

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0362/FULL 26.04.2018	United Welsh Housing Association Mr S Hunter-Smith Y Borth 13 Beddau Way Caerphilly CF83 2AX	Erect residential development and associated works Land At Grid Ref 313945 195746 Winding Wheel Lane Penallta Hengoed

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application site is located on the northern side of Penallta Road and to the west of the existing Penallta Colliery buildings.

Site description: The application site measures approximately 1.86 hectares in extent and is of irregular shape comprised of open brownfield land along with some shrubbery as well as a large pond situated to the north of the site.

In topographical terms the site encompasses a moderate slope down from its western boundary with Penallta Road to its north-eastern boundary, adjacent to the pond. The site's south-eastern boundary drops significantly down towards the Engineering Hall. A drainage culvert dissects the site in a west-east direction, down from West Road down towards the Cwm Calon residential development, to the east.

West Road and Penallta Road run parallel to the site's western and southern boundaries respectively whilst a Public Right of Way runs along its northern boundary, beyond which lies Penallta Industrial Estate. Located immediately east are a number of buildings that previously formed part of the Penallta Colliery Pithead Complex, including the Engineering Hall which has been converted to accommodate apartments, and the vacant bathhouse building. The land further to the north forms part of the Penallta Industrial estate with two isolated dwellings being located on the land to the west of West Road. The former colliery site has now largely been reclaimed and developed for residential development together with a Welsh Medium Primary School.

Vehicular and pedestrian access to the site is currently attained via a metal gate bounded by a masonry wall and post and rail fencing along the site's southern boundary fronting onto Penallta Road.

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Development: The planning application seeks full planning permission for 48 no. two storey residential dwellings. The house type configuration of the proposed development is provided below:

6 no. 1 bed apartments;  
15 no. 2 bed houses;  
26 no. 3 bed houses; and  
1 no. 4 bed house.

The houses and flats will all be in two storey buildings, with porches to all units and bay windows in some front elevations. The dwellings will have off road parking to the side with detached garages to the rear of most plots.

Access to the site is to be provided via a new carriageway along the site's southern boundary off Penallta Road. The access road will adopted a right hand turn to serve the dwellings located within the southern section of the site and then extend northward centrally to accommodate the remainder of the site. The road will comprise a 5.5m wide carriageway along its entire length with 2m footways on both sides.

As shown on the proposed layout plan, pedestrian infrastructure will be provided through the provision of a footpath link from the site to Public Right of Way to the north. This will encourage prospective residents to adopt a mode of travel other than vehicular use. The use of private drives will also prioritise the needs of pedestrians and cyclists over that of vehicles.

The application also proposes the retention of the pond in the northern part of the site which will provide an ecological feature as well as some amenity space for the site.

Dimensions:

The 1 bed apartments which are in blocks of two measure 7.266m by 7.499m by 8.6m high;

The 2 bed houses measure 4.3m by 9m by 8.5m high;

The 3 bed houses measure 4.975m by 9m by 8.6m high and 5.450m by 9.257m by 8.9m high; and

The 4 bed house measures 7.266m by 7.499m by 8.3m high.

Materials: The dwellings will be finished in a mixture of finishes with some plots being brick and some in render. All plots will have grey concrete tiled roofs.

Ancillary development, e.g. parking: In order to comply with highways requirements the existing stone wall at the front of the site is to be taken down and re-built to provide acceptable vision splays. A crossing point and central island are also to be provided on Penallta Road together with an in-line bus stop in order to improve the connectivity of the site with the surrounding area.

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## PLANNING HISTORY 2005 TO PRESENT

09/0254/FULL - Construct a new 60 bed Nursing Home - Granted 12.10.09.

17/0251/COND - Discharge condition 4 (Local Equipped Area For Play) of planning consent P/99/0768 (Redevelop former colliery for housing, employment (B1, B2 & B8 uses), shop and pub including land reclamation and conversion of pit head buildings) - Decided Discharge of Conditions 01.06.17.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP2 (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7(Planning Obligations), SP14(Total Housing Requirements), SP15(Affordable Housing Target), SP19 (Transport Infrastructure Improvement), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW5 (General Design Considerations), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation) 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 1 Affordable Housing Obligations sets out relevant guidance.

