

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0296/FULL 01.06.2012	Mr W Powell Station House Bedwas Caerphilly CF83 8QZ	Erect a pair of semi-detached houses Land Adjacent To Old Station House Old Station Yard Bedwas Caerphilly CF83 8QZ

**APPLICATION TYPE:** Full Application

**SITE AND DEVELOPMENT**

Location: Land adjacent to Old Station House, Old Station Yard, Bedwas.

Site description: The application site is former railway land adjacent to Old Station House, Old Station Yard, Bedwas. The site is situated to the north east of Buffers End, to the north of Brynhyfyd and to the south of Bryn-Gwyn Street, Bedwas.

Development: Erection of a pair of semi-detached houses.

Dimensions: The overall site area is 705 square metres. Whilst the proposal is for a pair of semi-detached houses there is a slight difference between the two therefore the dimensions of each dwelling are as follows:

Western dwelling - 6.7 metres in depth at its deepest point including the bay window, by 9.35 metres in width at its widest point including the two-storey side projection, with a height of 7.3 metres high to ridge level at its highest point.

Eastern dwelling - 6.7 metres in depth at its deepest point including the bay window, by 8.35 metres in width at its widest point including the two-storey side projection, with a height of 7.3 metres high to ridge level at its highest point.

Materials: External finishes of the proposed dwellings would be smooth rendered walls, interlocking slate roof tiles, upvc windows, hardwood/upvc doors, timber and wire mesh fences and tarmac.

Ancillary development, e.g. parking: Provision of three off-street parking spaces per dwelling, plus three off-street parking spaces for the existing dwelling.

## PLANNING HISTORY

08/0678/FULL - Erect extension and alter existing dwelling to provide additional master bedroom and accommodation for applicant's elderly/disabled parents - Granted 31.07.08.

08/0035/FULL - Alter and extend existing building to provide additional accommodation for applicant and elderly/disabled parents - Refused 06.03.08.

## POLICY

### LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies: SP6 (Place Making), SP7 (Planning Obligations), CW2 (Amenity), CW3 (Design Considerations - Highways), CW15 (General Locational Constraints), TR1 (Cycle Routes), Supplementary Planning Guidance LDP6: Building Better Places to Live and Supplementary Planning Guidance LDP5: Car Parking Standards.

### NATIONAL POLICY:

Planning Policy Wales (2011).  
Technical Advice Note 12: Design (2009).

## 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? No.

## CONSULTATION

Transportation Engineering Manager - raises no objection subject to conditions regarding the widening of the lane, materials and parking provision.

Gwent Wildlife Trust - raises no objection subject to a condition regarding a linear garden feature.

Bedwas, Trethomas & Machen Community Council - raises objection on the grounds that there are existing structural issues with the retaining wall between

the site and Bryn Gwyn Street, and whilst the proposal would interfere with the skyline and block light to neighbouring properties. The proposal would contribute to the overdevelopment of the Bedwas area and would prejudice the future reopening of the railway link and cycle track.

Senior Engineer (Land Drainage) - raises no objection subject to a condition regarding surface water and land drainage.

Head Of Public Protection - raises no objection subject to conditions regarding contamination and soil importation.

Dwr Cymru - raises no objection subject to conditions regarding foul, surface water and land drainage.

### ADVERTISEMENT

Extent of advertisement: Thirty-six neighbours notified, site notice posted. A further site notice and press notice were posted relating to the departure from the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Response: Forty letters have been received.

Summary of observations: The local residents' comments are as follows:

1. The proposal would result in the loss of land for the provision of a cycle route as identified in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
2. The proposal would have a detrimental impact on the visual amenity of the properties on Bryn Gwyn Street.
3. The proposal would worsen the existing problems relating to highway safety at the junction of Brynhyfryd Terrace with Church Street.
4. Any relocation of the cycle route on to the highway to accommodate the proposed development would lead to residents and cyclists being put at risk of collisions.
5. The proposal would block the railway line from any future sustainable transport options. The old railway line presents opportunity for the development of the Sustrans footpath system. To place houses here would detract from the approach and potential ambience of any such scheme.
6. The proposed 1.8m closed board fencing would compromise the amount of natural light received by the ground floor windows of the properties on Bryn Gwyn Street. The proposed fencing would not be in keeping with the existing fencing that was erected by Sustrans.

