

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0841/OUT 09.03.2015	Greenwood Development (Wales) Ltd Mr P Weedon Greenwood Rhyd Y Gwern Lane Machen CF83 8UH	Erect a residential development of eleven houses Land South Of Glendale Van Road Caerphilly

**APPLICATION TYPE:** Outline Application

### SITE AND DEVELOPMENT

Location: Land south of Glendale, Van Road, Caerphilly, CF83 3RR. The site is located outside of the settlement boundary, immediately to the east of Caerphilly. The south west corner of the site being approximately 500 metres to the east of the Caerphilly Principal Town Centre boundary as defined by the Caerphilly County Borough Local Development Plan, up to 2021(LDP). To the south of the application site is Caerphilly Business Park, and to the east and north of the site open countryside, categorised as a Special Landscape Area (SLA) in the LDP. The site is bounded to the west by the A468, to the south by Van Road, and to the north by the properties known as Glendale, Witsend and Tanglewood. Approximately 250 metres to the east of the site is Van Manor, which is a listed building.

Site description: The site is roughly rectangular in shape, with an extension in the north east corner of the site to reflect the extent of the Certificate of Existing Lawful Use (hereafter referred to as a CLEUD) that was granted for the lawful use of the site for the storage and working area for plant, machinery and materials used in connection with the construction and plant hire industry, that was granted in November 2013, planning reference 13/0420/CLEU. The site does not contain any permanent buildings. The site is currently being used in connection with the aforementioned operation.

The site slopes down gently from north to south, with a bund of earth located towards the south of the site. The western and eastern boundaries are characterised by existing trees protected under Tree Preservation Order 76/14/CCBC.

Development: Outline planning permission is sought in respect of the residential development of the site for eleven houses with only access to be considered at this stage. Appearance, landscaping, layout and scale are reserved for subsequent approval.

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An indicative site layout has been submitted in respect of 11 houses, comprising a mix of detached private market properties together with semi-detached affordable housing. The proposal includes an area of public open space as well as landscaped areas. The east and west boundaries of the site comprising established runs of mature trees, protected by a Tree Preservation Order 76/14/CCBC, will be retained and additional landscaping is proposed within the site. It is noted that the applicant has previously sought permission under planning application reference 14/0485/TPO for the removal of 8 conifers in the south east corner of the site, 3 small chestnut trees to the west of the site as well as a dead tree towards the south west corner of the site, which has since been granted in February, 2015. The primary vehicular and pedestrian access to the site will be provided in the position of the existing access to the site in the south east corner and will be improved to meet with current highway standards.

The application is supported with a Design and Access Statement, Planning Statement, Arboricultural Report:BS 5837 - 2012 prepared by Sylvan Ecology dated 19/11/14, and Noise Assessment prepared by Nova Acoustics Ltd dated 30/4/15.

Dimensions: The application site measures 0.46 hectares. Scale Parameters:-  
Private detached dwellings - 15m width, 13m depth x 9m ridge height.  
Semi-detached dwellings - 6m width, 8m depth x 8.5m ridge height.

Materials: Not applicable.

Ancillary development, e.g. parking: Not applicable but the indicative site layout indicates off-street parking provision in respect of each dwelling.

### PLANNING HISTORY

14/0485/TPO - Remove eight conifers and three small chestnut trees at entrance to Glendale Yard and remove one dead tree at the bypass road side - NYD.

13/0420/CLEU - Obtain a Lawful Development Certificate for the existing use as a storage and working area for plant, machinery and materials used in the construction and plant hire industry - Granted 07/08/2013.

P/02/0862 - Construct new park and ride access road - Granted 27.02.2003.

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## POLICY

### LOCAL DEVELOPMENT PLAN

#### Site Allocation:

SP3 - Development Strategy in the Southern Connections Corridor (SCC).

#### Policies:

##### Strategic Policies

SP4 - Settlement Strategy, SP5 - settlement boundaries, SP6 - Place making, SP7 - Planning Obligations, SP10 - Conservation of Natural Heritage, SP14 - Total Housing Requirements, SP15 - Affordable Housing Target, SP21 - Parking Standards.

