

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0411/OUT 23.06.2014	The Trustees Of Llanover Estates C/O Asbri Planning Ltd Miss L Hughson-Smith 1st Floor Westview House Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect residential development and associated works Land At Ton Y Felin Croespenmaen Newport

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application parcel of land is located on the northern edge of Croespenmaen, and is bounded to the south by the B4251, which is the main road linking Oakdale to Crumlin, and to the west by Parkway industrial estate road. To the north of the site is Pen-y-Fan Industrial Estate and to the east is open countryside. The site measures approximately 140 metres west to east, and 150 metres north to south, and has an area of 1.68 hectares.

Site description: Grazing land bounded by hedgerows.

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.

38 dwellings are proposed. This includes four 1-bed flats, four 2-bed houses, eight 3-bed houses, and twenty-two 4-bedroom houses.

The proposed dwellings are laid out around a 'H' shaped residential estate road. The vehicular access into the site is located in the north-west corner of the site, off the lane that serves the existing properties to the north east of the application site. The centre of this access is approximately 25 metres off Parkway Industrial estate road.

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

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Dimensions: The site has an area of 1.7 hectares.

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

Affordable units (25% of development):

1-bedroom flats: width 15 - 17m, depth 8.5 - 10.5m, ridge height 7.5 - 9.5m (to top of block).

2-bedroom house: width 5 - 7m, depth 8.2 - 10.2m, height 7.5 - 9.5m (to ridge height).

3-bedroom house: width 5 - 7m, depth 8.5 - 11.5m, height 7.5 - 9.5m (to ridge height).

Market units (75% of development):

3-bedroom house: width 7.5 - 9.5m, depth 5.5 - 7.5m, height 7.5 - 9.5m (to ridge height).

4-bedroom house: width 9 - 11m, depth 10 - 12m, height 7.5 - 9.5m (to ridge height).

Materials: Red brick and render walls and dark grey roof tiles to match the nearby Parc Bevin development.

Ancillary development, e.g. parking: A village green/area of public open space is proposed across the northern portion of the site measuring 110 metres in width and between 17 - 35 metres in depth.

A Local Area of Play (LAP) is also proposed along the eastern boundary of the site under the TPO beech tree that sits on the boundary.

PLANNING HISTORY

2/11452 - Proposed Mixed Use Development to include Business and Science Park and Associated Residential Development - Refused 15.09.93.

2/11848 - Extension to existing factory and alteration to offices - Granted 13.07.94.

2/12099 - Proposed mixed-use development to include business & science park and associated residential development - Refused 16.08.95.

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2/12217 - Construct industrial link road - Refused 16.08.95.

P/97/0586 - Erect estate directory board - Granted 21.08.97.

07/0549/FULL - Erect odour abatement chimney - Granted 21.06.07.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The proposed development is located outside the settlement boundary and in a sand stone protection area.

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)

Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010)

Supplementary Planning Guidance LDP7: Householder Development (November 2010)

CW22 (Minerals)

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.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

CONSULTATION

Senior Arboricultural Officer (Trees) - No objection subject to the retention and enhancement of existing boundary hedgerows.

Principal Valuer - No objection regarding the proposed footpath link in the south-west corner of the site subject to necessary legal agreements.

CCBC - 21st Century Schools - No objection. Data has been obtained from the Education Department that show capacity in the local primary school to accommodate the likely increase in pupils as a result of the proposed development.

Head Of Public Protection - There is concern about the impact of noise from the neighbouring industrial estate on the residents of the proposed housing, and on the restrictions that the development would place on the neighbouring existing use.

CCBC Housing Enabling Officer - Requests provision of 25% affordable housing to include elements of social rented houses and assisted home purchase properties.

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

Head Of Public Services - Requests details of refuse collection points away from unadopted sections of highway.

Transportation Engineering Manager - No objections subject to conditions.

Dwr Cymru - No objection subject to condition, and advice to the developer regarding a public sewer that crosses the application site.

Police Architectural Liaison Officer - No objection.

