision of a 3m wide footway and cycleway linking to North Road bus stops through the existing underpass. Its provision in accordance with approved details can be required by condition. The underpass is straight and overlooked by dwellings on North Road. Concerns were expressed about its condition. The submitted legal agreement contains a clause that the developer will use best endeavours to gain permission from the owner Network Rail to clean, paint and light the underpass. The route traverses a Site of Importance for Nature Conservation. There would be some loss of immature trees as a result of the provision of the footway. In the context of the limited impact this would have on the integrity of the site, this is not significant. It was not raised as a concern by the relevant consultees.
19. In any event, there is an alternative pedestrian route to Newbridge along the A467 on a modern well-lit footpath. The Council describe the appeal site as being a short distance from the railway station, which is the farthest of the services and facilities indicated in the evidence on distance to local facilities. I am satisfied that a safe route over the land indicated can be provided and that an alternative is available. As indicated to members at the time of the decision, objections on this ground cannot be sustained.

*Other Matters*

20. The site is in a sustainable location on a main road with as good access to facilities and public transport as many other parts of Newbridge. The Council agreed with this assessment. The objections on the grounds of the distance of the site to services cannot therefore be sustained. The objector raised issues of land ownership in relation to the access road. Whilst this is a civil matter, the appellants have provided evidence of an unfettered right of access to the site using the existing road. The concerns raised regarding extending the existing footpath along the A467 into the site are without foundation. The footpath can be provided on land within the appellants' ownership. The SOCG confirms that the other concerns raised during the application process had been addressed in the Council's reports to Committee. I have considered the report and conclude that this is the case.

*Conditions*

21. I have considered the suggested conditions in the light of the discussion at the Inquiry. I have taken into account the provisions of the Welsh Government Circular 16/2014<sup>7</sup> and amended the wording to reflect the guidance therein and especially the model conditions. I have included access as a reserved matter as the evidence indicated that the footpath along the A467 should be extended into the site. The site is not close to any children's play facilities and it is essential that such facilities are provided within the site (4). This also addresses a concern raised by the objector. The indications are that communal waste and recycling collection is proposed in this area and facilities for such collections must be approved, provided and retained (5). I am satisfied that conditions 7, 8 and 9 (that are based on the model conditions) address the issues raised in the Natural Resources Wales (NRW) consultation reply. The site was formerly a coal mine that was remediated by the former Welsh Development Agency. The conditions address the investigation and remediation of any remaining contamination and the prevention of the use of contaminated material on site during construction. The requirement for drainage details arises from the need to control surface water infiltration in order to prevent pollution referred to by NRW and to control non-mains drainage referred to by the Council (10). The buffer zone along the river is required for maintenance access (11). The submitted documents include a mining stability report, the results of which have been verified by the Coal Authority. Given the history of the site, the model condition requiring appropriate site investigation and remediation measures is necessary (12). I have addressed the need for conditions relating to noise attenuation measures and the provision of a footway/cycleway to the north of the site above.

*Planning Obligations*

22. The provision of 10% of the proposed dwellings as affordable units is required and addressed by Policy CW11 of the LDP. The parties were satisfied that the signed Unilateral Undertaking (UU) would adequately provide for this level of affordable housing in accordance with the Council's requirements. I have no reason to question that conclusion.

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<sup>7</sup> The Use of Planning Conditions for Development Management, October 2014

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23. The UU also provides that the appellants will use their best endeavours to secure an agreement with Network Rail in order to clean, paint and light the railway underpass at North Road and thereafter reasonably maintain it in perpetuity. Network Rail is not a party to the UU and this raises concerns regarding the enforcement of the agreement. The appellant argued that as an obligation that runs with the land, it has substantive legal effect and can be enforced. The appellant referred to a case where a similar obligation had been used that was considered by the courts<sup>8</sup>. It was held that an obligation to use best endeavours should normally be held to be an enforceable obligation unless the object intended to be procured by the endeavours is too vague or elusive to be itself a matter of legal obligation or the parties have provided no criteria on the basis of which it is possible to assess whether best endeavours have been, or can be used. The object in this case is clear i.e. to improve and maintain the underpass. The UU also clearly sets out what constitutes best endeavours. The above legal test is therefore met.
24. The UU is necessary, reasonable in scale and kind and directly related to the development. On this basis I am satisfied that these obligations meet national policy as set out in Circular 13/97<sup>9</sup> and the 3 statutory tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010. In these circumstances I consider that this obligation would be fairly and reasonably related to the development proposed and that it passes the statutory tests. Thus I afford the undertaking significant weight in my decision.

*Conclusions and the Planning Balance*

25. Planning Policy Wales and TAN 1 state that LPAs must ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing. The latest housing land availability figures for Caerphilly County Borough are contained within the 2015 JHLAS, published July 2015. The parties at the inquiry agreed that Caerphilly has 1.9 years residential land supply based on the residual method. This demonstrates that the LDP is not delivering the required housing supply, despite its evidence base referred to by the objector. This evidence base has become out of date. Whatever the reasons for the lack of deliverable sites this does not alter the fact that the housing land supply is less than the 5 years required. In situations where housing land supply is less than five years TAN 1 confirms that this should be treated as a material consideration in determining planning applications for housing and that the need to increase supply should be given considerable weight when dealing with planning applications, provided the development would otherwise comply with national planning policies.
26. The loss of an allocated secondary employment site and conflict with the relevant LDP Policies in this regard count against the proposal. I conclude that the proposal complies with national and development plan policies apart from this one issue. In this case the evidence shows that there is a considerable over-supply of employment land with an intention to release the site in the LDP review. There is also a shortage of housing land of 1.9 years rather than the required 5 years. The proposal would add to the supply of housing land. I have found there to be little or no substance to the other reasons for refusal on the basis of the evidence presented to the inquiry. The

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<sup>8</sup> Jet2.com Ltd v Blackpool Airport Ltd [2012] EWCA Civ 417

<sup>9</sup> Circular 13/97 Planning Obligations

Council has accepted that there is no evidence to substantiate any of the reasons for refusal. I consider that the benefits of the scheme in terms of increasing the supply of housing outweigh the loss of this employment land. I am reinforced in this conclusion by the evidence of the direction of travel in policy on employment sites that has been outlined above.

27. For the reasons given and having regard to all matters raised, I conclude that the appeal should be allowed, subject to the conditions set out in the attached annex.

*A L McCooey*

**Inspector**

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## Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 05/04/16  
Ymweliad â safle a wnaed ar 05/04/16

gan Mr A Thickett BA (Hons) DipTP  
MRTPI Dip RSA

Arolygydd a benodir gan Weinidogion Cymru  
Dyddiad : 27 Ebrill 2016

## Appeal Decision

Hearing held on 05/04/16  
Site visit made on 05/04/16

by Mr A Thickett BA (Hons) DipTP MRTPI  
Dip RSA

an Inspector appointed by the Welsh Ministers  
Date : 27 April 2016

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**Appeal Ref: APP/K6920/A/15/3137884**

**Site address: Land at Cwmgelli, Blackwood, Caerphilly**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Gwent Investments Ltd against Caerphilly County Borough Council.
  - The application Ref 15/0252/OUT, is dated 20 March 2015.
  - The development proposed is residential development, public open space, landscaping, highway improvements and associated engineering works. All matters bar access are reserved for subsequent approval.
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### Decision

1. The appeal is allowed and outline planning permission granted subject to the conditions set out in the schedule at the end of this decision.

### Main Issues

2. The site lies outside the settlement boundary for Blackwood and within a Green Wedge as designated in the Caerphilly County Borough Local Development Plan up to 2021, adopted 2010 (LDP). The main issues are:
  - whether the proposed development conflicts with national and local policies designed to protect the countryside.
  - whether the proposed development comprises inappropriate development in a Green Wedge and, if so, whether there are any very exceptional circumstances that would outweigh the harm to the Green Wedge.
  - the impact of the proposed development on the setting of the Maes Manor Hotel (including its Historic Park and Garden) and Cwmgelli Farmhouse and Barn, all Grade II listed buildings.
  - the impact of the proposed development on the supply/reserves of pennant sandstone.

