

**PLANNING COMMITTEE**

**11TH JUNE 2014**

**PLANNING APPLICATIONS UNDER THE  
TOWN AND COUNTRY PLANNING ACT 1990  
AND ASSOCIATED LEGISLATION**

**APPLICATION  
NUMBER  
EAST AREA**

**LOCATION**

Preface Item P/05/1091 Land adjacent to Marne Street, Cwmcarn

14/0280/FULL Land at Plynlimon Avenue, Croespenmaen

**NORTH AREA**

Preface Item 09/0614/OUT Land to the rear of Ty Fry Road, Aberbargoed, Bargoed

14/0073/LA Bargoed Woodland Park, Commerical Street, Aberbargoed

14/0167/RET 18 Bristol Terrace. Bargoed

**SOUTH AREA**

Preface Item P/05/1683 Land at Austin Grange, Bartlett Street, Caerphilly

13/0875/COU Gwern-y-Domen, Gwern-y-Domen Farm Lane, Rudry

14/0149/COU The Card Shop, Unit 5, Cwrt-Y-Castell, Caerphilly

14/0195/FULL Units 12 & 13 Gallagher Retail Park, Parc Pontypandy, Caerphilly.

## **PREFACE ITEM**

APPLICATION NO. P/05/1091

APPLICANT(S) NAME: Mr T A Roden

PROPOSAL: Erect fifteen new dwellings

LOCATION: Land Adjacent To Marne Street, Cwmcarn.

This application was reported to Planning Committee on 9 May 2007 at which a decision was deferred to allow the applicant to enter into a Section 106 Agreement following which permission would be granted. A copy of the original report is attached for information. The Agreement would have required the following:-

- The provision of a visibility splay of 9m x 160m (clear of obstruction and planting not exceeding 900mm in height) to the south at the junction of Marne Street and the A467 junction.
- Details of the proposed amendments to the existing waiting restrictions and the traffic regulation order procedure in the locality, and
- The provision of an alternative children's play area, to replace the one lost as a result of the development.

No progress has been made in respect of the completion of that Agreement and so the application is now recommended for refusal on the basis that the requirements of the Agreement would have made the development acceptable from a planning point of view.

**RECOMMENDATION:** That planning permission is refused for the following reasons:-

1. The applicant has failed to enter into an Obligation under Section 106 of the Town and Country Planning Act 1990 to ensure the provision of a visibility splay of 9m x 160m (clear of obstruction and planting not exceeding 900mm in height) to the south at the junction of Marne Street and the A467 junction. The introduction of additional residential traffic on to that junction without those improvements would be detrimental to highway safety and so the proposed development would be contrary to policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Cont....

Application No. P/05/1091 Continued

2. The applicant has failed to enter into an Obligation under Section 106 of the Town and Country Planning Act 1990 to ensure the provision of a replacement play area within this residential area which is isolated from other play facilities in the locality. The development would therefore be contrary to policy CW7 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.
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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
P/05/1091 25.07.2005	Mr T A Roden Unit 14 Crawford Street Industrial Estate Crawford Street Newport NP19 7AY	Erect fifteen new dwellings Land Adjacent To Marne Street Cwmcarn Newport

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The site is irregular in shape and sited adjoining Marne Street, which is served off Chapel Farm Road. The southern frontage of the site is to Marne Street, the western frontage has no defined boundary, whilst the northern boundary faces Priory Court. The eastern boundary is on to an accommodation lane which serves terraced properties which front Marne Street.

Site description: The site is a relatively flat area predominantly in grass with some semi- mature trees. There are some well worn desire lines which the public have used to access the surrounding area over the years. Also on the site is a children's play area, and some off-street parking and domestic garages. There are some trees on site, none of them are however, protected.

Development: Fifteen dwellings are proposed. These consist of traditionally built dwellings both semi-detached and terraced. The latter are in groups of three. The parking is either provided in the front or grouped off the hammerheads.

Dimensions: The dwellings have a footprint of approximately 42.5 sq m.

Materials: Facing brick finish with soldier course detailing, and render on the pine end of some dwellings to provide some visual interest.

Ancillary development, e.g. parking: Parking is to be provided at the front of dwellings and in groups served off the two hammerheads. In addition, eight off-street parking spaces have been indicated for general use by the public, along the southern boundary of the site. A turning head is also to be provided. The off-street parking provided would compensate for the loss of garages here, which were used by nearby residents.

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Application No. P/05/1091 Continued

## PLANNING HISTORY

P/97/0728 - Construct one bungalow, four flats and eight houses - Refused 16/10/97.

P/98/0406 - Erect pre-fabricated garage - Approved 19/06/98.

P/02/1343 - Construct pedestrian bridge for public use - Approved - 16/01/03.

## POLICY

### Site Allocation

Development Plan: The application site is outside the settlement envelope of Cwmcarn, in the Adopted Islwyn Local Plan.

Council Approved UDP: The application site is within the settlement boundary.

### Policies

Development Plan: Policy H3 of the Adopted Islwyn Local Plan refers to the need for a high standard of design.

Policy H5 refers to settlement envelopes.

Policy H6 refers to the construction of permanent dwellings in the open countryside.

Policies D1-D6 are development criteria.

### Council Approved UDP:

Policy DC1 (Standard Development Control Criteria)

Policy DC2 (Settlement Boundary)

DC4 (Supplementary Planning Guidance) DDG1

H2 (Development on Unallocated Sites):

“Proposals for housing development on windfall and small sites within settlement boundaries will be permitted provided that:

A Neighbouring landuses will not detract from the residential amenity of the development; and

B The development would not result in insensitive or inappropriate infilling which would spoil the character of an existing residential area.”

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L1 (Protection of Leisure Facilities):

“Development which results in the loss of an existing leisure facility, or land last used for leisure, will only be permitted where:

- A. A suitable alternative location is available and the facility is provided by the developer; or
- B. It can be demonstrated by the developer that the facility is surplus to requirements; or
- C. Such facilities can best be retained and enhanced through the redevelopment of a small part of the site.”

L2 (Protection of open space):

“Proposals for development on areas of open space within settlements will only be permitted where:

- A. The amount of open space remaining in the neighbourhood would still be adequate to serve local needs;
- B. The site has no significant value as a recreational resource or an area of visual amenity;
- C. Where the land is in public ownership alternative community uses should be investigated before the land is released for development.”

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

**CONSULTATION**

Dwr Cymru - No objection subject to foul and surface water drainage is discharged separately.

Environment Agency (Wales) - Has no objections because it has been shown that the site is outside the flood line but recommendations are made about minimum floor levels and the control of surface water run-off.

Wales & West Utilities - No objection has been made. A plan indicating all apparatus within the site has been enclosed. There is a transformer within the application site, and sited adjoining plots 14 and 15.

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Application No. P/05/1091 Continued

Head Of Public Protection - No objection subject to the inclusion of two conditions regarding dust mitigation, and the import of soil.

Group Manager (Transportation Planning) - Has no objections subject to conditions concerning highway details, visibility splays, driveway finishes and amendments to waiting restrictions.

Senior Engineer (Land Drainage) - No objection subject to the submission of a comprehensive drainage system showing how foul, surface water and land drainage is to be discharged in agreement with the authority in liaison with Dwr Cymru.

Parks And Open Spaces - No objection subject to the provision of a replacement playground.

Glam/Gwent Archaeological Trust - No comments received.

Gwent Wildlife Trust - As the site is close to the Ebbw River, the Trust advises that there could be otters. It was suggested that the matter be discussed with the Council's Ecologist. The advice given by the Ecologist is that a survey for otters is not necessary.

## ADVERTISEMENT

Extent of advertisement: Sixteen properties were notified and the application was advertised on site.

Response: Ten letters of objection have been received.

Summary of observations: The following are the objections/concerns as summarised.

1. Access to the by pass would be dangerous with additional cars from fifteen houses, and the additional classroom accommodation at Cwmcarn High School.
2. Due to the one way system, traffic in the area is sometimes chaotic
3. The loss of garages for some residents, who have leased the land for some years.
4. Loss of property value as a result of the loss of the garages.
5. Whereas the new properties would have two parking spaces, the existing dwellings will have only one permit per household.
6. The new play area will be out of sight, and not overlooked, and would be subject to vandalism.
7. The site is still outside the settlement envelope of Cwmcarn as indicated on the Adopted Islwyn Local Plan.

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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 reasonable can to prevent crime and disorder in its area?

The applicant will be advised to contact the Police Architectural Liaison Officer to discuss secure by design matters.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

ANALYSIS

Policies: The proposed development is outside the settlement envelope of the Adopted Islwyn Local Plan, and within the settlement boundary of the Council Approved Unitary Development Plan.

Policies of the latter plan are now relevant as this is the most up to date plan, and there is no policy objection to the development on such ground.

As the proposal includes land which was leased to the Council for a children's play area, the applicant has indicated an alternative site, at the north western boundary of the site. This is outside the settlement boundary. As an alternative site has been offered, it is in conformity to policies of the Unitary Development Plan relating to the protection of leisure facilities.

The development has been considered in the light of Policy H2 (Proposals for housing development on windfall and small sites within settlement boundaries), which states that:

“Development will be permitted provided that:

- A. Neighbourhood land-uses will not detract from the residential amenity of the development; and
- B. The development would not result in insensitive or inappropriate infilling which would spoil the character of an existing residential area.”

The development has been integrated well into the existing settlement pattern, and it is an acceptable form of development.

With regard to the play area, this is still functioning. This area was leased by Gwent County Council to Islwyn Borough Council by a lease dated May 1980. It is a yearly lease which can be terminated with either party giving six month's notice. The developer would need to provide an alternative site in keeping with policy requirement.

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He has indicated his willingness to do so and indicated a site, which adjoins the boundary of the development, but which is outside the settlement boundary. There is no strong policy objection to the siting of the play area, outside the settlement.

Comments from Consultees: Environment Agency (Wales) has now confirmed that the site is outside the extreme flood outline, and no objection is now raised to the development subject to a recommendation of a condition relating to floor level. The comments of other consultees can be addressed by condition.

Comments from public: The objections made above are noted. With reference to the site being outside the settlement boundary, it is noted that the site is within the settlement boundary in the Unitary Development Plan, and there is no policy objection to the development. With reference to the traffic problems and the likely danger of the junction with the by pass, this has now been addressed, and the applicant has offered junction improvements to overcome the reservations of the highway division, which was expressed at the outset of the application, and the subject of a previous refusal. The Group Manager (Transportation Planning) has accepted the improvements offered, and raises no objection to the current application upon that basis.

With reference to the loss of the play area. The children's play area is subject to a lease as noted above. The applicant has indicated a site adjacent to the new development, which will be fairly well overlooked by the new dwellings. The provision of the play area would need to be the subject of a legal agreement, for which there is no objection.

The application site also includes an area of land which was previously leased for garages, and used by nearby residents for off street parking. The current application provides eight spaces to replace those spaces lost as a result of the development. Other matters relating to the lack of off street parking for the existing residents is noted, and is not untypical of many valley areas. In any event this was upon private land.

Other material considerations: The application has been considered in the light of Policy H2 as a development on an unallocated site within the settlement boundary. This is a windfall site capable of providing a small development, and the application is for semi-detached and linked properties for which there is a demand throughout the Borough. The siting of the play area adjoining the new development, would integrate it to the proposed and existing community, via footpath links, and although this is not the ideal site for its location, there is no planning objection. The principle of the development is acceptable, and the improvements to the highway, provision of off street parking provision and the provision of an alternative play area would benefit the community to mitigate highway concerns and loss of the various benefits as a result of the development.

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RECOMMENDATION that (A) this application be DEFERRED to enable the applicant to enter into a legal agreement to carry out the following:

1. The provision of a visibility splay of 9m x 160m (clear of obstruction and planting not exceeding 900mm in height) to the south at the junction of Marne Street and the A467 junction.
2. Details of the proposed amendments to the existing waiting restrictions and the traffic regulation order procedure.
3. The provision of an alternative children's play area, lost as a result of the development.

(B) Upon satisfactory completion of that Agreement, Permission be GRANTED subject to the following conditions:

- 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 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 is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 03) Prior to the commencement of the development, details of finished floor levels indicating a minimum floor level of 77.230m AOD shall be submitted for approval. The development shall be carried out in accordance with the agreed details.  
REASON: To ensure that there is no flood risk to the development.
- 04) Notwithstanding the submitted plans, no works shall commence whatsoever until full engineering details of the road layout with sections, street-lighting, and surface-water drainage etc. have been submitted and approved by the Local Planning Authority.  
REASON: In the interest of highway safety.

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

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

REASON: In the interests of visual amenity.

- 06) Notwithstanding the submitted plans details of bin enclosure does not extend to palisade fencing. The details of which shall be forwarded to and approved in writing with the Local Planning Authority prior to any work on site, and the agreed details shall be carried out in full, prior to the occupation of any dwelling.  
REASON: In the interest of visual amenity.
- 07) 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 before the dwellings are occupied. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenities of the area.

Advisory Note(s)

The following policy(ies) of the Adopted Islwyn Local Plan is relevant to the conditions of this permission: Policy D1.

Please find attached the comments of Group Manager (Transportation Planning) that are brought to the applicant's attention.

The following policy(ies) of the Council Approved Unitary Development Plan is relevant to the conditions of this permission: policy DC1.

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**DEFERRED FOR SECTION 106 AND 2 extra conditions:**

Before any soil or hardcore are brought onto the site, a scheme for its 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 interest of public health.

No development shall take place until a scheme detailing measures to be taken to suppress dust arising from the operations has been submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented at all times.

REASON: To protect the amenities of the locality.



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Atgynhychwyd o fapiaid yr Arolwg Ordrians gyda chaniatâd rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae atgynhychu heb awdurdod yn torri hawffraint y Goron. Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirol Caerffili, 100025372, 2014.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0280/FULL 01.05.2014	Mr M Derrick 13 St Davids Avenue Blackwood NP12 0PD	Erect residential development Land At Plynlimon Avenue Croespenmaen Newport

**APPLICATION TYPE:** Full Application

**SITE AND DEVELOPMENT**

Location: The application site is located at the northern extent of Plynlimon Avenue, Croespenmaen.

Site description: Vacant land within the Settlement Boundary.

Development: Erection of 4 No. x 2 bedroom semi-detached properties.

Dimensions: Each property is identical and measures 6.5 metres in width, 8.2 metres in depth, with a height of 8.6 metres to ridge level at road level, and 11.0 metres to ridge level from rear garden level. This is due to the sloping topography of the site.

Materials: Face brickwork and clay roof tiles, with uPVC windows.

Ancillary development, e.g. parking: Parking provision for two cars per dwelling, and rear balconies off ground floor level measuring 2.5 metres in depth, x 5.0 metres in width.

**PLANNING HISTORY**

13/0556/FULL - Erect residential development - Granted 05.09.13.

**POLICY**

**LOCAL DEVELOPMENT PLAN**

Site Allocation: The site is located within the Settlement Boundary.

Policies: CW2 (Amenity), CW3 (Design Considerations - Highways), SP5 (Settlement Boundaries), CW11 (Affordable Housing), and Supplementary Planning Guidance LDP6 (Building Better Places to Live).

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Application No. 14/0280/FULL Continued

NATIONAL POLICY: Planning Policy Wales, TAN 12 (Design) and TAN 22 (Planning and Sustainable Buildings).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within an area where The Coal Authority does not require a coal mining risk assessment.

## CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - Provides advice to the developer.

## ADVERTISEMENT

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

Response: None.

Summary of observations: Not applicable.

### 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.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: This is a full application for the erection of four semi-detached houses within the Settlement Boundary of Croespenmaen. The application site benefits from planning permission for the erection of 2 No. x 4 bedroomed detached properties as part of planning permission 13/0556/FULL, which granted permission for 4 No. x 4 bedroomed properties. The proposed development does not impact on the implementation of the further 2 No. x 4 bedroomed properties on the land immediately adjacent to the east, approved under planning permission 13/0556/FULL.

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 in terms of the compatibility of the residential use with surrounding land uses, highway safety, and impact on the amenity of surrounding properties.

In terms of the compatibility of the use with surrounding land uses, it is noted that the site is located within the Settlement Boundary and bounded to the west, south and east by existing residential developments, and to the north by the main road connecting Croespenmaen to Crumlin. Therefore it is considered that in policy terms, the residential development of the site is consistent with Policy SP5 of the LDP.

Policy CW2 sets out criteria relating to amenity. In this respect it is considered that the proposed development is compatible with the surrounding residential land uses and does not result in the over-development of the site. The proposed blocks of semi-detached properties are comparable in terms of their footprint to the previously approved detached properties, i.e. the proposed blocks measure 13 metres in width compared to the previously approved dwellings that measure 11.5 metres in width. Similarly the proposed dwellings measure 8.2 metres in depth compared to the previously approved dwellings that measure 8.0 metres in depth. The proposed dwellings also have a slightly lower ridge level than the previously approved dwellings, i.e. 8.6 metres as proposed compared to 8.8 metres as previously approved. In light of these dimensions, it is considered that the proposed dwellings will have a similar impact in the street scene as the previously approved scheme.

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The scheme has been designed with the plots equally spaced across the site, and set slightly below existing road level to lessen the impact on the three-storey town houses opposite. Given the sloping topography of the site, i.e. the site falls away to the north towards the road, the applicant proposes to create split level dwellings with a garden store at basement level, and balcony off the ground floor area to increase the usable amenity space for future occupiers. The rear gardens will be accessed via steps to the side of the proposed dwellings. It is considered that the dwellings have been best designed to take advantage of the topography of the site, whilst not having an unacceptable impact on neighbouring properties.

In terms of the impact of the proposed dwellings on the privacy of existing neighbouring properties, the nearest property to Plot 6 (which is sited at the western extent of the site), is the property known as Caer Ynys Isha, which is located to the north on the main road between Croespenmaen and Crumlin. The nearest ground floor window of Plot 6 is located 26 metres from Caer Ynys Isha, and the nearest part of the proposed balcony over 24 metres from this property. These privacy distances are considered acceptable in terms of neighbouring amenity. The nearest property to the west is over 25 metres away. Furthermore, a condition will be attached to the permission requiring privacy screens for the proposed balconies to protect the privacy of future residents. The proposed materials are also considered acceptable and in keeping with the surrounding area as well as the dwellings approved under planning permission 13/0556/FULL.

In terms of highway safety, Policy CW3 of the Local Development Plan is relevant. The Transportation Engineering Manager has raised no objection to the development subject to the imposition of conditions.

Policy CW11 of the Local Development Plan relates to affordable housing planning obligations, and states that an element of affordable housing provision will be required where sites can accommodate five or more dwellings, or exceeds 0.15 ha in gross site area. Whilst the application site is less than 0.15 ha (measuring 0.08 hectares), and less than five dwellings are proposed, the gross development area will create 6 dwellings in total, i.e. including the two dwellings approved by planning permission 13/0556/FULL, and therefore the proposal triggers this policy. The applicant has submitted a viability test in accordance with the Three Dragons Toolkit that illustrates that given the development costs, acquisition cost, and probable/estimated sales values, it is not financially viable in this instance to provide affordable housing onsite. Therefore affordable housing will not be a requirement of the planning permission.

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Application No. 14/0280/FULL Continued

As the application site is located within the Settlement Boundary, is surrounded by existing residential development, has been appropriately designed so as not to over-develop the site and respect the amenity of neighbouring properties, and no objection has been raised by statutory consultees, it is considered that the proposed development is acceptable subject to conditions.

Comments from consultees: Transportation Engineering Manager raises no objection subject to conditions.

