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**Date: 5th October 2016**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 12th October, 2016** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	
Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Planning Committee held on 14th September 2016.	1 - 8

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



To receive and consider the following report(s): -

**Planning Applications Under The Town And Country Planning Act - North Area: -**

4	Code No. 16/0692/FULL - 2 Oak Tree Close, Fleur-de-lis, Blackwood	9 - 16
5	Code No. 16/0373/OUT - Land south of A472 (Mafon Road), Ty Du, Nelson, Treharris.	17 - 46
6	Code No. 16/0613/FULL - Markham Reservoir Tank, Common Road, Markham.	47 - 54

**Planning Applications Under The Town And Country Planning Act - South Area: -**

7	Code No. 16/0385/FULL - Land at Graig-yr-Hufen Road, Senghenydd, Caerphilly.	55 - 72
8	Code No. 16/0622/OUT - Land to rear of 20 Church Street, Bedwas, Caerphilly.	73 - 82
9	Preface Item Code No. 16/0533/LA - Land adj to Old Nantgarw Road, Groeswen.	83 - 100
10	Welsh Government Consultation Proposed Changes to How Environmental Impact Assessments Applies to Town and Country Planning.	101 - 104
11	Welsh Government Consultation Appeals, Costs and Standards Daily Amounts.	105 - 110

To receive and note the following information item(s): -

12	Applications determined by delegated powers.	111 - 128
13	Applications which are out of time/not dealt with within 8 weeks of date of registration.	129 - 134
14	Applications awaiting completion of a Section 106 Agreement.	135 - 138
15	Appeals outstanding and decided.	139 - 140

**Circulation:**

Councillors M.A. Adams, J. Bevan, D. Bolter, D.G. Carter (Chair), Mrs P. Cook, W. David (Vice Chair), J.E. Fussell, Ms J. Gale, L. Gardiner, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, J. Simmonds, Mrs E. Stenner, Mrs J. Summers and J. Taylor

And Appropriate Officers

# Agenda Item 3



## PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH  
ON WEDNESDAY, 14TH SEPTEMBER 2016 AT 5:00PM

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PRESENT:

Councillor D.G. Carter - Chair  
Councillor W. David - Vice-Chair

Councillors:

M. Adams, Mrs P. Cook, J.E. Fussell, Ms. J. Gale, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, Mrs G.D. Oliver, D. Rees, J. Simmonds, Mrs E. Stenner and J. Taylor.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), G. Mumford (Senior Environmental Health Officer), P. den Brinker (Principal Planner), E. Rowley (Senior Planner), C. Boardman (Senior Planner), M. W. Jones (Principal Enforcement Officer) and E. Sullivan (Democratic Services Officer).

### APOLOGIES

Apologies for absence had been received from Councillors J. Bevan, D. Bolter, L. Gardiner, K. Lloyd, and Mrs J. Summers.

#### 1. DECLARATIONS OF INTEREST

A declaration of interest was received at the start of the meeting from Councillor J. Simmonds in relation to application 16/0610/RET details are minuted with the respective item.

#### 2. MINUTES – 3RD AUGUST 2016

RESOLVED that the minutes of the Planning Committee held on 3rd August 2016 be approved and signed as a correct record.

### PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - NORTH AREA.

#### 3. PREFACE ITEM CODE NO. 16/0453/FULL – ROSEBANK COTTAGE, BROOKSIDE BUNGALOWS, CWMGELLI, BLACKWOOD.

Following consideration of the Officer's preface report it was moved and seconded that the recommendation contained therein be approved and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's preface report this application be granted;
- (ii) the applicant be advised of the comments of The Coal Authority and Council's Ecologist.

**4. CODE NO. 16/0653/FULL – 93 GORDON ROAD, BLACKWOOD.**

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 is relevant to the conditions of the permission: CW2.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

**5. CODE NO. 16/0610/RET – 98 TREDEGAR STREET, CROSSKEYS, NEWPORT.**

Councillor J. Simmonds declared a prejudicial interest in that the objector to the application is known to him and left the Chamber when the application was discussed.

Mrs A. Weeks spoke in objection to the application and Mr A. Geran the applicant spoke in support of the application.

It was noted that the application had been subject to a site visit on Monday 12th September 2016.

Following consideration the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands (and in noting there was 1 against and 2 abstentions) this was agreed by the majority present.

Councillor J. E. Fussell wished it noted that as he had not been present for the whole of the debate he had not taken part in the vote.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

**6. CODE NO. 16/0642/OUT – OLD HIGHWAYS DEPOT, PONTLOTTYN LINK ROAD, PONTLOTTYN.**

Following consideration of the application and subject to an additional condition it was moved and seconded that the recommendation contained within the Officer's report be approved and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the following additional condition this application be granted;

Additional Condition (15)

No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.

Reason

To protect public health.

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3, CW4, CW5, CW6 and CW10;

- (iii) the applicant be advised that section 71ZB(1) of the Town and Country Planning Act 1990 requires that notice be given to a Local Planning Authority before beginning any development to which a relevant planning permission relates, and must be in the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 or in a form substantially to the like effect;

- (iv) the applicant be advised that the Council's Landscape Architect advises that with regard to the landscaping scheme to be submitted at reserved matters, it should contain a contamination report and analysis of ground conditions on the eastern and southern embankments, it should assess and comment upon their compaction, the presence of soil forming material, pH and nutrient status, the suitability for tree/shrub planting and grass seeding and if required a method of remediation. A soft landscaping plan at a scale of 1:200, which clearly identifies the positions of all areas of proposed planting. The Latin species name and variety of all proposed plants. The height and pot size of proposed trees and shrubs at time of planting, planting densities or proposed spacing between plants of the same species, the number and species of plants for each area and the sub-division/juxtaposition of species within a planting bed or a planting matrix for larger areas of native/semi native planting. Details of proposed grass seed/turf mixtures will also be required. The soft landscape plan should also provide details of topsoil areas and depths, the tree pit design, proposed method of tree staking/guying trees, proposed mulches, ameliorants. Please be aware that the Authority will require evidence specimen trees within the development will have access to sufficient volumes of soil to allow the successful establishment and projected life span of the proposed species.

A management plan will also be required which identifies and prescribes maintenance operations covering a 5 year post planting period for all areas of soft landscaping outside individual plot boundaries.

- (v) the applicant be advised of the planning requirements relating to drainage and flood risk management.

General requirements

When submitting a scheme for drainage the applicant should consider the following, please note that these recommendations should be regarded as exhaustive, and each application will be considered on a site specific basis:

- a. The applicant should incorporate Sustainable Drainage principles into their drainage design where possible, to minimise the impacts to existing/proposed drainage infrastructure/receiving watercourses. Particular reference should be given to the requirements and advice contained within the following documents:
  - i. Recommended non-statutory standards for sustainable drainage (SuDS) in Wales - Published by Welsh Government, January 2016.
  - ii. The SuDs Manual C753, Published by Ciria, 2015.
  - iii. Code of practice for surface water management for development sites, BS 8582:2013.
  - iv. Rainfall Runoff Management for Developments, Published by the Environment Agency - Report SC030219.
  - v. Sewers for Adoption 7th Edition, published by Wrc plc, August 2012.
  - vi. Technical Advice Note 15: Development and Flood Risk, Published by Welsh Government, July 2004.
- b. A detailed drainage strategy should be provided which demonstrates the proposed surface water drainage complies with the discharge hierarchy specified within Part H of the Building Regulations/Sustainable Drainage hierarchy. As much of the runoff as possible should be discharged to each hierarchy element before a lower hierarchy element is considered. Collection and infiltration methods of drainage are required to be considered in the first instance.
- c. Soakaways will only be permitted if the applicant can satisfy the authority that permeability tests have been carried out that comply with the requirements of BRE Digest 365 (2016). A feasibility report including test reports and calculations is required which demonstrates that the use of soakaways or other infiltration systems will not adversely affect the development, adjacent land, structures or highways. Soakaways should be designed to a minimum storm return period (RP) of once in ten years (with consideration given to an appropriate factor of safety).
- d. Any proposal to discharge surface/ground water flows to existing watercourses is likely to be limited to minimum rates of discharge which will be determined by this authority. The applicant should indicate how these requirements will be met. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 (TAN15).
- e. Development layout should take into account exceedance of the drainage system by demonstrating safe overland flows paths and flood routing. Runoff for the 1 in 100 RP event (plus climate change allowance) should be managed within the site at designated temporary storage locations and not adversely affect the development or surrounding infrastructure.
- f. It is recommended the applicant open early dialogue with Dwr Cymru Welsh Water (DCWW) with regards to foul/surface water drainage arrangements and secure the necessary permissions/adoption agreements, where interaction with DCWW infrastructure is proposed.

- g. The applicant must ensure that during the development period and thereafter that surface water, groundwater, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of permanent or temporary cut off drainage.
- h. The applicant should also demonstrate that appropriate pollution control measures are in place prior to discharge and confirm the proposals for adoption and long-term maintenance of the drainage system, where appropriate.
- i. Please note that no discharge of surface water from the proposed development including driveways will be permitted to drain to the public highway or any highway drain. If the applicant intends to discharge surface water runoff from new highway areas submitted for adoption to the local highway drainage system he may be required to demonstrate that this system has adequate capacity to deal with anticipated additional flows generated by the proposed development. Permission to discharge to the existing highway drainage system may be conditional on the applicant carrying out upgrading works at their own expense or connecting to a point of adequacy within the system.

**7. CODE NO. 15/0053/RET – LYLAC RIDGE, DAN Y GRAIG STABLES, DAN Y GRAIG ROAD, RISCA.**

It was noted that the application had been subject to a site visit on Monday 14th September 2016.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the condition contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW15.

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - SOUTH AREA.**

**8. PREFACE ITEM CODE NO. 16/0437/RET – 74 HALF ACRE COURT, CAERPHILLY.**

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's preface report be approved and by show of hands (and in noting there was 1 against) this was agreed by the majority present.

RESOLVED that subject to the condition contained in the Officer's preface report this application be granted.

**9. CODE NO. 16/0501/OUT – LAND AT CAE NANT GLEDYR, CAERPHILLY.**

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by show of hands (and in noting there was 1 against) this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW4;
- (iii) the applicant be advised of the comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and the Council's Ecologist.

**10. WELSH GOVERNMENT CONSULTATION DOCUMENT TECHNICAL ADVICE NOTE 24: THE HISTORIC ENVIRONMENT.**

The Interim Head of Planning introduced the report which summarised the key considerations proposed in the consultation document on Technical Advice Note 24 (TAN 24): The Historic Environment.

TAN 24 will be the first to specifically detail planning advice on the historic environment in Wales. Set out over 8 sections, TAN 24 provides guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning applications. The Officer referred to section 4.17 of the report and the seven consultation questions from Welsh Government along with the Officer's proposed response. Members were advised that although Officer's were generally supportive of the document, the advice on the development of locally distinctive policies and guidance was vague and did not take into account the lack of resources available to local authorities for the development of lists of historic assets of special local interest.

The Chair thanked the Officer for his report and full discussion ensued.

Members acknowledged that although there were no resources currently available for the listing of local historic assets, there was still a need for these to be recorded and it was moved and seconded that all Members be consulted on possible buildings or special areas of local interest that contribute or enhance local character and that these be forwarded to Mr Tim Stephens and by show of hands this was unanimously agreed.

Having fully considered the report, the consultation questions and Officer's responses as contained in section 4.17 of the report, it was moved and seconded that the report be noted and the responses be forwarded to Welsh Government as part of the consultation process and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the status and purpose of TAN 24 in relation to the historic environment be noted;
- (ii) the responses to questions outlined in section 4.17 of the report be forwarded to Welsh Government as Caerphilly County Borough Council's response to the consultation process.
- (iii) all Members be consulted on possible buildings or special areas of local interest within their wards and that these be forwarded to Mr Tim Stephens for



inclusion on an historic assets list.

## 11. ITEMS FOR INFORMATION

The following items were received and noted: -

- (1) Applications determined by delegated powers;
- (2) Applications which are out of time/not dealt with within 8 weeks of date of registration;
- (3) Applications awaiting completion of a Section 106 Agreement;
- (4) Appeals outstanding and decided.

The meeting closed at 17.35pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 12th October 2016, they were signed by the Chair.

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CHAIR

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# Agenda Item 4

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0692/FULL 13.09.2016	Mr Davies 2 Oak Tree Close Fleur-de-lis Blackwood NP12 3RE	Install new front gates, new boundary fencing and provide new side access security gate 2 Oak Tree Close Fleur-de-lis Blackwood NP12 3RE

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is located on Oak Tree Close, Fleur-de-Lys.

House type: Detached bungalow with integrated garage accessed via Arvonja Terrace.

Development: Full planning consent is sought to erect a boundary fence along the south western and north eastern boundary, create a new side access enclosure to the rear and install driveway gates.

Dimensions: The boundary fence along the south western boundary measures 4.0 metres in width by 1.7 metres in height. The boundary fence along the north eastern boundary measures 5.4 metres in width by 1.7 metres in height. The security gate of the side enclosure measures 1.3 metres in width by 2.5 metres in height, a close boarded timber fence will be located on top of the retaining wall (0.9 metres in height) located at the rear of the property to enclose the eastern side elevation and measures 1.0 metres in width by 1.75 metres in height. The driveway gates measure 3.6 metres in width by 2.0 metres in height at their highest point.

Materials: The boundary fence and side access enclosure is constructed from close boarded timber fencing. The driveway gates and posts are constructed from metal.

Ancillary development, e.g. parking: None is proposed.

## PLANNING HISTORY 2005 TO PRESENT

None.

Cont'd.....

Planning Application 16/0692/FULL Continued.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The land is located within the settlement boundary.

Policies: CW2 (Amenity), CW3 (Design Considerations: Highways), SP5 (Settlement Boundary), SP6 (Place Making) and advice contained in the Council's Adopted Supplementary Planning Guidance LDP7: Householder Development (2010).

NATIONAL POLICY Planning Policy Wales Edition 8 (January 2016) and TAN 12: Design (March 2016).

### 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 land is located within an area where no report is required, however standing advice will be provided to the applicant.

### CONSULTATION

Transportation Engineering Manager - No objection.

### ADVERTISEMENT

Extent of advertisement: A site notice was erected near the application site and seventeen neighbours were consulted by letter.

Response: Two letters of objections have been received. If any further representations are received during the consultation period, these will be reported to members at planning committee.

Cont'd.....

Summary of observations:

1. The application has been incorrectly advertised as 1 Oak tree Close.
2. Neighbour consultation letters were received late and reduced the amount of time to provide comments to the case officer.
3. The plans submitted are not clear in terms of the proposed designs.
4. The fence seeks to remove and replace an existing fence belonging to the occupiers of 1 Oak Tree Close.
5. The proposed fence would ruin the open aspect currently enjoyed.
6. The private driveway leading to 1 Oak Tree Close is bounded by trees on the southern boundary, the fence would decrease the amount of light and provide a dark tunnel at the bottom of the driveway.
7. The fence would reduce visibility when exiting the property.
8. The design of the gates are out of keeping with the area.
9. The industrial appearance of the gates would reduce the saleability to any prospective housebuyers and the residents of 11 Arvonja Terrace reserve the right to pursue the planning authority for potential losses in the future.
10. The proposed railings to the rear are to be erected on top of a wall 80-90 cms high and would be at the level of the adjacent garage roof at 1 Oak Tree Close.

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 planning application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No the development is not CIL liable.

ANALYSIS

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

Cont'd.....

## Planning Application 16/0692/FULL Continued

The main points to consider in the determination of this application is whether the proposed driveway gates, fence and side enclosure would have an adverse impact on the visual amenity of the area and whether there would be any detrimental impact to highway safety.

In terms of the application property, the bungalow has been adapted to support the changing needs of individuals and families at different stages of life and the justification for this application is subject to a request for further necessary adaptation works.

In terms of the proposed driveway gates, access to the property is via Arvonja Terrace, this terrace of properties does not benefit from front gardens or driveways, as such the current street scene does not have any comparable boundary treatments, however, when considering the context of the site, they are considered to be acceptable in terms of their siting, design, materials and the wider surrounding area. Whilst the gates open outwards due to the gradient of the driveway, the gates have been set back within the curtilage of the property, they do not open out onto the public highway and as such will not pose any danger in terms of highway safety.

In respect of the proposed close boarded timber fence along the north eastern and south western boundaries, the existing boundary fence belonging to the neighbouring property will not be compromised in any way. The appearance of the fencing is considered to be acceptable and in keeping with the existing boundary treatment sited along the north western and north eastern boundaries, adjacent to the public footpath leading to Meadow Close. Furthermore, As the siting of the proposed front boundary fence is adjacent to a private driveway and not a public highway, by way of Schedule 2 Part 2 of The Town and Country Planning (General Permitted Development) Order 1995, the applicant could utilise their permitted development rights and erect a fence up to 2 metres in height along the south western boundary. This 'fall back' position is a material planning consideration. In light of these considerations, the proposed boundary treatments are considered to be acceptable.

With regards to the proposed side enclosure, the retaining wall and fence have a combined height of 2.8 metres measured from the rear ground level of the dwelling. Given its location, it is not considered that this enclosure would cause any detrimental impact in terms of amenity to the occupiers of No.1 Oak Tree Close.

In conclusion, the proposed works are considered to be acceptable in planning terms and accords with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021 (adopted November 2010).

Cont'd.....

Planning Application 16/0692/FULL Continued

Comments from consultees: No objections have been raised by the Transportation Engineering Manager.

Comments from public: The objections raised are addressed below, however the local planning authority can only determine the application based on the merits of the proposal and whether it accords with national guidance, local plan policies and supplementary planning guidance.

1. The application has been incorrectly advertised as 1 Oak Tree Close - The original application was advertised based on the information provided, subsequently an amended application with the correct address was submitted and re-advertised.
2. Neighbour consultation letters were received late and reduced the amount of time to provide comments to the case officer - A new neighbour consultation period was undertaken subject to the amended application form and revised scheme received by the local planning authority for neighbours to provide their comments. Where an appointment to meet the case officer or to speak over the phone has been requested, that service has been provided.
3. The plans submitted are not clear in terms of the proposed designs - An amended scheme was requested, and clarifies the individual elements of the proposed works applied for.
4. The fence seeks to remove and replace an existing fence belonging to the occupiers of 1 Oak Tree Close - The agent was not informed that the boundary fence was in the ownership of 1 Oak Tree Close. This matter has been resolved with a revised scheme ensuring that fence to be erected is within the boundary of 2 Oak Tree Close.
5. The proposed fence would ruin the open aspect currently enjoyed - This is not a material planning consideration relevant to the planning decision.
6. The private driveway leading to 1 Oak Tree Close is bounded by trees on the southern boundary, the fence would decrease the amount of light and provide a dark tunnel at the bottom of the driveway - The fence would not cause an overshadowing impact and is a form of development that is common place in residential areas.
7. The fence would reduce visibility when exiting the property - An amended scheme has been submitted relocating the fenceline that previously compromised highway safety.

Cont'd.....

Planning Application 16/0692/FULL Continued

8. The design of the gates are out of keeping with the area - An amended scheme had been submitted for the design of the proposed gates and are more sympathetic in design.

9. The industrial appearance of the gates would reduce the saleability to any prospective housebuyer and the residents of 11 Arvonja Terrace reserve the right to pursue the planning authority for potential losses in the future - The perceived loss of property value is not a material planning consideration relevant to the planning decision.

10. The proposed railings to the rear are to be erected on top of a wall 80-90 cms high and would be at the level of the adjacent garage roof at 1 Oak Tree Close - Whilst the close boarded timber fence will measure 1.75 metres high on top of the retaining wall for a small section, there is a need for the side boundary to be securely enclosed. Due to the location of this enclosure there would be no detrimental impact in terms of amenity to the occupiers of No.1 Oak Tree Close.

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) The development shall be carried out in accordance with the following approved plans and documents:

Drawing Number Revision D Proposed block layout plan received on 27.09.2016.  
Drawing Number Revision D Proposed front gates elevation received on 27.09.2016.