7. Old Station Yard is a private road that requires permission to be sought from all road owners to gain access.
8. The proposed dwellings would add to the existing issues relating to parking and access onto Brynhyfryd.
9. There are currently 5 individually designed detached properties on Old Station Yard, a pair of semis is an inappropriate addition for this location.
10. The map accompanying the planning application is misleading, as it appears to show the private car park of the Church House Inn as a part of the road system at this point. This implies that this area can be used when entering/leaving Brynhyfryd Terrace.
11. Emergency services vehicles would have a very difficult task reaching this already congested space without the proposed extra housing and vehicles.
12. Now the land has been sold who will be responsible for the maintenance of the retaining wall abutting Bryn Gwyn Street?
13. Any disturbance/excavation of land during any building process on this narrow section of disused railway line could cause catastrophic problems to an already fractured retaining wall which is holding up the road in Bryn Gwyn Street. Any disturbance could undermine the stability of the houses on Bryn Gwyn Street.
14. As the land has now been sold there is no alternative but to hold CCBC responsible for any such re-occurrence of problems involving the road at Bryn Gwyn Street.
15. The development will not be in keeping with the historical aspect of the area. On the north side of the railway siding are 130-year old mining cottages and to the east a 1,000 year old Norman church. The proposed site also contains the original platforms from the Bedwas station.
16. Old Station Yard is a narrow private lane with restricted access which currently experiences problems relating to refuse collection. Allowing two further houses will have a significant adverse effect on the access enjoyed by the existing 5 houses.
17. Part of the current vehicular access is at the end of a private driveway. Access to and from Old Station Yard would be restricted should the neighbouring property choose to erect a barrier along their driveway boundary.
18. The existing access is in a poor state of repair without the increased traffic should permission be granted.
19. The proposed houses will lie directly behind the neighbouring property and will overlook its garden.
20. The design and access statement (DAS) suggests that the neighbouring boundary treatment is 2 metres tall when it measures only 1.7 metres.
21. The DAS also refers to an existing derelict building on the site that is not in situ.

22. The sewerage system at Old Station Yard was designed for the use of the existing dwellings. The system would not be able to cope with the additional properties. To connect in to the system would result in the digging up of the lane which would prevent access to three properties.
23. An application on a neighbouring site was refused, as there were no more than three houses allowed off a private drive. Has this policy changed?
24. The residents of three of the properties along Old Station Yard were not informed of the application by letter. Why were they treated differently?
25. It is requested that more time is given to local residents to respond due to the short time scale in which to object and the limited number of properties advised of the development.
26. A similar application was turned down by the Council on disused railway land and this sets a precedent.
27. There would be further environmental noise and upheaval in the area that has seen 6 separate building projects within the last 3 years.

## SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? There are no specific crime and disorder issues in this instance.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No European protected species implications but the site and the surrounding landscape still have some wildlife habitat potential.

The site lies on the line of a disused railway line that has already become fragmented from several properties nearby that have cleared parts of the railway line to create hard standings and car parking areas at intervals along the track. The additional clearing of the track in connection with this proposal is not likely to significantly change the current situation, particularly as the current application will provide amenity space/gardens over much of the track area which has the potential to provide an element of continuity for wildlife habitat over time. In addition, the railway line is very close to the open countryside at this point, with only a single row of properties to the north, and directly abuts the open countryside to the east and west of this location, giving wildlife the opportunity to use an alternative means of travel via the hedgerows and fields of the open countryside north of the railway line.

SEWBReC records indicate that bat roosts have been recorded in three properties in Garth Villas, to the west of the application site, but the open nature of the residential developments at this location and proximity to open countryside

immediately north of the street also means that the fragmentation of the railway line at this location is unlikely to have a significant impact on any foraging or commuting activities of these bats, as bats will still be able to access feeding habitat along the railway line through the gardens of the proposed properties, and there are plenty of alternative foraging routes in the vicinity.

The railway line at this location is dominated by scrub, with few opportunities for reptiles to bask, and although there are numerous places where reptiles could hide, particularly within the retaining wall at the rear of the proposed development, the dense nature of the vegetation makes the site sub-optimal for reptiles. However, as a precautionary measure it is recommended that an advisory note is placed on any approval.

There is the potential however for the site to be used for nesting birds, in the scrub and retaining wall within the application site. As a result a condition should be placed on any approval to control the timing of vegetation removal to protect nesting birds.

Council's Ecologist also requests the attachment of a condition relating to biodiversity enhancements.