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

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

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National Policy: Planning Policy Wales

Paragraph 2.1.1 emphasises that the aim of the planning system is to make planned provision for an adequate and continuous supply of land to meet society's needs in a way that is consistent with sustainability principles, as set out in the Well-being of Future Generations (Wales) Act 2015.

Paragraph 4.1.1 relates to sustainable development and promotes the notion of sustainable development as being central to all planning decisions in Wales.

Paragraph 4.9 states

“That previously developed (or Brownfield) land should wherever possible be used in preference to Greenfield sites.”

Paragraph 4.11.9 of 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."

Chapter 8 relates specifically to transport and advises that land use planning can achieve objectives by reducing the need to travel, by locating development where there is good access by public transport, walking and cycling; locating development near other related uses to encourage multi-purpose trips.

Paragraph 9.1.2 states

“That local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing.”

In regards to the 5 Year Land Supply, Section 9.2 seeks to ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing.”

National Planning Guidance contained in TAN 1 (Joint Housing Land Availability Studies), TAN 2 (Planning and Affordable Housing), TAN 5 (Nature Conservation and Planning), TAN 12 (Design), and TAN 18 (Transport).

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## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, but details submitted with the application have shown that the risks associated with past coal mining can be mitigated adequately.

## CONSULTATION

The Coal Authority - No objection subject to works being carried out in accordance with the mitigation measures identified by the applicant's consultant.

Ecologist - No objection subject to conditions.

Landscape Architect - Raises no objection to the principle of the development but has concerns with regard to the level of detail submitted with the application.

Head Of Public Protection - No objection subject to conditions.

Conservation & Design Officer - No objection subject to conditions.

Senior Arboricultural Officer (Trees) - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

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

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

Natural Resources Wales - Raises concern with regard to ecological issues that have not been adequately addressed by the submitted reports.

CADW - No objection.

CCBC - 21st Century Schools - Requires provision for additional classrooms in both of the local primary schools.

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CCBC Housing Enabling Officer - No objection subject to the provision of 25% of the dwelling as affordable homes.

Head Of Public Services - No objection subject to conditions.

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

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

Glam/Gwent Archaeological Trust - No objection.

Gelligaer Community Council - Raises no objection.

### 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? The application has been supported by a number of ecological reports that assess the impact of the proposal on the ecology of the site and the wider area. The proposal is not considered to have a negative impact on protected species and enhancement measures are proposed in the reports.

Is this development Community Infrastructure Levy liable? Yes. Based on a total floor area of 4625.401 square metres at a rate of £25 per square metre a CIL amount of £115635.02 is payable, subject to indexation.

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## ANALYSIS

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

The site is comprised of brownfield land and is located within the settlement boundary of Ystrad Mynach, as defined by the Proposals Map of the adopted LDP. As such, the site is located in an area where development is considered to be acceptable, subject to compliance with development management policies.

Furthermore, the Penallta Colliery Site as a whole has been allocated for the development of up to 689 residential dwellings in accordance with Policy HG1 of the adopted LDP. In addition, the Cwm Calon development approximately 200m east of the site has already established a number of residential dwellings on the wider site. As such, the proposed development is considered acceptable in terms of the policies set out in the LDP as well as a conforming land use with regard to the surrounding context.

Given that the site is on vacant brownfield land and is situated within close proximity to well established public transport nodes it is also considered that the proposed development will promote the Welsh Government's objectives of the sustainable use of land and buildings. Consequently, the proposed development complies with Section 4 of PPW as well as Policies SP2 and SP4 of the Caerphilly LDP.

The impact of the development is considered as follows.

Impact on the Character and Appearance of the Surrounding Area.

The proposed layout plan demonstrates that the potential density of the site and its form, scale, massing and urban grain are acceptable in reflecting character of this part of the settlement. The site is currently vacant and is identified within the adopted LDP as being appropriate for the delivery of housing. As such, the proposed impact of the delivery of housing on this site has already been considered and is deemed to be acceptable.

Notwithstanding, the application proposes a medium density development of 26 dwellings per hectare (dph) so that it makes use of a sustainable location whilst ensuring that sufficient land is provided for off-setting drainage easements and in the provision of on-site play areas and landscape buffers. This is in accordance with the principles of PPW as set out in Chapter 4 and the requirements of LDP Policy CW2.