Senior Engineer (Land Drainage) provides advice to the developer.

Head of Public Protection raises no objection subject to condition.

Comments from public: None at the time of report. Site Notice expires 30th August 2013, Neighbour consultation period expires 26th August 2013.

Other material considerations: This application is being reported to Planning Committee as one of the applicant's works for the Authority.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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.
- 03) 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 amenity of the area.

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Application No. 14/0280/FULL Continued

- 04) 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.
- 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 amenity.
- 06) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure shall be erected or planted within the curtilage of the dwelling forward of the front wall of the dwelling hereby permitted or between the dwelling and any adjacent highway, driveway, footpath or car parking space other than those indicated in the approved plans without the approval of the Local Planning Authority.  
REASON: To retain the open character of the development in the interests of visual amenity.
- 07) 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 - 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.

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Application No. 14/0280/FULL Continued

- 08) 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 - 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.
- 09) 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 occupation of the approved dwellings.  
REASON: In the interests of the visual amenities of the area.
- 10) 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.
- 11) Prior to their first use the proposed parking areas shall be completed in materials as agreed in writing with the Local Planning Authority, to ensure loose stones or mud etc. are not carried onto the public highway.  
REASON: In the interests of highway safety.
- 12) The buildings shall not be occupied until the areas for the parking of vehicles have been laid out in accordance with the submitted plans to the written satisfaction of the Local Planning Authority and those areas shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.
- 13) The vehicular driveways shall have a maximum gradient of 1 in 8.  
REASON: In the interests of highway safety.

Cont....

Application No. 14/0280/FULL Continued

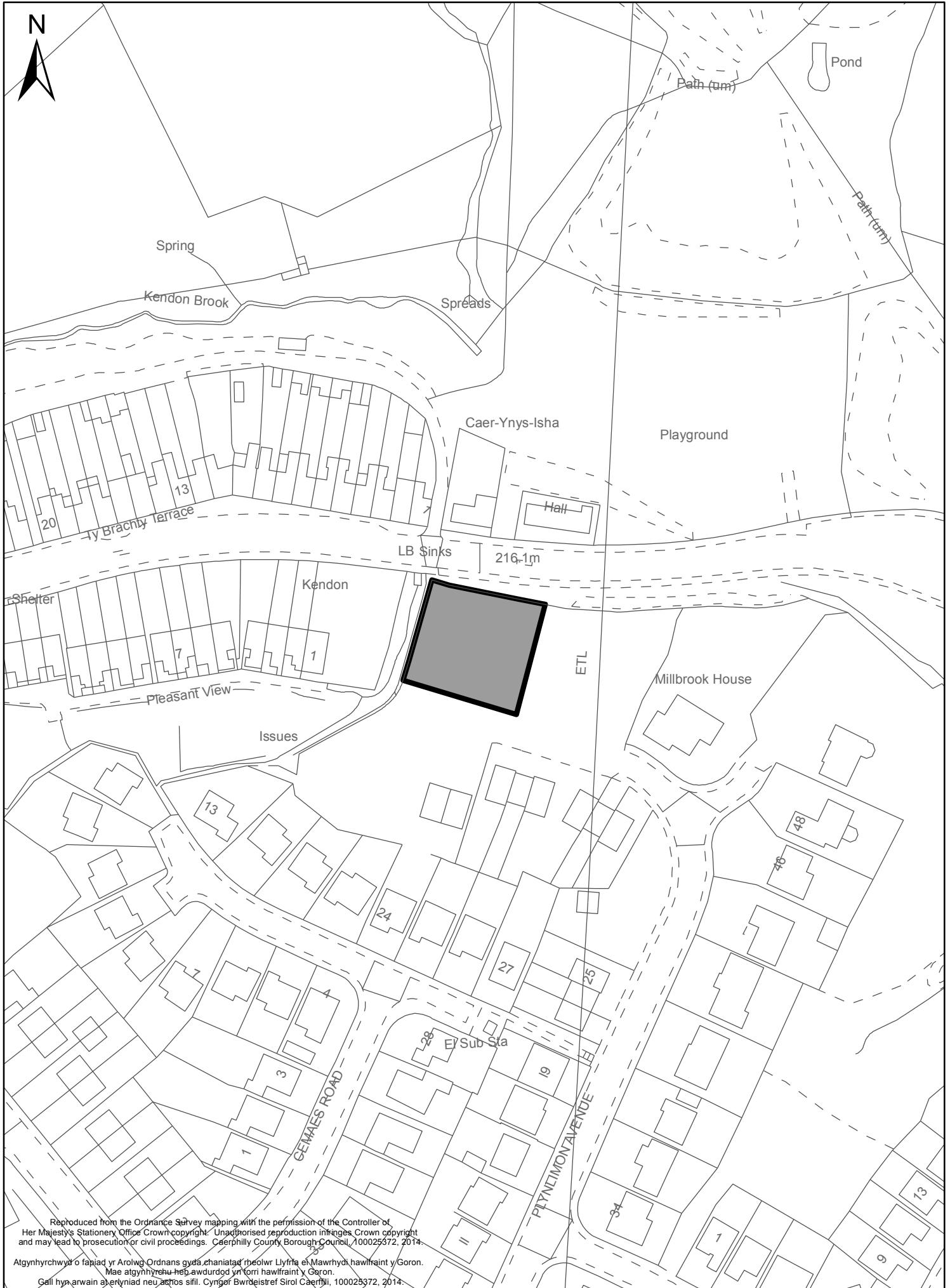
- 14) No obstruction or planting when mature, exceeding 0.6 metres in height shall be placed or allowed to grow within the required pedestrian vision splay areas of 2.4 metres x 3.3 metres when measured at the centreline of any parking bay or driveway where it emerges onto the footway.  
REASON: In the interests of highway safety.
  
- 15) Prior to the commencement of works on site, details of proposed privacy screens for the approved rear balconies shall be submitted to the Local Planning Authority for their written approval. The approved privacy screen shall be installed prior to the occupation of any of the approved dwellings and shall remain in place at all times thereafter.  
REASON: In the interests of residential amenity.
  
- 16) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of the retaining wall along the northern and north-western boundary of the site, full engineering details and structural calculations for the proposed retaining structure together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining structure additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.  
REASON: In the interests of highway safety.

Advisory Note(s)

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

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: Policy CW2 and CW3.

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Atgynhychwyd o fapiau yr Arolwg Ordnans gyda zhaniatad rheolwr Llyfrfa ei Mawrhydi hawlfraint y Goron. Mae atgynhyrebu heb awdurdod yr Torri hawlfraint y Goron. Gall hyn arwain at erlyniad neu achros sifil. Cyngor Bwrdeistref Sirol Caerphilly, 100025372, 2014.



## **PREFACE ITEM**

APPLICATION NO.                    09/0614/OUT

APPLICANT(S) NAME:            Mr D Evans

PROPOSAL:                            Erect residential development

LOCATION:                             Land To Rear Of Ty Fry Road Aberbargoed Bargoed

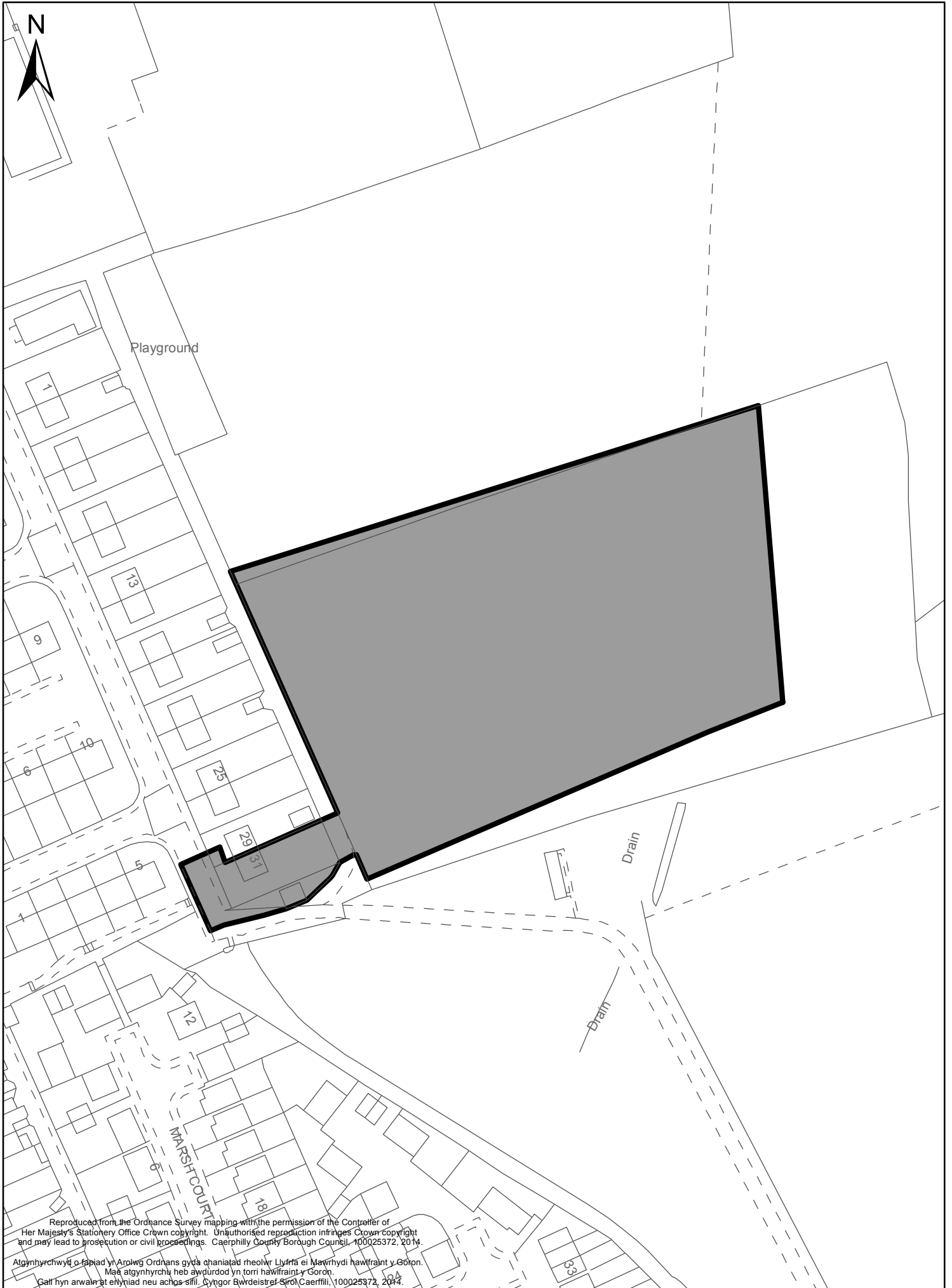
This outline planning application was determined under delegated powers. The Chief Planning Officer's recommendation made on the 4th November 2011 was that the application be deferred to enable the completion of a Section 106 Agreement under the Town and Country Planning Act to provide £35,700 education contribution, based upon 15 dwellings x 0.34 primary school pupils x £7000 per place; and also to transfer a 10 metre wide strip of land along the eastern boundary of the site (as identified on drawing no.1561.02C) to this Local Planning Authority, in order to form a buffer zone to protect the existing SSSI, which will then be managed as a whole including the buffer zone by the Local Planning Authority. (B) Following the completion of the Agreement, Officers be authorised to grant planning permission subject to conditions.

On completion of the Section 106 Agreement, Officers are delegated to approve the application subject to conditions.

Members should be advised that the completion of the Section 106 Agreement has not been achieved. This Council's Legal Officer and Principal Valuer confirm that following the receipt of correspondence from the developer's solicitor, indicating that they had not received further instructions from their client (the developer), they have closed their files in respect of this development.

**RECOMMENDATION:** In the circumstances, it is considered appropriate that the application should be refused for the following reason:-

In the absence of the completion of a Section 106 Agreement, to provide £35,700 education contribution, and also to transfer to the Local Planning Authority a 10 metre wide strip of land along the eastern boundary of the site (as identified on drawing no.1561.02C) in order to form a buffer zone to protect the existing SSSI, which will then be managed as a whole including the buffer zone by the Local Planning Authority, the proposal would be contrary to Policies SP6, SP7, SP10 and CW2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.



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Atgynhychwyd o fapiaid yn Arrolwg Ordhnans gyda ghaniatod rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae atgynhychu heb awdurdod yn torri hawffraint y Goron.  
Gall hyn arwain at eiddiadau neu achos sifil. Cyngor Bwrdeistref Sirol Caerffili, 100025372, 2014.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0073/LA 31.01.2014	Caerphilly County Borough Council Director Of The Environment Pontllanfraith House Blackwood Road Pontllanfraith Blackwood NP12 2YW	Erect a pedestrian and cycle bridge Bargoed Woodland Park Commercial Street Aberbargoed Bargoed

**APPLICATION TYPE:** Local Authority Application

### SITE AND DEVELOPMENT

Location: Parc Coedtir Bargod/Bargoed Country Park, Bargoed. The park also lies within the Rhymney River Site of Importance for Nature Conservation (SINC).

Site description: Parc Coedtir is located in the Mid Rhymney Valley. The country park covers a land area of 74.6 hectares and is surrounded by the communities of Aberbargoed, Bargoed, Britannia and Gilfach. The park has been formed by the reclamation of land associated with the former Bargoed and Britannia Collieries including the spoil tips.

Development: Full planning permission is sought for the erection of a pedestrian and cycle bridge to improve access for all within the country park. The proposed bridge will connect with a pre-established bridge within the country park and will allow members of the public to by-pass the stairs that currently affords access onto the higher pathway. The proposed footbridge includes a handrail and anti-slip strips ensuring that all users are able to use the bridge safely. The bridge seamlessly links with the existing network of footpaths and cycle ways throughout the country park.

The foundations of the bridge will be placed into the bank at strategic locations and are designed in such a way to have minimal impact upon visual amenity and will keep disturbances of the soil to a minimum.

Dimensions: The bridge has a length of some 100m. The floor of the footbridge will measure 2.1m wide with 1.4m high parapet posts along its length. The bridge will be anchored to the ground by steelwork supports, which will form a ramp to support the bridge.

Cont....

Application No. 14/0073/LA Continued

Materials: The main bridge structure is of a hot dip-galvanised steel construction (which means that it will not suffer the consequences of vandalism or material degradation as would occur with the use of timber) with the inclusion of 2100mm x 90mm buff coloured anti-slip strips across the face of the timber decked area of the bridge.

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

## PLANNING HISTORY

5/5/88/0568 - Reclaim land with mineral recovery to provide landform for highway, recreational, housing, employment, educational use - Granted 26.05.89.

5/5/94/0276 - Vary condition (G) of planning consent 5/5/88/0568 - 10.08.94.

P/03/0437 - Construct approx. 3.6 km of new highway with associated junctions and structures, a new retail development plateau and bus station as part of Bargoed Town Centre - Granted 12.06.03.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: Outside of any settlement boundary but within the River Rhydney Site of Interest for Nature Conservation as identified by Policy NH3.1.

#### Policies:

##### Strategic Policies

SP1 - Development strategy - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP10 - Conservation of Natural Heritage, SP11 - Countryside Recreation, SP12 - Development of the Valleys Regional Park, SP18 - Protection of Strategic Leisure Network, SP19 - Transport Infrastructure Improvement.

##### Countywide Policies

CW1 - Sustainable Transport, Accessibility and Social Inclusion, CW2 - Amenity, CW3 - Design considerations Highways, LE3 - Protection of Country Parks, TR1 - cycle routes.

Cont....

Application No. 14/0073/LA Continued

## NATIONAL POLICY

Planning Policy Wales, 6th Edition February 2014, TAN12 - Design, TAN 15 - Development and Flood Risk.

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

## COAL MINING LEGACY

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

## CONSULTATION

Countryside And Landscape Services - In terms of ecology, conditions are requested to ensure the protection of birds, otters, and bat roost provision as a biodiversity enhancement.

Senior Arboricultural Officer (Trees) - Recommends normal protection measures for trees be in place, and that the Root Protection Areas (RPA) of all retained trees in the vicinity of the project be suitably considered. In addition there may be a requirement for ground protection measures where required or appropriate. Conditions may be attached to any consent in this respect.

It is advised that the project manager liaise directly with this Council's Arboriculturalist at the earliest opportunity in advance of the project works commencing, with a view to meeting on site so as to confirm the precise extent of any protection measures where needed, and to clarify the correct procedures for working within, or adjacent to any RPAs of retained trees, as well as any access facilitation pruning/removal works - should they be required.

Principal Valuer - No comment.

Natural Resources Wales - The application site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Rhydney, a designated main river.

Cont....

Application No. 14/0073/LA Continued

Given the scale of the proposed development (and in the absence of a flood consequence assessment) we consider the risk could be acceptable subject to the developer being made aware of the potential flood risks, and advised to install flood-proofing measures as part of the development.

They provide advice to be conveyed to the developer.

Transportation Engineering Manager - No objection.

Head Of Public Protection - No adverse comments subject to a condition being attached to any consent in relation to any contamination of the site.

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.

## ADVERTISEMENT

Extent of advertisement: The application has been advertised on site.

Response: None.

Summary of observations: Not applicable.

## SECTION 17 CRIME AND DISORDER ACT

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

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

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

The South East Wales Biodiversity Records Centre (SEWBRc) search indicates that evidence of otters, bats and breeding birds was found within close proximity to the planning application area. However, there are no breeding holts within the planning application area for otters and low potential for bat roosts. There is, however, the potential for breeding birds within the application area due to the trees and brambles.

Cont....

The development provides the opportunity for biodiversity enhancements and in this respect it is considered appropriate to attach conditions to any consent requiring bat roost and breeding bird provision.

## ANALYSIS

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

The proposed development meets the criteria of the specific LDP policies referred to above. It adds to the promotion of the north of the County Borough as a tourist destination and contributes towards addressing issues of deprivation through improving sustainable access to recreational facilities, as identified by policy SP1 and the sustainable transport network as highlighted in policy SP19 and CW1. The bridge will contribute to the 'place making' of Parc Coedtir, Bargoed as highlighted by Policy SP6 as the bridge has been designed specifically to a high standard that reinforces the attractive quality of the distinctive country park and ensures community safety, whilst incorporating elements of the site's industrial past by constructing the bridge from galvanised steel with an incorporated wooden deck.

The proposal contributes to the development of the Valleys Regional Park by improving the footpath and cycleway network, therefore ensuring access for all through Parc Coedtir, Bargoed by the installation of a pedestrian and cycle bridge, meeting policies SP12, LE3.3 and TR1.3. This Council's Transportation Engineering Manager has raised no objection to the development.

The proposed footbridge has been designed specifically for this location and will respect and integrate within the landscape of the area. The materials proposed reflect both the site's former industrial use and the country park, particularly within the immediate vicinity. The raised nature of the footbridge providing a platform to extend the accessible pathway is a direct result of the topography of the site. It is considered that the scale, massing and layout of the development is appropriate in this location.

The proposed development is occurring within the identified River Rhymney Site of Interest for Nature Conservation (SINC), which is an important biodiversity resource covering significant areas of priority habitats and species. Development will normally be permitted where it would not cause unacceptable harm to the particular features of the SINC. Where harm is unavoidable it should be minimised by effective mitigation measures to ensure there is no reduction in the overall nature conservation value of the area or feature.

Cont....