## Reasons

### Countryside/Green Wedge

3. The appeal site lies within the Blackwood, Oakdale and Penmaen Green Wedge as defined in the LDP. The proposed development does not fall into any of the categories of development deemed not to be inappropriate in a Green Wedge set out in Planning Policy Wales (PPW). According to the LDP the purpose of the Green Wedge is to prevent the coalescence of Blackwood, Oakdale and Penmaen and to protect their distinct identities. The development of the site would leave a gap between these settlements which are also divided by the steep Sirhowy Valley. Nevertheless, the development would represent a physical and visual incursion into this space and inevitably bring the settlements closer together.
4. The appellant accepts that the proposed development constitutes inappropriate development in the Green Wedge and that it conflicts with national and local policies which seek to restrict development in the countryside. I agree and conclude that the proposed development conflicts with LDP Policies SP4 and SI1 and national policy with regard to development in the countryside and Green Wedges. Before I consider whether there are any very exceptional circumstances to outweigh this conflict, I will address the other main issues.

### Heritage

5. According to the listing description Cwmgelli Farmhouse probably dates back to the 16<sup>th</sup> century and was listed '*as a sub-medieval farmhouse retaining its overall character and a rare pre-industrial survival in this part of the Monmouthshire Valleys*'. The Barn came later in the late 18<sup>th</sup> or early 19<sup>th</sup> centuries and is listed in its own right partly on its own merit and for group value with the farmhouse. The buildings front the road and the appeal site wraps around the buildings and grounds.
6. There was debate at the Hearing regarding whether the fields included in the appeal site are still used for farming. That is a moot point in my view. Whether they are actively used or not, these fields are part of the historic setting of the farm and the reason why it is was built there in the first place.
7. Standing in the gardens of the Maes Manor Hotel one enjoys clear views across fields down the Sirhowy Valley. Maes Manor was built in the early part of the 20<sup>th</sup> century for a local mine owner and doubtless its prominent position high on the valley side was as much a statement as to allow him commanding views over the surrounding countryside. In my view, the setting of the hotel and its gardens includes all the land down the valley.
8. The setting of all these listed buildings also includes the Chartist Bridge which is the most dominant feature in the local landscape. This substantial modern structure is also a significant detractor with regard to the setting of the listed buildings and its impact must be taken into account when considering the effect of the proposed development.

9. The loss of the open green fields would inevitably have an impact on the setting of these listed buildings. However, the indicative layout shows an area of public open space immediately to the north of the farm which would maintain an element of openness. The proposed development would impose on views to and from Maes Manor and have an impact on the setting of the hotel and its gardens. However, a gap between houses is also proposed to allow views up to the Maes Manor Hotel. Further, due to the topography one would be able to look over the roofs of the houses and the gap proposed would ensure some intervisibility remains between the hotel and the lower slopes of the valley. I consider that these elements would satisfactorily mitigate the impact of the development on Cwmgelli Farmhouse, the Barn and Maes Manor.
10. Decision makers have a duty to give special regard to the desirability of preserving a listed building or its setting. The Council's Conservation officer has no objection to the proposed development. The setting of the listed buildings referred to above would be affected by the proposed development. However, the setting has been degraded by the visual influence of the Chartist Bridge and I consider that the illustrative layout demonstrates that development could take place on the site in a way that would preserve the setting of the listed buildings.

### **Minerals**

11. As indicated above the Council's emerging LDP includes this site as an allocation and it raises no objection to the proposal in this regard. Policy SP8 of the LDP, in line with Mineral Planning Policy Wales, safeguards mineral resources from permanent development that would prevent their future working. The appeal site lies within a mineral safeguarding area for pennant sandstone. Policy CW22 of the LDP states that proposals for permanent development uses within identified mineral safeguarding areas will not be permitted unless certain criteria are met. These include, amongst other things, that it is demonstrated that the mineral is no longer of any value or that there is an overriding need for the development. No case is made that the pennant sandstone reserve that would be sterilised by this development is no longer of any value. I address the issue of overriding need below.

### **Other considerations**

12. The appellant's Transport Statement has been considered by the Council's Transportation Engineering Manager who has no objection to the proposed development. I have seen no technical evidence to lead me to take a different view. The Council's Landscape Architect has no objection to the application and, for the reasons given in relation to heritage assets above, I do not consider that the proposed development would have an unacceptable impact on the character and appearance of the area.

### **Overall Conclusions**

13. The proposed development conflicts with national and local policies relating to the protection of the countryside and Green Wedges. PPW states that substantial weight should be given to any harmful impact that a development would have on a Green Wedge and inappropriate development should not be allowed except in very exceptional circumstances. It is necessary, therefore, to consider whether there are any very exceptional circumstances to overcome the harm to the Green Wedge. My conclusions regarding the impact of the proposal on heritage assets and landscape represent a neutral rather than a positive benefit but do not weigh against the proposed development.

14. The Council cannot demonstrate a 5 year housing land supply and has not been able to do so since the LDP was adopted. The latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met<sup>1</sup>. As stated above that is not the case here but, in my view, the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings.
15. PPW advises that Green Wedges should be subject to review through the local development plan process. PPW goes on to advise that in considering Green Wedges *'local planning authorities will need to ensure that a sufficient range of development land is available which is suitably located in relation to the existing urban edge and the proposed green wedge'*<sup>2</sup>. The Council is in the process of producing a new LDP largely due to the failure of the existing Plan to deliver the housing the area needs. The Council proposes to amend the boundary of the Green Wedge here and allocate the appeal site for housing.
16. Local councillors attending the Hearing sought to persuade me that the allocations proposed in the emerging LDP are subject to further discussion before a final decision is made. I acknowledge that, as a result of public consultation, plans do change and this limits the weight that can be given to the emerging plan. However, the LDP Manual states that the deposit plan *'should be considered by the LPA as the version it intends to submit for examination and, later, to adopt'*<sup>3</sup>. The Council has resolved to place the emerging Plan on deposit and must, therefore, consider the emerging Plan and the allocations contained within it to be sound.
17. Local councillors also argue that the new Plan will be in place by autumn 2017 and to allow this appeal would be premature. However, as pointed out by the appellant there is a need for new housing now and the plan preparation schedule has already slipped. PPW advises that: *'refusing planning permission on grounds of prematurity may be justifiable in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant permission would predetermine decisions about the scale, location or phasing of new development which ought properly to be taken in the LDP context. Refusal will therefore not usually be justified except in cases where a development proposal goes to the heart of a plan'*<sup>4</sup>. I do not consider that the development proposal before me goes to the heart of the emerging LDP and the Council accepted at the Hearing that refusal was not justified on grounds of prematurity.

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<sup>1</sup> Paragraph 6.2

<sup>2</sup> Paragraph 4.8.13

<sup>3</sup> Paragraph 7.2.1.3

<sup>4</sup> Paragraph 2.8.2

18. Turning to minerals, given the close proximity of residential areas and the listed buildings, I agree with the appellant that an application to quarry here is unlikely to find favour. In addition, given the location of Maes Manor and that existing development extends further up the valley beyond the appeal site, it would also seem unlikely that developing the site would prejudice any proposals to quarry to the north. Further, I was shown a map of the District at the Hearing which shows that almost all of the County Borough sits on mineral reserves and I have seen nothing to suggest that the Council's housing needs can be met without developing in mineral safeguarding areas.
19. The LDP lists Blackwood in the top tier of the settlement hierarchy in Caerphilly and it is designated as a Principal Town. Although outside the settlement boundary as currently defined the Council accept that the site lies in a sustainable location. Shops and services in Blackwood are about 500m away. The site is on a bus route with services every 30 minutes and there is a bus stop adjacent to the site. PPW presumes in favour of sustainable development and the proposed development would satisfy PPW's objectives of achieving sustainable development by ensuring that local communities have sufficient housing and affordable housing for their needs and promoting access to employment, shopping and other facilities.
20. The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing. The emerging LDP is seeking to address the current housing shortfall but, if found sound, won't be adopted for at least 18 months. It is acknowledged that the site lies in a sustainable location and I consider that the development can proceed without causing unacceptable harm to its surroundings. In my view, there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies described above.