##### Countywide Policies

CW1 - sustainable Transport, Accessibility and Social Inclusion, CW2 - amenity, CW3 - Design Considerations - Highways, CW4 - Natural Heritage Protection, CW6 - Trees, Woodland and Hedgerow Protection, CW10 - Leisure and Open Space Provision, CW11 - Affordable Housing Requirements, CW15 - General locational constraints, CW22- Locational constraints minerals, TR9 safeguards a route to the south east of Caerphilly town for the provision of a SE Bypass. Supplementary planning guidance contained in LDP5 - Car parking standards, LDP6 - Building Better Places to Live.

### NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 1 - Joint Housing Land Availability Studies (2015), TAN 2 - Planning and Affordable Housing (2006), TAN 5 - Nature Conservation and Planning (2009), TAN 10 - Tree Preservation Orders (1997), TAN 11 - Noise (1997), TAN 12 - Design (2014), TAN 18 - Transport (2007), and Manual for Streets.

### 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? There are no coal mining legacy issues relevant to the determination of this planning application.

### CONSULTATION

Senior Arboricultural Officer (Trees) - has no objections to the scheme subject to the submission of a Tree Protection Plan.

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Head Of Public Protection - Requests standard conditions in respect of any contamination of the site together with site control measures in terms of dust and noise mitigation, together with noise mitigation measures in relation to the development.

Outdoor Leisure Development Officer - Requests a local area of play (LAP) to be designed in such a way to be useable all year round, with good drainage, a good aspect and allow for easy and sustainable maintenance.

Head Of Public Services - Confirms the Authority kerbside collections for refuse, recycling and green waste, with the onus on the developer to provide suitable off-road storage near the proposed public highway for one 240L refuse bin, one 240l recycling bin and one food caddy per property. A suitable collection point large enough to accommodate plots 6 - 9 and 11 will need to be provided near the adopted highway because Council vehicles will not travel over unadopted highways/private drives.

Transportation Engineering Manager - No objection to the development subject to conditions being attached to any consent in respect of visibility splays, vehicle-turning facilities within the site and off-street parking provision.

Police Architectural Liaison Officer - Has no objections to the development but advise the development would benefit from being designed and built to standards found within the Secured By Design (SBD).

Wales & West Utilities - Confirms the existence of its apparatus within the vicinity of the site and provides advice to be conveyed to the developer accordingly.

Strategic & Development Plans - Whilst the application is contrary to the provisions of Criterion A of Policy SP3, the proposal would be acceptable in terms of the remaining Criteria B to E subject to detailed consideration and appropriate mitigation. The site lies outside the settlement boundary of Caerphilly and is clearly contrary to the provisions of Policy SP5. Notwithstanding the existing delineation of the settlement boundary the application site is relatively flat, brownfield site on the edge of the settlement and could constitute a logical extension to the existing settlement limit at this location. The development of the site should not adversely impact on the essential setting of Van Mansion.

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The Council is required to ensure that there is a genuine 5-year supply of housing land available within the county borough and therefore the lack of 5-year supply is a material consideration in determining this application. There is a need for a further 4987 (58%) dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement of 8,625 dwellings identified in the Adopted LDP. The Council in its consideration of the 2014 Annual Monitoring Report accepted the need to release sites that are acceptable in planning terms in order to address the lack of a five-year land supply in the short term. The development of the application site for housing would deliver much needed affordable housing in an area of considerable housing need. On balance the need to deliver new housing in this area and the need to increase the housing land supply over-rides the fact that this site lies outside the settlement boundary in the SLA. The development of this site would otherwise be acceptable in planning terms subject to: detailed design assessment; appropriate conditions and mitigation; and the appropriate use of S106 Obligations to deliver the overarching aims and objectives of the LDP.

Having regard to the above therefore a policy objection is not raised to the development of the site for housing, subject to all other policy and material development control considerations being met. However the development of this site should not prejudice the future development of the south east bypass, and if it is deemed to do so, this is the primary consideration in this case and a policy objection would be raised.

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

Countryside And Landscape Services - Requests conditions are attached to any consent in respect of the protection of breeding birds, the treatment of Himalayan Balsam and biodiversity enhancements in respect of hedgerows, bats and birds together with a Dormouse Mitigation Strategy.

Senior Engineer (Land Drainage) - Requests a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of drainage matters.