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Countryside And Landscape Services - No objection subject to conditions. The Council's Ecologist surveyed the hedgerows surrounding the site and the existing hedgerows along the northern and western boundaries of the site qualify as 'important' hedgerows in accordance with the criteria used in the Hedgerow Regulations 1997. The presumption of the Hedgerow Regulations is that an important hedgerow should be retained wherever possible and taken into account as a material consideration in the planning process. Therefore it will be a requirement that the hedgerows are retained as part of the development. It should be noted that the proposed vehicular access into the site is located in approximately the same position as the existing gate entrance, and therefore this entrance will cause the minimum amount of disturbance to the hedgerow. As well as conditions to protect and enhance these hedgerows of importance, conditions will be attached to the permission in the interests of biodiversity, at the request of the Council's Ecologist.

ADVERTISEMENT

Extent of advertisement: 39 neighbouring properties were consulted and a site notice was displayed near the application site.

Response: Two objections were received.

Summary of observations: -

- Loss of countryside;
- Highway network unable to cope with additional traffic;
- Highway safety implications to walkers using the existing lane along northern boundary of site.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, but several conditions will be attached to the permission to protect and enhance the hedgerows surrounding the site, and provide bat roost and breeding bird provisions within the proposed dwellings.

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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 38 houses on the northern 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 compatibility with surrounding land uses, and highway safety.

The application site is located outside of the defined settlement boundary, that bounds the site along its southern, western and 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."

The site is on the edge of a sandstone safeguarding area but it is highly unlikely in view of the proximity of neighbouring housing that this area would be developed for that purpose.

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.

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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 2013 Joint Housing Land Availability Schedule is only 2.9 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 38 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 add weight in support of the proposed development.

In reference to the criteria contained in Policy SP5, given the location of the application site, and it being bounded on three 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.

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."

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The application site is well served by existing infrastructure in terms of its relationship to the highway network and the employment opportunities afforded at the Oakdale/Pen-y-Fan Industrial Plateaus. Furthermore, several footpath links have been included as part of the proposals to 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."

A Section 106 Agreement will form part of any planning permission to secure the required element of affordable housing, 25% in this instance (10 dwellings depending on the scale of development approved at reserved matters). 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.

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 10 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."

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The applicant has included pedestrian access points in the south-west, south-east, and north-east corners of the site. Such links will provide future occupiers of the site will good access to the facilities in 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 south by existing residential development, and the development of the site will not have an unacceptable impact on the amenity of these surrounding residential developments. Furthermore, the site benefits from established hedgerows of high quality along its southern and western boundary. 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.

The site is bounded to the north by a Use Class B8 storage and warehousing operation. Based on the current operation of this unit, there is not considered to be an unacceptable impact on the future residents of the proposed houses to warrant a refusal of planning permission. However, residential development at the application site may constrain future potential uses at the neighbouring industrial site, i.e. noisy B2 uses for example. However, the proposed development would not constrain development beyond this unit, and the lack of housing land adds considerable weight to the positive determination of the current application.

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There is already housing close to both the neighbouring industrial and warehousing units, and the B1, B2, B8 land use allocation in the LDP. On balance it would be difficult to sustain an objection to the current proposal, which includes a buffer zone of between 17 and 34m in depth along its northern side. Any further applications for planning permission at the industrial estate would have to take account of the presence of the houses, and any disturbance caused by existing use could be controlled under Environmental Health Legislation.

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. 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."

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As part of the development, a large 'Village Green' is proposed across the northern portion of the site. This area measures over 100 metres in width and between 17-34 metres in depth, and will provide a relatively large 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. A Local Area of Play (LAP) is also proposed along the eastern boundary of the site, and incorporates the retention and protection of a tree protected by a TPO along this boundary.

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 10 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.

- (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.

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Comments from consultees: No objection is raised by those consulted, although several conditions are requested in order to satisfy the various Consultees. The concerns of the Head of Public Protection are addressed above.

Comments from public:

Loss of countryside - This has been addressed above.

Highway network unable to cope with additional traffic, and highway safety implications to walkers using the existing lane along northern boundary of site - the Transportation Engineering Manager raises no objection to the proposed development.