### **Conditions and planning obligation**

21. I have considered the conditions suggested by the Council in light of the advice in Circular 16/14 and the submitted planning obligation against the tests in the Community Infrastructure Levy Regulations 2010. The sole purpose of the planning obligation is to provide affordable housing. That there is a need for affordable housing in the area is not disputed and I am satisfied that the obligation is necessary.
22. In the interests of highway safety it is necessary to include conditions relating to access and visibility splays. Given the history of coal mining in the area a site investigation is required as are details of measures to address any potential land instability. In order to prevent flooding it is necessary to require details of surface water drainage. Layout is a reserved matter but in order to secure their provision, a condition is required in relation to open space and a play area. Given the proximity of the A4048, I agree that, in order to safeguard the living conditions of prospective residents, a condition relating to secondary glazing is necessary.

23. The appeal site comprises of improved grassland and has been farmed for many years. With the exception of birds within trees on the edge of the site the appellant's Phase 1 Habitat Survey found no evidence of the use of the site by protected species. A pond to the north with potential for amphibians has been filled in. The Survey acknowledges that the boundary trees and hedges are likely to provide 'foraging/commuting resources' but NRW does not object and I have seen nothing to indicate that the proposal would harm protected species. I have no doubt that local residents have seen bats flying over the site but in light of the nature of the site and the evidence before me, see no need for further survey work or a light mitigation strategy. The provision of bird boxes and bat roosts may be desirable but is not necessary to enable the development to proceed. Nor is an amphibian survey or a pond, bog or marshy grassland to replace the pond off site that has been filled in. Damaging the nest of any wild bird is an offence under the Wildlife and Countryside Act 1981 and I see no need to duplicate that protection by way of a planning condition.
24. Landscaping is a reserved matter and so there is no need to impose a landscaping condition now. For the same reason, conditions relating to the trees and hedges on the site boundaries can be left to reserved matter stage when the final details of siting and layout are known. Any condition deemed to be necessary in relation to car parking may also be imposed on any reserved matters approval for siting or layout.
25. The site is used for agriculture and grazing horses. I have seen nothing to suggest that it would be necessary to import top soil and the Council accepted at the Hearing that a condition in this regard is unnecessary. The safety of future occupiers is a material consideration but I have neither read nor seen anything to persuade me that it is likely that contaminated material would be used in the construction of the proposed development or that it is necessary for the appellant to test aggregates prior to their use on site.

### **Conclusion**

26. For the reasons given above and having regard to all matter raised, I conclude that the appeal should be allowed and planning permission granted.

*Anthony Thickett*

Inspector



## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
15/0751/FULL 02.12.2015	Mrs P Beckett 155 Commercial Street Senghenydd Caerphilly CF83 4GA	Demolish existing extension and rebuild with amendments to window openings and external features 155 Commercial Street Senghenydd Caerphilly CF83 4GA	Granted 25.04.2016
16/0069/COND 01.02.2016	Bryn Power Ltd C/o Barton Willmore LLP Mr B Stephenson Greyfriars House Greyfriars Road Cardiff CF10 3AL	Discharge Condition 12 (external lighting), Condition 13 (wheel and road washing), Condition 14 (surface water drainage), Condition 15 (slurry pipeline), Condition 16 (landscaping), Condition 18 (construction method statement) and Condition 20 (odour management) of planning permission 15/0488/RET (Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility) Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed	Decided - Discharge of Conditions 25.04.2016

16/0102/FULL 04.02.2016	Leonard D Morgan 119-121 Chepstow Road Maindee Newport NP19 8BZ	Re-build premises following fire damage 5 South Shops High Street Newbridge Newport	Granted 25.04.2016
16/0112/COU 12.02.2016	Gwent Police Police Headquarters Turnpyke Road Croesyceilog Cwmbran Torfaen NP44 2XJ	Change the use class to A2 4A Market Street Caerphilly CF83 1NX	Granted 25.04.2016
16/0184/FULL 25.02.2016	Mr & Mrs M Greening 7 Marwyn Gardens Bargoed CF81 8PZ	Erect a first floor bedroom extension plus an enlarged replacement domestic garage 7 Marwyn Gardens Bargoed CF81 8PZ	Granted 25.04.2016
16/0189/NCC 25.02.2016	Mr W Willetts C/o Barton Willmore LLP Mr C Parry Greyfriars House Greyfriars Road Cardiff CF10 3AL	Vary conditions 3 and 4 of planning application 07/0673/NCC (residential development) to extend the period for the submission of reserved matters Land Rear Of 2-18 Kingsley Place Senghenydd Caerphilly	Granted 25.04.2016
16/0192/FULL 26.02.2016	Hartpark Limited Highfield Nursing Home Mr S L Khan Highfields Lane Blackwood NP12 1SG	Erect enclosure extension for lift shaft Highfield Nursing Home Highfields Lane Blackwood NP12 1SG	Granted 25.04.2016
16/0195/FULL 29.02.2016	Mr J Skelding 21 Denbigh Court Hendredenny Caerphilly CF83 2UN	Erect a two-storey side extension and a single-storey rear extension 21 Denbigh Court Hendredenny Caerphilly CF83 2UN	Granted 25.04.2016
16/0197/ADV 29.02.2016	Asda Cliff Road Blackwood NP12 0NT	Erect various signage Asda Cliff Road Blackwood NP12 0NT	Granted 25.04.2016
16/0200/TPO 29.02.2016	Treecare Consulting Mr J Pinder The Gables South Row Redwick Newport NP26 3DU	Carry out various tree works to trees protected by Tree Preservation Order 78/15/CCBC Land At Glan Yr Afon Lane Fleur-de-lis Blackwood	Granted 25.04.2016

16/0196/NCC 29.02.2016	WM Morrison Supermarkets Plc Hilmore House Gain Lane Bradford BD3 7DL	Vary condition 36 of planning permission 11/0259/OUT to extend the delivery hours of the foodstore to between 0500 hours and 2300 hours Morrisons Supermarket Bargoed Gateway Bargoed CF81 8RE	Granted 26.04.2016
16/0199/COND 01.03.2016	Mrs D Gwyther Cascade House Pengam Road Penpedairheol Hengoed CF82 8BX	Discharge Conditions 11 (otter disturbance), 12 (reptile mitigation strategy), 13 (5 year management plan), 14 (climbing inspection for bats), 15 (bat roost provision) and 16 (bird nesting site provision) of planning application 15/0028/OUT (Erect a 3 or 4 bedroom detached dwelling) Land Adjacent To 7/8 Sheen Court The Walk Ystrad Mynach Hengoed	Decided - Discharge of Conditions 26.04.2016
16/0220/FULL 01.03.2016	Mrs S Wedlake 28 Llyswen Penpedairheol Hengoed CF82 7TP	Provide a rear dormer loft conversion with bathroom facilities 28 Llyswen Penpedairheol Hengoed CF82 7TP	Granted 26.04.2016
16/0101/FULL 09.02.2016	Mr K Bradfield 2 Kingswood Close Hengoed CF82 7LU	Erect a single-storey rear extension, integrated side garage and convert attic 50 The Avenue Ystrad Mynach Hengoed CF82 8AF	Granted 27.04.2016