CCBC Housing Enabling Officer - Will be seeking 40% affordable housing provision comprising four x 2-bed houses to be delivered as two x 2-bed social rented houses, built to DQR standards and at a transfer price of £64,676, and two x 2-bed, 4-person, low cost home ownership at a transfer price of £64,274.

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## ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and 13 neighbouring properties have been consulted.

Response: One.

### Summary of observations:

- The affordable housing does not comply with national or local guidance - the affordable housing is provided at the entrance to the site, separate from the market housing and does not meet the size requirements in the most recent ACGs.
- the proposed development is in a Special Landscape Area,
- highway safety and traffic movement considerations and lack of detail in terms of parking provision.

## 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?

Heddlu Gwent Police have no objections to the development but advise the development would benefit from being designed and built to standards found within the Secured By Design (SBD).

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

The proposed site was formerly used as a storage and working area for plant, and materials in connection with the construction and plant hire industry. The proposed application is to erect 11 dwellings, with an area of open space as well as landscaped areas. The tree lines along the western and eastern boundaries of the site are protected under a Tree Preservation Order. The submitted proposed layout has been devised to take account of the TPO trees and development avoided in the vicinity of the trees. The proposed site is located to the north of Van Road and to the east of Caerphilly town. One of the properties to the north of the proposed site possibly contains a bat roost, as there are several records for foraging bats around these properties. The property to the east of the proposed site (Van Manor) has records for Dormice within their garden hedgerows. The proposed site is well connected to Van Manor due to the tree lines and hedgerows, so there is potential for the dormice to be using the trees, scrub, vegetation and unmanaged hedgerows around the proposed site boundary. Therefore, as the proposed site contains only small areas of habitat suitable for dormouse, in this instance a Dormouse survey will not be required.

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However, it will be presumed that Dormice are present on site and request that a Dormouse Mitigation Statement is conditioned instead. This should be undertaken by a licensed competent ecologist and should include information such as details of the proposed approach, method of vegetation removal, compensatory planting, timing of works, etc. The areas are mainly around the perimeter with a small patch on the mound of topsoil. The submitted tree report undertaken by Sylvan Ecology in 2014 identified three trees present adjacent to the site that had the potential to be used as bat roosts. These trees will not be affected by the development and are already growing along a drive with street lighting already in-situ. The report also stated that there is Himalayan Balsam on site, and a good population of Dunnocks which are an Amber Status Species occupying the same trees. Trees in the northwestern corner should be retained. Conditions may be attached to any consent to address the issues raised above and in relation to biodiversity enhancements.

Is this development Community Infrastructure Levy liable? Not at this outline stage. However, any reserved matters application if granted would be liable to pay the Community Infrastructure Levy. Caerphilly lies within the High Viability Area and as such general market housing is liable to pay £40 per square metre. In order for the development to benefit from any social housing relief, any exemptions need to be claimed strictly in line with the CIL Regulations.

## ANALYSIS

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

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

The application is for the development of a brownfield site outside of the identified settlement limit, which is clearly contrary to the provisions of Criterion A of Policy SP3. Notwithstanding this, the site is located in an area that is well served by public rights of way, by bus, and is located relatively close to Caerphilly Train Station and it therefore has the potential to be serviced by sustainable modes of transport in line with Criterion B of Policy SP3.

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In terms of the role and function of the area, the Strategy defines Caerphilly as a Principal Town within the SCC, based on its role as a primary shopping area, as a provider of services and as an area that provides significant employment opportunities for the wider area. The Principal Towns are also the areas that are targeted for new residential development given their position in the settlement hierarchy as defined by Policy SP4 Settlement Strategy. The LDP targets new residential development in Caerphilly to a number of brownfield sites distributed across the Town, the nearest of which is located on Van Road opposite the application site. To date this site has not been developed. The development of housing to serve Caerphilly would have regard to the social and economic function of the area in line with the provisions of Criterion D of Policy SP3 and provide housing in an area of acute housing pressure and in an area of significant housing need.

Policy SP3 also requires development in the SCC to protect the natural heritage from inappropriate forms of development. There is the potential for the development of this site to impact on natural heritage features, specifically trees within and adjacent to the site and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Criterion E of Policy SP3. In this respect appropriate conditions may be attached to any consent.