Drawing Number Revision D Proposed fencing elevation received on 27.09.2016.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Continued



Planning Application 16/0692/FULL Conitnued

Advisory Note(s)

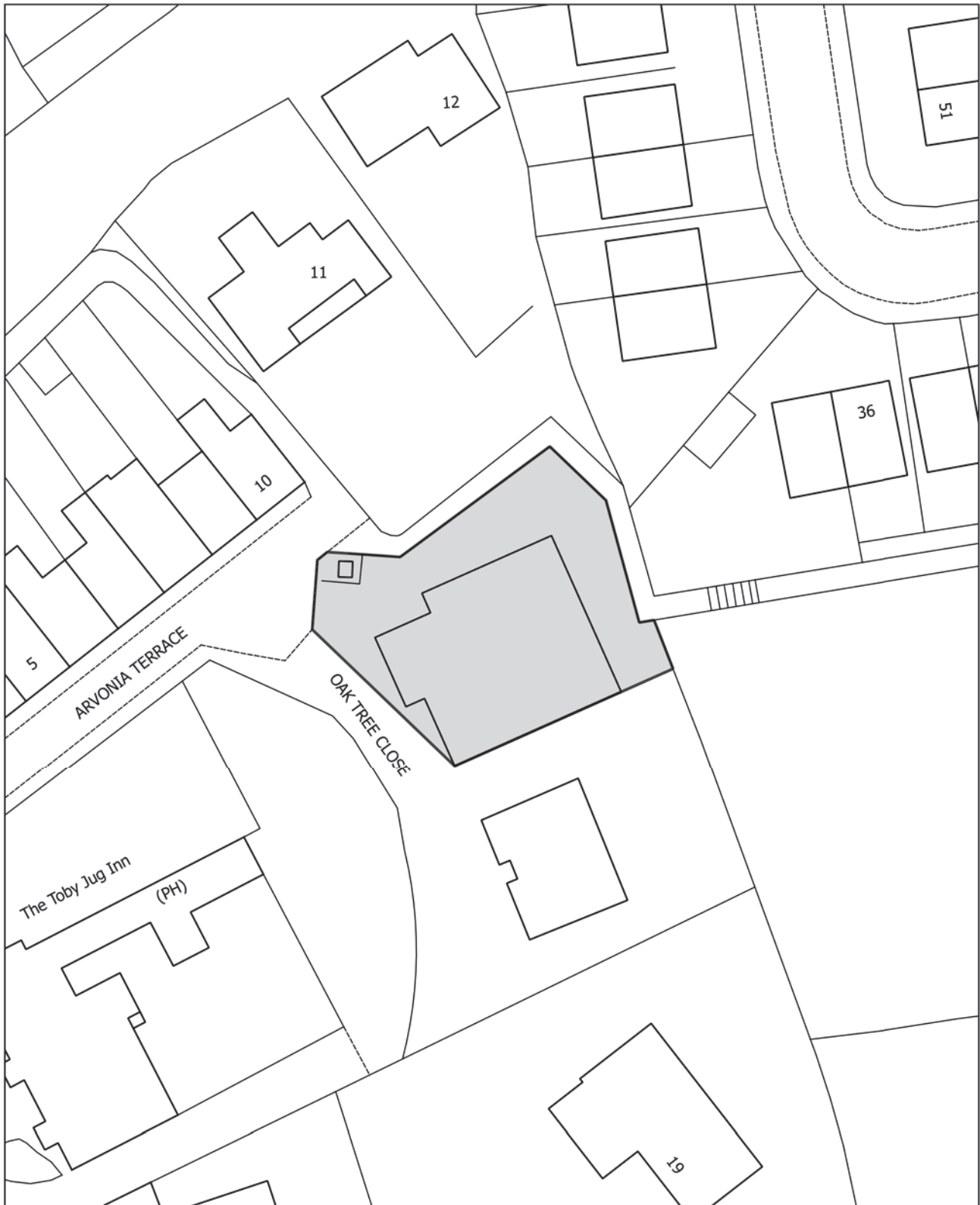
The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2 and CW3.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

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

This Standing Advice is valid from 1st January 2015 until 31st December 2016.



# Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0373/OUT 25.05.2016	The Welsh Ministers C/o Ove Arup And Partners Ltd 4 Pierhead Street Cardiff CF10 4QP	Provide a mixed use development comprising residential development of up to 200 dwellings, including the development of approximately 50 affordable homes, and the development of 3.8ha (approximately 6,300sqm) of B1 employment units, plus associated access, diversion of haul route, car parking, diversion of public rights of way, drainage, public open space, landscaping and associated engineering operations Land South Of A472 (Mafon Road) Ty Du Nelson Treharris

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: Land south of the settlement boundary of Nelson adjacent to Mafon Road.

Site description: The site comprises 19 hectares of land that lies to the south of the A472 (Mafon Road), between the Co-operative Supermarket and the B4265/A472 roundabout. Access to the site already exists in the form of one of the spurs onto the roundabout. Most of the land is in pasture, some is covered with scrub and trees. Within the site there is also a disused football field, tennis court, playground and paddling pool. A stream passes through the middle of the site, as do public rights of way and there is an existing access road/track along the southern boundary (the Haul Road).

Cont.....

## Planning Application 16/0373/OUT Continued

Development: This is an outline application for residential development and B1 employment with all matters except access are reserved. It would comprise up to 200 dwellings including 50 affordable homes and 3.8 ha (approximately 6,300 sq m) for employment.

The application includes the diversion of the Haul Road and Public Rights of Way.

The submitted indicative layout shows a flowing main spine road with a number of junctions leading off to groups of residential dwellings along the first part of its length. The layout indicates a mixture of dwellings ranging from 1 bedroomed flats through to 4 bedroomed dwellings. At the end of the spine road is the proposed employment location. One access off the spine road is reserved for the existing transfer station and farm. The site layout indicates the provision of landscaped areas that also serve as buffer zones and include attenuation ponds. Within the landscaped areas there are play areas. The spine road includes an access point to the remainder of the allocated land to the east.

Indicative and proposed access points: A main vehicular access from the A472 roundabout, with an additional emergency access directly from the A472 (as mentioned the roundabout access is already an existing spur).

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

The dwellings have the following ranges width, length and height respectively: 9-11 m, 6-9 m and 5.5 - 8.5 m,

The employment units have the following ranges of width, length and height respectively: 12-54 m, 7-54 m and 4-12 m.

Materials: To be determined at reserved matters.

Supporting information: This application is accompanied by an Environmental Statement and is therefore EIA development. A Transport Assessment is submitted.

Additional Development: The provision of an off site footway to the A472 from the emergency access to the Co-operative Supermarket.

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Planning Application 16/0373/OUT Continued

Upgrading the existing uncontrolled pedestrian refuge island crossing the A472 to a signalised controlled pedestrian crossing.

### PLANNING HISTORY 2005 TO PRESENT

06/0849/NCC - Reclaim former quarry with inert waste and extend access/haul road to landfill site - Granted 04.10.2007.

P/02/0656 - Development under use classes B1, B2 and B8 and create and form direct footpaths - Withdrawn - 05.06.2008.

07/0872/OUT - Erect prestige business park (Use Class B1) including diversion of haul route, formation of building plots, roads and drainage infrastructure, footpath diversions and other associated preparatory works - Granted - 27.04.2010.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: This site is allocated for employment as a B1 business park under policy EM1.2.

#### Relevant Plan Policies:

SP2 Development Strategy - Development in Northern Connection Corridor, SP4 Settlement Strategy, SP5 Settlement Boundaries, SP6 Place Making, SP10 Conservation of the Natural Heritage, SP14 Total Housing Requirements, SP16 Managing Employment Growth, CW1 Sustainable Transport, Accessibility and Social Inclusion, CW2 Amenity, CW3 Design Considerations Highways, CW6 Trees, Woodland and Hedgerow Protection, CW10 Leisure and Open Space provision, CW11 Affordable Housing, CW13 Use Classes Restrictions Business and Industry, LDP4 Trees and Development and LDP6 Building Better Places to Live.

### NATIONAL POLICY

Planning Policy Wales (Edition 8, January 2016);  
Technical Advice Note 1: Joint Housing Land Availability Studies (2015);  
Technical Advice Note 2: Planning & Affordable Housing (2006);  
Technical Advice Note 5: Nature Conservation and Planning (2009);  
Technical Advice Note 11: Noise (1997);  
Technical Advice Note 12: Design (2016);  
Technical Advice Note 18: Transport (2007);  
Technical Advice Note 23: Economic Development (2014).

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Planning Application 16/0373/OUT Continued

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? This application is accompanied by an Environmental Statement.

Was an EIA required? Yes, and the application is accompanied by an Environmental Statement.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within a Coal Mining Development Low Risk Area.

### CONSULTATION

Head Of Public Protection - No objection is raised subject to conditions regarding the remediation of any on-site contamination, control of construction activities and additional noise information. Advice is provided regarding the collection refuse and recycling. Advice is also provided regarding the importation of material.

CCBC Housing Enabling Officer - 25% affordable housing is sought.

Senior Engineer (Land Drainage) - A land drainage condition is recommended. Advice is provided regarding the drainage history of the site and details that should be taken into account at reserved matters.

Outdoor Leisure Development Officer - No in principle objection is raised. It is pointed out that there is scope to improve the illustrative layout in terms of the location of open spaces and levels of play equipment are specified.

Transportation Engineering Manager - No objection is raised subject to the provision of a travel plan, and highways improvements that will include a bus stop and a traffic light controlled pedestrian crossing over the A472.

Dwr Cymru - No objection is raised. Advice is provided regarding drainage/water supply and that a trunk water main that crosses the site.

Wales & West Utilities - No objection, advice is provided.

Cont.....

## Planning Application 16/0373/OUT Continued

Countryside And Landscape Services - The submitted Landscape and Visual Impact Assessment is considered to be in accordance with best practice and no objection is raised. It is pointed out that at reserved matters it will be necessary to provide further information regarding the existing trees and hedges together with their management both during and after construction.

Rights Of Way Officer - No objection is raised in principle however it is pointed out that the illustrative layout should be improved at reserved matters to retain the commodiousness, character and texture of the existing and claimed rights of way that run through the site.

Natural Resources Wales - Further information regarding the impact of the proposed development upon Nelson Bog has been requested. Additional information has been provided and NRW do not raise objection. Conditions are recommended regarding protected species.

### ADVERTISEMENT

Extent of advertisement: This application has been advertised on site (5 locations), in the press and 81 neighbouring properties have been consulted.

Response: Four letters have been received.

### Summary of observations:

1. The village of Nelson is already overdeveloped and enjoys fewer facilities that the writer experienced as a young person (the writer is aged 84yrs).
2. The general highway infrastructure is not capable of accepting the proposed additional traffic.
3. The existing sewerage system in Nelson will not be able to cope with additional flows.
4. A local doctors' surgery is equipped for four general practitioners but there is only one coping alone. It is suggested that every new doctor is frightened away by a massive patient list therefore no more patients should be created in Nelson.
5. The proposal will adversely affect the character of Nelson and "convert it into a semi industrial and social housing planning hotch potch."
6. Parking within the village is already problematic.
7. Llanfabon is a separate village to Nelson.
8. A question is raised as to what the non-affordable part of the housing will be used for.
9. A question is raised as to whether the environmental consequences have been examined.

Cont.....

## Planning Application 16/0373/OUT Continued

10. It is explained that the development should be considered with regard to Policy CW2 which requires that proposals should not adversely impact upon the amenity of adjacent land or constrain its use, i.e. the siting of residential properties near to the existing transfer station could give rise to disturbance.
11. The adjacent land owner who has an interest in part of the land included within and adjacent to the application site may continue to pursue a use that may be promoted in any future review of the local development plan.
12. Detailed rather than indicative access should be provided to demonstrate adequate access can be maintained to the existing transfer station, existing farm house and land included in the previous development plan review so that its development is not compromised in accordance with policy CW15.

### 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 expected that the proposed development will have a significant effect upon crime and disorder in this locality apart from the need for security at each part of the development.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The information for this part of the report will be provided at Committee together with the comments of the Council's Ecologist.

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? - Yes, but this application is made in outline and the levy will be calculable at reserved matters.

### ANALYSIS

Policies: Ty Du is a greenfield site comprising agricultural land with a woodland belt in the centre. The A472 forms the northern boundary of the site, with a Co-operative foodstore on the north west boundary. The central part of the site had historically been used as a sports ground but the remains have now blended into the landscape. There is an existing access off the A472 Nelson bypass roundabout, with the access also currently serving the former Berthgron quarry (currently a waste transfer station), which lies to the south west of the site and Ty Du Farm, which is located to the east.

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## Planning Application 16/0373/OUT Continued

The application should be considered against national planning policy and the adopted Local Development Plan (2010). On 19th July 2016, the Council resolved to withdraw the Deposit Replacement Local Development Plan Up to 2031, subject to ministerial approval and therefore the policies and allocations in the Deposit Replacement LDP carry no weight in the consideration of this planning application.

### Caerphilly Local Development Plan (Adopted 2010)

The application site is within the defined settlement boundary and is allocated for employment under Policy EM1 of the adopted LDP (EM1.2 Ty Du, Nelson). It has also previously benefitted from an outline planning permission for the development of a prestigious business park, this has though now lapsed and the site remains undeveloped. The site is still categorised as a business park in the adopted LDP. The proposal for residential development as part of a mixed use development is therefore contrary to the land use allocation in the adopted LDP. This is discussed in more detail below.

### Strategy Policies

The site is located within the Northern Connections Corridor (NCC). Policy SP2 Development Strategy - Development in the NCC indicates that development will be focused on both brownfield and greenfield sites that have regard for the social and economic functions of the area; reduce car borne trips by promoting more sustainable modes of travel; makes the most efficient use of existing infrastructure; protect the natural heritage from inappropriate forms of development and capitalise on the economic opportunities offered by Oakdale/Penyfan Plateau.

The development of a greenfield site is acceptable in this strategy area in accordance with the policy. Whilst the site has good vehicular access to the A472, public transport is limited. Nelson bus station is approximately 500 metres from the site. It is noted that the Transport Assessment identifies the potential to upgrade the existing crossing adjacent to Heol Harri Lewis and formalise the bus stop adjacent to the Co-op store. Furthermore, the adopted LDP identifies that land will be safeguarded for the provision of a new rail station at Nelson (TR3) as part of a potential reopening of the Cwmbargoed rail line between Ystrad Mynach and Bedlinog. With regards to other considerations, the potential impact of development on the natural heritage of the site is discussed further below.

Nelson is identified as a 'Local Centre' under Policy SP4 Settlement Strategy. The Plan seeks to enhance the area based on their current role and function. The plan recognises the importance of Nelson as an important area for employment growth but also acknowledges the need for employment opportunities to be supported by appropriate housing.

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## Planning Application 16/0373/OUT Continued

The site lies within the settlement boundary, as defined by Policy SP5 Settlement Boundaries of the LDP. The settlement boundary defines the area within which development would normally be allowed. The principle of development is therefore acceptable.

SP6 Place Making requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features.

The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The site as explained is within the settlement boundary and situated at the southern limits of the built environment of Nelson it forms a natural extension of the settlement. The submitted layout is illustrative. The layout at reserved matters will be assessed against national design guidance contained in TAN 12 Design and against LDP 6: Building Better Places to Live in order to ensure that the requirements of SP6 are fully met.

Policy SP10 Conservation of Natural Heritage recognises the natural heritage as a positive asset that enriches people's quality of life. In this context Policy SP10 indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Policy SP10. Consideration should also be given to Supplementary Planning Guidance LDP4: The Council's Landscape Architect has recommended that further information will be required at reserved matters to explain how the existing trees and hedgerow together with proposed planting will be maintained and managed.

Policy SP14 Total Housing Requirements makes provision for the housing supply during the 15-year period 2006 to 2021. This includes 1,644 (19%) residential units more than the 8,625 units required to meet the dwelling housing requirement identified for the plan period. This 19% over-allocation allows for flexibility and choice in recognition of the fact that not all sites will be developed. The total number of units for which permission is made in the plan period is 10,269 dwellings.

The Annual Monitoring Report (AMR) is the main mechanism for reviewing the relevance and success of the LDP and identifying any changes that might be necessary. The main principle of the monitoring process is to identify when the revision of the LDP should take place.

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## Planning Application 16/0373/OUT Continued

The Council has prepared four reports to date, the most recent of which was considered by Council in October 2015. It is evident from the AMR that new housing has not been delivered at the levels required in the first half of the plan period. Policy SP14 indicates that there is a housing requirement for 8,625 new dwellings to be delivered to meet identified need over the plan period. In order to meet this need an average of 575 dwellings needs to be delivered per annum. The 4th AMR indicated that 4,052 units had been delivered (49% of the total housing requirement) up to March 2015. Therefore there is a need for a further 4,573 dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement for the plan period.

National indicators are also included within the AMR for housing land supply and notably these require housing land supply to be monitored based on the residual method as outlined in Technical Advice Note 1: Joint Housing Land Availability Studies (2015). TAN 1 seeks to ensure that there is a genuine 5 year land supply available, and thus categorises sites to indicate those that can be included within the 5 year land supply. Using this method of calculation the 2016 JHLAS indicated that there is only a 1.5 year supply currently available.

The housing land supply figure is a material consideration in determining planning applications for housing. It is further acknowledged that where the current study shows a land supply below the 5-year requirement the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies (Para 6.1 TAN 1).

The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period. The 2015 AMR recognises the need to address this ongoing issue and recommendation R2 of the report states: "the 2015 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply."

The 200 units that could be delivered from this site would make an important contribution towards housing delivery in the County Borough. The LDP allocates two sites in Nelson under Policy HG1 - one of the two sites has been developed for 12 units but the remaining site (Land to the east of the Handball Court, allocated for 90 dwellings), has had a planning application refused on the grounds that the applicants did not sign the Section 106 agreement. There are significant viability issues with the site and therefore there are concerns about the deliverability of adequate housing in Nelson. The development of housing at Ty Du would therefore support the role and function of Nelson as a Local Centre, providing market and affordable housing which is unlikely to be delivered through other allocations.

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## Planning Application 16/0373/OUT Continued

Policy SP15 Affordable Housing Target, sets out a requirement for at least 964 dwellings to be delivered through the planning system. It is identified that approximately 50 of the 200 dwellings proposed will be affordable, making an important contribution to this overall target.

The Policy on Managing Employment Growth (SP16) identifies that provision has been made for the development of 101.9 hectares of employment land. This will be met principally through the development of a range of employment sites including business parks, primary industrial estates and secondary industrial estates. As set out in Policy EM1, Ty Du is identified for an 18.8 Ha Business Park in the adopted LDP. The planning application identifies a mixed use development with residential and only 3.8 Ha of B1 employment, which is 15 Ha less than identified in the plan.

In principle, the proposed mixed use development is contrary to the LDP. However, the need to retain this site (in its entirety) as employment land needs to be weighed against the need to release it (in part) for housing, in an effort to boost the County Borough's housing land supply.

The Employment Sites Supply and Market Appraisal, undertaken by the BE Group in 2014 assessed each existing employment site in terms of its continued suitability for employment use. EM1.2 Ty Du is identified in the study as being unlikely to come forward for B1/B2/B8 employment as there has been little developer interest for employment, despite having had outline planning permission for a business park (now lapsed). The site was also considered to be in a peripheral location some distance from other large employment areas. Whilst the site scored well in terms of site conditions, prominence and proximity to the strategic highways network, the lack of market demand indicates that "this land is not in a desirable location for business occupiers and could usefully be reallocated to meet other needs." This is particularly relevant in the context of TAN 23, which indicates that "where sites identified for employment have no reasonable prospect of being used or re-used, the expectation is that they should be re-allocated or de-allocated."

Consideration does need to be given to how much employment land would remain in the County Borough should the majority of the Ty Du site be released for housing. The adopted LDP allocates 14 sites for employment use (Policy EM1). A number of these sites have been developed for their allocated use, or have been granted permission for an alternative use (e.g. Oakdale Plateau 3 for a new school and EM1.11 Penallta expansion and Hawtin Park South for housing). The following land remains available for employment development on allocated sites at the current time:

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## Planning Application 16/0373/OUT Continued

EM1.1: Land at Heads of the Valleys - 5.2 ha remaining;  
EM1.2: Ty Du - 18.8 ha remaining;  
EM1.3: Plateau 1, Oakdale - 15.02 ha developed; 15 ha remaining;  
EM1.4: Plateau 2, Oakdale - 7 ha remaining;  
EM1.6: Plateau 4, Oakdale - 2.6 ha developed; 1.7 ha remaining;  
EM1.7: Hawtin Park North - 4.5 ha remaining;  
EM1.9: Dyffryn Business Park North - 1.57 ha developed; 3.33 ha remaining;  
EM1.10: Dyffryn Business Park South - 6.3 ha remaining;  
EM1.12: Land at Caerphilly Business Park - 3.6 ha remaining;  
EM1.13: Land at Trecenydd - 2.2 ha remaining.

The current employment land available on allocated employment sites is 67.6 ha (including Ty Du). However, if only 3.8 ha of Ty Du is developed for employment use as proposed, this would reduce the employment land supply to approximately 52.6 ha.

It is further acknowledged that two of the remaining allocated sites are allocated to enable the expansion plans of existing firms rather than to accommodate new development proposals (EM1.7 Hawtin Park North and EM1.10 Dyffryn South), limiting potential investment opportunities from new firms to a smaller number of available sites.

It should also be noted that Ty Du, is one of only two allocated sites that is sufficiently large to accommodate a large single occupier unit such as IG Doors. There is concern therefore that the development of the site could reduce the opportunity for businesses requiring large premises to locate in Caerphilly County Borough. However, given the constraints to development of the site including, ecological constraints, watercourses and culverts that cross the site etc., it is considered unlikely that a single user would choose to locate at Ty Du. It is more realistic to assume a B1 office based development comprised of a number of smaller units which could have regard for these constraints would find a site of this nature suitable.

Importantly, Ty Du has been allocated in successive development plans with limited interest. Notably, even with the benefit of planning permission for a prestige business park (2008), the site has failed to attract investors and has not been developed. If the site is instead granted consent for a mixed use development, it is likely that this will result in the relevant infrastructure being provided to serve both the employment and residential development. Such infrastructure provision has the real potential to unlock the development of the site and would likely make the employment land a more attractive and deliverable proposition for inward investors as the site would be even ready for development.

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## Planning Application 16/0373/OUT Continued

There are significant concerns about the loss of a large employment site given that other opportunities in the County Borough are limited. However, on balance, given the sites planning history, the findings of the BE Group study (2014) and the fact that the employment use is more likely to be brought forward as part of a mixed use scheme, no objection is raised on these grounds.

### Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion requires development proposals that are likely to generate a significant number of trips to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. The site is separated from the main village of Nelson by the A472 and therefore access to the primary school, other community facilities and services should be considered. There is a proposal to provide a connection route to the Co-op store and the Design and Access Statement makes reference to the upgrading the existing uncontrolled pedestrian refuge island crossing the A472 to a signalised pedestrian crossing. This will improve access to the main village for both residents and those employed on the site and is therefore an essential element of the proposal. This should therefore be required by condition.

As previously mentioned in relation to SP2, re-opening the Cwmbargoed rail line with a station proposed in Nelson is currently identified in Phase 2 programme of the South Wales Metro (2017-2023) and has the potential to improve access to sustainable transport in the medium term.

Policy CW2 Amenity indicates that development proposals must ensure that the proposal would not result in over-development of the site and/or its surroundings. Furthermore, the policy indicates that the proposed use would need to be compatible with the surrounding land uses and not constrain the development of neighbouring sites for their allocated use.