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The proposed building dimensions are comparable to existing residential dwellings in the area and the amount of dwellings proposed enables a spacious and varied layout whilst meeting all relevant guidance in terms of highway provision, amenity standards and parking provision. Furthermore, the retention of the hedgerows and trees along the boundaries will serve to ensure that the impact on the surrounding local context is minimised as much as possible.

On this basis, it is considered that the proposed development fully complies with both national and local policies in that it promotes high quality, healthy, sustainable and locally distinct places and it will not have an unacceptably detrimental impact upon the character and appearance of the surrounding landscape area nor on the adjacent areas of existing residential development.

### Impact on Residential Amenity

When considering whether proposed development will have an impact on residential amenity of existing properties, the LPA must consider whether there will be any impact by way of overshadowing and overbearing and whether there will be any reduction in privacy due to facing habitable room windows. The site is bounded by vegetation for the majority along with the local highway network and a combination of vacant and occupied listed buildings. As such, the number of residential dwellings within the immediate vicinity and the possibility of their amenity being impacted is low. The only immediate neighbours are limited to the apartments contained within the restored Engineering Hall, however, as this building is located on a plateau which is considerably lower than the site (there is a 6m level difference between both areas), it's considered that the impact on adjoining dwellings is negligible. Indeed the distance between the two is such that there would be no loss of privacy as a result of this development.

Further to the above, it is considered that the development of the site will have no detrimental impact in terms of overshadowing or overbearing as the layout has been devised to ensure that adequate separation distances are maintained between the proposed site and adjacent residents. In this respect, it is considered that the proposal complies with Policy CW2 of the LDP.

### The Impact of the Development in Terms of Access and Traffic Generation

Access to the Site can be achieved and the access arrangements at the site are in accordance with policy CW3 and policy CW5 criterion A. The Transport Statement submitted in support of the application estimates that the proposed development could generate up to 20 vehicle movements (two-way) in the AM peak and 23 vehicle movements (two-way) in the PM peak period, equating to approximately 1 vehicle movement (two-way) every 3 minutes. Accordingly, the proposed development will have a negligible impact on the local highway network during the AM and PM peak hour periods, or throughout the course of the day. As such, it is considered that this level of traffic generation will have a negligible impact on the performance of Penallta Road.

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Furthermore the provision of a crossing point on Penallta Road, including the creation of a central island, together with improved vision splays and an in line bus stop mean that the proposal would have no impact on highway safety and would improve the connectivity of the site and also improve pedestrian safety.

The proposed parking provision of one space per bedroom, up to a maximum of three per dwelling is also considered to be acceptable and in-line with the Council's adoptable parking standards.

As such, it has been clearly demonstrated the development of the Site will not impact adversely on the existing highway network and can be safely accessed in accordance with planning policy. The proposals are therefore compatible with established Transportation guidance in PPW and TAN18 as well as LDP policies.

### Impact on the Setting of the Listed Buildings

The Heritage Impact Statement submitted with the application concludes that the proposed development would cause 'no harm' to the significance of the listed buildings occupying land adjoining the eastern and southern boundaries of the site. Additional information submitted during the application process has also indicated that the existing stone boundary to the front of the application site can be repaired and maintained in a manner that would serve to protect and enhance the character of the area. Accordingly, it would meet the requirements of current planning policy addressing the conservation and management of the historic environment. On this basis, it's considered that the proposed development is acceptable from a heritage perspective subject to the imposition of suitable conditions. The new development is of a scale, and in a location where it would not harm the setting of the listed buildings in the locality or affect any features of special architectural or historic interest they possess.

### Affordable Housing Provision

Policy SP14 of the LDP aims to deliver up to 10,269 dwellings throughout the Plan's period whilst Policy SP15 states that at least 964 Affordable Dwellings must be built to contribute to balanced and sustainable communities. Policy CW11 of the LDP requires that in this part of the County Borough 25% of the proposed dwellings should be provided as affordable units. In view of the fact that the applicant is a housing association, this provision can be revised by condition.

### Landscaping and Biodiversity

The application has been assessed by the Council's Landscape Architect and Ecologist and it is not considered that, subject to the imposition of suitable conditions, the proposed development would have a detrimental impact upon any local biodiversity interests and will be compatible with LDP Policy CW6.