Whilst the application is contrary to the provisions of Criterion A, the proposal would be acceptable in terms of the remaining Criteria B to E subject to detailed consideration and appropriate mitigation.

Policy SP5 Settlement Boundaries is the key policy mechanism for achieving resource efficient settlements within the LDP. The delineation of the settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. Importantly, in the SCC it also promotes the full and effective use of urban land and concentrates development on previously used land within existing settlements. The site is brownfield however it falls outside but immediately adjacent to the settlement boundary of Caerphilly. Therefore the application is clearly contrary to Policy SP5 of the Adopted LDP.

Notwithstanding the existing delineation of the settlement boundary the application site is relatively flat and could constitute a logical extension to the existing settlement limit at this location.

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In line with national planning policy, SP6 Place Making requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. The application proposes the development of 11 dwellings in an area of acute housing pressure and in an area of considerable housing need. The proposal would increase the mix of housing available within the area to meet the needs of residents, and critically it would provide much needed affordable housing to meet local housing need.

The location of the development on the edge of Caerphilly and close to the Town Centre of Caerphilly will serve to minimise the demand for travel. The site is in a location that can be served by sustainable modes of transport, albeit that it is inevitable that some residents will still rely on the private car. Policy SP6 requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and the where appropriate through the use of Suds. It is unclear from the DAS what consideration, if any, has been given to the need to ensure that the proposed layout of the site maximises the opportunities for passive solar gain. However, these aspects of the development may be considered at the reserved matters stage.

Given the location of this site on the edge of settlement, it is suggested that a landscaping scheme which protects existing trees and natural features and which introduces new natural features into the scheme will serve to enhance the scheme and will integrate the development into the wider landscape in the long term. Notwithstanding this is an outline application with details of landscaping reserved for subsequent approval, this aspect of the development may be addressed by attaching appropriate conditions to any consent.

The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The site lies immediately to the west of Van Mansion and its essential setting, and care should be taken to ensure that the development of the site does not have an adverse impact on this important historic asset. Notwithstanding the application is supported by an indicative site layout, this is an outline application with matters in respect of appearance, landscaping, layout and scale reserved for subsequent approval.

Policy SP7 Planning Obligations recognises that new development has the potential to increase pressure on existing community facilities and as such requires the developer to enter into Planning Obligations to mitigate the effect of that development. In the context of this application, the Council will be seeking 40% affordable housing, comprising four two-bed houses. The Community Infrastructure Levy will be relevant at the reserved matters application stage and will raise money, which will fund new infrastructure necessary to support future development across the county.

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Policy SP10 Conservation of Natural Heritage recognises the natural heritage as a positive asset that enriches people's quality of life. In this context Policy SP10 indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features and satisfactory mitigation would be needed to make the development at this location acceptable in terms of Policy SP10, which may be addressed by attaching appropriate conditions to any consent.

Policy SP14 Total Housing Requirements makes provision for 10,269 dwellings for the 15-year period 2006 to 2021. This represents 1,644 (19%) residential units more than the 8,625 units required to meet the dwelling housing requirement identified for the plan period. The 19% over-allocation allows for flexibility and choice in recognition of the fact that not all sites will be developed. The Annual Monitoring Report (AMR) is the main mechanism for reviewing the relevance and success of the LDP and identifying any changes that might be necessary. The main principle of the monitoring process is to identify when the revision of the LDP should take place. The Council has prepared three reports to date, the most recent of which was considered by Council in October 2014. Notably the AMR monitors Policy SP14 against the annual building rate and therefore against the housing land supply calculated by past building rates. Using these monitoring factors the trigger points for review have not been reached. Notwithstanding this position, it is evident that new housing has not been delivered at the levels required in the first half of the plan period. Policy SP14 indicates that there is a housing requirement for 8625 new dwellings to be delivered to meet identified need over the plan period. In order to meet this need an average of 575 dwellings needs to be delivered per annum. The 3rd AMR indicated that 3287 units had been delivered (38% of the total housing requirement) up to March 2013. When the 2014 JHLAS completion figures (i.e. an additional 351 units) are factored into the calculation, completions over the plan period increase to 3638 (42%). Therefore there is a need for a further 4987 (58%) dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement for the plan period.