It is noted that the masterplan indicates that the western part of the site would be developed for B1 employment, with residential development on the central and eastern areas. This would mean that traffic for the industrial estate will need to travel through the residential area, which could affect residential amenity and raise safety concerns. However it is to be noted that the proposed business use is B1 which is by definition intended to be compatible with residential uses. However with regards to any potential noise impact, it is acknowledged that the layout provides a landscape buffer between the employment and residential uses that should serve to minimise any potential impact on amenity.

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## Planning Application 16/0373/OUT Continued

Whilst employment and housing uses can potentially co-exist without adversely affecting amenity, it is important that any impacts are identified and minimised at the early stage in reserved matters to avoid potential conflict.

The layout also means that there will be dwellings in close proximity to the A472, which could cause conflict with regards to noise. In pre-application discussions, the Council have previously raised concerns about this layout, with the preference being for the industrial estate to be served directly off the roundabout with the residential development being in the quieter parts of the site. The applicants have explained that they have considered this question and again given that the proposed B1 use this should not be a significant issue. It also to be noted the Environmental Health Department have recommended a condition to take account of the proximity of the A472 at reserved matters.

It is noted that the service road to access Berthgron Quarry waste transfer station is proposed to be relocated through the site. This could potentially result movements of large vehicles in close proximity to housing and the potential impact of this should be considered. The submitted Design and Access statement explains that the residential is "sited in the northern and central parts of the site, away from the existing waste transfer station. This design choice, reflects a precautionary approach to the proposed development.

Policy CW3 Design Considerations - Highways states that development proposals must meet a number of highways requirements including that the new access roads are designed to an appropriate standard. It is noted that a Traffic Assessment has been submitted with the application and in this respect the Transport Engineering Manager's comments have been sought and are reported further on below.

CW6 Trees, Woodland and Hedgerow Protection identifies criteria against which developments containing trees will be permitted, and states that development will only be permitted where development proposals have made all reasonable efforts to retain, protect and integrate trees within the development. The proposed layout will result in the loss of some trees and this would need to be considered by the Tree Officer to determine whether this would be acceptable. However, the retention of a number of hedgerows is positive. Consideration should also be given to Supplementary Planning Guidance LDP4: Trees and Development. The comments of the Council's Landscape Architect have been sought and are reported further on below.

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## Planning Application 16/0373/OUT Continued

Policy CW10 on Leisure and Open Space Provision requires site of 10 or more dwellings to make provision for well-designed useable space as an integral part of the development and appropriate children's play and outdoor sports provision either on or off site. The indicative masterplan identified 3 areas of play space across the site, in addition to the substantial landscaping. The Council's Leisure Services comments have been sought and are reported further on below.

CW11 Affordable Housing Planning Obligation identifies that there will be a requirement to seek to negotiate affordable housing. An indicative target of 25% is identified in this area and it is noted that this figure is supported, with 50 of the 200 units proposed to be affordable.

Policy CW13 Use Class Restrictions - Business and Industry sets out that on sites allocated or identified as Business Parks, development will only be permitted if it is use class B1 or an ancillary facility or service to the primary employment use. The proposed application only allows for a small element of B1 employment use, with the remainder being proposed for residential, which would be contrary to the Policy. However, as explained in relation to Policy SP9, the evidence base indicates that the employment use is in low demand and an alternative use would be more appropriate.

### Other Considerations

There have been two recent appeal decisions where housing development has been allowed on sites that were contrary to the development plan but where other material planning considerations, particularly the shortfall in the five year housing land supply, weighed in favour of the proposals. One site, the Former Axiom overflow car park, Newbridge, was land allocated for employment in the adopted LDP and the loss of employment land was cited as one of four reasons for refusal. In the decision of 15th April 2016, the Planning Inspector acknowledged that the independent report (BE Group) concluded that the site was in a poor location and an alternative use should be promoted if possible and that there has been very little interest in the site despite being market for 10 years. Overall, the Inspector concluded "the loss of an allocated secondary employment site and conflict with the relevant LDP Policies count against the proposed alternative use. The weight to be attached is reduced by the above factors". The Inspector also concluded that "the benefits of the scheme in terms of increasing the supply of housing outweigh the loss of this employment land." These circumstances are similar to that of the Ty Du allocation.

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## Planning Application 16/0373/OUT Continued

In addition, a decision at Cwmgelli, Blackwood, on 27th April 2016 for a housing development outside of the settlement boundary and within a green wedge allowed the application. The lack of a 5 year land supply was again a major factor in this decision. The Inspector stated "the latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met. As stated above that is not the case here but in my view the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings."

## Community Infrastructure Levy

The site is within the mid-range viability area where the CIL charge is £25 per square metre. CIL is chargeable at reserved matters. There is no CIL charge for B1 office development.

## Policy Conclusion

The principle of development has been established on the site by virtue of its allocation in successive development plans for employment use. However the proposal is contrary to the adopted LDP as the proposal to develop the site for both residential development and only 3.8 Ha of B1 employment would conflict with the designation of Ty Du under Policy EM1.2 for an 18.8 Ha business park. However, the findings of an independent report on the value of this employment site concluded that the site should be re-designated for an alternative use due to a lack of market demand and consequently, it is not considered that the release of part of the site for housing would adversely affect economic growth.

The Council is required to ensure that there is a genuine 5-year supply of housing land available within the county borough and therefore the lack of 5-year supply is a material consideration in determining this application. The Council in its consideration of the 2015 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply and granting planning permission for this site would help to achieve this. The development of the application site for housing would deliver much needed housing, including affordable housing, in an area of considerable housing need.

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## Planning Application 16/0373/OUT Continued

There were concerns about the layout and the potential conflict between users of the industrial estate and dwellings, particularly in access terms and further justification is therefore needed for the applicant as to why the B1 office area has been located in the western part of the site rather than the entrance. The applicant has pointed out that the proposed employment use is B1 therefore these concerns should not be material. To ensure that this balance is maintained a condition should be imposed to restrict the employment uses to B1.

On balance, the need to increase the housing land supply over-rides the employment allocation on the land, particularly given the conclusions of the BE Group and therefore there is no objection to the principle of a mixed use development at this location.

If members are minded to permit development on the site, then in order to ensure that the site can genuinely contribute toward the 5 year housing land supply, it would be appropriate to specify that development should commence within three years from the date that outline consent is granted (as opposed to the usual five years), with reserved matters submission within two years instead of three.

Comments from Consultees: Transportation Engineering Manager: No objection is raised subject to conditions that will require the provision of a pedestrian link to the Co-operative food store together with a pedestrian crossing over the A472, a tactile crossing at the roundabout and a bus stop plus shelter with layby. A travel plan is also recommended. These provisions are required to secure adequate pedestrian/public transport linkage commensurate with the additional need generated by the proposed development; they may be required by condition.

Leisure Officer: CW10 Requires the provision of well designed useable open space provision. The Leisure Officer points out that the following provisions are required: -  
1. Appropriately scaled equipped play area designed for children between 2-12 (incorporating safety surfacing, fencing seating etc.). The location of such a play facility should be at the hub of the residential area, benefit from good surveillance, good drainage and lend itself to easy maintenance. With reference to the master plan the main play zone appears to be too near one of the site thoroughfares and would be better in a central area and so surrounded by the new houses.  
2. Multi use games area (all weather surface and suitable scaled boundary panelling. This would benefit from being located in a slightly more peripheral part of the development site.  
These details may be required for submission at reserved matters.

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## Planning Application 16/0373/OUT Continued

CCBC Housing Enabling Officer: 25% affordable housing is sought and may be required through a Section 106 Agreement.

Senior Engineer (Land Drainage): A land drainage condition is recommended. Advice is provided regarding the drainage history of the site and details that should be taken into account at reserved matters.

Dwr Cymru: No objection is raised. Advice is provided regarding drainage/water supply and that a trunk water main that crosses the site.

Wales & West Utilities: No objection is raised. Advice is provided.

### Comments from public:

1. The village of Nelson is already overdeveloped and enjoys fewer facilities than the writer experienced as a young person (the writer is aged 84yrs). LDP policy SP4 specifically identifies Nelson as a local centre where the response to needs such as housing should be directed.
2. The highway infrastructure is not capable of accepting the proposed additional traffic:- This application is supported by a detailed Transport Statement that has been considered by the Transportation Engineering Manager who does not concur with this objection.
3. The existing sewerage system in Nelson will not be able to cope with additional flows:- Welsh Water has been consulted and have not raised such a concern.
4. A local doctors' surgery is equipped for four general practitioners but there is only one coping alone. It is suggested that "every new doctor is frightened away by a massive patient list", therefore no more patients should be created in Nelson:- The provision of health services is a matter for the Local Health Board.
5. The proposal will adversely affect the character of Nelson and "convert it into a semi industrial and social housing planning hotch potch":- It is not explained why there should not be the offer of employment for the residents of Nelson and it is the Adopted Development Plan aim to provide an adequate supply of employment land for all communities (Nelson included). Neither is it explained why social housing should not be provided and again the Adopted Development Plan aim is to provide an adequate supply of affordable housing (25% in this locality)
6. Parking within the village is already "problematic":- Many of the village facilities are within 500 metres/walking distance of the site. Parking will be required on site at reserved matters in accordance with Council Guideline Standards.
7. "Llanfabon is a separate village to Nelson":- The site as allocated in the plan is an extension to Nelson it is not designated as a Green Wedge or other community separation.

Cont.....

## Planning Application 16/0373/OUT Continued

8. A question is raised as to what the non-affordable part of the housing will be used for:- The non-affordable element of the proposed housing will be for the open market. This is the element that is normally required to support the affordable provision.
9. A question is raised as to whether the "environmental consequences have been examined":- This application is supported by an Environmental Statement that has been considered by consultees.
10. It is explained that the development should be considered with regard to Policy CW2 which requires that proposals should not adversely impact upon the amenity of adjacent land or constrain its use, i.e. the siting of residential properties near to the existing transfer station could give rise to disturbance. This is a concern is dealt with above.
11. The adjacent land owner who has an interest in part of the land included within and adjacent to the application site may continue to pursue use/s that may be promoted in any future review of the local development plan. This fact does not detract from the consideration of this application upon its merits at this point in time.
12. It is suggested that detailed rather than indicative access should be provided to demonstrate adequate access can be maintained to the existing transfer station, existing farm house and land included in the previous development plan review so that its development is not compromised in accordance with policy CW15. Given that this is an outline application with ample size within which the existing user's access needs can be met at reserved matters they may be required by condition. There is land to west as well as the east that was included in the review of the development plan that has now been withdrawn. Because the review has been withdrawn access to these areas cannot be required.

Other material considerations: This application is supported by an Environmental Statement that provides a summary which is reproduced below with comments related to the individual sections:

### ENVIRONMENTAL IMPACT ASSESSMENT FINDINGS

The Assessment (EIA) and examines the effects of the development proposals on a range of environmental topics, which were agreed with Caerphilly County Borough Council. The findings of the EIA for each topic are summarised as follows and commented on individually below:-

Cont.....

#### AIR QUALITY

The proposed development has the potential to affect local air quality as a result of dust emissions during construction and additional traffic movements to and during the operational phase. The air quality assessment concluded that the proposed development would not result in any significant local air quality effects and impacts on local scale pollutants are negligible. Mitigation measures have been recommended during the construction phase to minimise dust nuisance. During operation, the proposed residential development would have a negligible effect on local air quality. Comments: Responses have been received from Natural Resources Wales and The Council's Environmental Health Department, no objection is raised in terms of air quality.

#### CULTURAL HERITAGE

The site has a very low potential to contain any significant buried archaeological remains. The line of a 19th century tram-road is preserved by existing tracks and footpaths within the site. A number of hedge lines bordering and within the site can be considered important under the historical and archaeological criteria of the Hedgerow Regulations 1997. Predominantly these hedgerows would be retained. Three Grade II Listed buildings were assessed with regard to potential changes within their setting having an impact on their significance. These assets comprise the Memorial to the Albion Colliery Disaster and St Mabon's Church in the hamlet of Llanfabon and the farmhouse at Pen-y-waun. None of these assets would have their value harmed through any changes to their setting attributable to the proposed development. Overall the proposed development would result in only a slight adverse significance of effect to the historic landscape, through the removal of short sections of historic hedgerow.

Comments: The Council's Landscape Architect has considered the Landscape impact and concurs that it will not be significant. With regard to the historical assets they are as concluded in the EIA statement. This application is in outline and there may be need for changes to the illustrative layout at reserved matter, however the scheme will be deliverable within the parameters illustrated.

#### ECOLOGY

The proposed development has the potential to affect ecological receptors both within the site and around its boundary. A range of ecological surveys were undertaken, including habitats, hedgerow and tree, reptiles, birds dormice, otters, water voles and bats. Mitigation measures are proposed, where appropriate. Development of the masterplan has aimed to maintain the ecological value of the application site, where possible and to provide enhancement of that value through various measures, including habitat retention.

Cont.....

## Planning Application 16/0373/OUT Continued

Good practice mitigation measures would also be employed during construction to minimise impacts to habitats and species, including pollution prevention control, sensitive lighting design and careful site preparation.

Comments: The comments of the Council's Ecologist will be reported separately as previously explained.

### GROUND CONDITIONS

Development of the site would require limited earthworks and the development is not considered to have a significant effect on the geology and geomorphology of the area. Made ground materials are present within the site, which may have an impact on human health and the environment both during construction and operation. The adverse impacts can be readily addressed with standard mitigation measures.

Comments: No objection has been raised by the Council's Environmental Health department.

### NOISE

The proposed development has the potential to affect noise sensitive receptors around its boundary during construction and operation. Mitigation measures are proposed, where appropriate, and the likely residual effects after any such measures have been adopted are described. In addition, the baseline noise at the site is assessed with regard to the suitability of the site for residential development. With best practicable means and mitigation during the construction works, the predicted noise from the centre and even near the boundaries of the construction areas would be well below the potential significance threshold level for all the surrounding receptors. Changes in traffic would be negligible with respect to noise, and hence would be not significant. The detailed design of the development would need to ensure that the combined noise levels from all operational plant and machinery on the site does not exceed the proposed criteria. This could be secured by a suitably worded planning condition.

Comments: No objection in principal has been raised by the Council's Environmental Health department. Noise mitigation may be required for some areas of the proposed development near the A472, this is required by condition.

### LANDSCAPE AND VISUAL

The proposed development has been designed to minimise effects on the visual amenity and character of the local landscape. Mitigation measures retain existing topography and vegetation as much as possible. The residual effect on the character of the wider landscape beyond 1 km of the site is predicted to be negligible, whilst the residual effect on the character of the site and surrounding area within 1km is predicted to be slight. Similarly, for visual receptors, as the planting establishes, the residual effects on the visual amenity would be reduced. The proposed development of the land at Ty Du is not considered likely to give rise to any significant cumulative landscape effects.

Cont.....

## Planning Application 16/0373/OUT Continued

The Council's Landscape Architect has considered the Landscape impact and concurs that it will not be significant.

### WATER RESOURCES

The site is not considered to be at risk of fluvial or tidal/coastal flooding as shown on published flood maps. Therefore, no further assessment of flood risk has been undertaken.

There are a number of streams of good water quality on site. Development of the site would involve the addition of culverts in the streams and ditches. The construction activities might result in sediments and pollutants entering the watercourses, which could affect downstream water quality. Following incorporation of the proposed mitigation methods however, including Sustainable Urban Drainage Systems and boundary treatments along streams, the significance of the effect on both the water quality of streams on the site and the risk of flooding is considered to be negligible. It is proposed to discharge storm flows generated at greenfield runoff rates into the stream on site. Two attenuation basins are proposed to provide the necessary storage prior to discharge.

Dwr Cymru/Welsh Water confirmed that the existing public combined sewers located within Mafon Road have capacity to receive foul flows generated from the development. The foul drainage assessment, therefore, identifies that the risk of significant residual environmental impact from the proposed development is considered to be negligible. Comments: It is noted that objection has not been raised by Welsh Water or Natural Resources Wales.

### SOCIO-ECONOMICS AND COMMUNITY EFFECTS

The socio-economic chapter of the ES assessed the likely impacts of the Ty Du development for residential and community uses on future residents and users of the site and the existing population in Nelson and the surrounding area. After establishing baseline conditions, it identified predicted effects and assessed the significance of impacts during the construction and operational phases of the proposed development. The assessment included employment, schools and education, housing provision, retail and leisure provision, the area's commercial market, healthcare provision, and public open space. In general, it is expected that the proposed development would have minor or negligible negative impacts on schools and education, healthcare provisions and public open space, whilst having positive impacts on the area's commercial, employment, housing, and retail and leisure markets.

Comments: It is considered that these conclusions are generally accepted and that the development although not in accordance with the approved LDP is acceptable for the reasons previously explained.

Cont.....

Planning Application 16/0373/OUT Continued

CUMULATIVE IMPACTS

The assessment concluded that there are no current or proposed developments within the immediate vicinity of the site that would give rise to significant cumulative effects or in combination effects for the proposed development at the land at Ty Du.

Comments: Agreed.

CONCLUSION

It is concluded that during construction, there would be disruption and disturbance at the site and to the local community due to the nature of the works. However, this would be temporary and of short duration. During the operation of the scheme, the majority of the environmental effects could be mitigated to ameliorate and enhance the proposed development. These mitigation measures have been identified.

The proposal offers an opportunity to create an attractive residential development, with B1 employment, in a landscaped environment. The proposal comprises a sustainable form of development. It would integrate the development with existing habitats and provide additional benefits of ecological enhancement and mitigation, plus sustainable urban drainage. Finally, it would contribute both to the shortfall in housing land in the area, local housing need through the provision of affordable housing and employment land appropriate to the local market.

Comments: This conclusion is agreed.

RECOMMENDED: (A) that this application be deferred to enable the completion of a Section 106 Agreement to require 25% affordable housing and (B) upon completion of the agreement planning permission be granted in accordance with the following conditions:

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont.....



Planning Application 16/0373/OUT Continued

- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of one year 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.
- 04) 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.
- 05) The development hereby approved shall not be occupied until there have been completed the following off site pedestrian and transport improvements:  
(1) A pelican crossing over the A472 south of No 5 Heol Harri Lewis  
(2) A 2 metre wide pedestrian link from the Co-operative food store along the southern side of the A472 to the proposed pedestrian site entrance to the east of the food store and  
(3) On the same side of the road within the length of the required link footpath a bus layby together with a bus shelter  
(4) Provision of a bus shelter on the A472 east bound approach  
(5) Provision of pedestrian tactile crossing points to A472 Mafon Road/Dynevor Terrace roundabout,  
REASON: To ensure the adequate and safe pedestrian access to and from the site.
- 06) The development hereby permitted shall be carried out only in accordance with the following plan: Application Area Figure 2, Drawing Number UD\_LP\_01, Issue 03 Received on 12 May 2016 (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.

Cont....

Planning Application 16/0373/OUT Continued

- 07) The development hereby approved does not extend to the illustrative layouts shown on the submitted drawing titled Proposed Illustrative Master plan Figure 3, drawing number UD\_M\_01, Issue 08, or Figure 4, Drawing Number UD\_LA\_01, Issue 01, both received on 12 May 2016.  
REASON: At reserved matters it will be required that the layout be amended as may be detailed in the conditions that follow below.
- 08) At reserved matters the routes of existing and claimed rights of way that pass through the site shall be amended from those shown in the illustrative layouts to reflect more closely the commodiousness, character and texture of the existing routes.  
REASON: The illustrative routes indicate less commodious lines that traverse the estate, with footpaths detracting from the existing texture and character and do not utilize opportunities to more closely integrate the routes with features such as landscaped areas.
- 09) Notwithstanding the illustrative layout details of the following leisure provision shall be provided at reserved matters:-  
1. Appropriately scaled equipped play area designed for children between 2-12 years (incorporating safety surfacing, fencing seating etc.). The location of such a play facility should be at the hub of the residential area, benefit from good surveillance, good drainage and lend itself to easy maintenance.  
2. A Multi use games area (all weather surface and suitable scaled boundary panelling). This would benefit from being located in a more peripheral part of the development site.  
REASON: To ensure the provision of adequate on site leisure provision to meet the needs of the occupants. With reference to the illustrative master plan the main play zone appears to be too near one of the site thoroughfares and would be better in a central area surrounded by the new houses.
- 10) At reserved matters appropriately designed vehicular and pedestrian routes/access shall be shown to connect to any existing adjoining land use. Such route/access shall for example take care to show that residential traffic is not passed through areas developed solely for employment use and the route/access is suitable to serve the allocated land use.  
REASON: To ensure adequate access to existing land uses.

Cont.....

Planning Application 16/0373/OUT Continued

- 11) 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. The scheme shall consider the use of Sustainable Urban Drainage and set out a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime. 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.
  
- 12) Prior to the commencement of the development hereby approved a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:
  - (i) Control of noise.
  - (ii) Control of dust, smell and other effluvia.
  - (iii) Control of surface water run-off.
  - (iv) Site security arrangements including hoardings.
  - (v) Proposed method of piling for foundations.
  - (vi) Construction and demolition working hours.
  - (vii) Hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.The development shall be carried out in accordance with the agreed scheme or as may otherwise be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area.
  
- 13) 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.
  
- 14) 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 (above) have been undertaken in accordance with the agreed contamination scheme.  
REASON: To protect public health.

Cont.....