<p>16/0168/COND 22.02.2016</p>	<p>JEHU C/o WYG Planning And Environment Mr J Hurley 5th Floor Longcross Court 47 Newport Road Cardiff CF24 0AD</p>	<p>Discharge Conditions 2 (Land Drainage), 3 (Contamination), 5 (Remediation Strategy), 6 (Photographic Survey), 7 (Working Method Statement), 9 (Protection of Birds), 11 (Bat roost provision), 12 (Nesting sites for Birds), 14 (Road Layout) &amp; 15 (Travel Plan) of planning consent 15/0766/NCC (Vary Condition 8 of planning consent 13/0784/FULL (Demolish former primary school and develop site for 26 affordable residential units, access arrangements and associated works) to replace a close boarded fence with a retaining wall) Former Aberbargoed Primary School Heol Ysgol Newydd Aberbargoed Bargoed</p>	<p>Decided - Discharge of Conditions 27.04.2016</p>
<p>15/1247/FULL 15.12.2015</p>	<p>Mr G Karabar 14 Withey Dyffryn Court Dyffryn Business Park Ystrad Mynach Hengoed CF82 7TT</p>	<p>Erect a conservatory to the rear of the existing dwelling 17 Ty Gwyn Lane Aberbargoed Bargoed CF81 9AN</p>	<p>Granted 29.04.2016</p>
<p>16/0005/COND 04.01.2016</p>	<p>Mike Williams Project Management Mr M Williams Glasfryn Queens Road Merthyr Tydfil CF47 0HE</p>	<p>Discharge condition 1 (time) 2 (surface materials), 3 (habitats/species), 4 &amp; 5 (updated mitigation and compensation delivery plan), 6 (parking), 7 (car park materials), 8 (tree protection), 9 (external lighting), 10 (landscaping), 11 (vegetation), 12 (flood evacuation), 13 (underground strata) and 14 (approved plans) of planning consent 15/0332/FULL (Erect extension to existing building) Tab Life Centre Tram Road Pontllanfraith Blackwood</p>	<p>Decided - Discharge of Conditions 29.04.2016</p>

16/0053/FULL 25.01.2016	Mr M Clark Ty'n Derwen White Hart Machen Caerphilly CF83 8QQ	Erect ground floor extension to kitchen Ty'n Derwen White Hart Machen Caerphilly	Granted 29.04.2016
16/0136/FULL 19.02.2016	Mr D Thomas 5 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Erect a single-storey side extension 5 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Granted 29.04.2016
16/0172/COND 22.02.2016	Mr T Evans Llys-Pentwyn-Uchaf Farm Llys-Pentwyn-Uchaf Farm Lane Oakdale NP12 0NE	Discharge conditions 3 (method statement), 6 (drainage), 8 (bat roost provision), 9 (programme of building recording and analysis) and 10 (written scheme of investigation) of planning consent 12/0271/FULL (Renovate existing farmhouse and convert barns to provide 2 No. residential dwellings in total) Llys-Pentwyn-Uchaf Farm Llys-Pentwyn-Uchaf Farm Lane Oakdale Blackwood	Decided - Discharge of Conditions 29.04.2016
16/0179/COU 22.02.2016	Mrs C Coombes 36 Pillmawr Road Malpas Newport NP20 6WG	Erect extension and change the use from a beauty salon to a cosmetic clinic 35 Commercial Street Pontymister Risca Newport	Refused 29.04.2016
16/0176/FULL 23.02.2016	Ms D Perrett 48 Bryngwyn Watford Caerphilly CF83 1ET	Erect a two-storey side extension 48 Bryngwyn Watford Caerphilly CF83 1ET	Granted 29.04.2016
16/0180/COND 24.02.2016	AMS Heating & Plumbing Ltd Mr A Maggs Unit 30 Woodfieldside Business Park Pontllanfraith Blackwood NP12 2DG	Discharge conditions 5 (dust mitigation), 6 (noise mitigation), 7 (lane improvement) and 10 (drainage) of planning application 15/0662/FULL (Construct one new dwelling) Land Adjacent To Ty Ffynnon Park Terrace Woodfieldside Blackwood	Decided - Discharge of Conditions 29.04.2016

16/0193/FULL 27.02.2016	Karabar Ltd Mr G Karabar 14 Withey Dyffryn Court Dyffryn Business Park Ystrad Mynach Hengoed CF82 7TT	Raise the garage roof up and form a bathroom in the roof space with an additional dormer to the front elevation and two roof lights to the rear elevation 17 Ty Gwyn Lane Aberbargoed Bargoed CF81 9AN	Granted 29.04.2016
16/0202/COND 02.03.2016	Mr S Pipkin Telegraph House Calenick Street Truro Cornwall TR1 2SF	Discharge condition 15 (turbine location) of planning consent 13/0483/FULL (APP/K6920/A/14/2221852) (Install three wind turbines and construct associated infrastructure) Pen Bryn-Oer Merthyr Road Rhymney Tredegar	Decided - Discharge of Conditions 29.04.2016
16/0203/FULL 03.03.2016	Dixons Carphone Plc 1 Portal Way London W3 6RS	Install 518sqm retail floorspace (gross) at mezzanine level Currys Unit 9 Gallagher Retail Park Parc Pontypandy	Granted 29.04.2016
16/0206/NCC 03.03.2016	Temporis Wind Mr D Jazwa 36-38 Berkeley Square Berger House London W1J 5AE	Vary Condition 2 of planning consent 15/0097/FULL (Erect a single wind turbine with a maximum blade tip height of up to 78 metres and associated infrastructure including the installation of a new access track and upgraded access track; a crane pad (measuring approximately 25m by 40m) and a substation) to reflect the recommendations within the consented noise impact assessment attached to this submission Land At Cefn Bach Farm Cefn Road Upper Deri Bargoed	Granted 29.04.2016
16/0207/FULL 04.03.2016	REG Windpower Ltd Mr S Pipkin Telegraph House Calenick Street Cornwall TR1 2SF	Construct an alternative access track Pen Bryn Oer Merthyr Road Rhymney Tredegar	Granted 29.04.2016

16/0210/RET 04.03.2016	Mr J Mears 11 Woodland Drive Trinant Newport NP11 3LP	Retain car port and level the existing patio area to maximum of top level height 11 Woodland Drive Trinant Newport NP11 3LP	Granted 29.04.2016
16/0209/FULL 07.03.2016	Mr K Lewis 53 The Bryn Trethomas Caerphilly CF83 8GP	Construct a single-storey side extension and a two-storey rear extension 53 The Bryn Trethomas Caerphilly CF83 8GP	Granted 29.04.2016
16/0213/COND 07.03.2016	Miss E Kemp 3 The Padocks Trelewis CF46 6DQ	Discharge conditions 2 (materials), 6 (contamination - scheme to treat), 7 (contamination - validation), 8 (soil import testing) and 9 (site investigation) of planning consent 15/0370/FULL (Erect two dwellings with associated groundwork and access) 53 High Street Fleur-de-lis Blackwood NP12 3UE	Decided - Discharge of Conditions 29.04.2016
16/0227/COU 07.03.2016	Mr L Wells 24 McLaren Cottages Abertysswg Tredegar NP22 5BH	Change the use from ancillary hotel accommodation to a single private dwelling, construct privacy walling and provide roof windows Quoits Cottage High Street Argoed Blackwood	Granted 29.04.2016
16/0281/TCA 15.03.2016	Mr W Walker Knoll House New Road Gelli-haf Pontllanfraith Blackwood NP12 2QE	Continue with various agricultural works as previously described on Application No. 13/0566/TCA (perimeter of the field, the removal of willow trees encroaching on land on the boundary with 'Gelli Barn,' the removal of a fallen branch of a mature oak tree, cutting back overgrown willow branches and additional mixed branches to allow safe tractor movement and cutting down an ash tree adjacent to 'Little Oak') not carried out due to abnormal wet conditions Knoll House New Road Gelli-haf Pontllanfraith	No objection raised 29.04.2016