National indicators are also included within the AMR for housing land supply and notably these require housing land supply to be monitored based on the residual method as outlined in Technical Advice Note 1: Joint Housing Land Availability Studies (2015). TAN 1 seeks to ensure that there is a genuine 5 year land supply available, and thus categorises sites to indicate those that can be included within the 5 year land supply. Using this method of calculation the 2014 JHLAS indicated that there was only 2.5 year supply available rising to 3.5 years if all of the S106 sites were included in the land supply.

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It is acknowledged that the housing land supply figure is a material consideration in determining planning applications for housing. It is further acknowledged that 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 development plan and national planning policies (Para 6.1 TAN 1). The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period. Whilst it is acknowledged that eleven additional houses is not going to impact significantly on the land supply, it could make provision for 4 or 5 much needed affordable homes in the Caerphilly Basin.

Policy SP15 Affordable Housing Target seeks to deliver through the planning system at least 964 affordable dwellings over the plan period in order to contribute to balanced and sustainable communities. Within the SCC the plan seeks to secure 40% affordable housing to meet the identified needs in the area. Consequently there is the potential for the proposal to deliver in the region 4 to 5 dwellings. LDP 1 Affordable Housing Obligations (June 2014) provides supplementary planning guidance on the delivery of affordable housing through the planning system.

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion requires development proposals that have the potential to generate a significant number of trips (either as an origin or a destination) to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. The applicant has submitted an indicative site layout but this aspect of the development will be considered fully at the reserved matters stage.

Policy CW2 Amenity recognises that proposals for development have the potential to constrain the development of neighbouring sites for their identified use. Careful consideration therefore needs to be given to the proposed relationship of the proposed housing site with the existing employment to the south of the application site. Consideration also needs to be given to the likely impact of any potential nuisance that could arise from Caerphilly Business Park and how that might impact on the residential amenity of properties on the application site. In this respect the applicant has submitted a Noise Survey, which has been considered by the Head of Public Protection. Outline mitigation measures are proposed including facade construction, glazing, ventilation and acoustic fencing comprising a 1.2m high crib wall around the southern part of the site with the addition of a 2.3m acoustic fence over the crib, resulting in a total height of 3.4m. The mitigation measures referred to may be addressed by attaching appropriate conditions to any consent.

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Policy CW3 Design Considerations Highways and an objection have been received in respect of the same referred to above. In this respect the Transportation Engineering Manager has raised no objection to the development subject to appropriate conditions being attached to any consent as referred to above.

Policy CW4 Natural Heritage Protection specifies that proposals that affect locally designated natural heritage features will only be permitted where they conserve and where appropriate enhance the distinctive features of the Special Landscape Area. An objection has been raised regarding the development of the site within a SLA. The development of the application site would in theory erode part of the Special Landscape Area, however this is a brownfield site within the SLA on the edge of settlement and therefore its impact is anticipated to be minimal. The details and indicative layout submitted with the application have regard for existing protected trees on the site together with the provision of public open space and landscaping albeit these aspects of the development will be addressed through the submission of reserved matters.

Policy CW6 Trees, Woodland and Hedgerow Protection requires proposals to ensure that effective measures are taken to ensure the protection of existing trees on development sites. This policy is supplemented by LDP 4: Trees and Development. In this respect the applicant has submitted a Tree Survey including appropriate mitigation measures for the protection of retained trees, which may be reinforced by attaching appropriate conditions to any consent.

All new housing sites capable of accommodating 10 or more dwellings are required to make adequate provision for well-designed open space and appropriate provision for children's play facilities as an integral part of the development under the provisions of Policy CW10 Leisure and Open Space Provision. Leisure Services have indicated that the development of the site should include a Local Area of Play (LAP). This aspect of the development may be addressed by attaching an appropriate condition to any consent. The maintenance of the LAP may then be covered by funds secured by the CIL fund.

Policy CW11 Affordable Housing Provision indicates that where there is evidence of need the Council will seek to negotiate 40% affordable housing within the Caerphilly Basin. As stated above the Council will be seeking 40% Affordable Housing.