Planning Application 16/0373/OUT Continued

- 15) The reserved matters required by Condition 01) shall identify any trees with high potential for bat habitat that will be adversely affected by the proposed development and further emergence surveys/investigations shall be undertaken prior to works to those trees and where the presence of bats is confirmed mitigation measures shall be submitted to and agreed in writing with the Local Planning Authority and the works shall be carried out in accordance with the agreed measures.  
REASON: In the interest of the protected species.
- 16) The reserved matters required by Condition 01) shall identify any trees with medium potential for bat habitat that will be adversely affected by the proposed development and prior to works to those trees a scheme of soft felling the works shall be carried out in accordance with the agreed measures.  
REASON: In the interest of the protected species.
- 17) The reserved matters required by Condition 01) shall include a scheme of lighting that will take into account the presence of bats and otters. The scheme shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be carried out in accordance with the agreed measures and maintained thereafter as agreed.  
REASON: In the interest of the protected species.
- 18) The reserved matters required by Condition 01) shall include a Construction Environment Management Plan (CEMP) that encompasses good practice working measures during the construction phase to take into account the presence of protected species. The CEMP shall take account of the otter mitigation recommendations in section 8.7.2 of the submitted Environmental Statement and include a method statement to mitigate for the presence of the protected species during construction (i.e. hours of working). The development shall be carried out in accordance with the agreed measures.  
REASON: In the interest of the protected species.

Cont.....

Planning Application 16/0373/OUT Continued

- 19) The reserved matters required by Condition 01) shall include a Surface Water Management Plan to include details of, but not be limited to:
- Adequate measures, throughout the construction phase, to ensure clean surface water is directed away from working areas;
  - Adequate measures, throughout the construction phase, to ensure no discharges of contaminated surface water run-off into any nearby watercourses, including from vehicle wheel wash operations;
  - Surface water drainage from any temporary car parking areas is provided via a class 1 type oil interceptors;
  - The safe storage of all chemical fuels in a bunded area.
- The scheme shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be carried out in accordance with the agreed measures.
- The development shall be carried out in accordance with the agreed Surface Water Management Plan.
- REASON: In the interest of the water environment.
- 20) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the completion of the development. Any trees or plants which within a period of 5 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 the visual amenity of the area.
- 21) The landscaping scheme required above shall include: -
- (1) A detailed site master plan.
  - (2) Detailed design and schedule of hard landscape materials, structures, elements and finishes.
  - (3) Detailed soft landscaping plan, to include a schedule of all planting, retained woodland, hedgerow, grassland, grass seeding, aquatic and marginal planting.
  - (4) Tree, hedgerow, woodland protection plans together with a method statement for working within the wooded areas during construction and a management plan for management after construction of those trees, hedgerows and woodland, together with a wetland and pond management plan, including details of how the management plan/s will be procured.
- REASON: In the interest of visual amenity.

Cont....

Planning Application 16/0373/OUT Continued

- 22) Before any part of the development hereby approved is occupied, a Travel Plan relating to that part of the development shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the timescales and measures contained therein.  
REASON: To encourage transport other than by single occupancy vehicle trips.
- 23) The employment premises hereby approved shall only be used for B1 purposes as defined by the Town and Country Planning (Use Classes) Order 1987, or as defined by 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: For the avoidance of doubt as to the extent of the development hereby approved with particular regard to the amenity of the residential dwelling uses hereby approved.
- 24) The reserved matters in relation to proposed dwellings closest to the A472 shall be accompanied by a noise study with additional noise monitoring data to inform any necessary mitigation measures to provide for the amenity of the occupants of those units.  
REASON: To ensure that the proposed dwellings are adequately provided with mitigation commensurate with the impact of noise upon them from the traffic on the A472.

Advisory Note(s)

Rights Of Way advise that Footpaths 9 and 10 in the Community of Caerphilly cross the site. The line of Claimed Right of Way 153 also crosses the site. The Public Rights of Way will require a legal order to be in place prior to any works affecting the current line. It is recommended that the matter is discussed with the Public Rights of Way section in the early stages as these processes can take time to resolve.

The Head of Public Services advises that the Authority does provide kerbside collections for refuse, recycling and green waste, with the onus upon the Developer to provide suitable off road storage near the proposed public highway for one 240L refuse bin, one 240L recycling bin and one food caddy per dwelling.

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: CW10, CW2, CW3 and CW4.

Please find attached the comments of Dwr Cymru/Welsh Water and Natural Resources Wales that are brought to the applicant's attention.

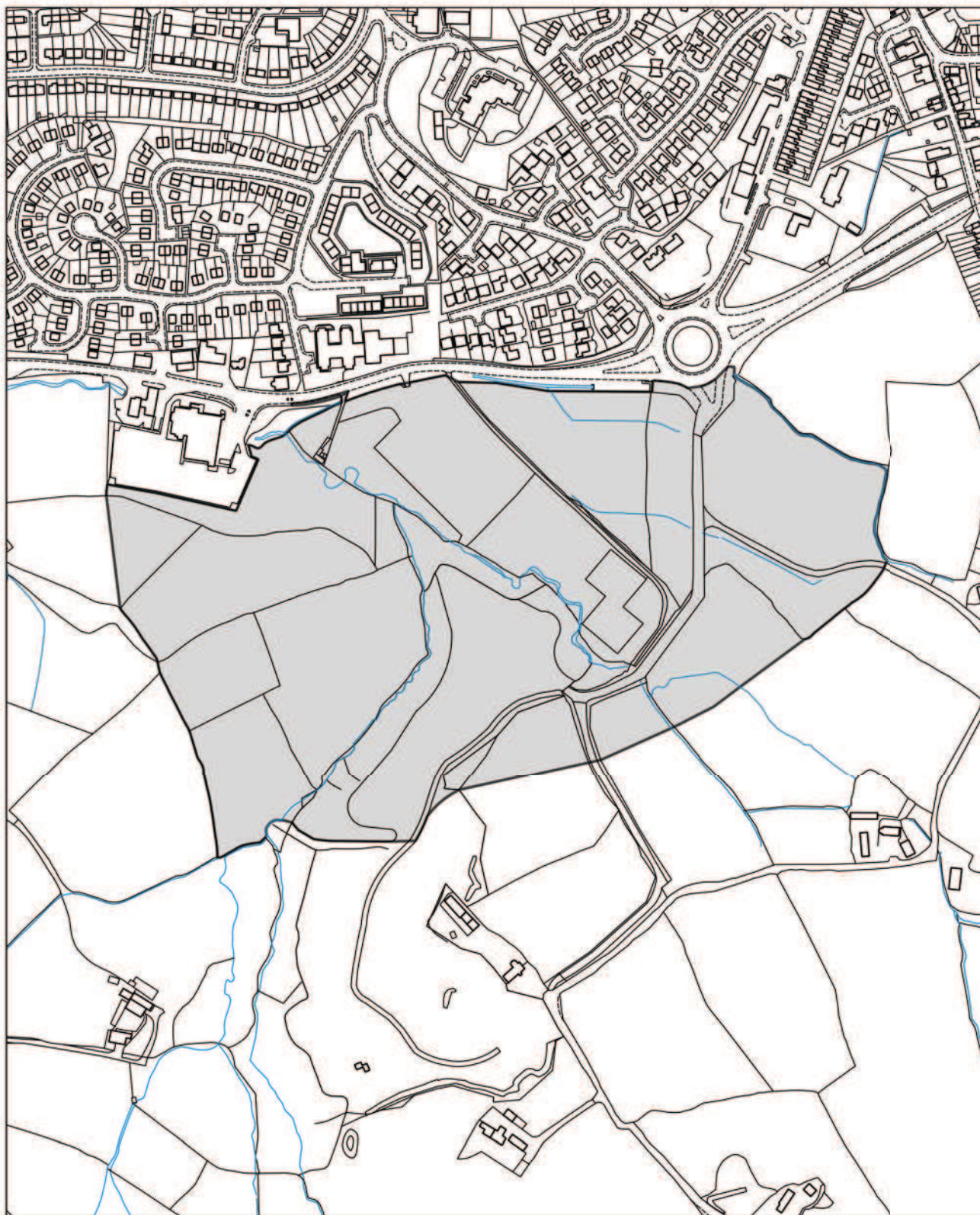
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## Planning Application 16/0373/OUT Continued

Whilst the development as submitted does not propose the importation of any soils or hardcore it is advised that where it is necessary for materials to be imported onto site to comply with the requirements of condition number 13 of this planning permission (a scheme to deal with contamination), details of testing for contamination will be sought for 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.

Section 71ZB(1) of the Town and Country Planning Act 1990 requires that notice be given to a Local Planning Authority before beginning any development to which a relevant planning permission relates, and must be in the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 or in a form substantially to the like effect.

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# Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0613/FULL 05.08.2016	Ms L Cochrane Pencwuarra Farm Bedwellty Road Markham Blackwood NP12 0PP	Convert existing water tank into single residential dwelling Markham Reservoir Tank Commin Road Markham Blackwood

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located on Commin Road, Markham.

Site description: Existing reservoir water tank.

Development: Conversion of water tank to residential dwelling.

Dimensions: The existing building is 5.6 metres in height, and a footprint measuring 18.2 metres x 18.2 metres.

Materials: Powder coated aluminium, cedar cladding.

Ancillary development, e.g. parking: Off-street parking for at least 3 vehicles.

## PLANNING HISTORY 2005 TO PRESENT

None.

## POLICY

### LOCAL DEVELOPMENT PLAN

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

Policies: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints), CW20 (Locational Constraints: Conversion, Extension and Replacement of Buildings in the Countryside).

Cont'd.....

Planning Application 16/0613/FULL Continued

Supplementary Planning Guidance LDP 5: Car Parking Standards, Supplementary Planning Guidance LDP 10: Buildings in the countryside.

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 6: Planning for Sustainable Rural Communities, Technical Advice Note 12: Design.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

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

### CONSULTATION

Transportation Engineering Manager - No objection subject to condition.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - Provides advice to the developer and requests a condition relating to land drainage. However, given the isolated location for the dwelling and the surrounding countryside, this is not considered necessary as the proposal is not introducing a new building and therefore the run-off will remain similar to the present situation.

Countryside And Landscape Services - Raises concern to the proposed development based on its prominent location within the landscape. Recommends conditions if Officers are minded to recommend approval relating to external materials, boundary treatments and sources of lighting.

Strategic & Development Plans - Object to the proposed development on the basis that it is located outside of the defined settlement boundary.

Dwr Cymru - Provides advice to the developer.

Cont'd.....

Planning Application 16/0613/FULL Continued.

### ADVERTISEMENT

Extent of advertisement: One neighbour was consulted by way of letter 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.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes. However the application site is located in the £0 CIL zone and therefore no CIL is payable in this instance.

### ANALYSIS

Policies: The main policies of relevance in the Adopted Caerphilly Local Development Plan are Policy CW2 (Amenity), CW3 (Design Considerations - Highways), and as the application building is located outside the Settlement Boundary, CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside).

Turning firstly to Policy CW20, it states that the conversion of a building outside settlement boundaries will be permitted where:

- i. The building is not makeshift in nature and is of permanent, substantial construction, and
- ii. The building is structurally sound and capable of conversion or rehabilitation without major alteration or reconstruction;
- iii. The building is capable of accommodating the proposed use without materially changing its existing character;
- iv. The development does not result in the domestication or urbanisation of an otherwise rural setting or the unacceptable loss of undeveloped countryside.

Cont'd.....

## Planning Application 16/0613/FULL Continued

It is clear that the application building satisfies Criterion (i) due to its permanent, substantial construction. In relation to Criterion (ii) whilst no structural engineers report has been submitted with the application, given the unique nature of the application building it is extremely unlikely that if the building wasn't structurally sound, the applicant would pursue the conversion.

Criterion (iii) is of particular importance in this instance. Whilst it is acknowledged that the Reservoir tank is unique in terms of its external appearance, the proposal should still pay due regard to maintaining the existing character of the structure. Of particular importance is the elevation facing the road, i.e. facing east. The submitted plans show a relatively small amount of alteration in terms of the industrial appearance of the building, with the exception of a single full height vent and limited wood cladding. The garage doors are roller shutter and subject to condition to control their finishes will maintain the external appearance. The north-west and south-east elevation have also been designed with limited detailing to maintain the original appearance of the tank. The majority of new openings, detailing and new materials are included on the front elevation, i.e. the south-west facing elevation. This includes a large amount of glazing and wooden cladding. Given the efforts to maintain the industrial appearance of the building of the other three elevations, these additions are considered acceptable, and necessary to facilitate good living conditions for future occupiers.

In terms of the fourth criterion set out above, i.e. the development resulting in the domestication or urbanisation of an otherwise rural setting, it is noted that the site location plan that accompanies the application shows a very large curtilage, i.e. approximately 60 metres x 60 metres in a triangular shape. This is considered excessive in terms of a residential curtilage for such a rural conversion. Therefore a condition will be attached to the permission requiring an amended plan showing a tighter residential curtilage to satisfy the above policy. Such a curtilage will be delineated by an agreed boundary treatment (also to be agreed by way of condition).

Policy CW2 relates Amenity and states that development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:

- A. There is no unacceptable impact on the amenity of adjacent properties or land;
- B. The proposal would not result in over development of the site and/or its surroundings;
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

Cont'd.....

Planning Application 16/0613/FULL Continued

Given the isolated location of the structure, coupled with the considerations above in relation to Policy CW20, it is not considered that the proposal is contrary to this policy.

Policy CW3 relates to Highway safety and parking provision. The plans indicate that the existing access will be utilised and appropriate off-street parking is clearly achievable within the confines of the site.

Several conditions will be attached to the planning permission to ensure the proposal integrates with the surrounding countryside in as sensitive a manner as reasonable.

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

The Head of Public Protection raises no objection subject to condition.

The Council's Ecologist requests several conditions relating to biodiversity. However given the nature of the existing site these conditions are not considered necessary.

Welsh Water provides advice to the developer.

Comments from public: None.

Other material considerations: Technical Advice Note 1 and the Council's lack of a 5 year housing land supply are a material planning consideration. Whilst the proposal will only increase the number of dwellings in the County Borough by one, this is still a contribution that should not be discounted.

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) Notwithstanding the submitted site location plan, prior to the commencement of works on site, amended details shall be submitted to the Local Planning Authority for their written approval showing a smaller curtilage to serve the dwelling hereby approved. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of visual amenity and to prevent the urbanisation of an otherwise rural setting.

Cont'd.....

Planning Application 16/0613/FULL Continued

- 03) 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.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no 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.
- 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 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.
- 07) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 08) 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), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.  
REASON: In the interests of highway safety.

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Planning Application 16/0613/FULL Continued

- 09) The driveway to serve the proposed development shall be not less than 3.65 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.  
REASON: In the interests of highway safety.
- 10) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 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 the visual amenity of the area.
- 11) The building shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans.  
REASON: In the interests of highway safety.
- 12) The development shall be carried out in accordance with the following approved plans and documents:  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/212, Revision: P01, First Floor Plan - Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/211, Revision: P01, Ground Floor Plan - Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/221, Revision: P00, Elevations - Existing & Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/201, Revision: P00, Site Plan - Proposed, received 15.07.2016;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 13) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried in accordance with the agreed scheme.  
REASON: In the interests of visual amenity.

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 CW3.





# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0385/FULL 20.05.2016	Aber Valley Community Turbine Ltd Mr D Brunton The Old Caretakers House Gwern Avenue Senghenydd Caerphilly CF83 4HA	Erect a single wind turbine of up to 77m tip height and associated infrastructure Land At Graig-yr-hufen Road Senghenydd Caerphilly

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Graig y Hufen Farm to the north of Senghenydd and Abertridwr. The site is to the east of the road leading to Eglwysilan Common.

Site description: The immediate setting of the turbine at Graig-y-Hufen Farm is one of open pastoral fields enclosed by stone walls, with some tree copses nearby. These fields rise up to the crest of the horse shoe of hills to the north of Senghenydd, where a further stone wall marks an abrupt transition to open common land. In addition to Graig-y-Hufen there are a few scattered farmsteads on the hills including Parc Mawr, Caer-moel and Maes Diofal. Approximately 200m to the south of the proposed site the ground transforms from gently sloping to steeply sloping with the nearest houses being at a much lower ground level than the proposed turbine.

The settlement immediately to the south, at a minimum range of 0.8km from the turbine, is Senghenydd, which lies in the Aber Valley. Much of the valley floor is urban in character with Abertridwr occupying a wider part of the valley to the south as far as Caerphilly.

To the north is the small village of Llanfabon at a range of 1.8km and beyond that at just under 3km, the town of Nelson.

Development: The project comprises the installation of a single wind energy converter or wind turbine (WEC).

The key components of the wind development are as follows:

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## Planning application 16/0385/FULL Continued

A single WEC mounted on a tapering circular steel tower up to 50m high. This will be delivered to the site in components comprising three blades up to 27m long, four tower sections, a nacelle (to which the blades are fixed and in which the generator is housed), and a 'can' which is cast into the concrete foundation and provides the means of fixing the tower to the base. The latter may be substituted for several dozen holding down bolts depending on the WEC model finally selected.

A small substation building about 2.7m x 2.4m on plan enclosed within an enclosure will be located alongside the hardstand close to the turbine building.

A circular, octagonal, hexagonal or square reinforced concrete foundation which will be buried below the existing ground surface on completion.

A 4.0m wide gravel access track, widened at corners, will be constructed from the point where it leaves the public highway at OS grid reference ST110916 to the WEC site. This track will head west before forming a loop back to the east as it rises up the hill noting that it crosses the lane to the north of Graig y Hufen farm at right angles.

The grid connection route will be confirmed following a formal offer from Western Power Distribution, however it is anticipated that the electrical grid connection point will be an existing timber pole on the eastern boundary of the field in which the WEC is located. A buried cable of up to about 70m would carry the energy generated to this point.

A gravel hard standing, measuring about 20m by 30m, to facilitate the erection of the WEC. This will be substantially reinstated on completion.

A component lay down area of approximate 15m by 30m which may need to be partially stripped of soil and covered with a thin layer of gravel, and will be reinstated on completion.

A temporary construction compound to accommodate the contractor's office, welfare facilities, plant and materials is required with an area of about 550m<sup>2</sup>. This may be located directly on the existing ground surface, but will in any case be completely reinstated on completion.

After commissioning of the WTG the temporary compound including the portacabins will be removed. The whole site area will be cleared of all contractor's materials, plant and equipment and waste materials associated with the wind turbine. Areas of ground affected during construction will be reinstated with topsoil.

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## Planning application 16/0385/FULL Continued

The turbine base and hard standing area will be reduced in size to approximately 15m x 18m, by covering part of the area with topsoil stored from the excavation work and blending it to the level to that of the surrounding ground. The hard standing will remain in situ under the naturalised surface in the event that it is needed for crane access to replace turbine components. The retained hard standing will be used for parking maintenance vehicles, for small crane operations and for pedestrian access.

During the operations and maintenance period, routine access to the site will be required via the lane running through Graig y Hufen Farm site entrance. On completion of the works the temporary route prepared for AIL deliveries from the west of Graig y Hufen to the road crossing north of Graig y Hufen will be topsoiled and vegetated thus returning it to pasture. The verges of the access track will be dressed with top-soil arising from the initial excavations to allow vegetation to regenerate.

The expected productive lifetime of the proposed wind turbine will be 25 - 30 years. At the end of this operational life, it will be necessary to decide whether to refurbish, replace or decommission the turbine. If the site is decommissioned, the turbine and the upper section of the foundation will be removed and backfilled. The electric cables may be left in the ground because it will be less disruptive to leave them than in place than to remove them.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2005 TO PRESENT

14/0236/FULL - Install 60m high meteorological mast for a period of two years to measure wind speed and direction. Granted 15.07.2014.

14/0575/FULL - Install a 60m high meteorological mast for a period of two years to measure wind speed and direction. Granted 30.10.2014.

### POLICY

#### Site Allocation

Local Development Plan: The site lies in the open countryside beyond a settlement boundary, it is not allocated for any specific use. It is within a Special Landscape Area and a Sandstone Safeguarding Area.

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Planning application 16/0385/FULL Continued

### Policies

Local Development Plan: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification), CW22 (Locational Constraints - Minerals), NH1.3 (Mynydd Eglwysilan).

National Policy: Technical Advice Note 8: Planning for Renewable Energy, July 2005. Planning Policy Wales.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? - No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - Yes.

### CONSULTATION

Transportation Engineering Manager - No objection subject to the imposition of conditions with regard to the submission of a Traffic Management Plan and a highway condition survey.

Head Of Public Protection - No objection subject to conditions in respect of noise, hours of delivery to the site during construction and shadow flicker.

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

Countryside And Landscape Services - Raises objection to the application on the basis of the visual impact of the development on the landscape character of the area and on sensitive receptors in the locality.

The Coal Authority - No objection subject to the imposition of a condition requiring the submission of a site investigation report.

Rights Of Way Officer - Provides advice to be conveyed to the developer.

Principal Valuer - No objection.

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Planning application 16/0385/FULL Continued

National Air Traffic Services - No objection.

Ministry Of Defence - No objection.

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

Wales & West Utilities - No objection.

British Telecom - Provides advice to be conveyed to the developer.

Natural Resources Wales - No objection.

Glam/Gwent Archaeological Trust - No objection subject to the imposition of a condition requiring the submission of a scheme of historic environment mitigation.

Brecon Beacons National Park - No objection.

Welsh Government Trunk Road Manager - Raises no objection subject to the imposition of a condition requiring the submission of a traffic management plan.

South Wales Trunk Road Agency - No objection.

Joint Radio Company Limited - No objection.

OFCOM - No objection.

Public Health Wales - No objection.

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a press notice, a site notice and neighbour letters.

Response: Six letters of objection were received together with twenty four letters in support of the application. The support letters included letters from both the AM and MP.

Summary of observations: The objections are summarised as follows:-

- 1 Noise disturbance.
- 2 Effect on the ecology of the area including birds and bats.
- 3 Damage to property during construction.
- 4 Visual impact.

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Planning application 16/0385/FULL Continued

- 5 Insufficient consultation has been carried out in the area.
- 6 Loss of property value.
- 7 How will the development help to fund the youth centre etc. Further information is required on the business plan for this.
- 8 Impact on highway safety.
- 9 The structure should be painted green to help it blend in with the background.
- 10 This could lead to more turbines in the area.