## ANALYSIS

Policies: The application seeks permission to construct two semi-detached houses on land adjacent to Old Station House, Old Station Yard, Bedwas, including a section of former railway line. Although the site is not specifically allocated for residential development in the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010, it is located within the defined Settlement Boundary, and therefore the presumption is in favour of development providing material planning considerations do not constrain such development.

Policy CW2 of the Plan states that on such windfall sites within the settlement boundary, neighbouring land uses should not detract from the residential amenity of the proposed development, and the development should not result in an insensitive infilling which would spoil the character of the area. The submitted layout provided illustrates that the dwellings can be accommodated within the site, when considering the differing levels, with adequate privacy distances and separation from the existing dwellings providing a condition is attached restricting the insertion of any new windows. It is considered that the adjoining land uses would not detract from the residential amenity of the proposed properties, as existing residential development is located to the north, south, east and west of the application site. It is considered that given the size of the application site, a development comprising two semi-detached houses does not represent an overdevelopment of the site, with each property having a moderate amount of private amenity space and appropriate levels of off-street parking. Each property

also incorporates 3 off-street parking spaces as well as maintaining 3 off-street parking spaces for the existing dwelling. Furthermore, a condition will be attached to any permission restricting householder permitted development rights in relation to extensions and domestic outbuildings.

In terms of the potential impact of the development on properties adjoining the application site, the development is surrounded by residential dwellings on all sides, albeit at varying distances and levels from the site. Buffers End and Old Station House are dwellings in the immediate vicinity of the application site whilst Brynhyfryd is located at a lower level to the south. Bryn Gwyn Street is located at a higher level to the north. When considering the difference in levels between the application site and Brynhyfryd and Bryn Gwyn Street, as well as the position of Buffers End and Old Station House in relation to the proposed dwellings, it is felt that the development will not result in any overshadowing impact.

When considering the distance of the proposed dwellings in excess of 21 metres from the fronts of the properties on both Brynhyfryd and Bryn Gwyn Street, despite the difference in levels between the sites it is also felt that the proposed development would not result in an overbearing impact on adjoining properties to a degree to warrant a refusal of planning permission.

In terms of neighbouring privacy, a condition has been attached restricting the insertion of any new windows. In relation to the other surrounding properties it is considered that the development would not detract from existing levels of privacy, as the privacy distances are far in excess of the guidance.

Policy CW3 states that development should have regard for the safe, effective, and efficient use of the transportation network. The applicant proposes to access the development off the existing private drive on Old Station Yard to the southern boundary of the site. The Transportation Engineering Manager has assessed the proposal with regard to highway safety and found it to be acceptable subject to conditions regarding the widening of the lane, materials and parking provision and a S106 agreement in order to secure the Standard Planning Obligation of £5,500 per property.

Policy TR1 states that land will be safeguarded to facilitate improvements to the cycle route network. Whilst the application site forms part of the Rhymney Valley Linear Cycle Route it should be noted that the alignment of cycle route proposal TR1.13 in the vicinity of Bryn Gwyn Street, Bedwas, as shown on the LDP proposals map is an indicative one. These routes predominantly follow former railway lines as they provide a continuous, undeveloped route and as such their protection is often vital to project delivery. To date, no scheme development work has been undertaken on the proposed cycle route and the specific route alignment, including access points and specific site constraints have yet to be considered in detail. Following discussions with Sustrans and other parties, it is considered that a future cycle route at this location (to the west of Church Street)

could be implemented along Bryn Gwyn Street itself and rejoin the former railway line beyond this and other existing route blockages in the vicinity of Old Station Yard. Therefore this specific application is unlikely to prejudice the future development of the scheme and as such it would be considered an acceptable departure from the plan.

In terms of the proposed properties, it is considered that they have been well designed in terms of their scale, siting and materials, and will integrate with the surrounding area. It is not considered that they will detract from the residential amenity of neighbouring properties or the visual amenity of the area generally. Appropriate parking, access and amenity will be provided for the development, and it is considered that the proposal represents an appropriate development of the site.

Therefore the proposal is compliant with policies in the Local Development Plan, Supplementary Planning Guidance LDP5 and LDP6, Planning Policy Wales (2011) and TAN 12: Design.

Comments from consultees: No comments were received from Sustrans.

The views of the consultees can be addressed by condition. The comments of Bedwas, Trethomas and Machen Community Council have been considered above.