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### Leisure and Open Space Provision

Policy CW10 of the LDP requires that all housing sites capable of providing more than 10 dwellings should make adequate provision for open space and leisure facilities. In this instance it should be noted that the application site is adjacent to the wider Cwm Calon housing development where a high level of such facilities has already been provided and where a playing field is proposed. In that regard it was not considered that this site would require the provision of any formal open space other than a local area of play located at the northern end of the site provided that improved links were created to the aforementioned facilities. This application proposes the creation of a footpath link through the pond area at the northern end of the site to the existing right of way on the northern boundary of the site and it is considered that this fulfils the requirements of Policy CW10.

Comments from Consultees: With regard to the concerns raised by Natural resources Wales in respect of the adequacy of the submitted ecological information it should be noted that additional surveys have now been received and have been fully assessed by the Council's Ecologist. The impacts of the development are considered to be acceptable in planning terms and ecological enhancement is proposed within those reports.

Comments from public: No objections received.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable subject to conditions.

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

**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.

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- 02) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan (1471 LP-01);
  - House Finishes Layout (1471 HF-01 Rev C);
  - External Works Layout (1471 EW-01 Rev C);
  - Planning Application Layout (1471 PL-01 Rev E);
  - External Works Drawings (E1, E7, E7(2), E10, E22 and E23);
  - DQR 2 Person 1 Bed Flat - Brick. Plans & Elevations (1471 1BF-10);
  - DQR 4 Person 2 Bed House - Brick. Plans & Elevations (1471 2BH-11);
  - DQR 4 Person 2 Bed House - Render. Plans & Elevations (1471 2BH-12);
  - DQR 5 Person 3 Bed House - Render. Plans & Elevations (3BH-Render-16);
  - DQR 5 Person 3 Bed House - Brick. Plans & Elevations (1471 3BH-Brick-15);
  - DQR 5 Person 3 Bed House - Render. Plans & Elevations (1471 3BH-Render-14);
  - DQR 5 Person 3 Bed House - Semi. Brick. Plans & Elevations (1471 3BH-Semi-13);
  - DQR 5 Person 3 Bed House - Render. Plans & Elevations (1471 3BH-Wide-17);
  - DQR 6 Person 4 Bed House - Brick. Plans & Elevations (1471 4BH-18);
  - Street Scenes (1471-SS01 Rev A);
  - Site Sections (1471-SS02 Rev A);
  - Garage Design Sheet - Brick (14171 GAR-19);
  - External Levels Layout (S7372-10 Rev B);
  - Road Setting Out Plan (S7372-02);
  - Longitudinal Road and Drainage Sections 1 of 2 (S7372-03);
  - Longitudinal Road and Drainage Sections 2 of 2 (S7372-04);
  - Report on Mains Drainage Proposals by Smart Associates;
  - Noise Assessment by Inacoustic;
  - Preliminary Ecological Appraisal by Dusk to Dawn Ecology;
  - Landscape Strategy by Catherine Etchell Associates (402.01 Rev A);
  - Design and Access Statement by Asbri Planning;
  - PAC Report by Asbri Planning;
  - Geotechnical and Geo-Environmental Report by Terrafirma supported by the letter ref GCL/14160/let8;
  - Supplementary Geotechnical Mining Investigation by Terrafirma;
  - Arboricultural Report by ArbTS;
  - Transport Statement by Asbri Transport;
  - Heritage Impact Statement by EDP as amended by the Adendum Note Rec,d on 3rd September 2018;
  - Tree Assessment for Bat Potential (on trees scheduled for works) by Dusk to Dawn Ecology;
  - Bat Habitat Assessment by Dusk to Dawn Ecology;
  - Mitigation Strategy by Dusk to Dawn Ecology.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 03) 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 2.4metres x 68metres to the north west and 2.4metres x 66metres to the south east. 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.
- 04) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of highway safety.
- 05) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.
- 06) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of the retaining structure and embankment on Penallta Road on site full engineering details and structural calculations for the proposed structure, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed structure additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.  
REASON: In the interests of highway safety.
- 07) Penallta Road shall be improved by way of the provision of pedestrian crossing points and a refuge as shown in drawing 1471 EW-01 Rev C and in accordance with Engineering Details that shall firstly be submitted to and agreed in writing with the Local Planning Authority prior to works commencing on site. The works shall be completed in accordance with the approved scheme prior to beneficial occupation of the development first commencing.  
REASON: In order to provide adequate crossing points of the highway in the interests of highway safety.