16/0171/NMA 31.03.2016	Redrow Homes South Wales Mr E Davies Redrow House Copse Walk Cardiff Gate Business Park Cardiff CF23 8RH	Seek approval of a non-material amendment to 15/0675/FULL (Remediate the site and develop 32 residential dwellings (C3), associated vehicular and pedestrian access from the existing Cwm Calon site, formal landscaping, drainage, related infrastructure, engineering works and the relocation of an existing bus gate) to amend condition 15 (glazing) Land To The North Of Cwm Calon Penallta Hengoed	Granted 29.04.2016
16/0221/FULL 08.03.2016	Mrs K Beckett 74 Heol Barri Energlyn Caerphilly CF83 2LX	Convert attic and provide new dormer 74 Heol Barri Energlyn Caerphilly CF83 2LX	Refused 03.05.2016
16/0222/COND 08.03.2016	Mr M Toms 47 Bailey Street Deri Bargoed CF81 9HU	Discharge of conditions 2 (surface water), 3 (boundary treatment), 4 (construction method), 5 (ground investigation), 16 (nesting birds) and 17 (bat roosts) of planning application 15/0978/FULL (Erect one dwelling) Land At Ogilvie Terrace Deri Bargoed	Decided - Discharge of Conditions 03.05.2016
15/1092/CLEU 26.10.2015	Mr A Majid 57 Ty Draw Road Cardiff CF23 5HD	Obtain a Lawful Development Certificate for the existing use as a general repair garage (B2) General Lee Motors Ltd Unit B Dalton Court Lawrence Street South Lane	Refused 04.05.2016
16/0114/FULL 12.02.2016	Mr R Lewis 2 Prince Albert Cottages Victoria Road Maesycwmmer Hengoed CF82 7RE	Erect a single-storey extension 2 Prince Albert Cottages Victoria Road Maesycwmmer Hengoed	Granted 04.05.2016



16/0186/FULL 25.02.2016	Mr M Bryant Bwthyn Mamgu Rhyswg Fawr Farm Rhyswg Farm Lane Cwmcarn Newport NP11 7FB	Site two steel storage containers (for agricultural tools, materials, pig and sheep feed, fertilizer, chemicals for weed control and security for quad trailer) and erect a stable (for one horse and the storage of hay and tack) Land At Rhyswg Fawr Rhyswg Farm Lane Cwmcarn Newport	Granted 04.05.2016
16/0231/FULL 10.03.2016	Mr & Mrs N Duggan 11 Gwaun-Hyfyrd Caerphilly CF83 3BR	Erect single-storey extension to the rear of the house and provide alteration works 11 Gwaun-Hyfyrd Caerphilly CF83 3BR	Granted 04.05.2016
16/0242/FULL 11.03.2016	Mr & Mrs C Games 5 Ivor Street Cwmcarn Newport NP11 7EG	Erect detached domestic hobby room/bike store and car port 5 Ivor Street Cwmcarn Newport NP11 7EG	Granted 04.05.2016
16/0161/CLPU 24.03.2016	Mr W Jones 13 Heol Morien Nelson Treharris CF46 6JA	Obtain a Lawful Development Certificate for the proposed single-storey extension to rear of property to incorporate bedroom/bathroom for disabled user and wheelchair access via a ramp 13 Heol Morien Nelson Treharris CF46 6JA	Refused 04.05.2016
16/0304/COND 31.03.2016	Admiral Building Solutions Mr P Griffiths Office 1B Bedwas Court Bedwas House Industrial Estate Caerphilly CF38 8HX	Discharge Condition 5 (parking provision) of planning consent 15/0163/FULL (Erect extension to existing cafe to provide additional seating area)  24 Penallta Road Ystrad Mynach Hengoed CF82 7AN	Decided - Discharge of Conditions 04.05.2016
16/0235/FULL 11.03.2016	Mr A Berry 7 Duffryn Close Penpedairheol Hengoed CF82 8DN	Erect garage and provide dormer windows to front and rear of property 7 Duffryn Close Penpedairheol Hengoed CF82 8DN	Refused 06.05.2016
16/0146/FULL 14.03.2016	Mr G Llewellyn 1 Ffwrwm Road Machen Caerphilly CF83 8NF	Erect single-storey rear extension 1 Ffwrwm Road Machen Caerphilly CF83 8NF	Granted 09.05.2016

16/0271/COND 14.03.2016	Mr W Evans Cwm Deri Bungalow Bailey Street Deri Bargoed CF81 9HT	Discharge conditions 2 (bats) and 3 (birds) of planning application 15/0587/COU (Erect a two-bedroom side extension and a conservatory to the front of property and extend curtilage) Cwm Deri Bungalow Bailey Street Deri Bargoed	Decided - Discharge of Conditions 09.05.2016
16/0272/FULL 14.03.2016	Mr J Kindred 5 Ebbw Street Risca Newport NP11 6DJ	Demolish existing single-storey addition and erect single-storey extension and alterations to garage roof 5 Ebbw Street Risca Newport NP11 6DJ	Granted 09.05.2016
16/0205/FULL 03.03.2016	Motor Fuel Group Building 2 Abbey View Everard Close St Albans Hertfordshire AL1 2QU	Externally refurbish the forecourt shop Murco Service Station St Cenydd Road Trecenydd Caerphilly	Granted 10.05.2016
16/0216/COU 03.03.2016	Aber Cycles Mrs E D Rees 16 Heol Serth Penyrheol Caerphilly CF83 2AN	Convert ground floor bicycle sales and repair shop to a one bedroom residential accommodation 1 High Street Abertridwr Caerphilly CF83 4DD	Granted 10.05.2016
16/0224/FULL 03.03.2016	Mr I Whatley 3 Mount Pleasant Terrace Pontywaun Newport NP11 7GH	Convert existing conservatory to a sun lounge 3 Mount Pleasant Terrace Pontywaun Newport NP11 7GH	Granted 10.05.2016
16/0214/FULL 07.03.2016	Mr R Noble-Partridge 10 Bedwellty Road Cefn Fforest Blackwood NP12 3HF	Erect a ground floor extension 10 Bedwellty Road Cefn Fforest Blackwood NP12 3HF	Granted 10.05.2016
16/0144/FULL 14.03.2016	CTIL, VF & TEF C/o WHP Wilkinson Helsby Mr D Hosker Ponderosa Scotland Lane Horsforth Leeds West Yorkshire LS18 5SF	Upgrade telecommunications installation and associated works Vodafone Telefonica And CTIL Communication Station (3689) Chapel Farm Industrial Estate Cwmcarn	Granted 10.05.2016

16/0287/NCC 17.03.2016	Charter Housing Mr N Taylor Exchange House The Old Post Office High Street Newport NP20 1AA	Vary condition 5 of planning consent 14/0793/NCC (Erect residential development) to introduce new drawing numbers to cover as-built minor revisions on site Land Off Thorncombe Road Blackwood NP12 1AT	Granted 10.05.2016
16/0212/COND 07.03.2016	Redrow Homes South Wales Mr E Davies Redrow House Copse Walk Cardiff Gate Business Park Cardiff CF23 8RH	Discharge condition 2 (Engineering details - street lighting only), 9 (street light details) and 12 (construction method statement) of planning permission 15/0675/FULL (Remediate the site and develop 32 residential dwellings (C3), associated vehicular and pedestrian access from the existing Cwm Calon site, formal landscaping, drainage, related infrastructure, engineering works and the relocation of an existing bus gate) Land To The North Of Cwm Calon Penallta Hengoed	Decided - Discharge of Conditions 11.05.2016
16/0229/FULL 10.03.2016	Mrs K E Jones 9 Stonerwood View Pantside Newport NP11 5DF	Construct one car parking bay including dropped kerb on footway 9 Stonerwood View Pantside Newport NP11 5DF	Granted 11.05.2016
16/0288/FULL 17.03.2016	Mr & Mrs G Bell 17 Harlech Close Cefn Fforest Blackwood NP12 1HJ	Convert garage to study and erect a single-storey entrance porch 17 Harlech Close Cefn Fforest Blackwood NP12 1HJ	Granted 11.05.2016
16/0298/NCC 23.03.2016	Mrs A Williams 55 Coed Celynen Drive Abercarn Newport NP11 5AU	Vary Condition 3 of planning consent P/05/0154 to convert integral garage into lounge/playroom and create additional parking space 55 Coed Celynen Drive Abercarn Newport NP11 5AU	Granted 11.05.2016
16/0303/FULL 30.03.2016	Mrs M Piper Kenlea Mill Road Caerphilly CF83 3FF	Erect single-storey rear extension Kenlea Mill Road Caerphilly CF83 3FF	Granted 11.05.2016