Comments from public: The Council's response to the local residents' comments is as follows:

1. The alignment of cycle route is considered above.
2. Firstly it should be noted that the right to a view is not a material planning consideration. Secondly, when considering the distance between the rear of the proposed dwellings and the front of the properties on Bryn Gwyn Street, as well as the significant difference in levels, there would be little or no detrimental impact on the visual amenity of the aforementioned properties to warrant refusal.
- 3 & 4. Transportation Engineering Manager has assessed the proposal with regard to highway safety and has raised no objection.
5. In respect of protection of the line for future rail transport use, Planning Policy Wales seeks to either protect former rail lines where either their reuse for transport purposes is realistic (paragraph 8.5.4) or to prevent development that would preclude their future use for transport purposes where it is a possibility (paragraph 8.6.2). The LDP has not sought to protect this line for future rail use and the recent SEWTA Rail Strategy Review did not consider this line in its



assessment of future rail links. Given this position, the protection of the line does not accord with Planning Policy Wales and, as such, would be unlikely to be successful. Therefore there is no compelling justification for protecting this line at this point.

6. The height of the proposed fencing would not have a significant impact on the light received by the properties on Bryn Gwyn Street. When considering the distance of the properties in question from the proposed fencing and the level of the properties above the highway it is felt that the proposal would have little or no impact on the light received. With regard to the character of the proposed fencing a condition has been attached requesting the submission of details to be agreed with the Council with regard to the type of boundary treatment to be erected.
7. Land ownership issues are not a material planning consideration. Nonetheless the applicant has been made aware of this issue and they have maintained their stance that all land subject of the application, including any access up to the adopted highway, is under their ownership.
8. Transportation Engineering Manager has assessed the proposal with regard to highway safety and has raised no objection.
9. The Council would disagree with the assumption that a pair of semi-detached dwellings would be inappropriate for this location. While Old Station Yard contains properties of a detached nature the site is surrounded by a mixture of terraced houses to the north and semi-detached houses to the south. As such when considering the context of the site it is felt that the proposal would be in keeping with the surrounding development.
10. The plan accompanying the planning application replicates the Council's own GIS mapping system and is a plan issued by the OS Maps. The applicant is not held responsible for errors of this regard but only for errors relating to the application site itself. The land in question does not relate to the application site, however, please note that the Council's Planning and Transportation Engineering Officers have visited the site and are aware of the extent of the road network.
11. Transportation Engineering Manager has assessed the proposal with regard to highway safety and has raised no objection.

12. The responsibility for the retaining wall goes with the ownership of the land. The Council has been informed that this obligation is clearly set out in the title to the land.
13. It should be noted that the submitted drawings indicate that the proposed dwellings would be located a considerable distance from the existing retaining wall. Despite this fact any works carried out that may impact upon the retaining structure would be governed by the Building Regulations legislation and are not a material planning consideration. It should also be noted that as owner of the land the applicant has a duty of care with regard to the retaining wall and would need to ensure that any works would maintain its structural integrity.
14. As the Council is not the owner of the land in question it would have no case to answer.
15. When considering the wider context of the site it is evident that the surrounding properties are of varying ages, detachments and styles and are finished with a mixture of stone, brick, render and timber cladding. As such the proposal would not be out of character with the historical aspect of the area. The area is obviously varied in character and house type therefore the proposed bay-fronted semi-detached houses, with a smooth rendered finish would be in keeping with the neighbouring properties such as the semi-detached houses on Brynhyfryd Terrace.
- 16 & 17. Transportation Engineering Manager has assessed the proposal with regard to highway safety and has raised no objection.
18. The state of the existing access has been taken into account but would not preclude the proposal.
19. When considering the distance of the proposed dwellings from the neighbouring properties, as well as the difference in levels, it is felt that the proposal would be compliant with the Council's design guidance relating to privacy distances. As such there would be no unacceptable impact on the privacy of the neighbouring properties.
20. Whilst there may be a discrepancy in the height stated in the submitted DAS it should be noted that this is of little relevance as the proposal would be compliant with the Council's design guidance relating to privacy distances even if the boundary treatment was non-existent.
21. The reference to a derelict building would appear to have been due to a clerical error in which the DAS submitted contained a section of another DAS. This has since been