The comments in support are summarised as follows:-

- 1 The revenue will be a valuable contribution to the sustainability of the SYDIC.
- 2 The turbine would provide clean renewable energy.
- 3 The turbine could become a teaching resource for the community.
- 4 It could also be a tourist destination.
- 5 Supports the goals of the Well Being of Future Generations (Wales) Act 2015.

#### 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? No.

Is this development Community Infrastructure Levy liable? No.

#### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is the visual impact that the proposal will have on the area and how this is balanced against the need to provide renewable energy and the community benefits provided by this particular scheme.

The character of the Llanfabon Visual & Sensory Area has changed. The northern section, north of the Mynydd Eglwysilan range, has changed from a landscape that could be described as a "landscape character area with no turbines" to a "landscape area with occasional turbines in it and/or intervisible in another landscape character area".

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However, to the south of the Mynydd Eglwysilan range and east of Mynydd Meio, the Llanfabon aspect area has not changed significantly since the Landmap evaluation and still remains a "character area with no wind turbines" as the mountain range and ridges create a defined visual envelope, creating an internally focused, tranquil and still landscape. This area has "high scenic quality and integrity." The Castell Llwyd turbine is outside this visual envelope, being screened for the most part by Mynydd Eglwysilan.

From the Abertridwr Valley, the subtle differentiation between Landmap areas is negligible, and this is reflected in the inclusion of both Landmap areas within the Special Landscape Area Designation. The farmed mountain-sides with open common land above are read as one enveloping rural landscape, and the High Landmap evaluation should be given priority for this area. Any change to this part of the Llanfabon area will have an impact on the Mynydd Eglwysilan and Meio area beyond as they are seen within the same visual context.

The policy for the Special Landscape Area, within which the proposed turbine sits, is to "prevent the area becoming too cluttered with incongruous vertical elements, including pylons and turbines."

Technical Advice Note 8, paragraph 2.13 states . . . "there is a balance to be struck between the desirability of renewable energy and landscape protection. Whilst that balance should not result in severe restriction on the development of wind power capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of a county."

Planning permission was refused on Appeal in 2014 and 2015 for one and two turbines respectively at Pen yr Heol Las Farm which is on the eastern side of the Rhymney Valley above Llanbradach. In the first case the Inspector expressed concern about the impact on the SLA and the setting of Caerphilly Basin. The second Inspector was concerned about the impacts on the landscape character and visual impact. Since then permission was granted in 2015 for a 77m high wind turbine at Castell Llwyd Farm which overlooks Ystrad Mynach. Also, three wind turbines of up to 110m in height were allowed on Appeal in 2015 at Pen Bryn Oer, Rhymney.

It is acknowledged that the cumulative and standalone visual impact of this turbine and others in the area is a significant factor to be considered. However, because of the topography of the area and as a result of existing screening features (i.e. trees, buildings etc) from the relevant viewpoints the views of the turbines would be limited to glimpsed views. The closest settlement to the proposed turbine is Senghenydd, which is some 800m to the south of the site. However, the topography of the area is such that the nearest dwellings are some 70m lower than the application site with a steep slope between the two such that it will not be possible to see the turbine from those dwellings. It is also considered that not all of the turbines would be visible at any one time and from any one viewpoint within a 180 degree vista.

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Planning application 16/0385/FULL Continued

Moreover, given the existing gaps between the turbines in the area the cumulative impact is considered to be such that it is considered to be carefully balanced in terms of acceptability.

It is accepted that wind turbine developments have a significant impact on the landscape character and visual amenity of an area by the very nature of their height and prominence. The role of the Local Planning Authority is to consider whether that impact is significant enough to justify a refusal of any planning application. In this instance that impact only has to be addressed against the wider national need to provide renewable energy.

#### Need for Renewable Energy in the Area

In this respect the UK is subject to the requirements of the EU Renewable Energy Directive which includes a UK target of 15% of energy from renewable sources by 2020. This includes both heat and electricity, and is seen as a minimum and a starting point from which the proportion should rise. At present in terms of electricity, there are 9 wind turbines and 3 solar farms in the county borough. These make a significant contribution. The 2 turbines at Oakdale for example generate as much electricity as the 1,834 domestic PV systems in the county borough. The amount of electricity generated in the county borough is around 12% of the predicted amount likely to be used in 2020. In terms of heat however, the figure is less than 1%. It is envisaged that a further target above the 15% aim is likely to be set soon as it is an initial target on the road to the 80% reduction in carbon emissions required by the EU. Even if Caerphilly borough exceeds the target of 15% before 2020 it will be expected to push on further and provide more. Consequently the landscape impacts of this turbine have to be assessed against this backdrop of a shortfall in the energy production within the county borough to meet predicted needs. On balance it is considered that the need to provide renewable energy outweighs the harm that the proposal would have on the landscape character and visual amenity of the historic landscape and as such the proposal is acceptable in this regard.

The applicant states that the proposed turbine will also supplement the income of SYDIC - a youth drop in centre - thereby making it financially sustainable moving forward. The Well Being of Future Generations (Wales) Act came into force in 2015. The Act places a duty on public bodies to carry out sustainable development (Welsh Government, 2015).

"The planning system is necessary and central to achieving sustainable development in Wales." The Minister for Natural Resources has made it clear in his recent letter to Planning Lead Members that "[when] taking decisions on local planning policies and individual development management decisions consideration should be given to the overall context of helping to tackle climate change and delivering the sustainable development duty placed on all public bodies by the Well-being of Future Generations (Wales) Act." Cont.....



Planning application 16/0385/FULL Continued

The Welsh Government's policy is "...to support community driven renewable energy projects where benefits from the projects are returned to the host community."

In respect of community benefits it is noted that TAN8 suggests that developers should consider these, but it is not a requirement that they should be in place in order to make a development acceptable in planning terms.

The Practice Guidance: Planning Implications of Renewable Energy and Low Carbon Technology (2011) explains the difference between community benefit, which can be described as "... a 'goodwill' contribution voluntarily donated by a developer for the benefit of communities affected by development ..." and community involvement, whereby a community establishes their own renewable energy developments. These two aspects should be considered differently with respect to assigning weight within the planning balance, with the Practice Guidance (PG) explaining that; "Any proposed benefits that are offered are not a material consideration unless they are directly relevant to planning and the proposed development."

With respect to the Aber Valley Community Turbine, the project reflects a scenario of community involvement. The primary driver behind the project is the need to provide a sustainable income to SYDIC to enable it to continue to provide much needed and valued services to the young people and wider community of the Aber Valley. This intention and desired outcome is directly relevant to the proposal and should therefore be considered material in the planning balance. In that regard it is considered that the community benefits of the development, which is to be owned by SYDIC with all profits being retained and utilised by it, makes a strong argument in that balance.

#### Impact on Ecology and Wildlife

A Baseline Ecological Survey and Bird Surveys were carried out on this site. The findings of those surveys have been considered by Natural Resources Wales and the Council's Ecologists and no objections have been raised. On that basis it is not felt that the proposal would have a detrimental impact on ecology or wildlife.

#### Distance to Nearest Dwelling.

Annex D to TAN 8 does suggest that a 500m separation distance between a turbine and any residential property should be used in order to avoid unacceptable noise impacts. However, it also suggests that when applied in a rigid manner this can lead to conservative results and as such flexibility is advised. In that regard a noise survey has been submitted with the application which indicates that the noise levels at the nearest properties are acceptable within established guidelines. In that regard it is not considered that a 500m separation distance is required in this instance.

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## Highways Impacts

The application has been accompanied by a number of documents that describe the route that is to be used to transport the turbine and its components to the application site and the highway safety implications of this. These documents have been assessed by the Transportation Engineering Manager who has raised no objection to the proposal subject to the imposition of conditions. Therefore the proposal is considered to be acceptable in highway safety terms.

Comments from consultees: Addressed above.

### Comments from public:

- 1 The issue of noise has been considered above.
- 2 Ecology is addressed above.
- 3 Any damage caused to third party property during construction would be a private matter between those parties.
- 4 Visual impact is addressed above.
- 5 The application was advertised by means of a press notice , a site notice and neighbour letters. This is in line with legislative requirements and Council protocol. The proposed turbine was also extensively publicised by the developers over a prolonged period.
- 6 Loss of property value is not a material planning consideration.
- 7 The community aspect of this proposal is discussed above. It is not for the Local Planning Authority to consider the internal management structure of SYDIC or how it intends to distribute its profits from this proposal.
- 8 This is considered to be acceptable by the Council's Transportation Engineering Manager.
- 9 It is not felt that painting the turbine green would help it to blend in with its surroundings. Given the height of such structures it is considered more beneficial for them to be white in order to blend in with the sky.
- 10 Approval of this application would not set a precedent for further turbines in the future as each application has to be considered on its own merits.

Other material considerations: None.

In conclusion it is clear from the above discussion that the main point of concern with regard to this application is the visual impact of the development on the landscape character and visual amenity of the area. The comments from the Council's Countryside and Landscape Services suggest that the impact varies from localised to significant dependant on the viewpoint and the relevant topography and natural screening. However, the comments also suggest that the impact, whilst worse than suggested by the applicant, should be balanced against the need to provide renewable energy.

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Planning application 16/0385/FULL Continued

Permission has been refused on Appeal for turbines in this locality some 2.5 km away from the application site, but more recently consent has been granted for a similar sized turbine some 2.4 km to the east. The approved and built turbine has similar visual impacts as the one currently proposed; both according to the submitted visibility zone plans can be seen from the west and north, whereas those that were refused were also visible from Caerphilly Basin.

Similar concerns were raised in Rhymney about the introduction of tall structures in an SLA but the Inspector gave considerable weight to the need to achieve renewable energy targets and the fact that the development is reversible after 25 years.

On balance it is considered that the need to provide renewable energy and the community benefits outweigh the harm that the proposal would have on the landscape character and visual amenity of the area and as such the proposal is acceptable in planning terms.

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) The development shall be carried out in accordance with the following approved plans and documents: Design and Access Statement by QuadConsult Limited, Additional Planning Information by Seren Energy, Aber Valley Community Turbine and the Well-Being of Future Generations Act 2015 by SYDIC, SYDIC Case Study; Senior Youth Worker, Mia Hughes, Local Energy Oversight report by Energy Saving Trust, Extended Phase 1 Habitat Survey Report by Sylvan Ecology, Report of Bat Survey by Ecology Matters, Environmental Impact Assessment by Glamorgan and Gwent Archaeological Trust, Environmental Statement Update by Glamorgan and Gwent Archaeological Trust, Noise assessment by Ion Acoustics, Shadow Flicker Assessment by Seren Energy, Statement by Arboricultural Technician Services and Coal Mining Risk Assessment by Integral Geotechnique.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Planning application 16/0385/FULL Continued

- 03) The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties shall not exceed 44dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 04) During the course of the investigation required by Condition 04, should the wind turbine or turbines be identified as operating above the parameters specified in Condition 02, the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.  
REASON: In the interest of the amenity of noise sensitive properties.
- 05) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 06) Following the commission of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.  
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.

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Planning application 16/0385/FULL Continued

- 07) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 0700 and 1900 hours Mondays to Fridays, 0900 and 1600 hours Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.  
REASON: In the interest of residential amenity.
- 08) Prior to the commissioning of the wind turbine hereby approved they shall have been fitted with a control system that automatically shuts down the turbines during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority and the turbines shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.  
REASON: To control flicker in the interest of amenity of nearby flicker sensitive properties.
- 09) Notwithstanding the submitted details there shall be no movements of Abnormal Indivisible Loads to or from the site until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate full consultation and approval with neighbouring Authorities which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by the South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the hauliers indemnity insurance for approval. Details of any highway improvements required to the highway network with Caerphilly County Borough Council shall also be provided for approval by the Local Planning Authority and be completed prior to the delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.  
REASON: In the interests of highway safety.
- 10) Prior to the transportation of any turbine components; a highway condition survey along the proposed route within Caerphilly County Borough shall be carried out and agreed in writing with the Local Planning Authority, which includes a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.  
REASON: In the interests of highway safety.

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Planning application 16/0385/FULL Continued

- 11) No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.  
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 12) Prior to the commencement of works on site a scheme of intrusive site investigations shall be submitted for the approval of the Local Planning Authority. The site investigations shall thereafter be carried out in accordance with the approved details and a report on the findings together with any suggested mitigation measures shall be submitted for approval. The construction of the turbine hereby approved shall not commence until such time as a certificate, duly signed by a suitably qualified engineer has been submitted to testify that the works have been carried out in accordance with the approved scheme.  
REASON: In order to ensure that the development has regard for past underground mining risk.
- 13) 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.
- 14) Prior to the commencement of works on site, details of the position and extent of the cable route together with an assessment of the ecological value of the habitats and species along the route together with any necessary mitigation measures shall be submitted for agreement of the Local Planning Authority. The agreed measures shall be strictly complied with.  
REASON: To minimise impact on species rich habitats.
- 15) 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.

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Planning application 16/0385/FULL Continued

- 16) Notwithstanding the approved details, the portion of the access track as shown hatched in red on drawing number ABERVLP-1C shall be removed from the site and the land restored to its former condition within one month of the date of the turbine coming into use.  
REASON: In the interests of the landscape character of the area.
- 17) The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use of the turbine in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.  
REASON: In the interests of visual amenity.
- 18) The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of 25 years from the date of commencement of the development hereby approved or within six months upon their becoming no longer operationally active in the generation of electricity, whichever is the earlier.  
REASON: In order to define the extent of the permission hereby granted.
- 19) The transformer unit shall be painted in a colour to be agreed in writing by the Local Planning Authority prior to works commencing on site.  
REASON: In the interests of visual amenity.
- 20) Prior to the commencement of works on site a scheme shall be submitted for the written approval of the Local Planning Authority for the blocking up of existing gateways and the reinstatement of any stone boundary walls. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of visual amenity.

Advisory Note(s)

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

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), ([www.archaeologists.net/codes/ifa](http://www.archaeologists.net/codes/ifa)) and it is recommended that it is carried out either by a CIfA Registered Organisation ([www.archaeologists.net/ro](http://www.archaeologists.net/ro)) or an accredited Member.

Comments from Dwr Cymru/Welsh Water, Wales and West Utilities, Senior Engineer (Land Drainage) and British Telecom.

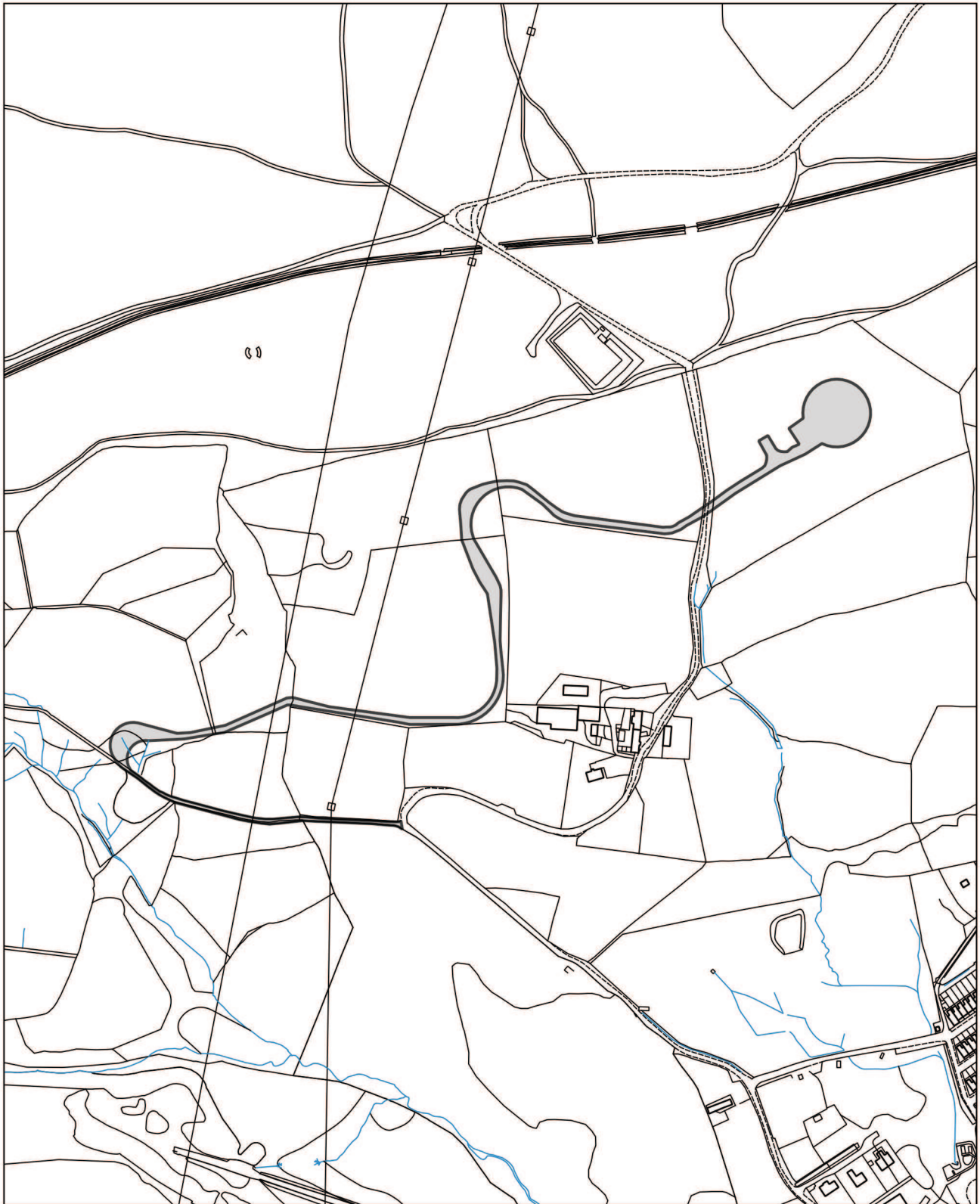
Cont.....

Planning application 16/0385/FULL Continued

The proposed service track utilises part of Footpath 30 in the community of Caerphilly. The path must remain open for access at all times, unless the appropriate temporary closure order is in place. Measures must be taken for the safety of users, whether this be banksmen, separate tracks, or a temporary closure.

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# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0622/OUT 18.07.2016	Mr P Percival 6 Black Prince Road Castell Maen Caerphilly CF83 2XP	Construct a pair of semi-detached 2 bed dwellings with on-site parking facilities Land To Rear Of 20 Church Street Bedwas Caerphilly CF83 8EB

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application property is located on the junction of Church Street with East Avenue.

Site description: The application site is the rear garden of the corner property at 20 Church Street. The property has a long flat rear garden enclosed by a stone wall and with gates serving an existing parking space. There is also a detached garage at the eastern end of the garden. The application site is situated within a mixed use area with retail along Church Street and largely domestic along East Avenue.

Development: The application seeks outline consent for the construction of a pair of 2 bed dwellings with on-site parking facilities with all matters reserved for future consideration with access directly from East Avenue.

Indicative access points: The plan shows access directly off East Avenue.

Dimensions: (upper and lower limits for height, width and length of each building):  
Between 6.5m and 6.8m long, 5.8m and 6.1m wide and 7.1m and 7.4m high.

Materials: The indicative plans show the use of render with a tiled roof.

Ancillary development, e.g. parking: One parking space and amenity areas for each dwelling.

## PLANNING HISTORY 2005 TO PRESENT

06/0674/FULL - Change the use from Class A1 to Class A3 - Refused 08.03.2007 - Allowed on Appeal 03.10.2007.

Cont....

Planning application 16/0622/OUT Continued

11/0801/OUT - Erect a pair of semi-detached, two bedroom dwellings with onsite parking - Withdrawn 05.07.2012.

12/0549/OUT - Erect detached three bed dwelling with attached garage - Withdrawn 22.01.14.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 Car Parking Standards sets out parking requirements for all developments.

Supplementary Planning Guidance LDP6 sets out guidance for all developments.

National Policy: Paragraph 4.11.9 of Planning Policy Wales states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

## CONSULTATION

Head Of Public Protection - No objection.

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

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

Transportation Engineering Manager - No objection subject to conditions in relation to off street parking, front boundary treatments, gates and drainage.

Cont....

Planning application 16/0622/OUT Continued

Bedwas, Trethomas & Machen Community Council - Raises objection as the proposal is considered to be overdevelopment and there is a lack of off street parking in the area.

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: None.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?  
None.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? No. This will be calculated at the reserved matters stage.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is located within a largely residential area and as such the principle of residential development on this site is considered to be acceptable. The main point to consider in the determination of the application therefore is whether the site is capable of accommodating the two dwellings without having a detrimental impact on the amenity, privacy or highway safety of the area.

With regard to the amenity of the neighbouring dwellings it should be noted that the nearest dwellings to the site are the property at number 20 Church Street and the property known as The White House on East Avenue. Neither of these dwellings has a window facing the application site on the walls nearest the application site and as such it is not felt that the proposed dwellings would have an overbearing impact on those dwellings.

Cont....

## Planning application 16/0622/OUT Continued

It is also felt that there would be sufficient distance between the proposed dwellings and the rear garden of the dwelling to the south at 18 Church Street such that there would be no overbearing impact on that property. It is also considered that the dwellings can be accommodated on the site whilst retaining sufficient space for the amenity of the existing property and providing enough amenity space for the new dwellings.

In respect of the privacy of neighbouring dwellings, the fact that there are no windows in the adjacent dwellings (as discussed above) is relevant here. Any proposed dwellings could also be designed in order to ensure that there would be no habitable room windows in the side elevations such that there would be no loss of privacy to those properties. With regard to the properties on the northern side of East Avenue it is accepted that these are no 21m away from the proposed dwellings but this is not considered to be unusual in an urban situation such as this and as such it would be acceptable in planning terms.