16/0148/COND 17.03.2016	Mr T Rowe 5 Rowan Close Nelson Treharris CF46 6EN	Discharge condition 5 (boundary enclosure) of planning application 15/0048/RET (Retain the use of the garage for the storage and maintenance of mining machinery, company vehicles and plant) Caeglas Colliery Co Ltd Caeglas Colliery Fochriw Road Fochriw	Decided - Discharge of Conditions 12.05.2016
16/0284/COND 17.03.2016	Mr & Mrs Heathcote Min-y-Coed Dan Y Graig Road Risca NP11 6DR	Discharge conditions 3 (levels) and 4 (contamination) of planning permission 15/1159/FULL (Change the use of the land to provide an outdoor horse exercise area c.800 square metres, bounded by traditional post and rail fence for private use) Min-Y-Coed Dan Y Graig Road Risca Newport	Decided - Discharge of Conditions 12.05.2016
16/0217/FULL 08.03.2016	Mr V Watson 1 Llanarth Square Pontymister Risca Newport NP11 6EA	Erect a domestic two-storey extension and carry out alterations with parking 1 Llanarth Square Pontymister Risca Newport	Granted 13.05.2016
16/0291/FULL 18.03.2016	Mrs T Churchward 109 Woodside Drive Newbridge Newport NP11 4NP	Erect single-storey side extension for extra bedroom and office space 109 Woodside Drive Newbridge Newport NP11 4NP	Granted 13.05.2016
16/0297/COND 18.03.2016	Mr L Jarvis St Martins School Hillside Caerphilly CF83 1UW	Discharge conditions 1 (commencement), 2 (drainage), 3 (nesting sites), 4 (colour finish), 5 (approved plans) of planning consent 15/0713/FULL (Erect a mobile classroom unit) St Martin Comprehensive School Hillside Caerphilly CF83 1UW	Decided - Discharge of Conditions 13.05.2016

<p>16/0252/NMA 18.04.2016</p>	<p>United Welsh Housing Association Mr S Hunter-Smith C/o Tony King Architects 97A Glebe Street Penarth CF64 1EE</p>	<p>Seek approval of non-material amendments to drawings 57, 58 and 59 of planning application 14/0818/FULL (Demolish the existing fire station and construct 8 No. 2-bedroom affordable dwellings (C3), 6 No. 1-bedroom affordable apartments (C3) and construct a residential block (C2) comprising 8 apartments and associated office space to provide accommodation and support for independent living and mental health well-being) to replace one ground floor window to the rear lobby with a door and provide different colour cladding board to that on the approved drawings Fire Station Court (Bargoed Fire Station) William Street Gilfach</p>	<p>Granted 13.05.2016</p>
<p>15/0755/FULL 07.12.2015</p>	<p>Mrs L Thomas 9 Farm Road Caerphilly CF83 1PR</p>	<p>Erect rear ground floor extension and provide internal adaptations 9 Farm Road Caerphilly CF83 1PR</p>	<p>Granted 16.05.2016</p>
<p>16/0026/COND 13.01.2016</p>	<p>WRW Construction Ltd Mr C Prosser Anchor Point North Dock Llanelli Carmarthenshire SA15 2LF</p>	<p>Discharge Conditions 8 (remediation strategy) and 12 (acoustic glazing and passive ventilation) of planning permission 09/0469/OUT (Erect residential development with associated vehicle access, car parking and services, other ancillary uses and activities) Land At Former Coal Yard Llancaiach View Nelson Treharris</p>	<p>Decided - Discharge of Conditions 16.05.2016</p>

16/0230/COND 10.03.2016	K & G Construction Mr K McCole 39 Brynfedw Bedwas CF83 8AP	Discharge conditions 2 (land drainage), 3 (dust mitigation), 4 (noise mitigation), 5 (method statement), 8 (bats), 9 (birds), 12 (tree protection), 14 (hedgerow replacement) and 15 (hedgerow replacement) of planning application 15/0670/FULL (Demolish former church and erect two dwellings) Saron Congregational Church Pandy Road Bedwas Caerphilly	Decided - Discharge of Conditions 16.05.2016
16/0290/COND 17.03.2016	Temporis Wind Mr D Jazwa 36-38 Berkeley Square Berger House London W1J 5AE	Discharge conditions 1 (project commencement), 3 (data logging), 7 (shadow flicker), 8 (traffic management plan), 9 (road condition survey), 10 (indemnity insurance, 11 (ecological assessment), 12 (tree protection), 13 (turbine cessation), 14 (nesting birds) and 15 (drainage) of planning consent 15/0097/FULL (Erect a single wind turbine with a maximum blade tip height of up to 78 metres and associated infrastructure including the installation of a new access track and upgraded access track; a crane pad (measuring approximately 25m by 40m) and a substation) Cefn Bach Farm Cefn Road Upper Deri Bargoed	Decided - Discharge of Conditions 16.05.2016
16/0153/FULL 21.03.2016	Ms J Rowe 13 Tredomen Terrace Tredomen Ystrad Mynach Hengoed CF82 7BW	Erect a two-storey rear extension 83 Pengam Road Ystrad Mynach Hengoed CF82 8AB	Granted 16.05.2016
16/0294/FULL 24.03.2016	Ashville Residential Home Mr Done Bristol Terrace Brithdir New Tredegar NP24 6JG	Erect a lift shaft extension Ashville Residential Home Bristol Terrace Brithdir New Tredegar	Granted 16.05.2016

16/0289/COND 17.03.2016	Mr S Rees Victoria Surgery Victoria Road Rhymney Tredegar NP22 5NU	Discharge conditions 2 (bats), 3 (birds), 6 (soil import testing) and 8 (boundary treatment) of planning permission 16/0013/COU (Convert former Victoria Surgery to two residential units) Victoria Surgery Victoria Road Rhymney Tredegar	Decided - Discharge of Conditions 17.05.2016
16/0156/COU 22.03.2016	Mr L P Lazarou Lanwood House White Hart Machen Caerphilly CF83 8QQ	Change the use from flat/retail unit to a residential dwelling house 53 Bedwlwyn Road Ystrad Mynach Hengoed CF82 7AB	Granted 17.05.2016
16/0295/FULL 29.03.2016	Mr M Johnston 13 Gwesty Close Croespenmaen Blackwood Newport NP11 3AD	Erect a two-storey detached house and a detached garage Tir Capel Farm Llanerch Lane Manmoel Blackwood	Refused 17.05.2016
16/0302/FULL 30.03.2016	Mr G Harris 4 Station Terrace Machen Caerphilly CF83 8PW	Demolish existing garage and construct a new two-storey side extension with integral double garage 4 Station Terrace Machen Caerphilly CF83 8PW	Granted 17.05.2016
16/0257/NMA 22.04.2016	Mr M Winfield 17 Lewis Terrace Llanbradach Caerphilly CF83 3JZ	Seek approval of a non-material amendment to planning permission 13/0820/FULL (Erect a commercial stable block and tack room/food store on agricultural land including all engineering and associated works) to lower the roof ridge and place a small roof eaves overhang to the stable block front elevation Fferm Pont Carreg - Land Rhyd Y Gwern Lane Machen Caerphilly	Granted 17.05.2016
16/0215/RET 04.03.2016	Mr D Harris 43 Hillside Cottages Hollybush Blackwood NP12 0SS	Retain an animal/stock shelter and level out an area of land to create a paddock area Land Adjacent To Newport Road (A4048) Hollybush Blackwood	Granted 18.05.2016