Where this is not possible, compensation measures designed to conserve, enhance and manage locally distinctive natural habitats and species should be provided. The South East Wales Biodiversity Records Centre (SEWBRc) search indicates that evidence of otters, bats and breeding birds was found within close proximity to the planning application area. However, there are no breeding holts within the planning application area for otters and low potential for bat roosts. There is, however, the potential for breeding birds within the application area due to the trees and bramble. Therefore, it is considered appropriate to attach conditions to any consent preventing any demolition or site/vegetation clearance associated with the development during the breeding season for birds, from March to August and preventing work outside of daylight hours in order to minimise disturbance to otters. The development provides the opportunity for biodiversity enhancements and in this respect it is considered appropriate to attach conditions to any consent requiring bat roost and breeding bird provision.

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: None.

Other material considerations: Notwithstanding the development is proposed entirely within Flood Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004), Natural Resources Wales advise that, given the scale of the development (and in the absence of a flood consequence assessment) they consider the risk could be acceptable subject to the developer being made aware of potential flood risks, and advised to install flood-proofing measures as part of the development. They recommend consideration be given to the incorporation of flood resistance /resilience measures in the design and construction of the development and provide advice to be conveyed to the developer in respect of the same. However, it is noted that the advice provided is directed towards buildings rather than a bridge. It will, nevertheless, be passed to the applicant.

In conclusion, it is considered the proposed pedestrian and cycle bridge at this location will significantly improve access for all within the country park and the wider transport network associated with the path and is in accordance with local planning policies referred to above. As such it is considered the proposed development is acceptable in planning terms.

Cont....



RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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.
- 03) 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.
- 04) 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.
- 05) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
  - a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.

Cont....

b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

REASON: In the interests of visual amenity.

- 06) 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.

- 07) Works associated with the development hereby approved, in, adjacent to or impacting on the river, shall be carried out during daylight hours only, and operations shall cease one hour before sunset and not commence until one hour after sunrise.

REASON: To minimise disturbance to otters moving along the river at night.

- 08) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roots and a means of access for bats shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first used.

REASON: To provide additional rooting 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).

- 09) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species in the bridge shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new bridge hereby approved is first used.

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).

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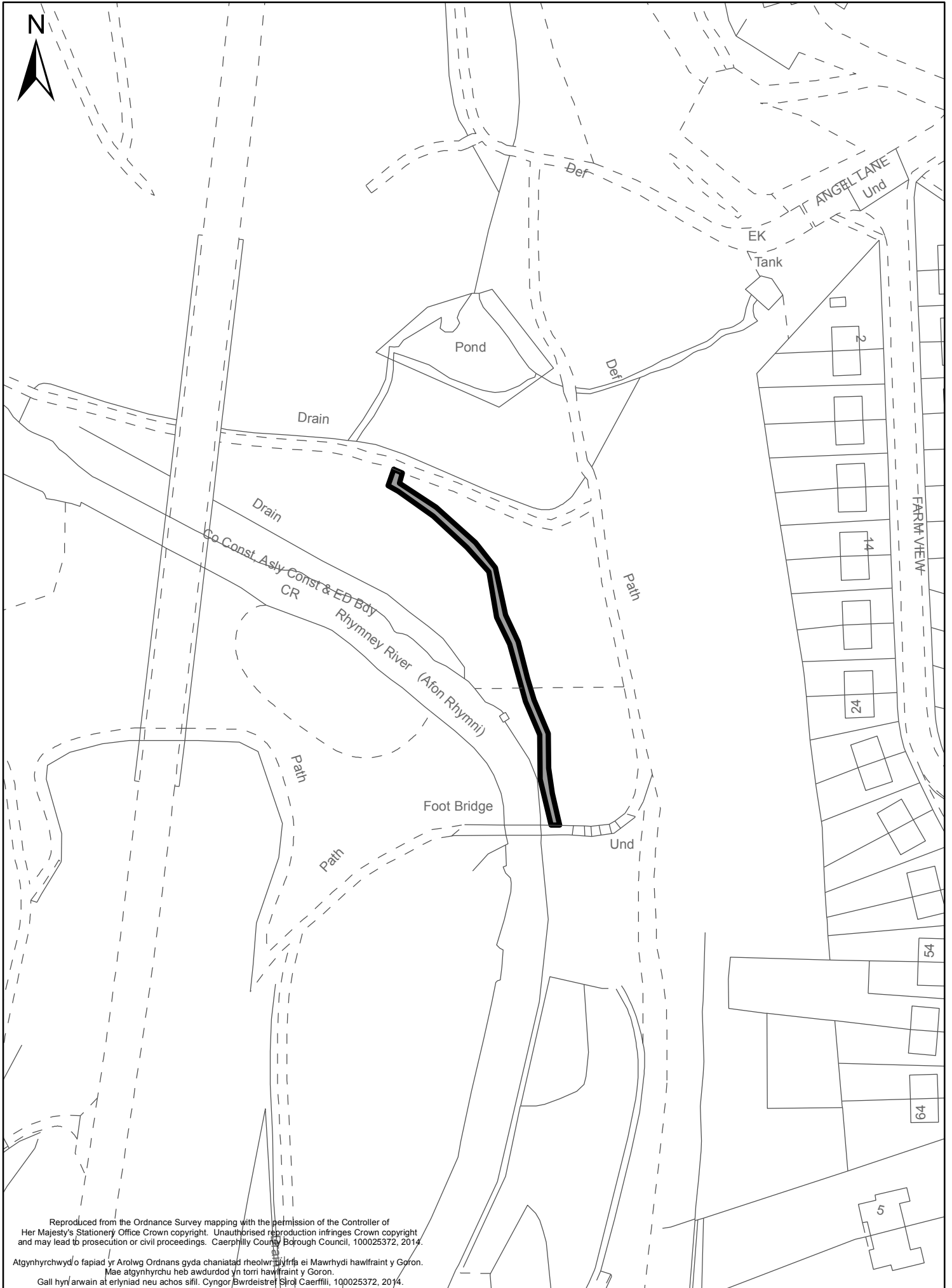
Application No. 14/0073/LA Continued

Advisory Note(s)

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

The applicant is advised of the comments of Natural Resources Wales, Senior Arboricultural Officer (Trees), Senior Engineer (Land Drainage) and Council's Ecologist.

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## **PREFACE ITEM**

APPLICATION NO. P/05/1683

APPLICANT(S) NAME: Mr I Griffiths

PROPOSAL: Erect residential development

LOCATION: Land At Austin Grange, Bartlett Street, Caerphilly

This matter relates to a long-standing outline application which was reported to Committee on 3<sup>rd</sup> October, 2007.

At that time Committee resolved to approve the application subject to the completion of a Section 106 Agreement. The terms of this Agreement related to the payment of contributions towards leisure provision in accordance with policies contained in the former Approved Unitary Development Plan and also the provision of 25% of the dwellings to be provided as affordable homes.

A copy of the original report is attached as an Appendix.

Since that time the matter has remained unresolved. The applicant and the Authority have failed to reach agreement on the completion of the Section 106 provision.

To bring matters to a head recent discussions have been undertaken between the parties in an attempt to resolve the impasse.

In both the Unitary Development Plan and its successor, the Local Development Plan, the Austin Grange site formed part of a larger site, which included an adjoining factory named Econ Engineering. Both plans identified this larger site as suitable for housing purposes. The combined area being approximately one and a half hectares. Of this area Austin Grange comprised 0.9 hectares (approx.) with Econ making up the remaining 0.6 hectares.

In 2011 the Council granted planning consent for the re-development of the former Econ site for a relatively high density residential scheme comprising 29 units (the LDP identified both parts of the advertised site as suitable for 62 dwelling units).

These were a mixture of houses, flats and a block to accommodate families on a short-term basis. The applicant was a Housing Association, as such all the properties fell within the definition of affordable homes.

This consent was not the subject of a Section 106 Agreement as it provided 100% affordable properties and it allowed for on-site amenity space. The Leisure Services Officer did not request an off-site contribution in respect to that proposal. The Econ site was therefore granted a conditional consent.

Cont....

The applicant/owner of the Austin Grange site subsequently wished to re-activate his stalled proposal. He considered, however, that the terms of the Section 106 Agreement he was required to complete, were not consistent with the decisions on the adjoining Econ site, which together formed the identified housing site in the Local Development Plan.

In the circumstances he was not prepared to complete the Section 106 Agreement on the basis contained in the original report.

In considering his position it is evident that in regard to the affordable housing requirement, the provision of 29 affordable units on the Econ site amounts to approximately 47% of affordable properties being provided on the larger housing site of 62 properties identified in the Local Development Plan. This complies with the current requirement of 40% of affordable properties required under the Local Development Plan and also exceeds the 25% required under the Unitary Development Plan specified in the Section 106 requirement.

It is considered therefore that this element can be removed from the Agreement, as affordable house numbers are achieved.

With regard to the leisure contribution it was acceptable in the consideration of the Econ application that for the number of units on the site the play space provision showed on the layout plan was adequate and no further contribution was required.

The Austin Grange site whilst being slightly larger than that at Econ will provide for a development of a similar scale. In the interests of fairness it is considered that the same standards should be applied to this area of the identified housing site.

Therefore the matter of leisure provision should be addressed in this instance by on-site space, to be identified in the Reserved Matters application, when it is submitted.

For Members information, the strategic highway contribution presently asked for in respect to new houses in the southern half of the County Borough was not considered to be applicable in either the Econ or Austin Grange applications. Both were submitted prior to the adoption of the Local Development Plan. As they formed part of a site identified for residential purposes under the Unitary Development Plan such a contribution was not required on identified sites under the terms of that former plan. Neither were therefore considered eligible for such a contribution.

**RECOMMENDATION:** In the exceptional circumstances relating to this application for outline consent for residential development at Austin Grange, it is considered that approval should be granted on the basis of the conditions contained in the report annexed to this Preface Item.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
P/05/1683 19.12.2005	Mr I Griffiths C/o Harmers Ltd 39 Lambourne Crescent Cardiff Business Park Llanishen Cardiff	Erect residential development Land At Austin Grange Bartlett Street Caerphilly

**APPLICATION TYPE:** Outline Application

**SITE AND DEVELOPMENT**

Location: The application site comprises of a residential curtilage and industrial curtilage both within settlement of Caerphilly adjacent to the park and ride route to the west of Caerphilly railway station.

Site description: Site is mostly level land, with some existing buildings including the dwelling, Austin Grange, and some parts are wooded. The southern boundary is adjacent to a park and ride access road, northern boundary is adjacent to allotments and industrial units, western boundary adjacent to industrial units and residential properties.

Development: Outline planning permission is sought for residential development of the land in outline with all matters reserved except access. It is proposed that the access will connect the site to the park and ride access road between the parking area and the roundabout. A bat and badger survey has been submitted. A noise assessment has also been submitted.

Dimensions: Site is 0.96 hectare. The proposed access is 60 metres from the roundabout.

Materials: Not applicable.

Ancillary development: None.

**PLANNING HISTORY**

No previous planning history.

**POLICY**

**Site Allocation**

Cont'd...

Application Number P/05/1683 Continued

Development Plan: Adopted Caerphilly Basin Local Plan, the site is within the settlement boundary.

Council Approved UDP: The land is part of a site identified for housing and it includes an additional small strip of land along the boundary of the identified housing site.

### Policies

Development Plan: Adopted Caerphilly Basin Local Plan Policy H4 (Infill residential development).

Council Approved UDP: H1 (Sites for residential development) (Site No. 26), H3 (Affordable Housing), L9 (Open play space provision), L10 (Outdoor sport provision), DC1 (General development criteria).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No the proposal is for the residential development on land most of which is already in residential use, it is not in an environmentally sensitive area and it is within the existing settlement. There will not be a significant impact on the environment.

## CONSULTATION

Dwr Cymru - It is stated that surface water will not be allowed to drain to the public sewer.

Environment Agency (Wales) - The Agency points out the need to agree details of surface water drainage that should include a regulation system and gives general drainage advice.

Wales & West Utilities - Advice is given regarding the presence of its services in the locality.

Western Power Distribution - Advice is given regarding the presence of its services within the site.

Cont'd...



Application Number P/05/1683 Continued

Head Of Public Protection - It is recommended that a condition be imposed to investigate any contamination of the site and any necessary remediation. A further condition should require imported soil to be tested and free from contamination. In accordance with noise assessment the details submitted at reserved matters should take into account the need for any necessary noise attenuation by means of sound barriers, building orientation, double glazing or other such measures.

Group Manager (Transportation Planning) - No objection subject to conditions requiring visibility splays at the site entrance, restriction to a single access from the park and ride road, the provision of access through to the remaining land allocated for housing to west and a highway completion condition.

Senior Engineer (Land Drainage) - Comprehensive details of surface water, land and foul drainage should be submitted and approved prior to any development. It is further explained that a watercourse passes through the site; it has been culverted and is likely to require upsizing. Where surface water drainage is to the local land drainage infrastructure it will be restricted to flow rates of 10 litres/second/hectare. Other advice regarding drainage issues is also given.

Director Of Education & Leisure - A contribution towards the provision of play equipment in the vicinity will be accepted in lieu of on-site provision.

CCBC Housing Enabling Officer - There is an identified shortfall of 82 affordable dwellings in the Caerphilly Basin/Aber Valley area, it is therefore recommended that if the number of dwellings exceeds 35 there should be a 25% provision of affordable housing (social rented and low cost ownership).

Caerphilly Town Council - No objection is raised.

## ADVERTISEMENT

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

Response: Five letters of objection have been received.

Summary of observations:

1. The development could give rise to a loss of privacy to nearby dwellings.
2. The lane leading to the current dwelling is not suitable to serve increased traffic flows.

Cont'd...

3. A watercourse on site has been culverted and may be causing flooding problems upstream and in nearby properties.
4. Large trees currently on site overhang nearby properties and should be removed.
5. The nearby residential area is described as quiet and it is suggested that the proposed development will unacceptably change the character of the area.
6. Properties will be devalued.
7. Squirrels, toads, frogs and many species of birds in a nearby garden will be affected. It is suggested that this is already happening as a result of the construction of the park and ride route.
8. The development will not be 'an asset to the town of Caerphilly', by virtue of increased traffic, lack of green space, incapacity in the health and education systems
9. More housing development will follow causing current dwellings to be 'in the middle of a huge housing development.'
10. The combination of the park and ride route plus the proposed development will create unacceptable noise levels and the illumination will also disturb nearby residents.
11. Traffic including builder's vehicles should not be allowed to enter the site via Bartlett Street.

#### 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 reasonable can to prevent crime and disorder in its area?

It is considered that the proposed development will not affect crime and disorder in the area.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? - No.

### ANALYSIS

Policies: This application site takes up approximately three-quarters of new residential site identified in the Council Approved Unitary Development Plan (H1-26, 1.26 hectare). A small strip is added to the identified site along the southeast border. The strip lies between the identified site and the park and ride access road. It is approximately 10 metres wide and 170 metres long. The access road to the site will pass through the middle of it leaving two remaining parts of the strip on either side. The remaining parts would be isolated and not practical for other use. It is therefore logical that this additional land be included as part of the residential site as it would serve no other useful purpose if left redundant.

Cont'd...

The application site is currently part residential and part industrial use, it is thus a brown field site. The remainder of the identified new residential site is still occupied by industrial users. The principle of residential use is established in the approved plan that has been through all the statutory stages apart from adoption. The critical issues are thus how the site may be developed with regard to other policy relevant to new residential development and relevant design guidance.

Policy DC1 explains that development should not prejudice the implementation of a wider scheme of redevelopment. The proposed access to the site is to be via the recently completed park and ride route. This application relates to only a portion of the identified new residential site, the remainder of the site would have to be accessed through the current application site. It is therefore essential that the layout of any development at reserved matters should not prejudice the development of the remainder of the identified site at a later date. A condition should be required to ensure that the layout allows for access and does not block off the remainder of the site.

Policy H3 seeks the provision of affordable housing where the number of units exceeds 35 and there is a need. The Chief Housing Officer explains that there is an identified shortfall of 82 affordable dwellings in the Caerphilly Basin/Aber Valley area and recommends the provision of 25% affordable housing (social rented and low cost ownership). The application site is 0.96 hectare. It is part of a larger identified residential site that is 1.26 hectare in size and includes a small extra strip of land along the boundary of approximately 0.18 hectare. The application site including the extra strip therefore represents two thirds of the whole area that may be developed in subsequent applications. Therefore of the threshold of the 35 dwellings that may be applied to the whole site with regard to Policy H3, two-thirds may be apportioned to the application site, i.e. where the number of dwellings exceeds 23 within the application part of the site an element of affordable housing should be sought. This contribution will ensure compliance with Policy H3 and may be secured by a Section 106 Agreement.

Policy L9 requires the provision of well designed open space and appropriate children's play facilities where a development exceeds 25 dwellings. Alternatively, a contribution of a commuted sum will be sought for provision off-site. It is explained that approximately 6% of the site should be sought at medium density. Play areas should not include amenity areas or grass verges that cannot be used for sports. Again if the threshold for the compliance with L9 were applied to the whole of the application part of it would have an apportioned threshold of 17 dwellings. Thus it is considered that where the number of dwellings exceeds 17 a contribution of £100.00 per dwelling should be sought for the provision of off-site play equipment. This contribution will part comply with Policy L9 and may be secured by a 106 Agreement. Policy L9 also requires the provision of public open space; this will be provided within the site, without the provision of any play equipment as this is to be provided off-site.

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Policy L10 states that development of large housing sites will be required to ensure that there is sufficient outdoor sport provision to meet the needs of the proposed development for developments of 40-199 houses an appropriate contribution should be made towards the creation of or improvement of existing sport provision in the catchment area of the site. Again the threshold for compliance with L10 should be apportion so that if more than 27 dwellings are proposed a contribution of £500 per dwelling will be sought towards outdoor sport provision.

Design Guide No. 1 explains how sites should be developed. This is an outline application without any geographical or other constraints that require resolution at this stage to demonstrate that it can be developed. There is adequate scope for it to be developed in a range of layouts and types of dwelling in accordance with design guidance at reserved matters.

Comments from Consultees: Dwr Cymru states that surface water will not be allowed to drain to the public sewer. The Environment Agency points out the need to agree details of surface water drainage, which should include a regulation system. Senior Engineer (Land Drainage) explains that comprehensive details of surface water, land and foul drainage should be submitted approved prior to any development. It is further explained that a watercourse passes through the site; it has been culverted and is likely to require upsizing. Where surface water drainage is to be discharged to the local land drainage infrastructure it should be restricted to flow rates of 10 litres/second/hectare. To comply with these requirement a conditions should be imposed requiring the submission of details of drainage.

Wales & West Utilities and Western Power Distribution have given advice regarding the presence of their services, which should be passed on to the applicant.

Head of Public Protection recommends that a condition be imposed to investigate any contamination of the site and any necessary remediation. A condition should require any imported soil to be tested free from contamination. A noise assessment of the neighbouring industrial land, the road and railway, should also be carried out to determine whether any protection is required at reserved matters.

Group Manager (Transportation Planning) raises no objection subject to conditions requiring visibility splays at the site entrance, restriction to a single access from the park and ride road, the provision of access through to the remaining land allocated for housing to west and a highway completion condition.

Strategic Planning and Urban Renewal Manager also points out that the land is part of a larger site allocated for residential development.

Cont'd...

## Application Number P/05/1683 Continued

Manager (Countryside and Landscape Services) explains that a written landscape statement is required together with full details of landscaping taking into account existing trees and hedgerows. With regard to the bat and badger survey that has been submitted with the application, there was no evidence of bats in any of the buildings or badger sets on the land. Advice is given regarding any protected wildlife and should be passed on the applicant.