With regard to off street parking it should be noted that the indicative layout plan shows the provision of one off street parking space per dwelling. This is in line with Supplementary Planning Guidance LDP5 in that the applicant has submitted a sustainability appraisal securing a reduction in the number of spaces required per dwelling due to the number of facilities within close proximity to the application site. However, it should also be noted that the application would cause the loss of a parking space for the existing dwelling and no replacement is shown on the indicative layout. Nevertheless it is clear from the plans that there is sufficient space within the site to provide such a space and a condition could be attached to any consent granted to that effect. In that regard it is considered that the proposal is acceptable from a highway safety perspective.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

In conclusion it is considered that the application is acceptable subject to the imposition of conditions.

Cont....

Planning application 16/0622/OUT Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 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) The development shall be carried out in accordance with the following approved plans and documents: Location Plan and Design and Access Statement.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) The consent shall not extend to the detail shown on the submitted drawings 21720/01 in respect of the site layout.  
REASON: For the avoidance of doubt as to the extent of the permission hereby granted.

Cont....

Planning application 16/0622/OUT Continued

- 07) 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.
- 08) No development or site vegetation clearance shall take place until a detailed Reptile Mitigation Strategy has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.  
REASON: To ensure that reptiles are protected.
- 09) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new building at Land to the rear of 20 Church Street, Bedwas, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new building hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 10) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, or Swift) in the new building at Land to the rear of 20 Church Street, Bedwas, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new building hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 11) 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.

Cont....



Planning application 16/0622/OUT Continued

- 12) Parking for each dwelling shall be provided in accordance with the Local Planning Authority's Adopted Supplementary Planning Guidance LDP5 - Car Parking Standards.  
REASON: In order to ensure that adequate parking is provided in the interests of highway safety.
- 13) 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) the existing access shall be permanently stopped-up prior to the completion or first occupation of the development hereby approved, whichever is the sooner, and in a manner which shall first be agreed in writing with the Local Planning Authority.  
REASON: In the interests of highway safety.
- 14) Any gates shall be located and fitted so as not to open out over the highway.  
REASON: In the interests of highway safety.
- 15) 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, the proposed boundary wall fronting East Avenue shall at all times be limited to no higher than 0.9m.  
REASON: In the interests of highway safety.
- 16) Rainwater run-off shall not discharge into the highway surface water drainage system.  
REASON: In the interests of highway safety.

Advisory Note(s)

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

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

Section 71ZB(1) of the Town and Country Planning Act 1990 requires that notice be given to a Local Planning Authority before beginning any development to which a relevant planning permission relates, and must be in the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 or in a form substantially to the like effect.

Cont....

## Planning application 16/0622/OUT Continued

Before any vehicle crosses the public footway, a properly formed vehicular crossover must be provided, the constructional details of which must be agreed with the Highway Authority. The applicant should ring (01495) 235323 in this regard. Should the applicant wish to undertake the work themselves, or employ a private contractor, a Licence to Excavate the Highway will be required. This licence will not be required if the work is undertaken by the Council's Network Contracting Services. It should be noted that any unlicensed work in, or disturbance of, the highway is an offence under the Highways Act 1980 and in such circumstances legal action may be undertaken in order to rectify matters.

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# Agenda Item 9

## PREFACE ITEM

APPLICATION NO. 16/0533/LA

APPLICANT(S) NAME: CCBC Community And Leisure Services

PROPOSAL: Develop a new cemetery for the provision of approximately 2000 burial plots and 1800 cremated remains plots, a new building comprising offices and welfare facilities together with public toilets, site infrastructure and car parking

LOCATION: Land Adj To Old Nantgarw Road Groeswen Cardiff  
CF15 7UN

The above application for a new cemetery was deferred at Planning Committee on 3<sup>rd</sup> August 2016 to allow the applicant to address the concerns of Members in relation to the sustainable design of the development, clarification in respect of the depths and location of graves and the provision of public access to the proposed cemetery and the associated highway considerations attributable.

Further to the original report and recommendation, the applicant has submitted amended plans. In terms of the site layout the footpaths through the cemetery are now running parallel to the existing field boundaries in order to provide a more coherent pattern of development in this rural landscape. The boundaries of the site comprising existing trees and hedgerows will remain and any gaps will be planted up. However, the applicant has reserved the option to erect timber post and wire stock proof fencing of 1.4m high to internal boundaries of adjoining farmland should the need arise, together with 1.8m high sentinel style security fencing on the inside of the front hedgerow should illicit trespass become problematic. A pennant sandstone boundary wall will be provided at the entrance and exit to the site, which again will be in keeping with existing stone boundary walls within the vicinity.

The external materials to be used in the building are proposed to be pennant sandstone in the north and west facing elevations, which are the elevations which will be viewed by the public. The remaining walls will be smooth rendered. The roof will be slate and the windows and doors will be upvc. The building offers the opportunity to incorporate sustainable building elements and in this respect consideration is being given to the building becoming its own power station, generating, storing and releasing its own energy, using energy from the sun. The technologies are designed to be integrated into the roofing and building materials to create a renewable energy system capable of delivering all the electricity and heat requirements of the building. Rainwater harvesting will be incorporated into the design. Whilst these technologies are being considered they may be cost prohibitive but will be utilised where possible.

In terms of the allocation of graves the amended site layout plan identifies the respective burial zones and depths for single, double and triple interments together with exclusion zones.

In terms of highway considerations, the amended site layout plan indicates 30 allocated (including 2 disabled) and 19 informal parking spaces. A bus stop is also provided should the need to provide such a service arise in the future.

In terms of the provision of a bus service the Highways Officer has discussed the proposal to divert journeys on services 26 (Blackwood to Cardiff via Caerphilly) and 120 (Caerphilly to Pontypridd) with the local Operations Manager and the Commercial Manager of Stagecoach.

The conclusion is as follows:

1. Diverting a trunk service will inconvenience the vast majority of passengers, who will incur additional travel time on their journey.
2. The diversion is likely to impact on reliability, particularly at peak times as this is a very busy junction. Access from Old Nantgarw Road onto the roundabout can be difficult due to the volume of traffic travelling from Caerphilly Road to the A469.
3. It is envisaged that there will be minimal demand for such a diversion. There is an analogy with the diversions on service 27 (Blackwood to Bargoed via Markham) to serve Bedwellty Church / Cemetery – the diversion also serves the small village, usage on this is extremely low, but the diversion on this one can be easily accommodated in the timetable and there is no real time penalty.

In summary, Stagecoach is not supportive over diverting journeys via the proposed Cemetery for the reasons outlined.

In terms of the lack of footway provision to the site this was considered by both RCT Highway Authority and this Council's Officers and was considered that it wasn't justifiable to construct approximately 700m of footway given the extremely low pedestrian demand. Furthermore, CCBC has no jurisdiction over Old Nantgarw Road to condition that a footway is provided, as responsibility rests with RCT.

Members were concerned about access and the number of visitors to the cemetery given the lack of public footpath to the site and bus service.

In terms of the number of funerals to be undertaken at the site, currently Bedwellty Cemetery is the busiest cemetery in the borough dealing with around 6 funerals per week. It is presumed bereaved families from Bedwas, Trethomas and Machen will still wish to utilise the existing cemetery provision at Bedwas, which is proposed to be extended to increase its operational lifespan and so will reduce the number of funerals and visitors to the proposed Nantgarw cemetery. Bereavement Services envisage that no more than two funerals per week will be undertaken at Nantgarw, which will serve the Aber Valley and Caerphilly town itself.

Members raised concern regarding increased visitors during special occasions such as Palm Sunday, Christmas etc. Again for the reason stated above it is not envisaged that this would cause problems particularly with the increased operational capacity at Bedwas. As a mitigating measure, additional staff are provided during these periods to manage parking, to deal with increased amounts of waste/litter, and customer enquiries etc.

RECOMMENDATION is that planning permission is granted subject to the conditions referred to in the original report, except condition 2 will now refer to the amended plans submitted. Also, an additional condition is proposed as follows:

“The proposed access and exit points on Old Nantgarw Road shall provide visibility splays of 2.4m x 70m. No obstruction or planting exceeding 900mm in height shall be placed or allowed to grow within the visibility splay areas.

REASON: In the interests of highway safety.”

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0533/LA 22.06.2016	CCBC Community And Leisure Services Mr M Headington New Road Tiryberth Hengoed	Develop a new cemetery for the provision of approximately 2000 burial plots and 1800 mini graves, a new building comprising offices and welfare facilities together with public toilets, site infrastructure and car parking Land Adj To Old Nantgarw Road Groeswen Cardiff CF15 7UN

**APPLICATION TYPE:** Local Authority Application

SITE AND DEVELOPMENT

Location: Land adjacent to Old Nantgarw Road, Groeswen, Cardiff, CF15 7UN.

Site description: The site is located outside of the settlement boundary. The site slopes in a south-easterly direction towards the existing highway and is lined with trees on the north eastern and north western boundaries. A hedgerow runs along the boundary adjacent to the highway for the length of the site. In addition there are a number of trees through the middle of the site, near the existing field gates. Old Nantgarw Road, from which the proposed cemetery will be accessed, runs along the south eastern boundary of the site, with open farmland immediately adjacent to the other boundaries. Old Nantgarw Road is situated within Rhondda Cynon Taff ownership.

Development: Full planning permission is sought in respect of the development of a proposed new cemetery to provide 2000 burial plots and 1800 mini graves used for cremations; a new building comprising offices and welfare facilities together with public toilets; site infrastructure comprising single lane/2 lane carriageway with pedestrian provision, car parking adjacent to the new access road and building and two new vehicular points onto Old Nantgarw Road.

Cont....



Application No. 16/0533/LA Continued.

The access road into the cemetery is intended to partially operate on a one way system, with entry location off Old Nantgarw Road at the midpoint of the site and a one way circulatory to the planned exit location to the eastern end of the site. This section of road will be one-way single carriageway 3.65m wide at entry and exit. The western half of the cemetery will be served by a 7.3m wide two-way carriageway linked to the proposed access road.

Internal footpaths / footways are 1.8m wide.

The proposed building comprising offices and welfare facilities together with public toilets measures is 9m x 18m and 4m high. The building is to be finished using grey face bricks with a grey slate tile roof and upvc double glazed windows and doors.

A DDA compliant access ramp is to be provided to both the disabled toilets and main entrance of the building. The internal layout of the building comprises an office, canteen, drying room, toilets and store room.

A compound area, measuring 10m x 22.4m will be provided at the rear of the building with a vehicular access link around the proposed building. The compound will be enclosed with 1.8m high steel palisade fencing and gates.

Foul sewage to be via a cess pit installed slightly north of the building.

Public toilets are to be locked outside of operational hours.

Parking is to be provided in close proximity to the new cemetery building, 2 spaces of which are allocated for disabled users. In addition parking is also provided to the north and east of the site.

Opening times 08:00 to 19:30 Monday to Saturday and 09:00 to 17:30 on Sundays.

Dimensions: Site area is 3.67 hectares - see also details above.

Materials:

1.8m high steel palisade fence to compound area and site boundary adjacent Old Nantgarw Road, 1.4m high bow top fence to all other boundaries of the site i.e. adjacent to open farm land.

The building comprises alternative slate roof in grey, facing brick walls and all external doors and windows to be upvc; macadam to access roads and parking areas

Cont....

Application No. 16/0533/LA Continued.

Ancillary development, e.g. parking: Fifteen car parking spaces and two disability spaces.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Outside of the settlement boundary, within the Mynydd Eglwysilan Special Landscape area (SLA) (Policy NH1.3) and also identified as a new cemetery (Policy CF1.31).

Policies:

Strategic Policies

SP3 - Development Strategy in the Southern Connections Corridor, SP6 - Place making, SP21 - Parking Standards.

Countywide Policies

CW2 - Amenity, CW3 - Design considerations - highways, CW5- Protection of the Water Environment, CW6 - Trees, Woodlands and Hedgerow Protection, CW15 - General locational constraints, supplementary planning guidance contained in LDP5 - Parking Standards.

NATIONAL POLICY

Planning Policy Wales, 8th Edition, January 2016, TAN 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No. The site falls within Schedule 2, 10 (b) - Urban Development Projects but does not exceed the threshold of 5 hectares in terms of the requirement to provide an Environmental Impact Assessment.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is not an issue in respect of this application but an advisory note will be forwarded to the developer.

Cont....

Application No. 16/0533/LA Continued.

### CONSULTATION

Natural Resources Wales - Have significant concerns with the proposed development and recommend that should planning permission be granted conditions are attached to any consent to address foul drainage requirements, restriction on burial locations and the provision of an ecological assessment.

Senior Arboricultural Officer (Trees) - Notes that the Tree Protection Plan (TPP) (superimposed over the proposed layout at that time) dates from July 2015, and the separate diagram from Engineering Consultancy (Tree Requirements (Planning Application)) is dated April 2016. The additional plan titled General Arrangement (Planning Application), also dated April 2016 indicates a revised layout that incorporates some of the trees that the tree consultant had earlier suggested in their TPP would be removed, and therefore not require any protection measures. Consequently, the Tree Protection Plan needs to be updated to reflect clearly which of those trees previously proposed for removal, are now being shown to be retained. This may be addressed by attaching a condition to any consent.

Overall, there are a number of trees and hedgerow sections which are to be removed if the proposed development is approved. If the retained trees are appropriately protected as detailed specifically in the Broadway tree report, then he is satisfied that the other trees' unavoidable loss will be sufficiently mitigated in the long-term by that proper protection.

The Coal Authority - Provides advice to be conveyed to the developer.

Transportation Engineering Manager - No objection subject to a condition being attached to any consent requiring the proposed access be completed in permanent materials to be approved by the LPA before the development is brought into beneficial use.

Countryside And Landscape Services - The current LDP has identified this site for the location of a new cemetery and as such there is no objection to the principle of this application.

However the LDP also identifies the area as being outside the settlement boundary and within the Mynydd Eglwysilian SLA. High standards of design are therefore required to maintain the SLA's Primary Landscape Qualities and Features, and address the Key Policy, Management and Development Control issues of the SLA, identified within the LDP.

Cont....

Application No. 16/0533/LA Continued.

Whilst the principle of the development is considered acceptable, it is considered that the materials proposed in respect of the proposed building, fencing and gates are not in keeping with the rural character of this area. It is recommended that the details of the site layout, fencing, trip rails, gates, CCTV, Building Design and landscaping are addressed by conditions to be attached to any consent.

A General Arrangement Plan PL02 and a Tree Requirements Plan PL04 have been submitted with tree application but no Landscape Proposals or details of the CCTV cameras to be installed.

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. Advice is provided to be conveyed to the developer.

Dwr Cymru - The site is crossed by a trunk water main and Dwr Cymru/Welsh Water provides advice to be conveyed to the developer in respect of the same.

As the applicant intends utilising a cesspit facility they advise that the applicant seeks the appropriate advice from the Building Regulations Authority or an Approved Inspector. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred they provide advice to be conveyed to the developer.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and ten neighbouring properties have been consulted.

Response: Three.

### Summary of observations:

- no drainage details provided;
- the burial of corpses and their subsequent degradation pollute ground water and any receiving surface water;
- no reference is made to the height limit of grave headstones;
- visual impact of the development and screening of the site;
- the site is not readily accessible by public transport;
- highway safety issues including increased traffic and lack of pedestrian footpaths;
- suggest traffic lights be introduced on the Penrhos roundabout;
- suggest the development should be subject to an environmental assessment to assess the visual impact of the development upon the agricultural area, an area of scientific significance, traffic.

Cont....

Application No. 16/0533/LA Continued.

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 relative to the determination of this planning application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

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

The main issues to be considered in the determination of this application are the impact of the development on amenity, highway safety and on the interests of nature conservation, and the water environment.

Policy SP6 of the LDP requires development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural historic and built environment and its special features through various criteria including an appropriate mix of uses that reflect the role and function of settlements, a high standard of design, a location and layout that reflects sustainable transport and accessibility principles and provides full and easy access for all, the efficient use of land and the incorporation and enhancement of existing natural heritage features.

The site is identified for a new cemetery by Policy CF1.31 in the LDP. Cemetery land is needed across the County Borough but the most acute pressure is in the Caerphilly Basin area. With such tight constraints on the space available to extend the existing facilities, it has been necessary to identify a wholly new site for a cemetery.

It is considered the proposed site meets most criteria - accessibility through good transport links, close to the major centres of population, and environmental issues. The site is well located for main transport routes and is on gently undulating land opposite the General Electric Aircraft Engine Services (GEAES) plant.

Cont....

Application No. 16/0533/LA Continued.

### Design

The Design and Access Statement and drawing PL02, submitted with the application state that the boundary fence to Old Nantgarw Road and to the secure compound at the rear of the cemetery building will be a steel palisade. This is a heavy industrial fence and is not considered suitable for either a cemetery or a rural location within a Special Landscape Area. The chosen fence for the remainder of the cemetery perimeter is a Bow top fence. This is a fence style commonly associated with urban parks and is not considered suitable for a rural location within the SLA.

No details of the proposed Cemetery gates, location of the CCTV camera have been submitted and no details of the proposed trip rail have been submitted.

The proposed cemetery building is utilitarian in appearance, more suited in design to a temporary school classroom or industrial estate. It adds nothing to sense of place, reflection and remembrance one associates with cemeteries.

Consequently, in terms of design, whilst the principle of this development is acceptable it is considered appropriate to attach conditions to any consent requiring further details in respect of fencing, trip rails, gates, CCTV, and building design in order that the development has more regard to its rural context.

It is considered the use of this land for a cemetery is compatible in land use terms and will not have an adverse impact on the character or amenity of the surrounding area subject to further details being submitted as discussed above.

Policy CW2 of the LDP considers amenity. The nearest dwelling to the proposed application site is Gwaun Gledyr Uchaf, some 127metres to the north, which will be separated from the application site by a field parcel. Another dwelling located to the east of the site is Ty-fry, which is located some 159metres away and separated from the site by an intervening field. In this respect it is considered the proposed development will not have an adverse impact upon the amenity or privacy of the occupants of nearby neighbouring properties.

Policy CW3 of the LDP considers highway requirements.

Objection has been raised regarding the lack of pedestrian access to the site. There are no public transport links directly to the site however the site is well located for main transport routes. There are bus stops located on the A468, Nantgarw Road, opposite GEAES and whilst there is a pedestrian footpath running along the eastern boundary of Nantgarw Road, there is no pedestrian link to the proposed cemetery access. However, many of the cemeteries within the borough do not have pedestrian access and it is considered that generally people would drive to the cemetery but if they wished to walk it would include a walk along Old Nantgarw Road, which whilst able to accommodate two-way traffic has no footpaths.

Cont....

Application No. 16/0533/LA Continued.

It is not anticipated that there will be significant pedestrian movement to and from this site.

Pedestrian movement through the proposed cemetery will be via a series of footpaths.

A 2.4m x 70m vision splay in accordance with highway requirements will be provided at the entrance to the site following minor alterations to hedges and trees.

Policies SP10 and CW4 of the LDP is concerned with the protection of natural heritage and Policy CW6 considers trees, woodland and hedgerow protection. The impact of the proposed development has been considered above and concerns raised may be addressed by attaching appropriate conditions.

#### Landscaping

Objection has been raised that due consideration has not been given to the rural setting in terms of this proposed development.

The LDP identifies the area as being outside the settlement boundary and within the Mynydd Eglwysilian SLA. High standards of design are therefore required to maintain the SLA's Primary Landscape Qualities and Features, and address the Key Policy, Management and Development Control issues of the SLA, identified within the LDP.

The development has been designed to have as little effect on the surrounding countryside as possible; the majority of existing planting, including trees and hedges will be retained to maintain the natural screening but will include the removal of some trees and hedgerows in order to facilitate the development. In this respect protective fencing will be erected in respect of tree protection zones. This aspect of the development may be controlled by attaching appropriate conditions to any consent.

The hedge to Nantgarw Road is to be retained though short sections are to be lost to achieve visibility splays at the site entrance and exit. It is not known whether these sections of hedge will be replanted on a new alignment? No mention is made of the quality of the remaining hedgerows on the site boundary or whether it is proposed to strengthen or enhance them as part of the development. The retention of the hedgerow trees and the retention / strengthening of the remaining hedgerows would be welcomed as this would fit with the Key Policy and management objectives of the SLA identified with in the LDP. However, no landscape proposals have been received and in this respect it is considered appropriate to attach a condition to any consent requiring a landscaping scheme to address these issues.

Cont....

Application No. 16/0533/LA Continued.

Ecology.

Natural Resources Wales (NRW) require a condition is attached to any consent requiring an ecological assessment, which demonstrates the proposed development will avoid any adverse impact upon the special interests of the Gwaun Gledyr Site of Special Scientific Interest, (which is located 300m to the north east), through any hydrological links.

Policy CW5 deals with the protection of the water environment. Objection has been raised regarding the suitability of the site in terms of drainage, both surface water and land drainage flows.

The burial of corpses and their subsequent degradation may potentially pollute groundwater and any receiving surface waters. In order to protect these water resources, the potential pollution risks must be assessed and mitigation measures proposed to deal with any unacceptable risks.

WYG Environment (WYG) was commissioned by Caerphilly County Borough Council to carry out a phased assessment of the application site.

Following a site investigation carried out by the developer, an area with a seasonally high water table was indicated in part of the site rendering it unsuitable for burials. These areas have been used to locate the building and cremation areas to maximise the burial plots for the remainder of the site.

Details of surface water run-off has been provided. It is to be directed to filter drains constructed adjacent to the carriageway areas which will act as soakaways in addition to other highlighted areas. Filter drains and soakaways are to be provided to allow the additional surface water to be drained naturally into surrounding ground and not put any greater impact on any existing drainage in the area. Notwithstanding the drainage information submitted the Senior Engineer (Land Drainage) has requested 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.