Policy TR9 Safeguards a route to the south east of Caerphilly town for the provision of a SE by pass. The precise route of the road has yet to be determined, however it is envisaged that it will link into the existing highway network. Transportation Engineering Manager has considered the proposed development and has confirmed the development will not adversely impact on the proposed SE by-pass.

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

Comments from public: See Above.

Other material considerations: A section 106 Agreement may be required where:

- (a) It is necessary to make the development acceptable in planning terms.
- (b) It is directly related to the development.

The need to address affordable housing provision arise directly as a result of the proposed development of the site for 11 houses, which exceeds the threshold of 5 houses and 0.15 hectares stated in Policy CW11, in terms of the number of dwellings and area of the site.

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

The total number is reasonable and is based on housing demand in the Caerphilly Area.

RECOMMENDATION: that (A) the application be DEFERRED to enable the completion of a Section 106 Agreement, which requires 40% affordable housing provision comprising 4 x 2 bed houses to be delivered as 2 x 2 bed person, social rented houses, built to DQR standards and at a transfer price of £64,676 and 2 x 2 bed, 4 person, low cost home ownership at a transfer price of £64,274. and (B) On completion of the Section 106 Agreement, Officers be authorised to GRANT planning permission subject to the following conditions: -

This permission is subject to the following condition(s)

- 01) 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.
- 02) Approval of the details of appearance, landscaping, layout, 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.

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- 03) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout, 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.
- 04) 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.
- 05) 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.
- 06) 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.
- 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.

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- 08) 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.
- 09) 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.
- 10) 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.
- 11) 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 Himalayan Balsam on site. The treatment of 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". Himalayan balsam (*Impatiens glandulifera*) is included within this schedule.
- 12) No development or site/vegetation clearance shall take place until a detailed Dormouse Mitigation Strategy has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.  
REASON: To ensure that dormice are protected.

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- 13) 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 hedgerows, 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).
- 14) 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 75% of the new development at Land south of Glendale, Van Road, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new 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 and Tan 5 Nature Conservation and Planning.
- 15) 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, Dunnock and Swift) in 75% of the new development at Land south of Glendale, Van Road, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new 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 and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 16) The development hereby approved shall include a Local Area of Play (LAP), details of which shall be submitted for consideration and approval in writing with the Local Planning Authority together with and as part of the reserved matters as required by condition (2) attached to this consent. The LAP shall be provided prior to the first occupation of the dwellings hereby approved.  
REASON: In the interests of amenity.

Cont'd.....



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- 17) 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.
- 18) The level of car parking throughout the residential development shall be in accordance with the Local Planning Authority's adopted supplementary planning guidance contained in LDP5 - Car Parking Guidelines.  
REASON: In the interests of highway safety.
- 19) 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 70 metres. No obstruction or planting when mature exceeding 0.6 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.
- 20) Prior to the commencement of works, details for the provision of a vehicle-turning facility, within the curtilage of the site, shall be submitted for consideration and approval in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the beneficial occupation of the development and shall be maintained free of obstruction to enable vehicles to enter and leave the site in a forward gear.  
REASON: In the interests of highway safety.
- 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) This permission does not grant any consent for or allow the felling or any other works to any trees protected by CBBC Tree Preservation Order No. 76/14.  
REASON: For the avoidance of doubt as to the scope of the permission hereby granted.

Cont'd.....

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- 23) The following activities must not be carried out under any circumstances:
- a) no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - b) no works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
  - c) no equipment, signage, fencing, tree protection barriers, materials, components, utilities, vehicles or structures shall be attached to or supported by a retained tree.
  - d) no mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
  - e) no alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
- REASON: In the interests of visual amenity.
- 24) The mitigation measures as described in Section 5 - Arboricultural Method Statement of the Arboricultural Report BS5837 - 2012, prepared by Sylvan Ecology dated 19/11/14 received by the Local Planning Authority on 17th December 2014 shall be fully complied with. Prior to commencement of work on site and amended tree protection plan shall be submitted for the written approval of the Local Planning Authority.
- REASON: In the interests of visual amenity and the protection of retained trees.
- 25) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: received 17.12.14 together with the amended site location plan received and dated stamped 9/3/15 (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.

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.

The applicant is advised of the comments of this Council's Ecologist, Wales and West Utilities, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Public Services, Heddlu Gwent Police,