Director of Education & Leisure requires a contribution towards the provision of play equipment in lieu of on-site provision and a contribution towards outside sport provision. Both contributions are to be based on the numbers of dwellings at Reserved Matters.

Comments from public: The letters received raise concerns regarding the impact of the residential development upon the residential character of the existing dwellings. The concerns raised suggest that the residential use of the land will lead to an unacceptable loss of residential amenity by virtue of noise and other disturbance. The use most compatible with residential use is itself residential use, the suggestion that proposed development is inherently detrimental to residential amenity has no planning basis.

It is suggested that the land provides a wildlife refuge; however as previously explained the site is an identified housing site within the settlement boundary, it is not identified for any use other than residential, and is not a site of interest to nature conservation. It is also implied that the land should not be developed and it should be retained as green space. It is not considered that the objections raise any issue of principle that challenges the Unitary Development Plan land use allocation, therefore it should remain within the identified housing allocation of the plan.

Some of the objections received raise specific design issues that can not be properly addressed at outline, for example whether or not any individual dwelling will overlook or unacceptably reduce the privacy of any other dwelling. Similarly which trees should or should not be removed should be the subject of landscaping consideration at reserved matters. None of the trees within the site are protected. These issues cannot therefore be addressed at this outline stage.

The objections to the proposed residential development on the basis that it will cause the current dwellings to be 'in the middle of a huge housing development' or that it will devalue existing properties, seek to protect third party interests and are therefore not valid planning considerations. The development should be judged upon its merit with regard to policy and guidance.

Cont'd...

The objection to access from the rear lane is not correct as vehicular access is to be from the park and ride road. The objection to the drainage issues and in particular the culvert have been addressed by the Senior Engineer (Land Drainage). The suggestion the certain trees be removed to improve the amenity of some neighbours is not relevant to the proposal.

Other material considerations: None.

RECOMMENDATION (A) this application be DEFERRED to enable the applicant to enter into a legal agreement that will require:

1. Apportioned compliance with Policy L9: Were the number of dwellings at reserved matters exceeds 17 the payment of £1000.00 per dwelling towards the provision or improvement of off-site play equipment in the locality (The figure of £1000.00 to be reviewed annually from the date of this consent until the time the contribution is paid).
2. Apportioned compliance with Policy L10: Were the number of dwellings at Reserved Matters exceeds 27 the payment of £500.00 per dwelling towards the provision or improvement of off-site outdoor sport provision in the locality (The figure of £500.00 to be reviewed annually from the date of this consent until the time the contribution is paid).
3. Apportioned compliance with Policy H3: Were the number of dwellings at reserved matters exceeds 23, 25% of the dwellings shall be affordable homes (social rented and low cost ownership).

(B) Upon completion of the Section 106 Agreement permission be GRANTED in accordance with the following conditions:

- 01) Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced.  
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 siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping 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.

Cont'd...

Application Number P/05/1683 Continued

- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Prior to the commencement of the development hereby approved details of land, foul and surface water drainage together with any necessary test results to demonstrate the viability of the system proposed shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be completed in accordance with the agreed details prior to the occupation of any dwelling approved at reserved matters.  
REASON: To ensure adequate drainage of the development.
- 06) Prior to the commencement of the development hereby approved and where there is to be the importation of soil, fill or similar materials, a scheme for testing it for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out and completed in accordance with the agreed scheme.  
REASON: To ensure that contaminated materials are not imported.
- 07) Prior to the commencement of the development hereby approved a ground investigation shall be carried out to determine the presence or otherwise of any contamination the results of which shall be submitted to and agreed in writing with the Local Planning Authority, and where contamination is present to an extent that requires remediation a scheme of remediation together with a risk assessment shall also be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed in accordance with the agreed scheme.  
REASON: To adequately remediate any contamination that may be present on site.

Cont'd...

Application Number P/05/1683 Continued

- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 09) The details submitted at reserved matters shall take into account the need for noise attenuation by means of sound barriers, building orientation, double glazing or other such measures. The development shall be carried out and completed in accordance with the agreed scheme.  
REASON: To ensure that any necessary measures to protect the residential amenity of the occupants is agreed and implemented.
- 10) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. Thereafter the scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of visual amenity.
- 11) The development hereby approved shall be served by a single means of vehicular access onto the park and ride road as shown in Jubb Consulting Engineers drawing No SK002 revision A received on 3rd February 2006, and there shall be no other vehicular access to or from the site unless otherwise agreed in writing with the Local Planning Authority.  
REASON: In the interest of highway safety.
- 12) Prior to the commencement of construction of any dwelling on site the access required above shall be set out with a visibility splay of not less than 6 metres by 70 metres to the west for vehicles leaving the site and thereafter no obstruction or planting when mature exceeding 0.6 metres in height shall be placed within the required visibility splay.  
REASON: In the interest of highway safety.

Cont'd...



Application Number P/05/1683 Continued

- 13) The reserved matters required above shall include provision for highway access through to the remainder of the housing site allocated within the Council Approved Unitary Development Plan to the west of the application site.  
REASON: In the interest of highway safety and not to prejudice the implementation of the development of adjacent land for its allocated purpose.
- 14) The reserved matters required above shall include the provision of appropriately landscaped public open space (excluding any childrens' play facilities) comprising of not less than 6% of the area of the application site.  
REASON: In the interest of the amenity of the residential occupants.

Advisory Note(s)

Please find attached the comments of Dwr Cymru, Environment Agency (Wales), Wales & West Utilities, Western Power Distribution, Head Of Public Protection, Group Manager (Transportation Planning) and Senior Engineer that are brought to the applicant's attention.

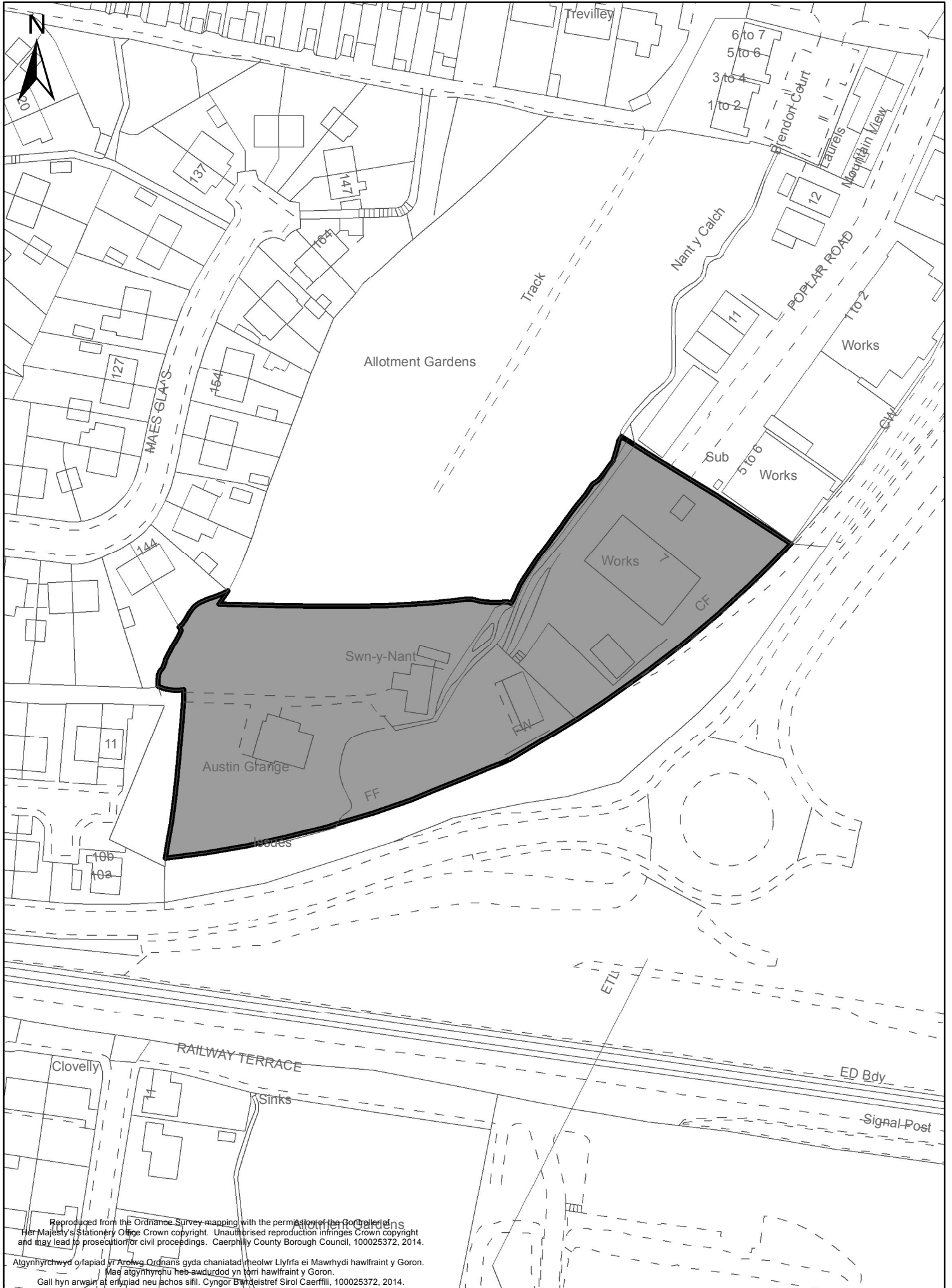
The following policy(ies) of the Council Approved Unitary Development Plan are relevant to the conditions of this permission: H1, H3, L9, L10 and DC1.

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DEFER FOR S.106

EXTRA CONDITION/REASON

- 15) **Prior to the development hereby approved commencing, a scheme for dust mitigation during the construction phase must be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall then be adhered to by the developer during construction of the site.**  
**REASON: In the interests of residential amenity.**



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Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirol Caerphilly, 100025372, 2014.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0875/COU 24.12.2013	Trustees Of Greenhaf Family And Davina & Gary Greenhaf C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Convert barn into dwelling Gwern-y-Domen Gwern-y-Domen Farm Lane Rudry Caerphilly CF83 3DG

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: The site is an area of land on the northern side of Gwern-y-Domen House, and includes a disused old stone barn (to be converted to a dwelling) and a derelict barn of more modern construction. Gwern-y-Domen House (former farmhouse), is separated from the proposal by the access track which runs through the middle of the group of buildings. The site is located approximately 500 metres to the east of Caerphilly and 1 km to the west of the village of Rudry.

Site description: The site is irregular in shape, has a moderate gradient from south down to north and is bounded by a metre high dry-stone wall to the west and by a mix of post and wire fence and indigenous hedgerow along the north boundary. There is mixture of trees within the site: ash, sycamore, elder and Norway spruce. The site is generally unkempt in appearance with vegetation growing over both barn buildings.

Development: Proposed conversion of a redundant stone barn to a residential dwelling.

Dimensions: The site is approximately 65m in length and a maximum width of 26m. The barn to be converted measures 37m in length and 5.8m in width and has a height to the ridge of 4.7m.

Materials: The walls of the barn are natural stone, and will need to be re-pointed in places. The doors and windows have brickwork quoins. The existing roof is of slate, but is damaged in places, and the proposed roof material would be natural slate. The windows, doors and screens would be constructed of timber and high performance double glazing.

Ancillary development, e.g. parking: None.

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Application No. 13/0875/COU Continued

## PLANNING HISTORY

5/5/96/0047 - Convert existing cattle barn to three bedroom house - Granted 19.03.96.

P/01/0340 - Construct morning room and wine cellar extensions and construct detached double garage - Granted 18.05.01.

P/01/0832 - Change the use of barns to swimming pool complex - Granted 26.10.01.

06/0715/FULL - Erect stables - Granted 12.01.07.

## POLICY

### LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is outside the settlement boundary.

Policies: Policies SP3 (Development Strategy - SCC), CW2 (Amenity), CW3 (Design Considerations - Highways), CW15 (General Locational Constraints), CW20 - locational constraints - Conversion, extension and replacement of buildings in the countryside, and NH1.5 (South Caerphilly - Special Landscape Area).

### NATIONAL POLICY:

Planning Policy Wales (2014); 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? This site falls within Category 2, which means that the application falls within the coalfield and inside a mining legacy area, but no report is required.

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## CONSULTATION

Transportation Engineering Manager - No objection subject to conditions and makes comments of which the applicant should be advised.

Head Of Public Protection - No adverse comments.

Senior Engineer (Land Drainage) - No objection subject to conditions and makes comments of which the applicant should be advised.

Dwr Cymru - No objection subject to conditions and makes comments of which the applicant should be advised.

Countryside And Landscape Services - No objection in respect of landscape matters subject to conditions and makes comments of which the applicant should be advised.

Senior Arboricultural Officer (Trees) - No objection subject to a condition requiring the submission of a Tree Protection Method Statement and makes comments of which the applicant should be advised.

Mr G J Morgan - No adverse comments.

Glam/Gwent Archaeological Trust - No objection subject to a condition requiring archaeological mitigation, and makes comments of which the applicant should be advised.

Natural Resources Wales - No objection subject to conditions and makes comments of which the applicant should be advised.

## ADVERTISEMENT

Extent of advertisement: One neighbour was notified by letter and a site notice was displayed in the highway near the site entrance.

Response: None.

Summary of observations: Not applicable.

Cont....

SECTION 17 CRIME AND DISORDER ACT

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

None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes.

European protected species have been identified by a survey.

The Local Authority must apply the following three tests to the planning application:-

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative.
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:-

- (i) In order to satisfy Test 1, the proposal will ensure that an unoccupied building is retained and used for a beneficial use.
- (ii) In order to satisfy Test 2, alternative options have to be considered: as a minimum Option 1 is to do nothing and Option 2 is to convert a redundant building, to a habitable dwelling. With regard to Option 1 the agricultural building currently comprises a redundant building. Some of the building has fallen into disrepair and has begun to deteriorate, particularly the small sub-standard annexe/outbuilding, although the main building not structurally unsound. With regard to Option 2, the demolition of the small annexe/outbuilding, and the conversion and refurbishment of the barn, would ensure that the building remains in beneficial use, whilst still retaining opportunities for bats in the roof space.

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- (iii) In order to satisfy Test 3: A small number of Brown long-eared and Common pipistrelle bats were found to be using the barn during emergence surveys carried out by a competent ecologist with proven experience in bat surveying at an appropriate time of year. The survey report concludes that the barn is an occasional roost for a small number of bats. The proposed barn conversion will therefore result in the destruction/modification of bat roosts of two species, however, adequate mitigation recommendations have been put forward in the Method Statement (licence application format) and amended drawings, and the applicant has confirmed that these will be implemented. Plans have also been submitted that show the provision of alternative roost sites within the converted barn - a dedicated loft space for Brown long-eared bats at one end of the roof space of the converted barn and access points for Common pipistrelle bats into the fascias/soffits. An amended drawing has also been submitted to show the removal of solar Photo-Voltaic panels from the roof above the Brown long-eared bat roost to ensure that optimal levels of sunlight reach the roof and warm the roost beneath. A lighting plan has been conditioned to ensure that the bat roost entry points for both species, but particularly Brown long-eared bats, and flight paths away from the roost are not adversely affected by external and security lighting. The favourable conservation status of the species is therefore unlikely to be affected by this development, as the mitigation measures will maintain and enhance the roosting opportunities for Brown long-eared and Common pipistrelle bats at this location.

Following WAG guidance, TAN 5 (para. 6.2.1) and in partial fulfilment of a requirement under S25 (1) of the Wildlife and Countryside Act 1981 (as amended) the following condition should be attached as an informative (II037):-

Where any species listed under Schedules 2, 4 or 5 of The Conservation of Habitats and Species Regulations 2010 is present on the site (or other identified part) in respect of which this permission is hereby granted and a Natural Resources Wales European Protected Species Licence is required, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof with the accompanying method statement has been produced to the Local Planning Authority.

Cont....

REASON: To ensure that plant and animal species which come within the terms of The Conservation of Habitats and Species Regulations 2010 are effectively protected and that a copy of the Natural Resources Wales Development Licence is submitted to the Local Planning Authority.

In addition, in order to ensure adequate protection and mitigation for protected species is maintained and proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity, the following conditions should also be attached:-

The development hereby approved shall be carried out fully in accordance with the recommendations made in Sections 9.3 to 9.11 inclusive of the Bat Survey report dated November 2013 and the Amended Method Statement dated March 2014 prepared by Richard Watkins. The development shall be undertaken fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure adequate protection and mitigation for protected species.

Before the commencement of works on site, details of bat surveys by a competent bat ecologist to monitor the new bat roosts within the development hereby approved for a minimum of 2 years post-completion of the development shall be submitted to and agreed in writing by the Local Planning Authority. The monitoring shall be carried out fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The results of the monitoring surveys shall be submitted to the Local Planning Authority annually together with any recommendations of the ecologist for amendments to the approved scheme arising from the survey results.

REASON: To provide information on the success of the bat roost mitigation, in the interests of biodiversity.

Prior to the commencement of the development, details of external and security lighting associated with the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out, as agreed and no other external lighting shall be installed without the prior written approval of the Local Planning Authority.

REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.

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## ANALYSIS

Policies: This application seeks permission for a barn conversion to a single dwelling at Gwern-y-Domen Farm, Rudry. The application details include a well annotated set of plans, a Bat Survey Report, a Structural Survey Report, and a Design and Access Statement. The Design and Access Statement includes reference to the former use of these buildings, and indicates that the barns became redundant to the agricultural use in 2006.

The building to be converted is a traditional agricultural single-storey stone barn, and comprises two adjoining stone buildings of similar proportions, but with differing fenestration. There are remains of a second building within the site, which was a 'Dutch' barn of more modern construction (concrete block and steel girder), and would be demolished allowing that part of the site to be used as a parking and turning area, with the erection of a small building to be used as a cycle store and bin store.

In the determination of this application, consideration has to be given to the policies quoted above. The site is situated in the open countryside and the development has been considered in accordance with Policy SP3- development located within the Southern Connections Corridor, Policy CW15 - General locational constraints and Policy CW20 - locational constraints - conversion, extension and replacement of buildings in the countryside.

Farm buildings that remain in their original form are characterised by their simple robust appearance reflecting the functional requirements of the building. With few openings, these buildings provide a basic solidity that is accentuated by the predominant use of stone and slate roofing. (This building has been re-roofed at some point with slate, because a building of this age would usually have a stone tiled roof.) The uncluttered and simple appearance provides a distinctive style and form. This can be quite an important consideration as many buildings not only afford fine views but also occupy visibly prominent locations. However, as has been mentioned, in this case the site is secluded and views in and out of the site are restricted by the mature trees along the western and northern perimeters.

Policy CW15 in the Adopted LDP recognises that buildings in the countryside can become derelict and the careful conversion and rehabilitation for a new use can be the key to their conservation. When assessing planning applications for the re-use of rural buildings, the Council will ensure that the nature and extent of the new use proposed is acceptable in planning terms. Policy CW20 makes specific reference to the conversion of buildings and dwellings outside settlement boundaries.

Cont....

## Application No. 13/0875/COU Continued

The policy lists a set of criteria whereby such development will be permitted. Supplementary planning guidance contained within Design Guide LDP10 - 'Buildings in the Countryside' states that it is essential that proposals for conversion do not result in the domestication or urbanisation of the countryside setting. Proposals should respect the character and design of the original building, and maintain its agricultural appearance. In this respect, it is acknowledged that the building already has a domestic appearance in part due to its history as an old coaching house.