Natural Resources Wales (NRW) require conditions are attached to any consent restricting the location of burials as identified in the recommended zonation map prepared by WYG dated August 2013. They also require a revised foul drainage scheme because a cess pit is not a long term viable option for non-mains foul drainage and consideration should be given to a more sustainable method of foul drainage either through connection to the foul sewer or the installation of a package treatment plant or septic tank where this is not available. Again, this may be addressed by attaching appropriate conditions to any consent.

Cont....



Application No. 16/0533/LA Continued.

A Dwr Cymru/Welsh Water Main runs through the north of the site and the layout of the proposed development has given consideration to this constraint as discussed above. Dwr Cymru/Welsh Water provides advice to be conveyed to the developer.

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:

- no drainage details provided; (this aspect of the development has been discussed above and may be addressed by attaching appropriate conditions to any consent);
- the burial of corpses and their subsequent degradation pollute ground water and any receiving surface water; (addressed above);
- no reference is made to the height limit of grave headstones; (not considered to be a material consideration in the determination of this planning application);
- visual impact of the development and screening of the site (The majority of existing trees and hedgerows are to be retained and a conditions will be attached to any consent requiring a landscaping scheme, with the aim of reinforcing and maintaining natural site boundaries as discussed above);
- the site is not readily accessible by public transport ( this is fact and is discussed above);
- highway safety issues including increased traffic and lack of pedestrian footpaths (Highway implications have been discussed above);
- suggest the development should be subject to an environmental assessment to assess the visual impact of the development upon the agricultural area, an area of scientific significance, traffic (the site does not require an Environmental Impact Assessment and matters raised have been considered above).

Other material considerations: None.

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.

Cont....

Application No. 16/0533/LA Continued.

- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing no.PL01 (Site location plan)  
Drawing no.PL02 (General arrangement)  
Drawing no.PL03 (Building Requirements)  
Drawing no.PL04 (Tree Requirements)  
Drawing no.PL05 (Miscellaneous details)  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The proposed access shall be completed in permanent materials, details of which shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be completed before the development is brought into beneficial use.  
REASON: In the interests of highway safety.
- 04) No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection during the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following occupation of the buildings or the completion of the development, whichever is the sooner; and any tree 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.  
REASON: In the interests of visual amenity and biodiversity.
- 05) Notwithstanding the submitted plans details of the external materials to be used in the construction of the building hereby approved shall be submitted for consideration and approval in writing with the Local Planning Authority. The external finishes to be submitted shall reflect the rural character of the locality. The development shall be constructed in accordance with the agreed details.  
REASON: In the interests of visual amenity.
- 06) Prior to the commencement of the development hereby approved 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 first beneficial use.  
REASON: In the interests of the visual amenities of the area.

Cont....

Application No. 16/0533/LA Continued.

- 07) Details, including the location of CCTV cameras shall be submitted for consideration and approval in writing with the Local Planning Authority. The development shall be constructed in accordance with the agreed details prior to the beneficial use of the development hereby approved.  
REASON: In the interests of visual amenity.
- 08) No development shall commence until details of a scheme for the disposal of foul water, surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 09) Burials shall be restricted to certain parts of the site as identified in the recommended zonation map prepared by WYG, dated August 2013, and no burials shall be:  
- less than 50m from a potable groundwater supply sources;  
-less than 30m from a water course or spring;  
-less than 10m from field drains;  
-into standing water and the base of the grave must be above the local water table.  
REASON: To minimise the risk of pollution to controlled waters.
- 10) Prior to the commencement of any site or vegetation clearance an extended phase 1 Ecological Survey shall be carried out and the results of the survey, together with any proposed remedial measures shall be submitted for the agreement of the Local Planning Authority. The measures shall be complied with as agreed.  
REASON: To ensure adequate protection for protected species.
- 11) Prior to the commencement of works associated with the development hereby approved, a 5 year hedgerow management plan, which shall include details of the timing of its implementation shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed management plan.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and TAN 5 Nature Conservation and Planning (2009).

Cont....

Application No. 16/0533/LA Continued.

- 12) Prior to the commencement of any felling or tree pruning works associated with the development hereby approved, a survey shall be carried out to determine the presence of bat roosts within the trees on site and the details of the survey together with any measures to minimise the impact from tree/hedge management works, shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed details.  
REASON: To ensure adequate protection for protected species.
- 13) Prior to the commencement of works on site, a method statement shall be submitted for the approval to the Local Planning Authority detailing the treatment of Himalayan Balsam (*Impatiens glandulifera*). The development shall be carried out in accordance with the approved details.  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act. Himalayan Balsam is included within this schedule

Advisory Note(s)

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

The applicant is advised of the comments of the Senior Engineer (Land Drainage), The Coal Authority, Countryside & Landscape Services, Senior Arboricultural Officer, Natural Resources Wales and Dwr Cymru/Welsh Water.

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DEFERRED TO PROVIDE FURTHER INFORMATION OF MEMBERS



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## PLANNING COMMITTEE – 12 OCTOBER 2016

**SUBJECT: WELSH GOVERNMENT CONSULTATION PROPOSED CHANGES TO HOW ENVIRONMENTAL IMPACT ASSESSMENT APPLIES TO TOWN AND COUNTRY PLANNING**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITY SERVICES**

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### 1. PURPOSE OF REPORT

- 1.1 Welsh Government (WG) is currently running a consultation on proposed changes to how Environmental Impact Assessment applies to Town and Country Planning. The proposals are summarised below and answers are suggested to the questions asked by WG. The paper can be read in full in the consultation section at Welsh Government's website.

### 2. SUMMARY

- 2.1 This consultation paper sets out the WG's proposals for transposing the provisions of an EU 2014 EIA Directive and making other changes to national legislation. It sets out their proposals on the following areas:
- Third party screening requests;
  - Screening and scoping timeframes;
  - Co-ordination;
  - Consultation and participation in the decision making process;
  - Monitoring of significant effects;
  - Penalties and enforcement;
  - Competent experts;
  - Purchase notices under Section 141 of the Town and Country Planning Act 1990 (TCPA);

### 3. LINKS TO STRATEGY

- 3.1 The report takes account of the adopted Caerphilly County Borough Local Development Plan up 2021.

### 4. THE REPORT

- 4.1 Third party screening requests

Significant development projects are screened to determine whether they should be the subject of an EIA. Third parties are entitled to ask for a screening opinion by Welsh Ministers, but there have been concerns that if this is requested at a late stage in the determination process it will hold up planning decisions. A 35 day limit is proposed based on it taking up to 14 days to place the screening opinion on the planning register so that it is known to the public, and 21 days are then provided for the public to understand the decision and submit a request for a screening direction to the Welsh Ministers.

Q1: Do you agree with our proposals for third party screening? If not, what proposals would you recommend to ensure third party screening requests are made early in the application process.

Answer: No. The period should be shorter. If it is expected that LPAs will take up to 14 days to place their screening opinion on the register, a further 7 days would be adequate for a third party to make a screening request to Welsh Ministers. In effect, if third parties are interested in an application, they will then have three weeks in which to monitor the progress of an application, have a dialogue with the LPA about an EIA, and then, if necessary, make their request. Email allows that request to be made quickly.

#### 4.2 Timeframe to provide a scoping request

An applicant is not required to consult about the information to be included in an ES to accompany an EIA application. However, they may ask the LPA for its formal opinion on the information to be supplied in the ES (a 'scoping opinion'). This allows the LPA to clarify the aspects on which the applicant's ES should focus and the level of detail required. At present a five week deadline is allowed for the provision of an opinion. WG wants LPAs' opinions on whether that timeframe should be extended not least because the directive requires an ES to be based on the scoping opinion where one is given.

Q2: Do you think the timeframe associated with scoping should be revised? If yes, what timeframe do you consider appropriate and why?

Answer: Yes. The period for the submission of the scoping opinion should be at least eight weeks, with scope for an extension with the agreement of the applicant. The consultation, discussion and research required to provide a scoping opinion is similar to that associated with the determination of a planning application. And if it is intended to link the content of an ES to the scoping opinion, there is greater pressure on the LPA to give a correct decision.

#### 4.3 Coordination

The 2014 EIA Directive has sought to reduce the complexity of consenting and assessment processes for developers by requiring the coordination of procedures where projects fall to be assessed simultaneously under the EIA, Habitats and Birds Directives. WG do not intend to provide for joint procedures. They consider that coordinated procedures offer the greatest flexibility for developers on the phasing and timing of EIA and HRA.

Q3: Do you agree with proposals to provide for a coordinated rather than joint procedure?

Answer: Joint procedures would be unduly burdensome on the LPA; and the same would be true of a coordinated procedure unless it is made clear that it is the developer's responsibility to secure any approvals under the Habitats and Birds Directives simultaneously with the planning permission, and any delay does not hold up the processing of the planning application.

Q4: What coordinating measures would be most useful, and what benefits would they generate?

Answer: This is best answered by the development industry, but care must be taken to ensure that the planning system does not become too unwieldy through its linkages with other consenting regimes.

#### 4.4 Consultation and participation in the decision making process

The directive requires the electronic advertisement of EIA applications to enhance public participation, and WG intend to promote that.

Q5: Do you agree with our proposals for making information available electronically?



Answer: Yes

#### 4.5 Monitoring of significant effects

The directive requires that the decision to grant development consent should include, where appropriate, monitoring measures. It requires what is monitored and the duration of the monitoring to be proportionate to the nature, location and size of the project and the significance of its effects on the environment. Existing monitoring arrangements may be used if appropriate, with a view to avoiding duplication. WG proposes to impose a general requirement on the LPA, or Welsh Ministers to include monitoring measures where appropriate, leaving it to their discretion as to what factors should be monitored and for how long. They consider the existing system of planning conditions and obligations provides the necessary mechanisms to implement the directive while retaining flexibility.

Q6: Do you agree our approach provides the most flexible approach to the 2014 EIA Directives requirements?

Answer: No. The approach lacks clarity, and in principle, any general requirement to monitor a development should be resisted as it will place an unnecessary and significant burden on LPAs. However, it is accepted that the directive must be complied with, which is why further guidance is needed on what areas may need to be monitored, and to what extent.

#### 4.6 Conflict of interest and functional separation

To comply with the directive it is proposed to amend the regulations to require that when any authority (such as LPA or the Welsh Ministers) has a duty under the EIA Regulations they must take any steps to ensure they do so in an objective manner.

It is also proposed to require that where the developer and the relevant determining authority are the same person, the relevant authority must ensure a functional separation between those persons seeking development consent and those responsible for determining whether development consent should be granted.

Q7: Do you agree with our proposals for conflict of interest and functional separation?

Answer: The principle is acceptable but there is concern about the vagueness of the word 'objective' unless it can be shown that its meaning has been defined by case law to a satisfactory extent. Alternatively, is there language used in other legislation that could be used.

#### 4.7 Penalties and enforcement

The submission of false information as part of an ES is adequately covered by existing criminal legislation, and so it is intended to rely on that rather than introduce new regulations.

Q8: Do you agree with the proposed approach to false or misleading information within the EIA process?

Answer: Yes

Unauthorised development is liable to enforcement action, and that includes EIA development. WG propose to place an explicit duty on LPAs to consider if the requirements and objectives of the EIA Directive have been met when they are considering taking enforcement action.

Q9: Do you agree that our proposed approach to enforcement will ensure the effective compliance with the requirements of the EIA regulations in a proportionate way and in a way which dissuades bodies which are part of the process from failing to comply?

Answer: No. The requirement here is unclear. The EIA process is an administrative one that ensures that the appropriate information is submitted when a large scale development that is likely to have a significant effect on the environment is proposed. It says nothing about when a development is acceptable or not, and whether it would be expedient to take enforcement action in any particular circumstance. Further thought needs to be given to what WG is trying to achieve in this respect. Is it the case that where expediency is being considered, should the need for an EIA also be taken into account in making that decision, and where it is needed, is enforcement action more likely?

**5. EQUALITIES IMPLICATIONS**

5.1 There would be no equalities implications in respect of this recommended response.

**6. FINANCIAL IMPLICATIONS**

6.1 None.

**7. PERSONNEL IMPLICATIONS**

7.1 None.

**8. CONSULTATIONS**

8.1 None.

**9. RECOMMENDATIONS**

9.1 That Officers reply to the questions set out in the consultation on the basis of the comments above and any additional comments from Members.

**10. REASONS FOR THE RECOMMENDATIONS**

10.1 As set out in the report above.

**11. STATUTORY POWER**

11.1 The Town and Country Planning Act 1990 and related acts and statutes.

Authors: Tim Stephens - Interim Head of Planning

Background Papers: Consultation from Welsh Government



## PLANNING COMMITTEE – 12 OCTOBER 2016

**SUBJECT: WELSH GOVERNMENT CONSULTATION APPEALS, COSTS AND STANDARD DAILY AMOUNTS**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITY SERVICES**

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### 1. PURPOSE OF REPORT

1.1 Welsh Government (WG) is currently running a consultation about changes to appeals, costs and standard daily amounts. The proposals are summarised below and answers are suggested to the questions asked by WG.

### 2. SUMMARY

2.1 The proposals contained in this consultation paper are intended to:

- Ensure a more proportionate, cost effective and streamlined process which meets the needs of all parties;
- Increase the speed of decisions, thereby promoting growth and providing greater certainty for developers and communities;
- Increase transparency through better communication and exchange of information among all parties to promote public participation and public confidence in the appeal process; and
- Increase fairness for all involved through ensuring good behaviour among all parties.

The paper can be read in full in the consultation section at Welsh Government's website.

2.2 The paper introduces measures which reduce the time taken to determine an appeal or call-in. The proposals include the requirement for a full statement of case to be submitted from the outset, to require the submission of responses by local planning authorities (LPAs) and third parties at an earlier stage, to alter how an examination is undertaken, and will prescribe how an appellant may make changes to an appeal. It is also proposed to make changes to how statements of common ground are handled, and to the time limit for appeals relating to certificates of lawfulness.

2.3 Allied to the proposed changes relating to examination, the costs regime will be extended to appeals, call-ins and applications made directly to the Welsh Ministers which are determined by way of written representations. It is also proposed to publish updated guidance, which will assist Planning Inspectors to initiate awards of costs, in addition to the established ability for applicants or appellants to make costs applications. It is also proposed to enable the recovery of costs incurred by the Welsh Ministers, where wasted and unnecessary cost to the public purse is incurred.

2.4 Currently, LPAs are charged a standard daily amount by PINS (on behalf of the Welsh Ministers) for certain proceedings including the examination of local development plans and inquiries relating to Compulsory Purchase Orders (CPOs). This daily amount incorporates Planning Inspector time as well as general staff costs, which include overheads, administrative time and time spent by planning officers. These rates were set in 2012. This

consultation paper proposes an update to the standard daily amounts to align them with current costs. It is also proposed that PINS charges general staff costs separately from Planning Inspector time to more accurately reflect the variable time taken by officers when dealing with examinations and inquiries.

### 3. LINKS TO STRATEGY

- 3.1 The report takes account of the adopted Caerphilly County Borough Local Development Plan up 2021.

### 4. THE REPORT

- 4.1 The main changes to the appeal and call-in procedures are set out as bullet points below, followed by the questions and answers

- Appellants will submit their full statements of case at the start of the appeal process
- The definition of a full statement of case is: *a written statement which contains full particulars of the case and all the matters which a person proposes to raise and copies of any documents, materials and evidence they intend to rely on in evidence.*

Q1: Do you agree with our procedural proposals regarding full statements of case to be submitted with an appeal in most circumstances? If not, why not?

Answer: Yes

Q2: Do you agree with the definition of 'full statement of case' in paragraph 2.10? If not, why not?

Answer: Yes

- Section 215 appeals will be determined by PINS rather than the magistrates.
- In view of the submission of the appellant's statement at the start of the process it is proposed to reduce the response times for the various parties, including the submission of the questionnaire and documents by the LPA within 5 days of the start date of the appeal instead of two weeks.

Q3: Do you agree with our proposals to enable the Welsh Ministers (or PINS) to determine the procedure for and make decisions on appeals against notices requiring the proper maintenance of land? If not, why not?

Answer: Yes

Q4: Do you agree with our proposals relating to changes to initial procedure and submission of core documents by parties? If not, why not?

Answer: The timescale for the submission by the LPA of the questionnaire and documents is too short. It may work at present for householder appeals, but that is because they are simple and involve few documents. It would place an unreasonable burden on LPAs to have to produce the appropriate documentation for major appeals within 5 days.

- Currently, a Statement of Common Ground is required to be submitted for appeals and call-ins where the inquiry procedure is used, and it is required to be agreed 4 weeks before the notified inquiry date. It is now intended to only encourage the submission of a statement where it is possible to reach agreement between the parties.

Q5: Do you agree with our proposals regarding Statements of Common Ground? If not, why not?

Answer: Yes

- It is proposed that the appeal examination method will be tailored to the specific requirements of the appeal or called in application. Decisions on the examination method will continue to be made by PINS and in line with published criteria, and may be altered at any point where issues come to light requiring more detailed examination. Parties will participate in hearings or inquiries by invitation of the Inspector only.

Q6: Do you agree with our proposals for the mixed-mode examination of appeals and call-ins? If not, why not?

Answer: Yes

Q7: Do you agree that further representations requested by the Inspector as part of the examination of an appeal or call-in should be subject to a word-limit of 3,000 words per topic? If not, why not?

Answer: Yes

- It is proposed to preclude new matters being raised following the notice of appeal, except under specific circumstances. Those circumstances are:
  - It can be demonstrated that the matter could not have been raised at the time the application was being considered by the LPA, and could only have been raised following the notice of appeal; or
  - It can be demonstrated that the matter being raised following the notice of appeal was a consequence of exceptional circumstances.

Q8: Do you agree with the circumstances in which an application may be varied in the case of an appeal? If not, why not?

Answer: Yes, but careful consideration will have to be given to the meaning of 'exceptional circumstances'.

Q9: Do you agree with the circumstances in which new information may be introduced during an appeal or call-in? If not, why not?

Answer: Yes.

- At present, there is no time limit on making an appeal against the refusal of a certificate of lawful existing or proposed development. It is proposed to introduce a six month limit.

Q10: Do you agree with our proposals to introduce a 6 month time limit for certificate of lawfulness appeals against a decision by a LPA? If not, why not?

Answer: Yes

#### 4.2 Costs arrangements will be changed in the following manner.

- The costs regime will be extended to the process of determining developments of national significance, and appeals determined by written representations.
- Welsh Ministers (including PINS) will be able to recover their costs, either in full or in part, where unreasonable behaviour has occurred that has led to unnecessary or wasted expense to the public purse.
- Claims for costs should be made early in the process.
- Inspectors will be able to initiate an award of costs where they think one of the parties has behaved unreasonably.

Q11: Do you agree that Welsh Ministers should be able to recover their own costs? If not, why not?

Answer: Yes

Q12: Do you agree with the grounds for unreasonable behaviour specified within the draft updated guidance? If not, please specify alternative or additional grounds.

Answer: Yes

Q13: Do you agree with the process for the awards of costs set out the draft updated guidance? If not, why not?

Answer: Yes

Q14: Should any additional information be included within the draft updated guidance?

Answer: No

4.3 It is also proposed to amend the procedure for the collection of standard daily amounts charged by Welsh Ministers and PINS for procedures such as LDP examinations. At present the standard daily amounts for qualifying procedures and local inquiries are inclusive of Planning Inspector time, planning officer time and other administrative staff time. The most recent change to the prescribed standard daily amounts charged by PINS came into force in April 2012. Those amounts are, £742 per day for local inquiries; and £679 per day for other qualifying procedures.

4.4 It is proposed to:

- Update the standard daily amounts charged by PINS in relation to qualifying procedures and local inquiries to reflect current costs;
- Alter how those daily amounts are charged to ensure that Planning Inspector time and general staff costs (including planning officer time and administrative staff time) can be charged separately and accurately;
- Apply those standard daily amounts to all relevant proceedings so that the same rates are charged across the piece; and
- Prescribe and publish future changes to those standard daily amounts for future financial years.

Q15: Do you agree with the amended method for charging daily amounts for qualifying procedures and local inquiries? If not, why not?

Answer: Yes, there is nothing wrong in principle with making explicit the charge incurred by officers other than the inspector

Q16: Do you agree with the proposed standard daily amounts? If not, why not?

Answer: No, not without a clear indication of how the new costs will differ from the old costs. The suggested new daily costs would be:

	Planning Inspector	Director	Sub-group Leader	Planning Officer	Administrative Staff
March 2018	£508	£635	£558	£312	£283

It is not clear what impact these hourly costs would have on the total cost for an inquiry or other procedure.

**5. EQUALITIES IMPLICATIONS**

5.1 There would be no equalities implications in respect of this recommended response.

**6. FINANCIAL IMPLICATIONS**

6.1 None.

**7. PERSONNEL IMPLICATIONS**

7.1 None.

**8. CONSULTATIONS**

8.1 None.

**9. RECOMMENDATIONS**

9.1 That Officers reply to the questions set out in the consultation on the basis of the comments above, and any additional comments from Members.