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- 08) A bus stop and shelter shall be provided on Penallta Road in accordance with details that shall be submitted to and agreed in writing with the Local Planning Authority prior to works commencing on site. The works shall be completed in accordance with the approved scheme prior to beneficial occupation of the development first commencing.  
REASON: In the interests of highway safety.
- 09) 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.
- 10) Prior to the commencement of development of any vegetation clearance, site clearance or development, a detailed check by a competent ecologist of the bat features on the tree T849 shall be carried out and the results of the survey, together with any proposed remedial measures (including methodologies) shall be submitted for the agreement of the Local Planning Authority. The approved measures shall be strictly complied with.  
REASON: To ensure adequate protection for protected species.
- 11) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 12) Prior to the commencement of work on site details of shrub enhancement planting and management, including a species list detailing the name of native broadleaved shrubs to be used to plant up the western boundary, shall be submitted to the Local Planning Authority for approval. The approved details shall be carried out within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

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- 13) Prior to the commencement of works on site, details of the provision of roosting sites for bats and nesting sites for bird species (Swift, House sparrow, Starling or House martin) in the new properties at Land at Grid Ref 313945 195746, Winding Wheel Lane, Penallta, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.  
REASON: To provide additional roosting opportunities for bats and nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 14) 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 Japanese knotweed and Himalayan Balsam on site. The treatment of Japanese knotweed and Himalayan Balsam 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 wild any plant listed in Schedule 9 Part 2 of the Act" . Japanese Knotweed (*Fallopia japonica* / *Polygonum cuspidatum*) and Himalayan Balsam (*Impatiens glandulifera*) are included within this schedule. All Himalayan Balsam and Japanese Knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
- 15) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 16) The existing stone boundary wall on the western boundary of the site shall be repaired in accordance with a Technical specification which shall be submitted to and approved in writing by the Local Planning authority prior to works commencing on site. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of visual amenity.

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- 17) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. Those details shall include:
- (a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and
  - (b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and
  - (c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- REASON: In the interests of the visual amenity of the area.
- 18) Prior to commencement of development hereby approved, details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include secondary glazing systems in all habitable rooms/bedrooms of residential units situated at the positions 1- 11(as stipulated in Figure 8 of the inacoustic noise assessment Project number 17-168 dated: 18 April 2018) to achieve an internal L<sub>max</sub> level of 45 dB(A) within bedrooms and LA<sub>eq</sub> 35dB(A) in all other habitable rooms. The development shall be carried out in accordance with the approved details before the first occupation of the dwellings hereby approved.
- REASON: In the interests of residential amenity.
- 19) Prior to the commencement of the development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to identify appropriate measures to minimise noise impacts to outdoor space directly associated with residential units situated close to the Western and Southern boundaries of the application site. The scheme shall detail the decibel reduction capability of these proposed measures and how that will impact upon external noise levels at the proposed dwellings. The development shall thereafter be carried out in accordance with the approved details.
- REASON: In the interest of residential amenity.

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- 20) 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.
- 21) 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.
- 22) 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.
- 23) 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.
- 24) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:
- (i) control of noise
  - (ii) control of dust, smell and other effluvia
  - (iii) control of surface water run off
  - (iv) site security arrangements including hoardings
  - (v) proposed method of piling for foundations

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(vi) construction and demolition working hours  
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site  
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area.

- 25) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
  - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
  - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
  - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
  - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
  - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
  - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
  - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
  - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
  - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

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- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

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

REASON: In the interests of visual amenity.

- 26) Prior to the first occupation of the dwellings hereby approved, a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than X% of housing units/bed spaces;
  - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing (if no RSL involved)).
  - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To ensure the provision of adequate affordable housing.

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Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3, CW4 and CW6.

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

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

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

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

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

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Notification of initiation of development and display of notice:

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

Notice of initiation of development:

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

Display of Notice:

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

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

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

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

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