The starting point for any barn conversion scheme must be the potential offered by the building. The structural survey that has been provided demonstrates that the existing building is primarily structurally sound. However, the lean-to extensions were of sub-standard construction to be beneficial to a residential use, but their replacement with extensions of a similar character would not harm the visual amenity of the area, or significantly undermine the purpose of the policy. There would be no infringements of privacy as a result of the conversion. There is ample curtilage for parking and amenity space. It is therefore considered that the barn is suitable for conversion.

The consent to be granted should be subject to conditions removing permitted development rights to ensure that the barns are not altered at a later stage, which would be in conflict with the policy which seeks to retain their character, or any outbuildings subsequently added that may result in an urbanisation of the site and detract from the visual or residential amenity in the area.

The Ecologist commented that a loft space of adequate proportions is required to suit the roosting habits of the brown long-eared bat, and amended plans have since been submitted that acknowledge the necessary roof space. Also, there is a need to keep the roof plane clear of any solar panels that could have an impact upon the internal temperature of that roof space.

Additionally, the Transportation Engineering Manager requires passing bays on the length of adopted highway between Rudry Road and Gwern-y-Domen Farm. An amended site plan submitted by the applicant reflects this requirement.

Comments from Consultees: These are included in the analysis above.

Comments from public: None.

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

Cont....

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:

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.

Cont....

Application No. 13/0875/COU Continued

- 02) No site works shall be undertaken until the implementation of an appropriate programme of building, recording and analysis has been agreed with the Local Planning Authority, to be carried out by a specialist acceptable to the Local Planning Authority and in accordance with an agreed written brief and specification. Thereafter the conversion will be undertaken in accordance with this agreed programme.  
REASON: As the building is of architectural and cultural significance the specified records are required to mitigate impact.
- 03) Where any species listed under Schedules 2, 4 or 5 of The Conservation of Habitats and Species Regulations 2010 is present on the site (or other identified part) in respect of which this permission is hereby granted and a Natural Resources Wales European Protected Species Licence is required, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof with the accompanying Method Statement has been produced to the Local Planning Authority.  
REASON: To ensure that plant and animal species which come within the terms of The Conservation of Habitats and Species Regulations 2010 are effectively protected and that a copy of the Natural Resources Wales Development Licence is submitted to the Local Planning Authority.
- 04) The development hereby approved shall be carried out fully in accordance with the recommendations made in Sections 9.3 to 9.11 inclusive of the Bat Survey Report dated November 2013, the amended Method Statement dated March 2014 prepared by Richard Watkins and drawing number 2124/PA/08B. The development shall be undertaken fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure adequate protection and mitigation for protected species.

Cont....

Application No. 13/0875/COU Continued

- 05) Before the commencement of works on site, details of bat surveys by a competent bat ecologist to monitor the new bat roosts within the development hereby approved for a minimum of 2 years post-completion of the development shall be submitted to and agreed in writing by the Local Planning Authority. The monitoring shall be carried out fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The results of the monitoring surveys shall be submitted to the Local Planning Authority annually together with any recommendations of the ecologist for amendments to the approved scheme arising from the survey results.  
REASON: To provide information on the success of the bat roost mitigation, in the interests of biodiversity.
- 06) Prior to the commencement of the development, details of external and security lighting associated with the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out, as agreed and no other external lighting shall be installed without the prior written approval of the Local Planning Authority.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 07) 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 dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 08) 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.
- 09) 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 to the dwelling consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of visual amenity.

Cont....

Application No. 13/0875/COU Continued

- 10) 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 visual amenity.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected or planted without the approval of the Local Planning Authority other than those indicated on the approved plans.  
REASON: To retain the open character of the development in the interests of visual amenity.
- 12) 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.
- 13) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: 2124-PA-01, 2124-PA-02, 2124-PA-03, 2124-PA-04, 2124-PA-05, 2124-PA-06, 2124-PA-10, 2124-PA-11, 2124-PA-07A, 2124-PA-08B, 2124-PA-09A and amended Method Statement 06.05.14 (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)

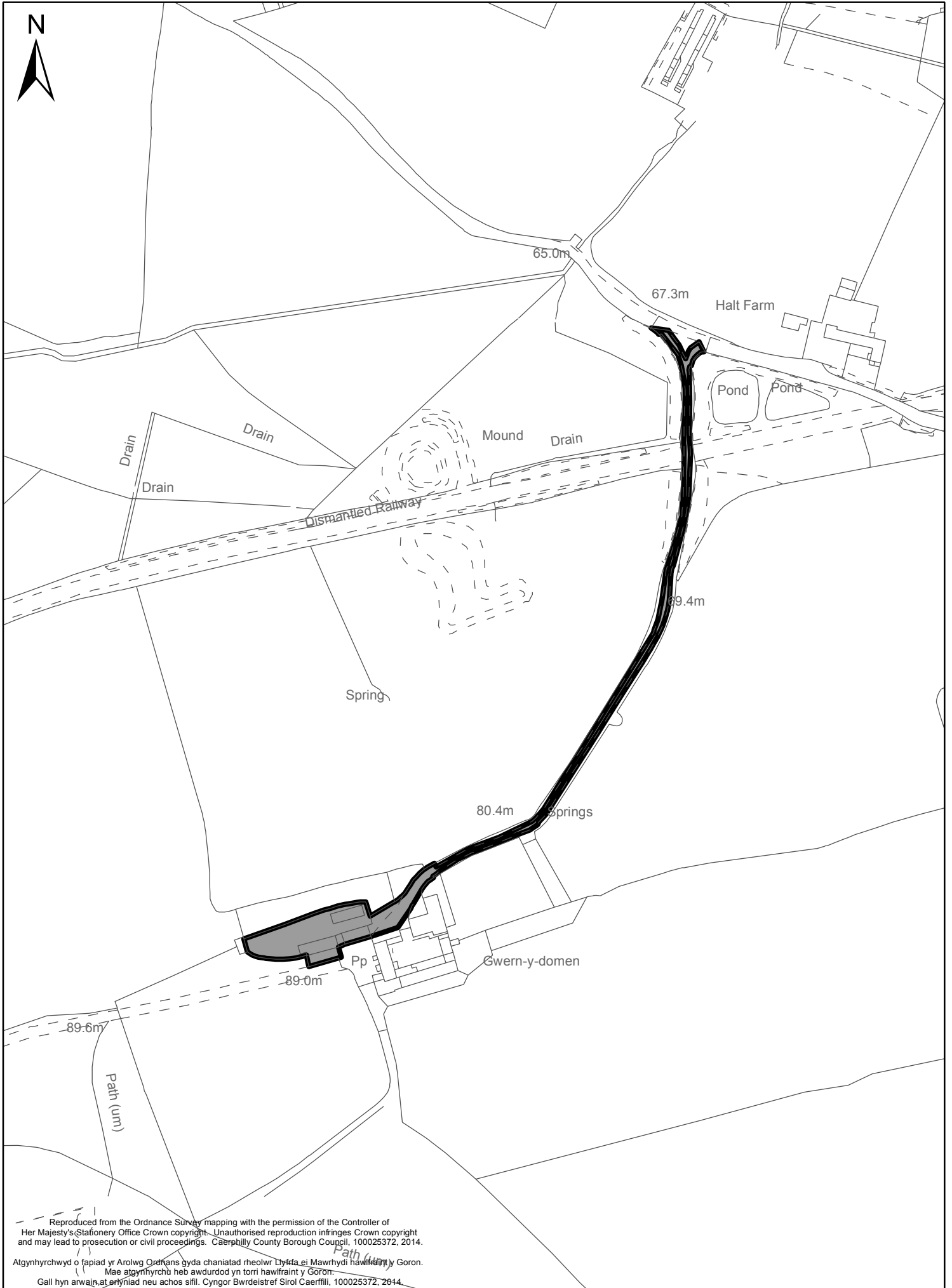
Please find attached the comments of Transportation Engineering Manager, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Senior Arboricultural Officer (Trees), Glam/Gwent Archaeological Trust and Natural Resources Wales that are brought to the applicant's attention.

Cont....

Application No. 13/0875/COU Continued

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: SP3, CW2, CW3, CW15, CW20, and NH1.5.

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Atgynhychwyd o fapiad yr Arolwg Ordnans gyda chaniatod rheolwr Llyfrfa ei Mawrhydi hawlfraint y Goron. Mae atgynhychu heb awdurdod yn torri hawlfraint y Goron.

Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirol Caerphilly, 100025372, 2014.



Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0149/COU 26.03.2014	Cadwaladers (Ice Cream) Limited Ms D Brierly 1 City Road Cardiff CF24 3TQ	Change the use from A1 (Shop) to A3 (Café/Restaurant) The Card Shop Unit 5 Cwrt-Y-Castell Caerphilly CF83 1NU

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: The property is located on the north side of the pedestrianised precinct through Castle Court Shopping Centre, in Caerphilly.

Site description: The property is a purpose built retail unit.

Development: The proposal is to change the use of the ground floor premises from a sweet shop (A1 retail) to a café (A3 use).

Dimensions: The site area is approximately 75m<sup>2</sup>. The unit is 15 metres in length and 5 metres in width.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY

5/5/93/0329 - Major retail development - shops, offices, mall, petrol station, parking, landscaping etc - Granted 04.03.1994.

5/5/95/0271 - Extend condition to permit two units to be used for A2 purposes - Granted 09.08.1995.

5/5/94/0183 - Vary condition (T) attached to planning consent no. 5/5/93/0329 - Refused 07.09.1994 - Dismissed on Appeal 23.02.1995.

5/5/94/0182 - Delete condition (M) of planning consent no. 5/5/93/0329 - Granted 14.07.1994.

Cont....

Application No. 14/0149/COU Continued

5/5/90/0612 - Erect commercial development of retail unit shops, arcade, office, restaurant, related car parking, servicing & town square. - Granted 26.10.1990.

5/5/95/0646 - Construct shop front - Granted 21.12.1995.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the Primary Retail Area of Caerphilly town centre.

Policies: Policies CW2 (amenity), CW3 (highways) and CW14 (retail restrictions), CW15 (general locational constraints).

NATIONAL POLICY Planning Policy Wales (2014).

### 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? This is a change of use and so this is not a material consideration in this case.

## CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to conditions and makes comments of which the applicant should be advised.

## ADVERTISEMENT

Extent of advertisement: Five neighbours notified by letter and a site notice erected outside the premises.

Response: One letter of objection has been received.

Cont....

Application No. 14/0149/COU Continued

Summary of observations: The comments are made by a cafe proprietor in the shopping precinct, who considers the proposed use would have a detrimental impact upon the viability of their own business.

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? Cafes can be the centres of some anti-social behaviour, particularly late at night, but in view of the location of these premises in a town centre where such uses are normally found, that should not preclude the granting of permission in this case. Any such problems should be addressed by the Police.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

## ANALYSIS

Policies: The strategy of the LDP sets out a framework for the delivery of sustainable development throughout the county borough. Key to this delivery is the assessment of the settlements in the county borough to identify their respective role and function. Proposed developments are required to conform to the role and function of the settlement within which they are located, in order to deliver the sustainable development sought by the LDP Vision.

Policy SP4 identifies Caerphilly as a principal town, which is a multi-functional centre providing a range of facilities and services to the residents. Whilst Caerphilly serves the role of a transport hub, employment area, retail area and residential centre, it is also identified as a tourism centre, based on the presence of Caerphilly Castle. The tourism focus is reinforced through designation TM1.9 in the LDP that identifies the Castle Grounds for protection for tourist related activities. Whilst it is only the castle grounds that are included in the allocation, the surrounding areas of the town centre can facilitate the tourist role by supplementing and expanding the tourist offer of the town. In this respect the proposed conversion from A1 sweet shop to A3 ice cream parlour is considered to meet these objectives by supplementing and supporting the tourist offer.

By contrast the role and function of Caerphilly is also as a Principal Retail Centre (CM1.5) with a primary retail area designed under CM3.2, which covers Castle Court. As a principal retail centre a key objective for Caerphilly is the maintenance of the retail offer.

Cont....

To this end Policy CW14 sets out the policy provision for considering proposals that seek to change ground floor units from A1 retail use to other uses. The policy is basically set out in two parts. The first part addresses proposals within the Principal Town Centre and only permits changes from A1 uses where the vacancy rate has been over 10% for in excess of a year. Currently the vacancy rate for Caerphilly (based on the October 2013 retail survey) is 7.8% and, as such, the proposals do not meet the provisions of this part of the policy.

The second part of the policy addresses proposals located in the Primary Retail Area. This part of the policy precludes changes to uses outside of Class A, and only permits changes to other Class A uses where non-A1 uses do not exceed 10% of the total number of units in the Primary Retail Area. Currently there are 3 units in the Primary Retail Area that are not A1 retailing (one A2 office/bank and two A3 café/restaurants - the petrol station and café associated with the food store are considered to be ancillary uses to the store). The total number of retail units in the Primary Retail Area is 30, so the current percentage of non-A1 uses in the Primary Retail Area is 10% and the proposal would increase this to over 13%. As such the proposal does not satisfy this part of the policy either.

The key consideration for this proposal is whether the benefits from permitting the change of use outweigh the policy considerations of maintaining the retail centre. A general permission to A3 use would realise little benefit over and above the existing use and as such the policy considerations would have the greater weight and would realise a policy objection.

The proposed use is for an A3 use, an ice-cream parlour, which would support and supplement the tourism offer of Caerphilly, in a location in close proximity to the castle. As such this proposal, in isolation, would realise a benefit over and above the existing use and, on balance, the additional benefits would outweigh the policy conflicts and no objection would be offered. However, in order for this scenario to realise this result the permission would need to restrict the use of the building to such A3 uses that would support the tourism function of the centre, such as specialised cafes and food outlets.

However, the restriction that can be placed on the permission can only restrict the use to an A3 restaurant/café use. Unfortunately, whilst this restriction encompasses the uses described above, it also includes uses that would have less benefit for a niche tourism market. Given that the consideration of the proposal needs to be based upon what uses would be permitted under the A3 restriction, rather than on the specific proposed use for the building, the justification for outweighing the policy concerns is materially weakened.

Cont....

Application No. 14/0149/COU Continued

The Principal Town centre has a relatively low vacancy rate, with the Primary Retail Area being completely occupied, supporting the view that the centre is generally a vibrant and vital centre, despite the prevailing economic conditions. Its vitality means that the centre is more likely to be able to withstand any disadvantages realised from the lesser benefits derived from the A3 café/restaurant restriction and, as such, would not be compromised by the proposed change of use. Therefore, based on the principle that the proposed change of use would be restricted to A3 café/restaurant use, the proposed change of use would be considered to be acceptable.

There would be no adverse impact upon the amenity of neighbouring uses, nor would the proposal constrain the development of neighbouring sites for their identified land-use, thus the proposal is compliant with Policies CW2 and CW15.

The proposed café is considered to be an appropriate use in the town centre, and would be compatible with the surrounding uses. Notwithstanding the potential for policy objection in respect of the criteria of Policy CW14, the proposal gains support from Policies SP4 and TM1.9, thus, on balance the proposal is considered to be acceptable, and should be granted planning permission.

Comments from Consultees: No objections raised, but the Head of Public Protection requires conditions to control odour, installation of a grease trap, and waste storage, collections and disposal.

Comments from public: The comments from the proprietor of a nearby cafe relate to competition, and this is a matter that the planning process does not give consideration to.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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Application No. 14/0149/COU Continued

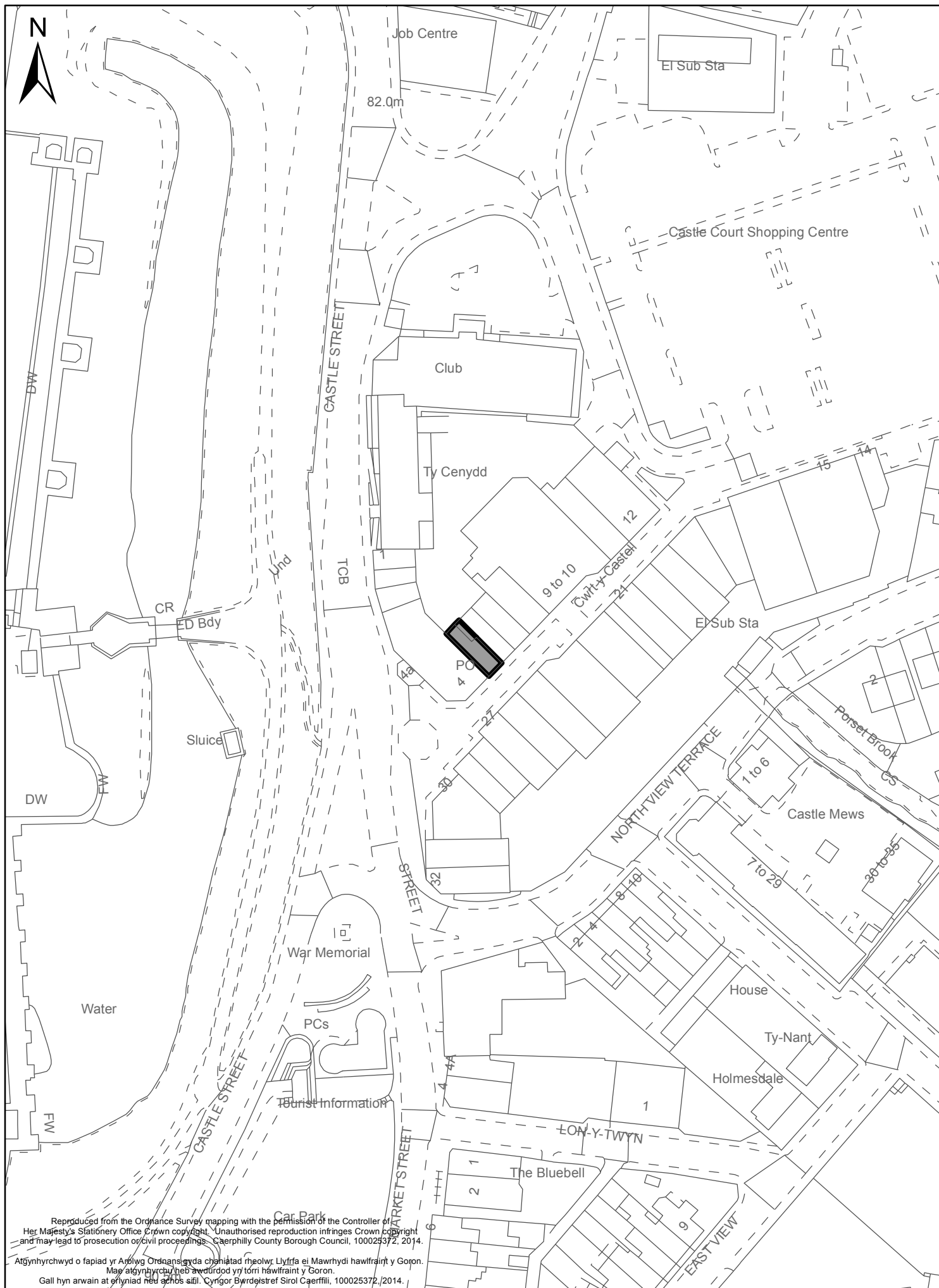
- 02) Prior to the commencement of the use hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.  
REASON: In the interests of the amenity of the area.
- 03) A grease trap, details of which shall be agreed with the Local Planning Authority prior to installation, shall be installed in the foul drainage system prior to the commencement of the use hereby approved.  
REASON: To prevent pollution.
- 04) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.  
REASON: In the interest of public health.
- 05) The premises shall be used for a cafe/restaurant and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification without the approval of the Local Planning Authority.  
REASON: In the interests of retaining control over the development.