- corrected and a new DAS submitted. Nonetheless this would have little relevance to the Council's assessment of the proposed dwellings and their impact on their surroundings.
22. It should be noted that neither Dwr Cymru/Welsh Water or the Council's Senior Engineer (Land Drainage) raised objection to the proposal subject to conditions relating to the submission of satisfactory information detailing how the site would be adequately drained.
  23. The Council no longer has a policy that restricts the number of dwellings off of a private drive to three.
  24. Council records would indicate that two out of the four properties on Old Station Yard were consulted. It is the Council's standard procedure that properties within 4 metres of the site boundary, excluding any highway, would receive neighbour consultation letters. No's 1 and 2 Old Station Yard would fall outside these parameters. Nonetheless a site notice was posted in close proximity to the access to Old Station Yard therefore it is felt that the Council met the requirements of application publicity.
  25. This application was received in April, so there has been adequate time for local residents to comment.
  26. Firstly each application is assessed on its own merits and individual set of circumstances. In this instance the LDP has not sought to protect this line for future rail use and the recent SEWTA Rail Strategy Review did not consider this line in its assessment of future rail links. Given this position, the protection of the line does not accord with Planning Policy Wales and, as such, would be unlikely to be successful. Therefore there is no compelling justification for protecting this line at this point. Please note that these comments relate solely to the possible use of the land for rail-based transport.
  27. As has been highlighted above this specific application is unlikely to prejudice the future development of the scheme and as such it would be considered an acceptable departure from the plan.
  28. It should be noted that some noise and disruption is to be expected during the construction phase of a development, however, this would not be sufficient to warrant refusal of this application.

Other material considerations: The development is considered acceptable in all other aspects.

The applicant has agreed to sign a Section 106 Agreement in respect of the Caerphilly Basin Strategic Highway Network Obligation.

A planning obligation must meet all of the following tests.

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

A Section 106 Agreement will be sought because this development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods. Following public consultation, which included house builders, the Council has adopted Supplementary Planning Guidance LDP3, Caerphilly Basin Strategic Highway Network Obligation, which requires a financial contribution, currently £5,500.00, for each new dwelling constructed within the defined Caerphilly Basin area as a reasonable means of addressing this capacity problem. The money contributed by this development will be used with other similarly collected monies to finance the necessary improvements to the strategic highway network.

(b) It is directly related to the development.

This development will add additional traffic to the strategic highway network of the Caerphilly Basin, which currently operates at capacity during peak periods, thereby aggravating existing congestion problems.

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

The unit sum - at present £5,500.00 - is reasonable when compared to the costs of construction and the value of one house. The total contribution is based on the number of dwellings, which means that the larger the development, the greater the impact on the road network, and therefore the higher contribution.

RECOMMENDATION that (A) the application is DEFERRED to allow the completion of a Section 106 Obligation requiring the payment of £5,500.00 (index linked) for each dwelling for highway improvements in the Caerphilly Basin area.

(B) Upon completion of the legal agreement permission be GRANTED in accordance with the following conditions:

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used 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.

- 03) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is beneficially occupied.  
REASON: In the interests of the visual amenities of the area.

- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.

- 05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.

- 06) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.

- 07) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water 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.

- 08) 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.

- 09) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision for nesting birds and roosting bats 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).

- 10) Prior to the commencement of work on site details of the a linear garden feature such as a native hedgerow, or line of native trees, including its species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the scheme 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).

- 11) The existing private lane access shall be widened in accordance with the approved plan and completed in permanent materials prior to beneficial occupation of the development hereby approved first commencing.

REASON In the interests of highway safety.

- 12) The development shall not be beneficially 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.

- 13) The parking provision for Old Station House shall be laid out in accordance with the submitted plans, prior to any other works commencing, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: In the interests of highway safety.

- 14) 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.
- 15) 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.
- 16) 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.
- 17) Unless otherwise agreed in writing with the Local Planning Authority, each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes (Version 3) Level 3 and achieve one credit under issue 'Ene1- Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010 or any equivalent subsequent guide updating or replacing that guidance.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 18) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work an 'Interim Certificate' carried out in relation to each dwelling by an accredited body, certifying that each dwelling shall achieve Code for Sustainable Homes (Version 3) Level 3 and one credit under 'Ene1 1 - Dwelling Emission Rate', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 19) Unless otherwise agreed in writing with the Local Planning Authority, no dwelling hereby permitted shall be occupied until a Code for Sustainable Homes (Version 3) 'Final Certificate' issued by an accredited body, certifying that the dwelling has achieved Code Level 3 and one credit under 'Ene1 1 - Dwelling Emission Rate' has been provided to and its receipt acknowledged in writing by the Local Planning Authority.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

### Advisory Note(s)

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

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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3 and SP10.

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