16/0311/FULL 01.04.2016	Mr B Jenkins Glan Y Mynydd Pentrapeod Road Aberbeeg Abertillery NP13 2DT	Erect sun lounge, porch and dormer Glan Y Mynydd Pentrapeod Road Aberbeeg Abertillery	Granted 19.05.2016
16/0312/CLPU 01.04.2016	Mr P Jones Tralee Central Avenue Oakdale Blackwood NP12 0DU	Obtain a Lawful Development Certificate for the proposed conversion of the detached garage to living space 10 Brook Rise Oakdale Blackwood NP12 0ES	Granted 19.05.2016
16/0255/NMA 15.04.2016	Regal Court Engineering Limited Mr A Jenkins C/o C2J Architects & Town Planners Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Seek approval of a non-material amendment to planning consent 12/0787/FULL (Convert former public house into 7 No. flat units (change of use) including demolition of southern single-storey annexe and construct 6 No. new terraced houses to include new site access road, car parking, external works and landscaping) to introduce two rear dormers, replace private roof terrace with a habitable room, remove rear amenity deck and retain off street parking Tredegar Junction Hotel Commercial Street Pontllanfraith Blackwood	Granted 19.05.2016
16/0256/NMA 22.04.2016	Mr A Murphy 89 Bailey Street Deri Bargoed CF81 9HW	Seek approval of a non-material amendment to planning permission 16/0135/FULL ( Erect two-storey rear extension and provide additional windows to front elevation) to omit window, add two roof windows to principal elevation and remove door from rear elevation 120 Bailey Street Deri Bargoed CF81 9HX	Granted 19.05.2016



16/0238/CLEU 11.03.2016	Mr P Dellanna Flat 1 Library Court Gordon Road Blackwood NP12 1FB	Obtain a Lawful Development Certificate for the existing A1 use Pleasant Surroundings Ltd Llanbradach Methodist Church Ffrwd Terrace Llanbradach	Refused 24.05.2016
16/0240/COU 11.03.2016	Mr P Dellanna Flat 1 Library Court Gordon Road Blackwood NP12 1FB	Change the use from commercial A1 use to four residential flats Pleasant Surroundings Ltd Llanbradach Methodist Church Ffrwd Terrace Llanbradach	Granted 24.05.2016
16/0283/FULL 15.03.2016	Mr Williams Nant Arian Pentwynngwyn Road Rudry Caerphilly CF83 3DG	Erect ground floor side extension Nant Arian Pentwynngwyn Road Rudry Caerphilly	Granted 24.05.2016
16/0292/COND 22.03.2016	RH & JH Bailey LLP C/o Barton Willmore Mr C Parry Greyfriars House Greyfriars Road Cardiff CF10 3AL	Discharge Conditions 6 (dust mitigation), 8 (floodlighting), 9 (boundary treatment), 10 (skip storage), 11 (land drainage) & 12 (deleterious material) of planning consent 15/1083/COU (Change the use of former paper waste recycling facility to demolition waste and peat processing facility) Unit 3 Pantglas Industrial Estate Bedwas Caerphilly	Decided - Discharge of Conditions 24.05.2016
16/0201/FULL 01.03.2016	Mr R Porter 35 John Street Cwmcarn Newport NP11 7EH	Demolish existing garage and erect a detached garage 35 John Street Cwmcarn Newport NP11 7EH	Granted 25.05.2016
16/0285/FULL 17.03.2016	Mrs J McDermot Hill View Poultry - Caerllwyn Farm Bryncoed Terrace To Cefn-Llwyd Farm Abertridwr Caerphilly CF83 4FG	Site a mobile home for use as a temporary agricultural workers dwelling for a 3 year period Hill View Poultry - Caerllwyn Farm Bryncoed Terrace To Cefn-Llwyd Farm Abertridwr Caerphilly	Granted 25.05.2016

16/0299/COND 30.03.2016	Mr K Chamberlain 11 Stryd Hywel Harris Ystrad Mynach Hengoed CF82 7DN	Discharge conditions 3 (bat roosts) and 4 (nesting birds) of planning consent 14/0769/FULL (Erect two- storey extension) 11 Stryd Hywel Harris Ystrad Mynach Hengoed CF82 7DN	Decided - Discharge of Conditions 25.05.2016
16/0300/FULL 30.03.2016	Mr S Broughton Rockville Newport Road Machen Caerphilly CF83 8NZ	Erect two-storey extension to side of property Rockville Newport Road Machen Caerphilly	Refused 25.05.2016
16/0301/FULL 30.03.2016	Mr R Mann 112 Commercial Street Aberbargoed Bargoed CF81 9EX	Erect a second storey extension on existing ground floor extension at the rear of the property 112 Commercial Street Aberbargoed Bargoed CF81 9EX	Granted 25.05.2016
16/0277/NMA 27.04.2016	Mr J Curtis-Jones The Links Golf Club Drive Lon Pennant Cwmgelli Blackwood NP12 1BR	Seek approval of a non material amendment to Application No. 15/1259/FULL (Erect first floor extension) to change the wall finish from the approved render to buff coloured facing brickwork to match the existing The Links Golf Club Drive Lon Pennant Cwmgelli	Granted 25.05.2016
15/1096/LBC 28.10.2015	Roger North Long & Partners Mr R Davies 5 Neptune Court Vanguard Way Cardiff CF24 5PJ	Repair barn including the partial demolition of a leaning wall to the front, provide alternative openings to front elevation (two window openings and one door opening to replace existing two door openings and one window), rebuild gable ends and upper walls only, add a new roof structure and reuse barn as agricultural storage only Ty Isaf Farm Pandy-Mawr Road Bedwas Caerphilly	Granted 26.05.2016

16/0228/CLPU 10.03.2016	Mr B Davies 4 Maryland Road Pontymister Risca Newport NP11 6BB	Obtain a Lawful Development Certificate for the proposed front wall removal and the creation of a parking area and dropped kerb 4 Maryland Road Pontymister Risca Newport	Granted 26.05.2016
16/0266/FULL 14.03.2016	Mr C Thomas 31 Skomer Island Way Caerphilly CF83 2DB	Erect side extension over existing dining room and integral garage 31 Skomer Island Way Caerphilly CF83 2DB	Granted 26.05.2016
16/0169/COND 05.04.2016	Mr & Mrs P Morgan The Ranch New Row Machen Caerphilly CF83 8NX	Discharge Conditions 9 (bat roost mitigation), 10 (reptile and amphibian method statement), 12 (nesting site for birds) and 14 (scheme of intrusive investigations of the mine entry) of planning application 15/0139FULL (Demolish dwelling and construct one replacement and three new dwellings) The Ranch New Row Machen Caerphilly	Decided - Discharge of Conditions 26.05.2016
16/0594/NOTD 26.04.2016	Coleg Y Cymoedd Mr M Donovan Nantgarw Campus Heol Yr Odyn Parc Nantgarw Nantgarw CF15 7QX	Demolish S Block Coleg Y Cymoedd - Ystrad Mynach Campus Twyn Road Ystrad Mynach Hengoed	Prior Approval Not Required 27.05.2016

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

<b>APPLICATION NUMBER  DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
P/02/0265 13.03.02	First periodic review of planning conditions (Environment Act 1995) at Cae Glas Small Mine, Fochriw	Seeking clarification about the status of the application.
13/0667/NCC 13.09.13	Vary Condition 1 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) to extend the period within which the development can commence at Suflex Estate Newport Road Pontymister Risca	Awaiting information about flooding.
13/0799/CLEU 08.11.13	Obtain a Lawful Development Certificate for the existing use of storing and servicing company vehicles, plant and mining machinery and as a heavy goods vehicle operating licensing centre at Caeglas Colliery Fochriw Road Fochriw Bargoed	Awaiting additional information.
13/0809/CLEU 19.11.13	Obtain Lawful Development Certificate for the commencement of works to implement planning consent for 87 houses with associated garaging and car parking (reference 07/1524/FULL) at Former Suflex Estate Newport Road Pontymister Risca	Subject to further discussion and consideration.
14/0328/FULL 19.05.14	Erect a detached six bedroom dwelling on Land Adjacent To Brook House Pandy-Mawr Road Bedwas Caerphilly	Awaiting amended plans.
15/0053/RET 20.01.2015	Retain the change of use from agricultural land to an educational based resource centre and retain the existing buildings on site at Lylac Ridge, Dan Y Graig Stables Dan Y Graig Road, Risca, Newport	Subject to further discussion and consideration.
15/0060/COU 22.01.15	Convert first and second floors to 6 No. one bedroom flats at 1 Pentrebane Street Caerphilly	Awaiting additional information.
15/0278/RET 10.04.2015	Retain metal recycling centre at Unit 15 Darren Drive, Prince Of Wales Industrial Estate, Abercarn	Awaiting additional information about parking space and wildlife.