Advisory Note(s)

Please find attached the comments of Head of Public Protection that are brought to the applicant's attention.

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: SP4, CW2, CW3, CW14, CW15 and TM1.9.

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Atgynhychwyd o fapiaid yr Arlywng Ordnans gyda chaniatâd rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae atgynhyrchu heb awdurdod yr torri hawffraint y Goron. Gall hyn arwain at erlyniad neu achos sifil. Cyngor Byrdeistref Sirol Caerphilly, 100025372, 2014.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0195/FULL 31.03.2014	Gallagher Developments Caerphilly Ltd 15 Hockley Court Hockley Heath Solihull West Midlands B94 6NW	Erect class A1 foodstore with associated access, parking and landscaping Units 12 & 13 Gallagher Retail Park Parc Pontypandy Caerphilly CF83 3NL

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: This application is in respect to the erection of an building within the Gallagher Retail Park which is an area allocated for retail warehousing, located approximately a mile and a half outside the centre of Caerphilly Town. The retail park is a well established site positioned to the east of the town. The specific application site is located in the south-western section of the retail park.

Site description: The application site is relatively flat and has recently been cleared of vegetation. It has previously been granted planning permission for retail development and preparatory works were undertaken at that time, however the development did not proceed.

The site is bounded to the west, north and east by existing retail developments, whilst to the south it borders the Nant-yr-Aber watercourse, the other side of which stands undeveloped land which is located outside the retail park boundary.

Development: The proposal is for the erection of an A1 foodstore with associated car-parking and servicing. The store is single-storey mono-pitched structure, which accommodates a retail area, a warehouse element, freezer space and staff facilities.

The front of the building faces generally northwards, and looks out onto the main car-parking area. This elevation, along with that facing west, contains large panels of glazing which provided active elevations to the building whilst also allowing light into the store. The remaining elevations provide for the access to the service area and the rear of the building, both by their nature are relatively plain in appearance.

Cont....



Application No. 14/0195/FULL Continued

Dimensions: The site is irregular in shape with an overall site area totalling 0.63 hectares. The floor area of the store itself measures 1,747 square metres. To achieve its asymmetrical roof shape the building has a variation in roof height from 6 metres (approx) to 8.5 metres (approx).

Materials: The building is shown as being finished mainly in silver steel-faced cladding, with terracotta coloured panels of cladding being included on the front elevation. The roof is covered in steel-faced grey panels of a darker shade to the walls. There is also a plinth constructed in facing brickwork which is charcoal in colour.

Ancillary development, e.g. parking: The parking provision comprises 100 standard car spaces, 4 disabled spaces, 3 motorcycle bays and 10 bicycle spaces.

### PLANNING HISTORY

5/5/89/0432 - Phase 1 of retail park and 3 No. office court development and 2 acron units - Granted 12.09.89.

5/5/89/0587 - Erect distribution warehouse - Class B8 - Granted 06.10.89.

5/5/89/0959 - Implement Consent 5/5/87/0333 without compliance with condition 5(B) - Granted 10.12.90.

5/5/89/0960 - Develop phase 1 of retail park and 1 No. office court - Granted 10.12.90.

P/98/0395 - Construct retail warehouse units - Granted 04.06.99.

P/02/0510 - Construct 7000 sq.m. GEA Retail Units in 3 No. sub-divisible buildings with associated parking and servicing facilities including new pedestrian crossing - Granted 01.08.02.

P/02/1280 - Construct 7000 sq. m GEA retail units in three sub-divisible buildings with associated parking and servicing facilities including new pedestrian crossing - Granted 16.01.03.

P/05/1171 - Reorientate previously approved retail units (units 1 and 2) from that in approved retail scheme (P/02/1280) including revised servicing arrangements - Granted 28.10.05.

Cont....

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the settlement contained in the Local Development Plan. It is further allocated as part of the Gallagher Retail Warehouse Park, in the plan.

Policies: The policies of particular relevance in the Local Development Plan are as follows:-

CW2 Amenity, CW16 Locational Constraints - Retailing, CW17 Locational Restraints - Retail Warehousing, and CM2.2 Gallagher Retail Warehouse Park Boundary.

Supplementary Planning Guidance - Caerphilly Town Centre Action Plan 2011 - 2016.

NATIONAL POLICY Planning Policy Wales (Edition 6); Technical Advice Note 4: Retailing and Town Centres (1996).

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes, the site is above the threshold of 0.5 hectares for Infrastructure Projects in the EIA Regulations.

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? It is located within a Category 3 area, the consequences of which can be dealt with by the forwarding of advice, in the form of an advisory note, attached to any permission granted.

## CONSULTATION

Head Of Public Protection - raises no objection to the development but recommends the imposition of conditions relating to matters such as noise and dust control mitigation as well as a scheme for dealing with commercial waste.

Cont....

Application No. 14/0195/FULL Continued

Senior Engineer (Land Drainage) - makes no adverse comments in respect to this application but requires a condition to be attached relating to land drainage matters and also that a number of matters be passed on to the applicant by way of advice relating to the conduct of the operations.

Head Of Public Services - has not commented on this application.

Dwr Cymru - make a range of comments relating to drainage and water supply matters. These can be forwarded to the applicant as advice if consent is forthcoming.

Transportation Engineering Manager - raises no objection to the application subject to conditions relating to highway safety matters being incorporated into any consent granted

Police Architectural Liaison Officer - have no objection to the application. A list of suggestions, with regard to the security of the site are provided. These will be forwarded in writing should consent be forthcoming.

Wales & West Utilities - advise that they have apparatus within the application site area.

Western Power Distribution - advise that they have no observations to make on this application.

Countryside And Landscape Services - considers that the proposal is acceptable in general terms however a condition is required which relates to detailed landscaping provisions and a maintenance scheme.

Town Centre Manager CCBC - comments on the need to protect the existing town centre from the potential impact of a store at this location.

Senior Arboricultural Officer (Trees) – has not commented on this application.

Natural Resources Wales - originally objected to the application due to insufficient information relating to protected species. The applicant subsequently submitted an Ecology Report which responded to the objection raised, and as such Natural Resources Wales have confirmed that they no longer object to the application subject to conditions relating to the treatment of Japanese Knotweed and a lighting scheme in respect to the river wildlife corridor, being imposed on any consent granted.

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## ADVERTISEMENT

Extent of advertisement: The application has been advertised by way of site and press notices along with eight letters to neighbouring properties.

Response: None.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? It is not considered that the determination of the application will have no adverse impact on the issues of crime and disorder in the area.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The site has previously been cleared for development under an extant permission and as such any habitats have been removed at an earlier time. There are sites along the nearby River Rhymney which could mean that there are species habitats close to the site. As a result mitigation and enhancement features are recommended on part of the site to promote such habitats.

## ANALYSIS

Policies: In assessing the proposal in the light of the retail policies referred to it is evident that Retail Warehouse Parks have been allocated specifically for the sale of bulky goods therefore normally, given that the proposal is contrary to the provisions for which retail parks are intended, an in-principle policy objection would be raised. However, consideration of this proposal needs to be seen in the context of the evolution of the retail park and the likelihood of the development impacting on the town centre.

This proposal involves the construction of a purpose built A1 Convenience unit to accommodate an Aldi store, in place of two units with consent on the same application site that remain to be built. There is already an established A1 Convenience retail use established on Gallagher Retail Park in the form of Tesco.

Cont....

Further diversification has been permitted on land immediately abutting the Gallagher Retail Park with the granting of permission and subsequent development of a number of A3 Uses, including McDonalds and Pizza Hut, whilst a KFC outlet has recently commenced trading on the opposite side of the site spine road to the Aldi proposal. The scale and nature of these uses were considered unlikely to affect the vitality and viability of Caerphilly Town Centre.

Key considerations in the determination of this application include the Sequential Test, Quantitative Need and an Impact Assessment based upon the likely trade diversion from Caerphilly Town Centre. These issues are discussed separately as follows:-

1. Sequential Test.

The principal assessment parameters for the sequential test are availability, suitability and viability. The applicant has undertaken an assessment of all potential sites within or on the edge of centre, which might be feasible for consideration as a sequentially preferable site. The sites considered include Cardiff Road/Pentrebane Street, Park Lane and Castle Street/ Bedwas Road. In this instance it is accepted that there are no sequentially preferable sites in or on the edge of Caerphilly Town Centre.

2. Quantitative Need.

Based upon the most recent Shopper Attitude Survey, undertaken in 2010, the primary catchment area for Caerphilly retains 86% of all convenience goods expenditure with a leakage of 14%. Whilst this is a reasonable retention rate, there is still the potential to retain more convenience expenditure within the County Borough. Asda is the most dominant store within this primary catchment area, followed by Morrisons and Tesco at Gallagher Retail Park. Of these, only Morrisons is located within the Principal Town Centre Boundary. A new convenience store can be justified in terms of quantitative need.

The proposed store will accommodate an ancillary non-food offer (comparison goods) amounting to 20% of the overall floorspace. Given that the non-food offer revolves around 'weekly specials' and accounts for such a small floorspace it is agreed that it would not provide a sustained source of competition for stores based in the Town Centre.

Cont....

It would however, be beneficial to condition the comparison floorspace to 20% of the overall floorspace, if the Committee were mindful to approve the application. This would prevent the change in nature of the store and ensure that it is not competing with comparison stores trading in Caerphilly Town Centre in the future.

3. Retail Impact.

In order to determine the likely impact on Caerphilly Town Centre it is necessary to consider the likely trade diversion that the proposed development could have. In terms of Town Centre convenience stores, there are three, Morrisons, Tesco Metro and Iceland. To deal with these in turn, Morrisons, the largest of all three stores is likely to have a minor 2% impact that would not materially harm the store. The proposed store on Gallagher Retail Park is less likely to divert trade than the previous Aldi store that was located opposite Morrisons until it closed in 2008. The submitted Retail Impact Assessment (i.e. RIA) indicates that the diversion of trade that the proposed development is likely to create is less than the trade that Morrisons regained when the Aldi store closed in 2008. In terms of the smaller stores within the town centre (Tesco Metro, Iceland and independent retailers), given the nature and format of these stores they are considered to perform different functions and are therefore unlikely to be affected by any trade diversion. Whilst it can't be argued that there will be no trade diversion from Caerphilly Town Centre, the RIA indicates the affects would be minimal. This view is accepted as reasonable in respect to the likelihood of the potential impact of this proposal.

In conclusion it is considered that on balance the beneficial occupation of part of the retail park for a purpose built A1 Convenience use in this instance could be considered to outweigh the potential adverse impact that may occur as a result of an increase in the number of such uses. Further it could be considered that this proposal is a means of promoting footfall and patronage to the Retail Warehouse Park, making the area more attractive to potential inward investors. If permitted, this does not set a precedent for alternative forms of development on Retail Warehouse Parks. In this instance the sequential test has been fully applied; a quantitative need has been demonstrated; and the retail impact assessment has clearly shown that the impact on Caerphilly Town Centre would be minimal.

On this basis no objection is raised to the proposal with regard to retail policy, both local and national.

Cont....

With respect to Policy CW2, which relates to more site specific issues, it is considered that the proposal is well designed and fits into its context and therefore does not adversely impact on its surroundings. Also it does not result in the over-development of the site nor constrain the development of adjoining land-uses. This site represents the development of one of the remaining open areas on the Retail Park, and is considered to be an appropriate addition to the surroundings it fits into. As such it complies with this policy.

Comments from Consultees: None of the standard consultees raise sufficient objection to the proposal to warrant its refusal. A number do require the imposition of conditions which they consider should be attached to any permission granted to control the development to an acceptable level.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) No more than 20% of the net retail floorspace of the A1 store hereby approved shall be used for the sale of comparison goods.  
REASON: To protect the vitality and viability of Caerphilly Town Centre.
- 03) No part of the buildings shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from the building(s) and associated plant and equipment. The measures included in the approved scheme shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenities of the area.

Cont....

Application No. 14/0195/FULL Continued

- 04) 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.
- 05) 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.
- 06) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.  
REASON: In the interest of public health.
- 07) Notwithstanding the submitted plans no works shall commence on site until details of the proposed roundabout access onto Parc Pontypandy have been submitted to and agreed in writing with the Local Planning Authority. Thereafter these details shall be fully implemented prior to the beneficial use of the A1 store, hereby approved, commencing.  
REASON: In the interests of highway safety.
- 08) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.
- 09) The proposed parking areas shall be completed in materials which shall be agreed in writing with the Local Planning Authority to ensure loose stones or mud etc are not carried on to the public highway.  
REASON: In the interests of highway safety.

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- 10) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 75% native and local provenance tree, shrub and wildflower species 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 25% 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).
- 11) Prior to the commencement of the development hereby approved, a reptile habitat (areas with a mixture of vegetation heights, tangled or thorny areas, bare patches, hibernacula creation and good basking places) creation scheme within the development site shall be submitted to the local planning authority for approval. That scheme shall be accompanied by a 5-year management plan for the reptile area which shall include the timing of its implementation.  
REASON: To provide habitat for reptiles in the interests of biodiversity.
- 12) Prior to the development commencing, a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.  
REASON: In the interests of nature conservation.
- 13) The lighting scheme required in Condition 12) shall also ensure that the standard of illumination is such that no undue glare or distraction is occasioned to highway users.  
REASON: In the interests of highway safety.

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- 14) Prior to the commencement of works on site, a Method Statement shall be submitted for approval to the Local Planning Authority detailing the treatment of both Japanese Knotweed and Himalayan Balsam on site. The treatment of Japanese Knotweed and Himalayan Balsam shall be carried out in accordance with the approved details  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act." Japanese Knotweed (*Fallopia japonica*/*Polygonum cuspidatum*) and Himalayan balsam (*Impatiens glandulifera*) are included within this schedule. All Japanese knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection act 1990 and the Environmental Protection act Duty of Care regulations 1991.
- 15) Prior to the 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 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).
- 16) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new dwellings hereby approved are 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).
- 17) Works associated with the development hereby approved, in, adjacent to or impacting on the river, shall be carried out during daylight hours only, and operations shall cease one hour before sunset and not commence until one hour after sunrise.  
REASON: To minimise disturbance to otters moving along the river at night.

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Application No. 14/0195/FULL Continued

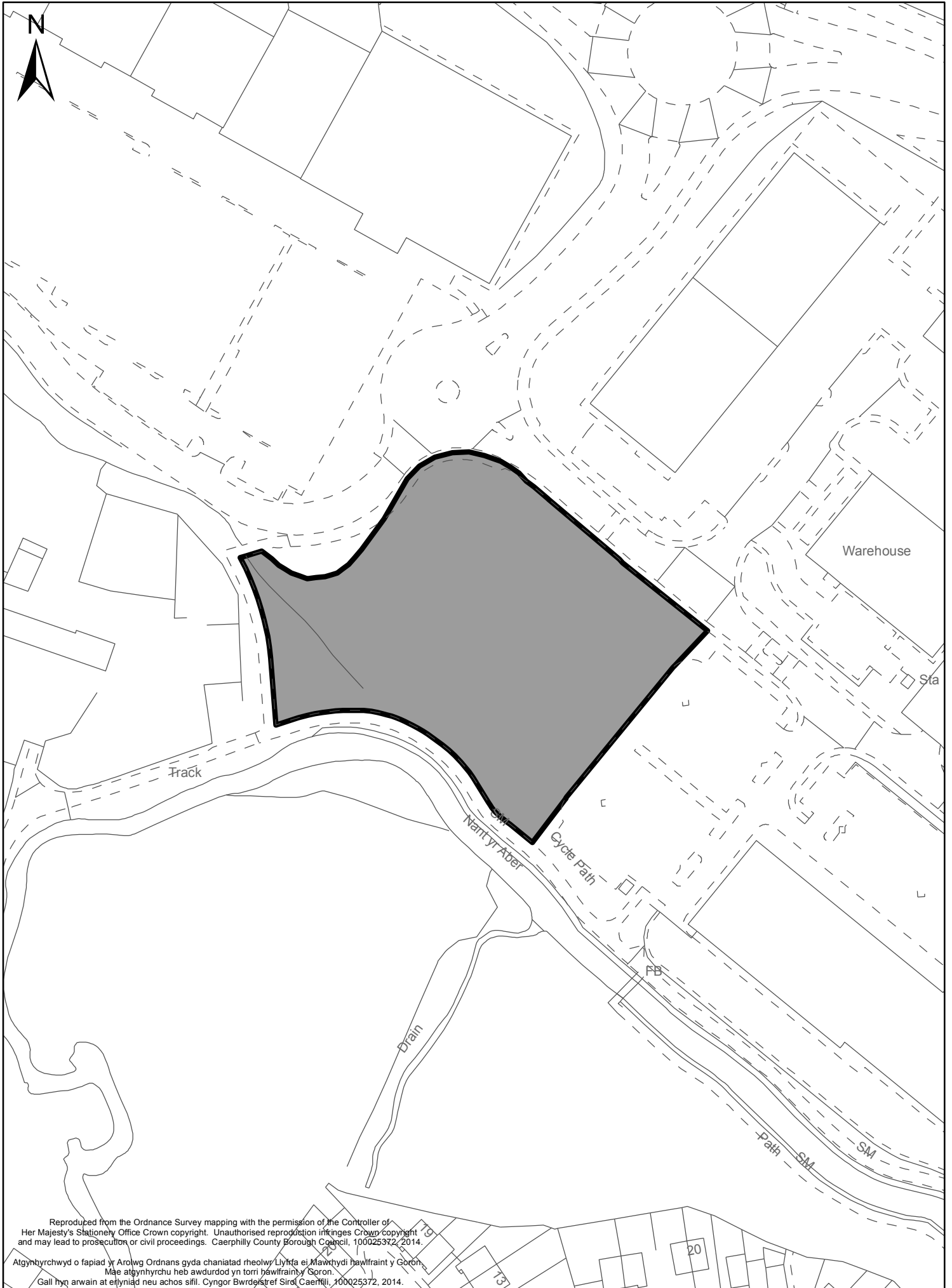
- 18) Notwithstanding the detail shown on the submitted plans, revised details of land drainage shall be submitted to and agreed in writing with the Local Planning Authority before any works commence on site. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of highway safety.
- 19) Prior to the commencement of the development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The development shall be carried out in accordance with the agreed schedule.  
REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area.

Advisory Note(s)

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

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, CW16, CW17 and CM2.2.

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Atgynhychwyd o fapiaid yr Arolwg Ordnans gyda chaniatod rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae atgynhychu heb awdurdod yn torri hawffraint y Goron. Gall hyn arwain at eflyniad neu achos sifil. Cyngor Bwrdeistref Siro Caerphilly, 100025372, 2014.