Other material considerations: To conclude the results of the Joint Housing Land Availabilities Study should be treated as a material consideration in determining planning applications for housing. The 2013 Joint Housing Land Availability Schedule shows a supply of only 2.9 years. That, and the location of the site relative to the defined settlement boundary, within the Northern Connections corridor defined in the LDP, weigh considerably in favour of this scheme. Furthermore, there will not be a significant encroachment on open countryside, ribbon development on the coalescence of settlements.

RECOMMENDATION: (A) That the application is DEFERRED to allow the applicant to enter into a Section 106 Agreement. On completion of the agreement that (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.
- 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.

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- 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) Ton-Y-Felin Farm Lane shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on site. The improvement works shall provide for a carriageway widening to 5.5m, provision pedestrian facilities, street lighting and surface water drainage system. The agreed improvements shall be carried out prior to the occupation of the first dwelling at the site.
REASON: In the interests of highway safety.
- 06) Prior to its first use the proposed means of access into the site shall be laid out, constructed and maintained thereafter with vision splays of 2.4m x 43m. No obstruction or planting when mature exceeding 900mm in height shall be placed or allowed to grow in the required splays.
REASON: In the interests of highway safety.
- 07) Prior to its first use visibility splays of 2.4m x 70m shall be provided at the junction of Ton-Y-Felin Farm with Parkway. No obstruction or planting when mature exceeding 900mm in height shall be placed or allowed to grow in the required splays.
REASON: In the interests of highway safety.
- 08) The level of car parking provision throughout the residential development shall be in accordance with the requirements of the Local Planning Authority's adopted supplementary planning guidance LDP5 Car Parking Standards.
REASON: In the interests of highway safety.

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- 09) 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 eggs and nests (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 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. That plan shall include the timing of its implementation and shall be complied with.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 11) Prior to the commencement of work on site details of hedgerow enhancement, planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing gaps, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the hedgerow planting 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 Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 12) Prior to the commencement of works on site details of the garden boundary fence to be erected along the inside of the existing hedgerow, in order to exclude the hedgerow from within the garden boundaries, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and shall be implemented before the new dwellings hereby approved are first occupied.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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- 13) Unless otherwise agreed in writing with the local planning authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted within 12 months of the completion of the development.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 14) The development hereby approved shall be carried out fully in accordance with the recommendations made in Section 5 of the Extended Phase 1 Habitat Survey Report dated June 2014, prepared by Soltys Brewster unless otherwise agreed in writing by the Local Planning Authority. The details shall be implemented before the development hereby approved is first occupied.
REASON: To ensure adequate protection for protected habitats.
- 15) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 80%, native and local provenance tree, shrub and wildflower species and species that are rich in pollen and nectar shall be submitted to the Local Planning Authority for approval. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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- 16) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new development at Ton y Felin, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales (2010) and Tan 5 Nature Conservation and Planning (2009).
- 17) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new development at Ton y Felin, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales (2012) and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning (2009).
- 18) 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.
- 19) 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.

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- 20) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings 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 visual of the area.
- 21) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.
- 22) 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.
- 23) 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.
- 24) 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,

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- b) The details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
- c) A schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
- d) Written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
- e) The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
- f) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
- g) The details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
- h) The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
- i) The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) The details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- k) The details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) The details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) The details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,

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- 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.
REASON: In the interests of visual amenity.
- 25) Prior to the occupation of the buildings hereby permitted the land shown on the plan number 1395 sk04 as Village Green and LAP shall be laid out in accordance with that plan as amenity land, and that area shall not thereafter be used for any purpose other than as amenity land.
REASON: To secure the provision of adequate amenity areas.
- 26) None of the dwellings hereby approved shall be occupied until the footpath links to the existing highway network shown on Drawing No. 1395 sk04 have been completed in accordance with the details of which shall have been submitted to and agreed in writing with the Local Planning Authority.
REASON: To promote the interests of pedestrians, cyclists and public transport before that of the private car.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2, CW3, CW4, CW6 and CW10.