15/0311/FULL 05.05.15	Erect a new dwelling at Brynhyfryd 6 Old Parish Road, Hengoed	Subject to further discussion and consideration.
15/0502/COU 13.07.15	Change of use of the first and second floors from offices to 6 residential flats at Caerphilly Indoor Market 5 Pentrebane Street, Caerphilly	Re-consulting on amended plans
15/0708/FULL 06.11.15	Erect outhouse and garden retaining walls at Shangri La, Bryn Road Pontllanfraith, Blackwood	Subject to further discussion and consideration
15/1175/FULL 25.11.15	Erect B1/B2/B8 units together with associated parking/servicing At Phase 5 Dyffryn Business Park, Ystrad Mynach Hengoed.	Awaiting wildlife information.
15/1276/FULL 23.12.15	Erect three vertical axis turbines 31.5m in height (to tip) which will be connected via underground cables to an existing transformer house at Penyfan Leisure Park Manmoel Road Manmoel Blackwood	Awaiting landscape impact information.
16/0009/COND 07.01.16	Discharge Conditions 2 (land drainage), 5 (wind turbine data), 7 (shadow flicker), 8 (Traffic Management Plan), 9 (highway survey), 10 (access route), 11 (switchgear housing), 12 (reptile mitigation strategy), 13 (archaeological written scheme of investigation) and 16 (anti-collision lighting) of planning consent 15/0499/FULL (Erect a single wind turbine of max 77m to tip, along with associated infrastructure including an access track and electrical housing) at Castell Llwyd Farm Heol Las Nelson Treharris	Subject to further discussion and consideration.

<p>16/0069/CON 01.02.16</p>	<p>Discharge Condition 12 (external lighting), Condition 13 (wheel and road washing), Condition 14 (surface water drainage), Condition 15 (slurry pipeline), Condition 16 (landscaping), Condition 18 (construction method statement) and Condition 20 (odour management) of planning permission 15/0488/RET (Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility) at Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed</p>	<p>Awaiting views of consultees.</p>
<p>16/0208/OUT 05.03.16</p>	<p>Erect up to 200 dwellings and access with all other matters reserved at Catnic Pontypandy Industrial Estate Caerphilly</p>	<p>Subject to further discussion and consideration.</p>

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## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Planning in discussions with developers over new terms; waiting to hear from Planning. Meeting has been planned. No further update. File closed pending further instructions.
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on land at Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association. File closed due to no progress.
11/0191/OUT 11.03.11	Demolish existing farmhouse and farm buildings and construct new two-storey residential units at Gelli Pystyll Farm, Elm Drive, Ty Sign, Risca.	Position being reviewed because of lack of response from Applicants about the S106. Waiting for confirmation from Planning is application been refused.
13/0212/NCC 25.03.13	Vary Condition 11 of planning permission P/04/1500 to amend the internal layout at Glan Y Nant Draethen, Newport.	In discussions as to how best to proceed in light of CIL. Still in discussions with Solicitors. Other side asked for meeting. Asked for instructions from Planning.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Waiting advice from Ecologist. Told works have been undertaken. Planning said to hold file in abeyance while they investigate. Told may be a while due to issues. Planning waiting for ecological report. Planning will contact applicant again. Waiting to hear from Planning.
14/0239/NCC 16.04.14	Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters on Land At Albertina Road Treowen Newport	Sent amended draft. Solicitors waiting for instructions.

14/0802/OUT 26.11.14	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from the A4049 and footpaths and the installation of new services and infrastructure, ecological mitigation and enhancement works and other ancillary works and activities at Land At Hawtin Park Gelli-haf Pontllanfraith Blackwood	Sent Draft for comments.
14/0855/FULL 15.01.15	Erect residential development and associated works at Land At Watford Road Caerphilly	UWHA emailing Solicitor about title issues. UWHA going to discuss issues at monthly meeting. Latest proposal for them to provide unilateral undertaking.
15/0156/NCC 12.03.15	Vary condition 3 of planning consent 10/0215/OUT (Erect residential development with alterations to existing access) to extend the period of time to submit reserved matters by a further three years at Quarry Court North Road, Newbridge, Newport	Sent amended drafts to Solicitors. Chased.
15/1241/FULL 15/12/15	Redevelop site with 8 residential units (3 No. 3 bed units & 5 No. 2 bed units) and associated parking on Land Off Victoria Road Rhymney Tredegar	Sent amended draft to Solicitors.
16/0016/NCC 08/01/16	Vary condition 1 of planning consent 2/06678 (Quarrying of Grit stone. 8.5 hectares) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Opening file.
16/0017/NCC 08/01/16	Vary condition 1 of planning consent 2/07947/T (Storage of overburden from adjacent Quarry) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Sent Agent letter.
16/0085/NCC 05/02/16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue Cefn Fforest Blackwood	Clarifying instructions with Planning.

## OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERE D
15/0012/REF 15/0038/OUT	Land Matters Limited C/O Savills Mrs M Lewis 12 Windsor Place Cardiff CF10 3BY	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from Pandy Road and footpaths and requiring the installation of new services and infrastructure and other ancillary works and activities at Land North Of Pandy Road Bedwas Caerphilly	23.11.2015
15/0015/REF 15/0023/COU	Mr J Khehra 192 Bedwas Road Caerphilly CF83 3AU	Retain A1 use part ground floor and convert upper floors to residential at Manchester House 1 Clifton Street Caerphilly CF83 1HA	14.12.15
16/0001/REF 15/0161/OUT	Mr & Mrs D Davies Chez Nous 26 Sunny Bank Terrace Machen Caerphilly	Erect a dwelling house and associated external works at Chez Nous, 26 Sunny Bank Terrace, Machen, Caerphilly CF83 8PY	14.01.16
16/0005/REF 15/0674/FULL	Mr M Nazir 124 Commercial Road Newport	Construct a single-storey dwelling for manager (and family) of adjacent nursing home at Rosewood Nursing Home Dan Y Graig Road Risca Newport	10.02.16
16/0007/NONDE T	Dr M A Alam 21 St Peters Drive Libanus Fields Blackwood NP12 2ER	Vary condition 1 of planning consent 10/0902/FULL (Erect new house and integral garage) to extend the period of time within which to commence development at 45 Gelynos Avenue Argoed Blackwood NP12 0AT	18.04.16

**APPEALS DECIDED**

<b>APPEALS DECIDED APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION APPEAL</b>	<b>DECISION/ DATE</b>	<b>COMM/ DEL</b>
15/0014/NONDET 15/0252/OUT	Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access Land At Cwmgelli Blackwood NP12 1BZ	Allowed 27/04/2016	COMM
16/0002/REF 15/0366/FULL	Erect detached dwelling with garage, associated access, parking and ground works etc.at 21 (Plot 11) The Glade Wyllie Blackwood	Allowed 04/05/2016	DEL
16/0004/REF 15/0100/COU	Convert existing storage building to the rear of the property into two flats with alterations to openings and the provision of rooflights at 57 Thomas Street Abertridwr Caerphilly CF83 4AX	Dismissed 06/05/2016	DEL