### APPEAL DECISIONS

<b>APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>APPEAL DECISION/ DATE</b>	<b>COMM/ DEL</b>
14/0002/REF 13/0693/FULL	Erect stables, parking area, hay and muck store and associated works at St Field Farm, Heol-Y-Felin, Cefn Hengoed, Hengoed	Dismissed 14/05/14	<b>DEL</b>

## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
14/0147/ADV 13.03.2014	TJ Morris Ltd Axis Business Park Portal Way Gillmoss Liverpool L11 0JA	Erect retail fascia signs Unit 6-7 Blackwood Gate Retail Park Blackwood NP12 2FS	Granted 08.05.2014
14/0128/NCC 06.03.2014	Mr K Davies 7 Ffordd-deg Caerphilly CF83 1HZ	Vary condition 01 of planning consent 08/0941/FULL (Erect residential development) to extend the time limit for the development to commence by five years Hengoed Hall Yard Hengoed Hall Drive Cefn Hengoed Hengoed	Granted 09.05.2014
14/0151/FULL 17.03.2014	Mr G Davies 53 Lon-Y-Celyn Nelson Treharris CF46 6HT	Erect single-storey extension to the rear of bungalow 53 Lon-Y-Celyn Nelson Treharris CF46 6HT	Granted 12.05.2014
14/0153/FULL 17.03.2014	Mr I Fisher 7 Treowen Road Treowen Newport NP11 3DL	Erect a two-storey extension 7 Treowen Road Treowen Newport NP11 3DL	Granted 12.05.2014
14/0156/COU 17.03.2014	Messrs M & I Jaura 48 Penylan Road Penylan Cardiff CF24 3PF	Sub-divide premises to add hairdressing salon (A1) to approved A3 cafe use and provide a new shopfront 1 Pentrebane Street Caerphilly	Granted 12.05.2014
13/0768/RET 22.10.2013	Mr T Singh 6 Clos Bryn Brith Princetown Tredegar NP22 3BG	Erect single-storey rear extension, detached garage and replace shop front 35 Merchant Street Pontlottyn Bargoed CF81 9PD	Granted 13.05.2014
14/0140/ADV 11.03.2014	The Royal Bank Of Scotland Group Group Property 1st Floor, The Younger Building 3 Redheugh Avenue Edinburgh Mid Lothian EH12 9RB	Erect new fascia and projecting signage to replace existing and install a new letterbox and welcome sign Natwest 19 Cardiff Road Caerphilly CF83 1WF	Granted 13.05.2014

14/0142/FULL 12.03.2014	Norgine Limited 7 Tir-y-berth Industrial Estate New Road Tir-y-berth Hengoed CF82 8SJ	Construct warehouse extension to existing building complete with internal site roads and associated plant rooms Norgine Limited 7 Tir-y-berth Industrial Estate New Road Tir-y-berth	Granted 13.05.2014
14/0159/FULL 18.03.2014	Mrs A Parfitt Penylan Twyn-gwyn Road Cwmfelinfach Newport NP11 7AX	Erect two-storey rear extension Penylan Twyn-gwyn Road Cwmfelinfach Newport	Granted 13.05.2014
14/0161/FULL 20.03.2014	Mr C Sloggett & Ms A Pope 72 Heol Tasker Nelson Treharris CF46 6JB	Erect two-storey side extension to provide garage/kitchen and first floor bedroom 72 Heol Tasker Nelson Treharris CF46 6JB	Granted 13.05.2014
14/0141/RET 12.03.2014	Newell Design Holly Cottage 51 High Street Newbridge Newport NP11 4FX	Retain the change the use from Class A1 to B2 for the sale and fitting of vehicle tyres Yard Cwmdows Lane Newbridge Newport	Granted 14.05.2014
14/0148/FULL 14.03.2014	Mr S Jenkins 9 Twyn Gwyn Terrace Newbridge Newport NP11 4ND	Erect garage at the rear of the house 9 Twyn Gwyn Terrace Newbridge Newport NP11 4ND	Refused 14.05.2014
14/0163/FULL 21.03.2014	Mr C Land 6 Lon-Y-Llwyn Nelson, Treharris CF46 6HU	Erect two-storey side extension 6 Lon-Y-Llwyn Nelson Treharris CF46 6HU	Granted 14.05.2014
14/0168/FULL 24.03.2014	Mr N Ferris Ranelagh 4 Cae Caradog Penyrheol Caerphilly CF83 2AA	Convert garage and provide attic conversion to garage including a dormer window Ranelagh 4 Cae Caradog Penyrheol Caerphilly	Granted 14.05.2014
14/0175/FULL 26.03.2014	Mr D Bruce 8 Bryn-Rhedyn Caerphilly CF83 3BT	Erect ground floor extension for kitchen, utility and w.c. 8 Bryn-Rhedyn Caerphilly CF83 3BT	Granted 14.05.2014
14/0124/FULL 04.03.2014	Mr G Milton 36 Burnet Drive Pontllanfraith Blackwood NP12 2FN	Convert a garage to a playroom 36 Burnet Drive Pontllanfraith Blackwood NP12 2FN	Granted 16.05.2014

14/0157/LA 17.03.2014	Caerphilly County Borough Council Mr C Nesling Tiryberth Depot New Road Tiryberth Hengoed CF82 8NR	Install a one cubic metre base under ground level and attach a 6 metre altron AW1545/UP/6 column to allow for the installation of a CCTV camera Land Adjacent To The Wheatsheaf Public House 13 Market Street Caerphilly	Granted 16.05.2014
14/0162/RET 21.03.2014	Mr B Dix 130 Bedwellty Road Cefn Fforest Blackwood	Retain single-storey garden room with small storeroom to side 130 Bedwellty Road Cefn Fforest Blackwood NP12 3HA	Granted 16.05.2014
14/0174/FULL 25.03.2014	Vodafone Limited And CTIL Vodafone House The Connection Newbury RG14 2FN	Replace the existing telecommunications base station with a 15m column mast accommodating six no. antennas and two dishes (overall height 17.5m), together with two no. equipment cabinets and meter cabinet within an armoured fenced compound Land At St Davids Industrial Estate Pengam Blackwood	Granted 20.05.2014
14/0158/FULL 18.03.2014	Millbrook Residential Home Dr M Ali Gelligroes Road Pontllanfraith Blackwood NP12 2JU	Demolish rear conservatory and rebuild on same footprint a single-storey conventional extension for two bedrooms Millbrook Residential Home Gelligroes Road Pontllanfraith Blackwood	Granted 21.05.2014
14/0171/FULL 25.03.2014	Mr & Mrs Paterson- Fox Pen-Y-Cwarel House Pen-Y-Cwarel Farm Lane, Wyllie Blackwood	Erect a single-storey sun lounge/garden room Pen-Y-Cwarel House Pen-Y- Cwarel Farm Lane Wyllie Blackwood	Granted 21.05.2014
14/0176/FULL 26.03.2014	Mrs H Thomas 24 Markham Crescent Oakdale, Blackwood	Erect single-storey side extension 24 Markham Crescent Oakdale Blackwood NP12 0JN	Granted 21.05.2014



14/0177/FULL 26.03.2014	Mr R Jenkins 2 St Cenydd Close Blackwood NP12 2FG	Erect a first floor extension on existing ground floor side extension, erect a single-storey extension to the rear of the house and erect a new fence to the side of the property 2 St Cenydd Close Blackwood	Granted 21.05.2014
14/0178/FULL 26.03.2014	Mr S Harris 34 Clos Enfys Caerphilly CF83 1SB	Convert loft, adding two rear dormers, raise roof height and provide internal alterations 34 Clos Enfys Caerphilly	Granted 21.05.2014
14/0257/NOTD 23.04.2014	CCBC Mr M Donovan Ty Penallta Tredomen Business Park Ystrad Mynach Hengoed CF82 7WF	Demolish former retail food store Aldi Tre-Edwards Rhymney Tredegar	Prior Approval Required 21.05.2014
14/0112/FULL 26.02.2014	Mr & Mrs A Bailey 7 Islwyn Terrace Llanarth Road Springfield Pontllanfraith Blackwood NP12 2LJ	Erect single-storey kitchen extension and first floor bedroom extension above existing kitchen 7 Islwyn Terrace Llanarth Road Springfield Pontllanfraith	Refused 22.05.2014
14/0188/FULL 28.03.2014	Mr K Vaughan 50 School Street Elliot's Town New Tredegar NP24 6DW	Erect a single-storey extension to the rear of the building 50 School Street Elliot's Town New Tredegar NP24 6DW	Granted 22.05.2014
14/0189/FULL 28.03.2014	Mr M Smith 24 Malvern Close Trenewydd Park Risca Newport	Erect a detached garage and steps with chair lift to provide disabled access to house level 24 Malvern Close Trenewydd Park Risca Newport	Granted 22.05.2014
14/0191/FULL 31.03.2014	Mr J Hyde Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood NP12 2BJ	Replace dwelling and associated access and groundworks Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood	Refused 22.05.2014
14/0196/FULL 31.03.2014	Mr G Came Gormont Crescent Road Caerphilly CF83 1AB	Construct a garage for domestic purposes Gormont Crescent Road Caerphilly CF83 1AB	Granted 22.05.2014

14/0198/FULL 01.04.2014	Mr D Green 31 Albertina Road Treowen Newbridge NP11 3DX	Construct a two-storey extension to the rear of the property containing kitchen, utility room and bathroom to the ground floor and two additional bedrooms and a second bathroom on the first floor 93 Treowen Road Treowen Newport NP11 3DP	Refused 27.05.2014
14/0199/FULL 01.04.2014	Mr C Maiden 47 Twyn Road Abercarn Newport NP11 5JY	Erect two-storey rear extension and change pitch of garage roof from flat to pitch to match dwelling 47 Twyn Road Abercarn Newport NP11 5JY	Granted 27.05.2014
14/0200/FULL 01.04.2014	Mr S Lewis Unilever Best Foods Ltd - Croespenmaen Industrial Estate Pentref-Y-Groes Farm Lane East Croespenmaen Newport	Erect a new loading bay enclosure Unilever Best Foods Ltd - Croespenmaen Industrial Estate Pentref-Y-Groes Farm Lane East Croespenmaen Newport	Granted 27.05.2014
14/0203/COU 01.04.2014	Mr R Taylor 38 Morley Road Abertillery NP13 1TP	Change the use from light industrial to leisure use (kick boxing and self defence classes) Unit 24 Fern Close Pen-y-fan Industrial Estate Pen-y-fan	Granted 27.05.2014
14/0181/FULL 27.03.2014	Mr R Bullock 46 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Erect a double-storey extension to the rear of the property to create a larger kitchen and utility room downstairs and an extra bedroom upstairs 46 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Granted 28.05.2014
14/0183/FULL 27.03.2014	Mr M Newman 12 Caerbryn Pentwyn-mawr Newport NP11 4EL	Erect a two-storey side extension and provide a new roof on existing conservatory 12 Caerbryn Pentwyn-mawr Newport NP11 4EL	Granted 28.05.2014
14/0187/LA 28.03.2014	Caerphilly County Borough Council Mr C Nesling Tir-y-berth Depot New Road Tir-y-berth, Hengoed CF82 8NR	Erect an 8m black tubular steel lamp column to allow periodic fitting of mobile CCTV camera Land To The Front Of 48 Jones Street Phillipstown New Tredegar	Granted 28.05.2014

14/0193/NCC 31.03.2014	G2 Energy Renewable Developments Limited Mr P Hill 25 Osier Way Olney Office Park Olney Buckinghamshire MK46 5FP	Remove and/or vary bat and noise condions 08, 11, 23, 24 and 25 of planning permission 13/0488/FULL (Erect a single wind turbine and associated works) Gelli-wen Farm Bedwellty Road Markham Blackwood	Granted 28.05.2014
14/0194/NCC 31.03.2014	G2 Energy Renewable Developments Limited Mr P Hill 25 Osier Way Olney Office Park Olney Buckinghamshire MK46 5FP	Remove conditions 07 & 08 and vary condition 22 of planning consent 13/0582/FULL (Erect single wind turbine and associated works) Bryn Ysgawen Farm Mountain Road Maesycwmmmer To Machen Ystrad Mynach Hengoed	Granted 28.05.2014
14/0204/LA 02.04.2014	Caerphilly County Borough Council Mr S Couzens Housing Services Pontllanfraith House Blackwood Road Pontllanfraith Blackwood NP12 2YW	Change use of ground floor offices to a 2 bedroom self contained flat Caerphilly County Borough Council 29 High Street Newbridge Newport	Granted 28.05.2014
14/0208/FULL 03.04.2014	Mr P Andrews 49 Court Road Energlyn Caerphilly CF83 2LT	Demolish existing conservatory and replace with single storey flat roof rear extension and raised decking 49 Court Road Energlyn Caerphilly CF83 2LT	Granted 28.05.2014
14/0209/RET 04.04.2014	Asda Stores Ltd C/o Deloitte LLP Mr A McCallion 1 City Square Leeds West Yorkshire LS1 2AL	Retain a seasonal canopy at the entrance to the existing store Asda Stores Ltd Pontygwindy Road Caerphilly CF83 3SX	Granted 28.05.2014
14/0211/FULL 04.04.2014	Mr B Rees 3 Glyn Terrace Fochriw, Bargoed	Erect garage 3 Glyn Terrace Fochriw Bargoed CF81 9JP	Granted 28.05.2014

14/0212/FULL 07.04.2014	Mrs M Francis Bryndu Farm Nelson, Treharris CF46 6PG	Erect two-storey rear and single-storey side extension Cwm-Bach Pant-Du Road Llanfabon Treharris	Granted 28.05.2014
14/0213/RET 07.04.2014	Mrs E Jenner 51 Pwll Yr Allt Tir-y-berth, Hengoed CF82 8FR	Retain converted integral garage to a playroom 51 Pwll Yr Allt Tir-y-berth Hengoed CF82 8FR	Granted 28.05.2014
14/0217/FULL 07.04.2014	Mr A John 10 Dol-Y-Felin Street Caerphilly CF83 3AG	Erect first-storey rear extension and attic conversion 10 Dol-Y-Felin Street Caerphilly	Refused 28.05.2014
14/0219/FULL 08.04.2014	Darran Valley History Group C/o Mr B Jarrett Ty Celyn Fairview Terrace Pontlottyn, Bargoed	Erect new memorial stone Land Adjacent Brook Row Fochriw Bargoed	Granted 28.05.2014
14/0220/CLPU 08.04.2014	Mr & Mrs A G Griffiths 44 Byron Place Croespenmaen Newport, NP11 3BP	Erect conservatory to rear extension 44 Byron Place Croespenmaen Newport NP11 3BP	Granted 28.05.2014
14/0221/FULL 08.04.2014	Mrs A Mahoney Nantyglesiad Cottage 14 White Hart Machen, Caerphilly CF83 8QQ	Erect rear extension Nantyglesiad Cottage 14 White Hart Machen Caerphilly	Granted 28.05.2014
13/0042/NCC 19.01.2013	Mr N Gould Mill House Berthon Road Little Mill Pontypool NP4 0HL	Vary Condition 01 of planning permission 07/1568/FULL (Construct a pair of semi- detached 3-bedroom houses and two detached 3-bedroom houses) to extend time limit within which development can commence for a further five years at Gould & Sons Argoed Garage High Street Argoed	Refused 29.05.2014
13/0233/NCC 03.04.2013	Mr D Roberts Three Firs New Road New Inn Pontypool NP4 0PZ	Vary Condition 01 of planning approval 10/0019/NCC to extend the period within which the development can commence for a further five years on Land Adjacent To The Bungalow Libanus Road Blackwood	Refused 29.05.2014

13/0351/FULL 09.05.2013	Mrs J Hodge 19 Springfield Road Pontymister Risca Newport, NP11 6LY	Erect detached single-storey ancillary accommodation within rear curtilage of dwelling 19 Springfield Road Pontymister Risca Newport	Refused 29.05.2014
14/0173/TCA 25.03.2014	Gryphonn Concrete Products Mr S Williams Old Mill Works Gelligroes Pontllanfraith Blackwood	Remove three pine trees Gryphonn Concrete Products Viaduct Works New Road Hengoed	No objection raised 29.05.2014
14/0185/TPO 27.03.2014	Mrs A Lewis 10 Castell Morgraig Caerphilly CF83 3JH	Reduce lateral branches overhanging house by 20-25% to reduce end weighting back to the next branch union (two branches), remove all deadwood, crown thin by 20- 25% and remove all epicormic growth from the base, main stem and trunk Land To The Rear Of 10 Castell Morgraig Caerphilly	Granted 29.05.2014
14/0238/FULL 15.04.2014	Mr D Williams Summerdale 4 Underwood Caerphilly CF83 1HW	Erect single-storey rear extension Summerdale 4 Underwood Caerphilly CF83 1HW	Granted 29.05.2014

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

<b>APPLICATION NUMBER DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
P/97/0981 31.10.97	Undertake initial review of planning conditions under the Environment Act 1995 for resumption of quarrying at Blaengwynlais Quarry, Blaengwynlais, Nr Caerphilly.	Considering revised conditions submitted by applicant.
P/02/0265 13.03.02	First periodic review of planning conditions (Environment Act 1995) at Cae Glas Small Mine, Fochriw.	Seeking clarification about the status of the application.
10/0505/OUT 26.07.10	Erect light industrial/office park at Block C, Maerdy Industrial Estate, Rhymney.	Subject to further discussion and consideration.
10/0518/FULL 16.07.10	Erect single detached dwelling and garage at Old Mill House, Draethen, Newport.	Subject to further discussion and consideration.
11/0471/FULL 15.06.11	Construct garden shed/store and works to access path at 36 Garden Suburbs, Pontywaun, Newport, NP11 7GB.	Subject to further consideration on amended plans.
11/0594/OUT 27.10.11	Erect residential development on Land Adj To Groeswen Farm, Groeswen Road, Groeswen, Cardiff.	Awaiting comments of consultees.
11/0630/NCC 01.09.11	Vary conditions (3) and (4) of previous planning consent 06/0172/OUT (erect residential development) to extend permission beyond expiration dates on Land West Of Coronation Terrace, Senghenydd, Caerphilly.	Awaiting information on road layout.
12/0157/FULL 29.02.12	Sub-divide property to make two semi-detached two bedroom bungalows at Nantygledyr, 231 Bedwas Road, Caerphilly.	Seeking agreement to Section 106 requirements.
12/0185/OUT 09.03.12	Convert, part demolish and extend former public house forming 3 no. three bedroom units and erect 2 no. three bedroom semi-detached dwellings, provide private amenity space, car parking and associated works at Ty Yn Y Pwll Hotel, Newport Road, Trethomas, Caerphilly.	Awaiting advice on applicant's intentions.

12/0379/FULL 18.05.12	Erect two-storey side extension and front gable, rear balcony and revised car parking arrangement at Tab Life Centre Tram Road, Pontllanfraith, Blackwood	Awaiting advice from NRW.
12/0394/FULL 22.05.12	Erect extension to form a children's playroom and bedroom at Rhoswen, Sunnybank Road, Blackwood.	Awaiting amended plans.
12/0511/OUT 03.07.12	Erect housing development at Willow Court & Surrounding Area, Pengam Road, Pengam.	Awaiting views of consultees.
12/0513/FULL 09.07.12	Take down store and garage and erect a three bedroom link house and a self contained flat over the remaining store at 73-75 Meadow Crescent, Pontymister, Risca, Newport.	Awaiting flood consequences assessment.
12/0550/CON 23.07.12	Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) at The Rectory And School Site, High Street, Nelson, Treharris.	Awaiting consultees views on wildlife.
12/0571/FULL 24.07.12	Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) at The Rectory And School Site, High Street, Nelson, Treharris.	Awaiting consultees views about wildlife.
12/0575/FULL 04.10.12	Erect a mansard roof incorporating a 1 bed flat at Manchester House, 1 Clifton Street, Caerphilly.	Awaiting views of consultees.
12/0637/OUT 20.09.12	Erect residential development for two detached houses with garages on Land Rear Of 46 Commercial Road, Machen, Caerphilly.	Subject to further discussion and consideration.
12/0705/FULL 01.10.12	Substitute three detached houses to replace five approved houses at Plots 44 – 48, Woodside Walk, Wattsville.	Awaiting amended plans.
12/0735/RM 12.10.12	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale approved under planning application 08/1210/OUT (Erect eight dwellings) at Site Of Former All Saints Church, Pencerrig Street, Llanbradach, Caerphilly.	Subject to further discussion and consideration.
13/0196/OUT 15.03.13	Erect up to four three bedroom houses in two semi-detached blocks on land being used for occasional vehicle storage on Land Adjacent To Riverside House Penmaen Road, Pontllanfraith, Blackwood.	Awaiting noise survey.

13/0353/FULL 04.07.13	Erect a four bedroom detached house and a pair of three bedroom semi-detached houses at 17 Homeleigh, Newbridge, Newport.	Subject to discussion and consideration.
13/0487/FULL 28.06.13	Erect new dwelling for nursery manager associated with Pughs Garden Centre Nursery Gwaun Gledyr Uchaf Nursery Gypsy Lane, Groeswen, Cardiff.	Awaiting views of agricultural consultant.
13/0520/OUT 11.07.13	Erect a 4 bedroom detached dwelling with integral garage at Graig Cottage The Graig Cwmcarn Newport	Subject to further discussion and consideration.
13/0532/FULL 18.07.13	Restore the presently derelict cottages to include the construction of new 'catslide' rear bathroom/kitchen additions and also form new car parking arrangements and boundary treatments etc. at 1-4 Susannah Houses, Susannah Road, Rhymney, Tredegar.	Awaiting bat survey.
13/0533/LBC 18.07.13	Restore the presently derelict cottages to include the construction of new 'catslide' rear bathroom/kitchen additions and also form new car parking at 1-4 Susannah Houses, Susannah Road, Rhymney, Tredegar.	Awaiting bat survey.
13/0534/RET 19.07.13	Retain horse stable and tack room with bat mitigation provision, retain existing house and regularise garage and external works including main entrance and driveway lighting at The Meadows Gypsy Lane, Groeswen, Cardiff.	Subject to further discussion and consideration.
13/0548/CLEU 23.07.13	Obtain a Lawful Development Certificate for an existing use as a property for car/vehicle sales and display at Senator House, 6 Sir Alfred Owen Way, Pontywindy Industrial Estate, Caerphilly.	Awaiting further information from the applicant.
13/0667/NCC 13.09.13	Vary Condition 1 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) to extend the period within which the development can commence at Suflex Estate Newport Road Pontymister Risca	Awaiting information about flooding.
13/0674/RET 19.06.13	Retain change of use from petrol filling station to hand car wash at Star Hand Car Wash, Nant Court, Glenview Terrace, Llanbradach.	Considering site uses at the site and their impact.



13/0702/RET 27.09.13	Retain the change of use from agricultural land to a farm based educational and activity centre, with the retention of the associated office, classroom, animal shelters and ancillary accommodation at Lylac Ridge, Dan Y Graig Stables, Dan Y Graig Road, Risca.	Awaiting information about parking and access.
13/0705/OUT 27.09.13	Erect residential development at Wimpole Gordon Road, Blackwood.	Awaiting tree survey.
13/0725/RET 07.10.13	Retain retaining wall at 97 Caerphilly Road, Senghenydd, Caerphilly.	Awaiting structural calculations.
13/0726/FULL 08.10.13	Erect two bay extension to existing storage building at Robert Price (Builders Merchants) Ltd, 145 Pontygwindy Road, Caerphilly.	Considering impact on neighbouring houses.
13/0732/MIN 10.10.13	Mine approximately 6 million tonnes of coal from the Nant Llesg Surface Approximately 478.1 Ha Of Land West And South-West Of Rhymney, North And West Of Pontlottyn And Fochriw And Wholly Within The County Borough Of Caerphilly	Awaiting further information from applicant.
13/0759/FULL 18.10.13	Erect steel framed agricultural building at Derwen Fferm, Twyn Sych Farm Lane, Rudry.	Considering other work carried out at the site as well. Requested further information.
13/0793/OUT 06.11.13	Erect two detached dwellings at Land Adjacent To 23 Kingswood Close, Hengoed.	Subject to further discussion and consideration.
13/0799/CLEU 08.11.13	Obtain a Lawful Development Certificate for the existing use of storing and servicing company vehicles, plant and mining machinery and as a heavy goods vehicle operating licensing centre at Caeglas Colliery, Fochriw Road, Fochriw, Bargoed.	Awaiting additional information.
13/0803/FULL 08.11.13	Erect agricultural workers dwelling at Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly CF83 2TT	Considering financial and functional information.
13/0809/CLEU 19.11.13	Obtain Lawful Development Certificate for the commencement of works to implement planning consent for 87 houses with associated garaging and car parking (reference 07/1524/FULL) at Former Suflex Estate, Newport Road, Pontymister, Risca.	Subject to further discussion and consideration.

13/0820/FULL 20.11.13	Erect a commercial stable block and tack room/food store on agricultural land including all engineering and associated works at Fferm Pont Carreg – Land at Rhyd Y Gwern Lane, Machen.	Awaiting comments from Consultees.
13/0824/FULL 25.11.13	Erect a single 500kW wind turbine, access track and associated transformer enclosure at Land At Pen-y-fan Industrial Estate, Pen-y-fan, Newport.	Reconsulting on additional information.
13/0830/FULL 26.11.13	Erect extension to existing garage at Highwinds, New Bryngwyn Road Newbridge, Newport	Awaiting further information.
13/0873/OUT 23.12.13	Erect housing development (eight dwellings) on Land At Park Road Newbridge Newport	Subject to discussions with Local Member about drainage.
14/0024/FULL 13.01.14	Erect new residential development of four 6 bedroom dwellings with associated external works, parking and new garden areas, plus new access road and footpaths at Fwrrwm Ishta Inn 68 Commercial Road, Machen Caerphilly.	Subject to further discussion and consideration.
14/0025/OUT 13.01.14	Erect dwelling at 2-4 Coed Moelfa Road Abercarn Newport NP11 5LF	Awaiting information about impact on trees.
14/0030/RM 14.01.14	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale reserved under planning application 13/0219/NCC to construct three new dwellings on Land South Of Alma Cottages Bedwas Caerphilly	Awaiting sections.
14/0045/NCC 17.01.14	Vary condition 01 of planning consent 08/0900/FULL (Construct commercial development, ground floor retail, first floor offices with external works) to extend the period within which the development can commence on Land At 2, 4 & Former Beulah Methodist Church Pontygwindy Road Caerphilly	Subject to further discussion and consideration.
14/0070/FULL 31.01.14	Erect extension to retail section of service station and relocate valetting and car wash facilities at St David's Service Station & Unit C Pengam Road Industrial Estate, Pengam Road, Pengam	Awaiting amended plans concerning highway matters.
14/0088/FULL 10.02.14	Erect two-storey side and single-storey rear extension at Halt Farm Pentwyngwyn Road, Rudry, Caerphilly	Awaiting wildlife survey.

14/0092/FULL 11.02.14	Erect temporary agricultural residential dwelling to facilitate new enterprise at Fferm Pont Carreg, Land Off Rhyd Y Gwern Lane, Machen, Caerphilly	Awaiting additional information about financial and functional justification.
14/0107/OUT 20.02.14	Erect two residential dwellings with integral garages on Land To The Rear Of 1, 2 & 3 Bedwellty Road, Aberbargoed Bargoed	Awaiting amended plans concerning highway matters.
14/0118/FULL 03.03.14	Erect ground floor and first floor extension to provide a first floor to the bungalow, change the use of 101 square metres of pasture land to create a driveway, remove and replant 15 metres of hedgerow and install photovoltaic roof panels at Brynteg, Pandy Lane Llanbradach, Caerphilly	Considering amended plans and information concerning highway matters.
14/0120/FULL 28.02.14	Erect single-storey garage with storage area on Land Opposite 8 Fields Park Terrace, Crosskeys, Newport	Awaiting amended plans concerning design.
14/0129/NCC 06.03.14	Vary conditions 3 & 4 of Planning Permission 07/1477/OUT to extend the period of time within which to submit reserved matters and commence development at Gryphonn Concrete Products, Viaduct Works, New Road, Hengoed	Applicant has requested discussion regarding the Section 106 Obligation.
14/0130/RM 06.03.14	Seek approval of the reserved matters regarding appearance, layout and scale in connection with the residential development approved under planning application P/06/0671 at Plot 3 Church View, Bedwellty Road, Aberbargoed	Awaiting amended drawings.
14/0133/RET 07.03.14	Retain the allotment site with numerous allotment plots, parking provisions, storage sheds and boundary fencing at Graig-y-rhacca Community Allotments Addison Way Graig-y-rhacca Caerphilly	Awaiting amended site boundary details.
14/0135/RET 10.03.14	Retain a new/replacement dwelling at Willow Bank, Pennar Crossing, Pentwyn-mawr, Newport	Due for determination.

14/0136/RET 10.03.14	Retain an air filtration unit and associated changes to car park including the relocation of a disabled parking space at PHS, Unit 14B, Greenway Bedwas House Industrial Estate Bedwas, Caerphilly	Considering additional noise details
14/0143/FULL 12.03.14	Erect two-storey double garage to side of property at Ty Bryn, King's Hill, Hengoed	Awaiting comments from consultees.
14/0152/FULL 17.03.14	Erect detached four bedroom dwelling, drop kerb to front for vehicle access and provide retaining wall to rear to level garden, incorporating the removal of the front privet hedge at 14 Brynheulog Road Newbridge, Newport	Considering amended plans.
14/0165/FULL 24.03.14	Construct a new two-storey, six bedroom dwelling house (C3) with associated landscaping and car parking to replace demolished dwelling at 2 Glyn Glas Thornhill, Caerphilly	Considering amended details.
14/0169/RET 24.03.14	Retain garage at Knightswood St David's Avenue, Woodfieldside, Blackwood	Subject to further consideration.
14/0172/FULL 25.03.14	Convert existing first floor offices into two self-contained one bedroom flats at 1 & 2 Station Terrace, Caerphilly	Considering amended details.
14/0190/FULL 31.03.14	Construct a two-storey extension to rear of dwelling and rebuild and slightly enlarge detached domestic garage at 11 Central Avenue, Cefn Fforest, Blackwood	Subject to further consideration.
14/0201/RET 01.04.14	Retain dwelling with basement and construct new balcony at Hyfrydol 23 Merthyr Road, Princetown, Tredegar	Awaiting revised highway details.
14/0205/COU 02.04.14	Change the use to a five tent glamping site on Land At Cheywoone, Machen, Caerphilly	Additional information requested.

### OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
14/0001/REF 13/0748/FULL	Mr P Angell Halo Developments Ltd High Street Blackwood NP12 1BA	Provide works to existing buildings, as an alternative scheme to that approved by Planning Consent Ref 12/0581/RET, including the introduction of a revised Section 106 Agreement at Park Service Station, Bedwellty Road, Cefn Fforest, Blackwood, NP12 3HA	05.02.14
14/0003/COND 13/0441/RET	Daisymoon Designs Ltd Mr W Rees Banalog Farm Banalog Terrace Hollybush Blackwood NP12 0SF	Retain the change of use from barn-workshop to a workshop at Banalog Farm, Banalog Terrace, Hollybush, Blackwood, NP12 0SF	14.02.14
14/0004/REF 13/0775/FULL	Dr M Alam 21 St Peters Drive Blackwood NP12 2ER	Erect new boundary wall at 21 St Peters Drive, Blackwood, NP12 2ER	24.02.14
14/0005/REF 13/0856/COU	Mr & Mrs A Walters 84 Ty Isaf Park Avenue Risca NP11 6NJ	Change use of butchers shop and two-bedroom dwelling into 3 one-bedroom flats at 3 Coronation Buildings, Cwmfelinfach, Newport, NP11 7HP	12.03.14
14/0006/REF 13/0745/RET	Mr R M Chartres Glas Fryn Twyn-Gwyn Road Cwmfelinfach Newport NP11 7AX	Retain off road parking and hardstanding for caravan on Land Adjacent To Glas Fryn Twyn-Gwyn Road Cwmfelinfach Newport NP11 7AX	20.03.14
14/0007/REF 12/0437/FULL	Mr & Mrs L T Hogg Llwyncelyn Draethen Caerphilly NP10 8GB	Demolish detached garage and construct single dwelling and external works at Llwyncelyn, Draethen Caerphilly	09.04.14

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/05/1091 25.07.05	Erect fifteen new dwellings on Land adjacent to Marne Street, Cwmcarn.	Draft agreement sent to Solicitors for consideration. Reminder sent. On hold pending resolution of issues at Cwmcarn school.
P/05/1683 23.11.05	Erect residential development at Austin Grange, Bartlett Street, Caerphilly.	File closed due to lack of progress will be reported back the Planning Committee.
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Planning in discussions with developers over new terms.
08/0752/OUT 24.06.08	Erect residential and commercial development on Land At Hawtin Park, Gelli-Haf, Pontllanfraith, Blackwood.	Draft agreed. Waiting for plan to be agreed. Planning still in discussions over plan.
08/1112/FULL 02.10.08	Separate five bedroomed detached property to provide two dwellings at 57 Pen-Y-Cae, Mornington Meadows, Caerphilly.	Subject to discussion about new property owner. File reopened.
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on Land At Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association. No progress so put as dormant.
09/0614/OUT 03.07.09	Erect residential development on Land To Rear Of Ty Fry Road, Aberbargoed, Bargoed.	File placed as dormant due to lack of progress. Considering report back to Planning Committee
09/0817/FULL 19.10.09	Provision of replacement play area and equipment on Land Off Marne Street, Cwmcarn, Crosskeys.	Draft Agreement sent to Solicitors. Provisions of Agreement under consideration. Reminder sent. See first application. On hold pending resolution of issues at Cwmcarn school.
10/0016/FULL 15.01.10	Erect seven two-storey dwellings at The Former Coal Yard, Pandy Road, Bedwas, Caerphilly.	Waiting for part of the site to be released from charge held by Santander so they do not have to be party to the Agreement. Chased.

10/0667/FULL 02.09.10	Renew planning permission P/05/1313 to construct two dwellings and associated external works on Land Within Curtilage Of Ty Gwyn Rhyd Y Gwern Lane, Machen Caerphilly.	Sent draft.
11/0191/OUT 11.03.11	Demolish existing farmhouse and farm buildings and construct new two-storey residential units at Gelli Pystyll Farm, Elm Drive, Ty Sign, Risca.	Moving forward with 106 as we need to keep separate from covenant issue. Asked Solicitors for comments on draft. Solicitors still trying to resolve covenant issue with Property. Solicitors confirmed they will proceed, up to date draft sent.
11/0779/FULL 12.10.11	Erect single dwelling house on Land Within The Curtilage Of 59 The Bryn, Trethomas, Caerphilly.	Awaiting reply from Developer's Solicitors on a number of issues. Still working through the title problems. Chased.
12/0269/NCC 03.04.12	Vary Condition 2 of Planning Permission 08/0539/OUT (erect residential development and associated access) to provide a further three years for the submission of Reserved Matters at Land At Gellideg Industrial Estate, Gellideg Lane, Maesycwmmmer, Hengoed.	Subject to discussions between Planning Officer and Applicants about terms of agreement. Negotiations still ongoing.
12/0371/FULL 15.05.12	Erect two detached three-bedroom houses on Land Adjacent to 88 Abernant Road, Markham, Blackwood.	Draft with Ecologist for comments.
12/0441/FULL 07.06.12	Demolish existing chapel and erect four 1 bed apartments in a single block at Chapel, De Winton Terrace Llanbradach, Caerphilly	Sent final letter warning applicant file will be closed if no response. No response.
12/0448/FULL 11.06.12	Change dwelling design at plot 1, previously approved (06/0681/FULL) at Land At Old Junction House Commercial Street, Pontllanfraith, Blackwood.	Correspondence returned by Royal Mail. Asked Planning if they know what has happened. No further progress. Closed as can't get any correspondence to applicant. Planning Officers to consider reporting back to Planning Committee. File closed. Reopened as planning trying to progress.

12/0518/FULL 09.07.12	Erect dormer bungalow based on previously lapsed outline permission (P/04/1637) at Barry Bungalow Brynhyfryd, Energlyn, Caerphilly.	Planning in discussions with applicant over the plan.
12/0531/OUT 07.08.12	Erect mixed residential development comprising of fifteen new build dwellings at Land At Station Approach, Risca, Newport.	Sent draft and waiting for comments.
13/0212/NCC 25.03.13	Vary Condition 11 of planning permission P/04/1500 to amend the internal layout at Glan Y Nant Draethen, Newport.	Engrossments sent out. Waiting for signed docs and legal fees.
13/0227/FULL 02.04.13	Construct dwelling on Plot Adjacent To Twyn House, Draethen, Newport	Requested title evidence.
13/0253/FULL 16.04.13	Construct a second rural enterprise dwelling at Ty Canol Farm, Hendredenny, Caerphilly.	Sent engrossments.
13/0364/COU 16.05.13	Change use from church to residential dwelling at Saron Congregational Church, Pandy Road, Bedwas, Caerphilly.	Agreements agreed subject to title issues being resolved. Waiting to hear about that. An update has been sought.
13/0456/FULL 20.06.13	Erect two flats at Land Adjoining 201 Bedwas Road, Caerphilly,	Sent documents to the Solicitors. Chased.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Waiting advice from Ecologist.
13/0511/OUT 08.07.13	Demolish Goodrich Hotel and erect residential development and associated works at Goodrich Hotel, Van Road, Caerphilly.	Sent engrossments.
13/0545/COU 18.07.13	Convert public house and flat to retail ground floor and nine self contained flats in upper floors with two and single-storey rear extensions and external alterations at Panteg Hotel, The Square, Abertridwr, Caerphilly	Received engrossments.
13/0669/FULL 13.09.13	Erect new dwelling at 23 Commercial Road, Machen, Caerphilly.	The land is being sold so set out options for moving the 106 forward to the applicants Solicitors. Chased.



13/0688/COU 24.09.13	Convert old stone barn/old coaching house into a four bedroom dwelling and integrated livery yard office at Cwm Farm, Caerphilly.	Agreement sent out. Chased.
13/0756/FULL 17.10.13	Erect disabled bungalow and associated external works on Land Adjacent To 27 Oakfield Street Llanbradach, Caerphilly.	New instruction.
13/0784/FULL 19.11.13	Demolish former primary school and develop site for 26 affordable residential units, access arrangements and associated works at Former Aberbargoed Primary School, Heol Ysgol Newydd, Aberbargoed.	Sent drafts.
13/0797/FULL 07.11.13	Erect detached dwelling with off road parking and associated works at 9 Coed-Yr-Eos, Caerphilly.	Sent agent letter.
13/0805/NCC 12.11.13	Remove reference to the electricity substation in Condition 26 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) at Suflex Estate, Newport Road, Pontymister, Risca.	Sent Solicitors letter. Chased.
13/0810/OUT 19.12.13	Demolish and provide residential re-development together with associated vehicular and pedestrian accesses, car parking, landscaping, ancillary development and retain community garden at Former Blackwood Junior School, Pentwyn Road, Blackwood.	Awaiting further instruction to draft agreement.
13/0865/FULL 20.12.13	Construct three detached houses with ancillary works on Land at Glyn Derwen, Llanbradach, Caerphilly.	Sent drafts and queried title.
13/0869/OUT 19.12.13	Erect housing development (6 no. 3 bedroom dwellings) at Former Newbridge Clinic, Ashfield Road Newbridge, Newport.	Requested Solicitors details.
14/0019/FULL 10.01.14	Erect detached dormer bungalow and car port on Land Adjoining Ty'n Derwen, White Hart, Machen, Caerphilly.	Requested title evidence.