**10. REASONS FOR THE RECOMMENDATIONS**

10.1 As set out in the report above.

**11. STATUTORY POWER**

11.1 The Town and Country Planning Act 1990 and related acts and statutes.

Authors: Tim Stephens - Interim Head of Planning

Background Papers: Consultation from Welsh Government

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# Agenda Item 12

## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
16/0473/LA 07.06.2016	CCBC - Chief Housing Officer Mr S Martin Cherry Tree House Carlton Drive Pen Y Fan Industrial Estate Crumlin NP11 4EA	Provide external wall insulation rendered system 11, 13, 15, 19, 21, 23, 39, 41, 47 & 51 Church Road Gelligaer Hengoed	Granted 02.09.2016
16/0503/FULL 16.06.2016	Mr S Jenkins 27 Cromwell Road Risca Newport NP11 7AF	Erect a two-storey extension to the rear of the property 27 Cromwell Road Risca Newport NP11 7AF	Granted 02.09.2016
16/0588/FULL 09.07.2016	Mrs A Brannan C/o Technia Environment And Planning Ltd Dr S Watcham Suite 4 St Margaret's Park Pengam Road Aberbargoed Bargoed CF81 9FW	Replace shop front including the relocation of existing entrance door, windows, fascia with concealed roller shutters and associated works Donna's Beauty Cwtch 57 Hanbury Road Bargoed CF81 8QW	Granted 02.09.2016
16/0601/FULL 11.07.2016	Mr J Saravanmutha 25-27 Fleur De Lys Avenue Pontllanfraith Blackwood NP12 2EN	Provide a new shop door, window and roller shutter security screen 25-27 Fleur-De-Lys Avenue Pontllanfraith Blackwood NP12 2EN	Granted 02.09.2016
16/0602/ADV 11.07.2016	Mr J Saravanmutha 25-27 Fleur De Lys Avenue Pontllanfraith Blackwood NP12 2EN	Erect new illuminated premier store sign 25-27 Fleur-De-Lys Avenue Pontllanfraith Blackwood NP12 2EN	Granted 02.09.2016

16/0606/COU 11.07.2016	Mrs C Coombes 36 Pillmawr Road Malpas Newport NP20 6WG	Erect replacement rear extension and change the use from a beauty salon to a cosmetic clinic 35 Commercial Street Pontymister Risca Newport	Granted 02.09.2016
16/0547/FULL 29.06.2016	Mr & Mrs Godwin Ty Maen Farm Mountain Road Bedwas Caerphilly CF83 8ER	Convert and extend existing old stables into a detached indoor swimming pool Ty Maen Farm Mountain Road Bedwas Caerphilly	Refused 05.09.2016
16/0580/FULL 07.07.2016	Starburst Limited C/o DPP Mr G Sutton Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Erect Class B1/B2/B8 development with associated parking Land At Newbridge Road Industrial Estate Pontllanfraith Blackwood NP12 2XF	Granted 05.09.2016
16/0592/FULL 11.07.2016	Mr A Lees 22 Heol Cwarrel Clark Energlyn Caerphilly CF83 2NE	Erect a part single-storey and part two-storey side extension Blaen Cwmdows Blaen-Cwmdows Farm Lane Newbridge Newport	Granted 05.09.2016
16/0599/RET 11.07.2016	Mr J Saravanmutha 8 Commercial Street Ystrad Mynach Hengoed CF82 7DY	Retain new shop front and fit new collapsible mesh roller shutter screen Nisa Local 8 Commercial Street Ystrad Mynach Hengoed	Granted 05.09.2016
16/0568/COU 22.04.2016	Mr & Mrs G Boggiani 11 Blenheim Close Magor Caldicot Monmouthshire NP26 3ND	Refurbish existing farmhouse including re-roofing with raised roof level, extensions and change of use of existing stable and hay loft to form residential use with a self-contained annexe to be formed at ground floor level House Cefn Porth Uchaf Farm Cefn-Porth Road Lisvane	Granted 06.09.2016

16/0516/COND 17.06.2016	M2H Architects Mr M Hayman 16 Columbus Walk Cardiff CF10 4BY	Discharge conditions 02 (hard landscaping), 06 (birds) and 07 (bats) of planning consent 15/0790/FULL (Demolish two single storey extensions, change the use from hotel to residential to accommodate nine apartments with internal alterations and construct 3 no. three bedroom dwellings) Oakdale Hotel Central Avenue Oakdale Blackwood	Granted 06.09.2016
16/0559/FULL 01.07.2016	EE Ltd Hatfield Business Park Hatfield AL10 9BW	Remove the existing 15m mast and replace with a 15m mast with enclosed headframe and provide minor amendments to equipment cabinets and ancillary development Roberts Engineering Old Station Yard - Cwm Parc Workshops Commercial Street Senghenydd	Granted 06.09.2016
16/0595/COU 12.07.2016	Mr L Smart 12 Parry Terrace Crumlin Newport NP11 3DR	Change the use of dwellinghouse (C3(a)) to house in multiple occupation (C4) 4 Woodside Terrace Hafod-Yr-Ynys Road Crumlin Newport	Refused 06.09.2016
16/0600/FULL 12.07.2016	Mr D Williams 66 Bryn Road Markham Blackwood NP12 0QF	Erect a four bedroom detached dwelling Land Adjacent 66 Bryn Road Markham Blackwood NP12 0QF	Granted 06.09.2016
16/0604/TPO 12.07.2016	Mr D Martin 72 Carlisle Street Splott Cardiff CF24 2PF	Carry out various tree works Land North And North-west Of Kennard Terrace Treowen Newport	Refused 06.09.2016

16/0605/TPO 12.07.2016	Mr D Martin 72 Carlisle Street Splott Cardiff CF24 2PF	Open up the canopy above the naturally occurring clearing in order to allow restocking, remove limbs of two established mature beech on edge of naturally occurring clearing and fell three ash and two beech tree on the edge of the clearing Land North-west Of Kennard Terrace Treowen Newport	Refused 06.09.2016
16/0609/FULL 12.07.2016	Miss B Leader 1 Cily-Coed Cottage Woodview Crumlin NP11 3AQ	Erect extension to existing bungalow to create a two-storey dwelling and construct a detached garage Parc-newydd White Hart Lane Pontllanfraith Blackwood	Granted 06.09.2016
16/0696/NMA 09.08.2016	Mr G Morgan 13 Rhuddlan Court Hendredenny Caerphilly CF83 2UQ	Seek approval of a non-material amendment to planning consent 16/0070/FULL (Erect a two-storey side extension) change from PVC to brick and amend bathroom window 13 Rhuddlan Court Hendredenny Caerphilly CF83 2UQ	Granted 06.09.2016
16/0697/NMA 10.08.2016	Mr M Vest Highways Merthyr Road Rhymney Bridge Llechryd Tredegar NP22 5QG	Seek approval of a non-material amendment to planning consent 15/0726/FULL (Erect single-storey extension for granny annexe) to revise the internal layout and relocate within the curtilage of the property Highways Merthyr Road Rhymney Bridge Llechryd	Granted 06.09.2016
15/0484/FULL 23.07.2015	Mr D Gill C/o Oakdale Design Wales Ltd Mr M Cullen Regency Buildings North Road Newbridge NP11 4AB	Refurbish and extend single-storey existing dilapidated one bedroom annexe Woodland Bungalow Homeleigh Newbridge Newport	Granted 07.09.2016

16/0571/FULL 05.07.2016	Mrs M Williams 17 Llanarth Street Brynawel Wattsville NP11 7QW	Erect rear single storey extension 17 Llanarth Street Brynawel Wattsville Newport	Granted 07.09.2016
16/0582/COU 08.07.2016	Mr T West Beehive House Beehive Buildings Crumlin Road Crumlin Newport NP11 3QH	Create two self-contained duplex apartments and an office space Beehive House Beehive Buildings Crumlin Road Crumlin	Granted 07.09.2016
16/0590/COND 11.07.2016	Leonard D Morgan Messrs Leonard D Morgan 119 - 121 Chepstow Road Maindee Newport NP19 8BZ	Discharge conditions 02 (sound insulation), 03 (bat protection), 04 (bird protection) & 05 (materials) of planning consent 16/0102/FULL (Re-build premises following fire damage) 5 South Shops High Street Newbridge	Decided - Discharge of Conditions 07.09.2016
16/0598/FULL 12.07.2016	Higher Education Funding Council For Wales Mr C Cowburn Ty Afon Bedwas Road Caerphilly CF83 8WT	Install two air conditioning condenser units within an existing first floor plant compound at the rear to the building (west facing elevation) Ty'r Afon Bedwas Road Bedwas Caerphilly	Granted 07.09.2016
16/0621/RET 15.07.2016	Mr J Davis 54 Crown Lane Pontllanfraith Blackwood NP12 2GD	Retain concrete block outbuilding within the rear garden 54 Crown Lane Pontllanfraith Blackwood NP12 2GD	Granted 07.09.2016
16/0691/NMA 05.08.2016	Mr J Hyde 11 Pentwyn Avenue Blackwood NP12 1HS	Seek non-material amendment to planning consent 15/0681/FULL (Replace three existing outbuildings with a domestic garage with storage area above) to provide two garage doors in lieu of the original three plus minor alterations to other external doors and windows Tirfilkins Farm Tir-Philkins Woodfieldside Pontllanfraith	Granted 07.09.2016

16/0374/FULL 13.05.2016	Mr M Parker The Old Bakery Rear Of 53 Shingrig Road Nelson Treharris CF46 6DY	Construct a two-storey extension with dormers and erect a detached garage 13 Lon Isaf Caerphilly CF83 1BT	Granted 08.09.2016
16/0587/FULL 09.07.2016	Charter Housing Association Ltd Mr S Traves Exchange House The Old Post Office High Street Newport NP20 1AA	Demolish existing building and erect 8 one bedroom dwellings for people with learning disabilities, with garage parking and associated engineering works Victoria House Ashfield Road Newbridge Newport	Granted 08.09.2016
16/0611/COND 14.07.2016	Mr J Muscat 1 Ynysdawel Cottages Machen Caerphilly CF83 3DF	Discharge condition 02 (Parking) of planning consent 11/0430/FULL (Erect single and two storey extensions on rear (north) elevation) 1 Ynysdawel Cottages Machen Caerphilly CF83 3DF	Decided - Discharge of Conditions 08.09.2016
16/0584/FULL 09.07.2016	Dr V Francis Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff CF3 6AA	Erect single-storey side extension Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff	Granted 09.09.2016
16/0591/COU 11.07.2016	Mr J Welsh 4 The Glades Penarth CF64 3AY	Convert first floor storage into two one-bedroom apartments and split the existing ground floor shop unit into two shop units 81 Cardiff Road Caerphilly CF83 1FQ	Granted 09.09.2016
16/0608/FULL 13.07.2016	Mr & Mrs Jeff 20 Springfield Maesycwmmmer Hengoed CF82 7QP	Erect a rear extension 20 Springfield Maesycwmmmer Hengoed CF82 7QP	Granted 09.09.2016

16/0623/FULL 18.07.2016	Ms R Davies & Mr R Williams C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Construct 2 two-bedroom semi-detached houses Land Within Curtilage Of 31 Thomasville Penyrheol Caerphilly	Granted 09.09.2016
16/0593/NCC 12.07.2016	Ixion Developments Ltd C/o Bilfinger GVA Mr M Southall One Kingsway Cardiff CF10 3AN	Vary condition 11 of planning consent 15/0314/RM (Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with planning consent 13/0810/OUT for residential development) to amend the fenestration on the northern elevation of plots 19-21 Former Blackwood Junior School Pentwyn Road Blackwood NP12 1HN	Granted 12.09.2016
16/0618/COND 22.07.2016	Edenstone Homes Mrs C Price Priory House Priory Street Usk NP15 1BJ	Discharge condition 19 (soil importation) of planning consent 07/0453/RM (Construct 20 dwellings and associated works) Land At Hillary Rise Pontywaun Crosskeys	Decided - Discharge of Conditions 12.09.2016
16/0637/CLPU 22.07.2016	Mr G Champion Hillcrest Pennar Lane Pentwyn-mawr Newport NP11 4GY	Obtain a Lawful Development Certificate for the proposed utility room extension to the rear of the property Hillcrest Pennar Lane Pentwyn-mawr Newport	Granted 12.09.2016

16/0654/COND 27.07.2016	M2H Architects Mr M Hayman 16 Columbus Walk Cardiff CF10 4BY	Discharge condition 8 (restoration) and part of condition 4 (landscaping) of planning consent 15/0790/FULL (Demolish two single storey extensions, change the use from hotel to residential to accommodate nine apartments with internal alterations and construct 3 no. three bedroom dwellings) Oakdale Hotel Central Avenue Oakdale Blackwood	Decided - Discharge of Conditions 12.09.2016
16/0655/COND 27.07.2016	M2H Architects Mr M Hayman 16 Columbus Walk Cardiff CF10 4BY	Discharge conditions 2 (schedule of works), 4 (details of railings), 5 (roof restoration) and 6 (recording of internal listed features) of Listed Building Consent 15/0791/LBC (Demolish two single-storey extensions, change the use from hotel to residential to accommodate nine apartments with internal alterations and construct three No. 3 bedroom dwellings) Oakdale Hotel Central Avenue Oakdale Blackwood	Decided - Discharge of Conditions 12.09.2016
16/0629/TPO 19.07.2016	Ms H George Cilmeri Rectory Close Caerphilly CF83 1EQ	Lift crown of mature beech tree (2-3 metres off property) and thin crown of tree by 20% (Tree Preservation Order 49/08/CCBC) Cilmeri Rectory Close Caerphilly CF83 1EQ	Granted 13.09.2016
16/0634/FULL 19.07.2016	Mr J Hayter 2 Raglan Road Hengoed CF82 7LX	Erect a two bedroom dwelling Land Within Curtilage Of 2 Raglan Road Hengoed CF82 7LX	Granted 13.09.2016
16/0603/COU 12.07.2016	Ms E Sutton 4 Minorca Cottages Michaelston-Y-Fedw Cefn Mably Cardiff CF3 6XX	Construct a 20m x 40m menege for schooling and turnout of horses and create a 10m x 15m hardstanding area for a field shelter 4 Minorca Cottages Michaelston-Y-Fedw Cefn Mably Cardiff	Granted 14.09.2016



16/0630/COND 20.07.2016	Premier Inn Hotels Ltd Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable LU5 5XE	Discharge Conditions 3 (land drainage) and 5 (contamination) of Planning Consent 16/0515/FULL Premier Travel Inn Unit 2 Crossways Park Parc Pontypandy	Decided - Discharge of Conditions 14.09.2016
16/0631/COU 20.07.2016	Mr P Connett Fir Lyn Hafod-Yr-Ynys Road Hafodyrynys Newport NP11 5BE	Change the use from chiropody and sports injury studio/clinic to mixed use chiropody and sports injury studio/clinic and beauty salon Fir Lyn Hafod-Yr-Ynys Road Hafodyrynys Newport	Granted 14.09.2016
16/0714/NMA 10.08.2016	Caerphilly County Borough Council Ms K Cole Ty Penallta Parc Tredomen Tredomen Ystrad Mynach Hengoed CF82 7PG	Seek approval of a non- material amendment to planning permission 15/0501/NCC to erect a sprinkler tank enclosure, condenser unit enclosures and associated landscape amendments) Islwyn High School Waterloo Oakdale Blackwood	Granted 14.09.2016
16/0650/FULL 21.07.2016	Mr S Neale 21 Bryn-Gwyn Street Bedwas Caerphilly CF83 8BA	Erect a two-storey rear extension 21 Bryn-Gwyn Street Bedwas Caerphilly CF83 8BA	Granted 15.09.2016
16/0324/FULL 11.04.2016	Mr B Watts 76 Risca Road Crosskeys NP11 7DG	Erect first floor and part ground floor extension to rear of property 76 Risca Road Crosskeys Newport NP11 7DG	Granted 16.09.2016
16/0466/NCC 08.06.2016	Mr P Aulakh 10 Cowbridge Road Pontyclun CF72 9ED	Remove condition 6 (height restriction barrier) of planning consent 08/0148/COU - APP/K6920/A/10/2121395/WF (Change the use from petrol filling station to car valeting centre) Fast Track Hand Car Wash 224 Pontygwindy Road Caerphilly CF83 3HY	Refused 16.09.2016

16/0561/FULL 04.07.2016	Ms S Lee Little Paddock 2 Graig Hir Mountain Road Caerphilly CF83 1JA	Erect first floor rear extension and new detached garage Little Paddock 2 Graig Hir Mountain Road Caerphilly	Granted 16.09.2016
16/0636/FULL 22.07.2016	Mr T Warwick The Castle Inn & Lodge Twyncarn Road Pontywaun Newport NP11 7DU	Demolish existing garage and erect bunkhouse accommodation The Castle Inn & Lodge Twyncarn Road Pontywaun Newport	Refused 16.09.2016
16/0638/FULL 22.07.2016	Mr G Osmond 21 Overdene Pontllanfraith Blackwood NP12 2JS	Erect a two-storey side extension, single storey utility room and replacement garage 21 Overdene Pontllanfraith Blackwood NP12 2JS	Granted 16.09.2016
16/0640/FULL 25.07.2016	Mr & Mrs Lees 44 Pandy Road Bedwas Caerphilly CF83 8EJ	Erect a two-storey four bedroom house Land Adjacent To Swyn-y- Nant 76A Heol-Y-Ddol Caerphilly	Refused 16.09.2016
16/0713/NMA 09.08.2016	Mr Halligan 9 Llanfedw Close Porset Caerphilly CF83 3NP	Seek approval of a non- material amendment to planning consent 15/0673/FULL (Erect first floor extension) to not provide a window roof/dormer 9 Llanfedw Close Porset Caerphilly CF83 3NP	Granted 16.09.2016
16/0756/NMA 22.08.2016	Morganstone C/o Asbri Planning Ltd Mr L Griffiths Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Seek approval of a non- material amendment to planning consent 06/0309/FULL (Erect development of three houses and one specialised care bungalow) vary the approved site layout, drawing no (90)001, issued as part of the original submission, with site layout drawing no. NB18-001 Land Rear Of Wingfield Street Llanbradach Caerphilly	Granted 16.09.2016

16/0628/FULL 19.07.2016	United Welsh Housing Association Ltd C/o Asbri Planning Ltd Miss L Hallett Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect nine bungalows and associated works Land At Riverside Walk Deri Bargoed	Granted 19.09.2016
16/0641/FULL 25.07.2016	Mr M Coxe Unit 1 Albion Industrial Estate Cilfynydd Road Pontypridd CF37 4NX	Erect detached house in a garden plot Land Within Curtilage Of 50 The Crescent Trecenydd Caerphilly	Granted 19.09.2016
16/0643/FULL 26.07.2016	Mr G Jones Tynewydd Glenview Terrace Pontgam Lane Ynysddu Newport NP11 7LG	Erect a new conservatory and small extension to existing garage Tynewydd Glenview Terrace Pontgam Lane Ynysddu	Refused 20.09.2016
16/0645/FULL 26.07.2016	Mr & Mrs Paul 9 Cherry Tree Road Pontllanfraith Blackwood NP12 2PY	Erect single-storey rear extension 9 Cherry Tree Road Pontllanfraith Blackwood NP12 2PY	Granted 20.09.2016
16/0660/COND 26.07.2016	Mr V Argentieri 1 Ayr-Y-Bryn Llanover Abergavenny NP7 9EH	Discharge condition 2 (contamination) on application 13/0456/FULL (Erect two flats) Land Adjoining 201 Bedwas Road Caerphilly CF83 3AR	Decided - Discharge of Conditions 20.09.2016

16/0663/COND 28.07.2016	Natural Resources Wales C/o Arup Ms N Queffurus 4 Pierhead Street Cardiff CF10 4QP	Discharge condition 3 (engineering details/traffic management and method statement)of planning consent 16/0128/FULL (Redesign and construct one new flood defence and modify one existing flood bund, along the northern bank of the River Ebbw, as part of the Risca Flood Risk Management Scheme, plus associated engineering operations and landscape works) Land On The Northern Bank Of The River Ebbw Between Crosskeys And Pontymister Risca Newport	Decided - Discharge of Conditions 20.09.2016
16/0664/COND 28.07.2016	Mr C Stinton 1 Cwm Cuddy Drive Rhiwderin Newport NP10 8JN	Discharge condition 6 (drainage) of planning consent APP/K6920/A/15/3010070 (14/0441/FULL - Erect detached dwelling) Nantyleisiad Cottage 14 White Hart Machen Caerphilly	Decided - Discharge of Conditions 20.09.2016
16/0702/COND 01.08.2016	CCBC - Education Department Mrs K Cole Ty Penallta Ystrad Mynach Hengoed CF82 7PG	Discharge condition 11 (nature conservation) of application 16/0044/LA (Upgrade existing school playing fields to a 3G artificial area to allow for rugby, football and a 200m running track, erect a minimum 5m high security fence, designate an area as MUGA pitches with a surrounding fence at minimum 2.4m height and provide floodlighting to the 3G pitch only, along with pedestrian lighting to the pathways (Phase IV)) Y Gwyndy - Ysgol Gyfun Cwm Rhymini Pontygyndy Road Caerphilly CF83 3HG	Decided - Discharge of Conditions 20.09.2016

16/0679/COND 04.08.2016	Mr P Stallard 17 The Bryn Trethomas Caerphilly CF83 8GL	Discharge conditions 3 (drainage) & 4 (storage details) of planning consent 16/0396/FULL (Erect timber stable) Land West Of Pandy-Mawr Road Bedwas Caerphilly	Decided - Discharge of Conditions 20.09.2016
16/0738/NMA 19.08.2016	Mr P Goode 21 Ware Road Caerphilly CF83 1SX	Seek approval of a non- material amendment to planning consent 16/0323/FULL (Convert loft, erect a kitchen extension and a building above the garage) to add first floor windows to front and rear elevations, remove window from the side elevation on the first floor side extension and amend the roof pitch and eaves level to suit 21 Ware Road Caerphilly CF83 1SX	Granted 20.09.2016
16/0750/NMA 23.08.2016	Mr Y Stephens Barn Cottage Mill Road Deri Bargoed CF81 9NT	Seek approval of a non- material amendment to planning consent 16/0470/FULL (Alter existing boundary wall) to construct a new gateway through the existing boundary wall Barn Cottage Mill Road Deri Bargoed	Granted 20.09.2016
16/0759/NMA 24.08.2016	Mrs K Moss 22 High Street Ynysddu Newport NP11 7JJ	Seek approval of a non- material amendment to planning consent 15/0654/FULL (Erect two- storey extension and conservatory) to retain the window serving the bathroom 22 High Street Ynysddu Newport NP11 7JJ	Granted 20.09.2016
16/0365/LBC 10.05.2016	Mrs S Cleaver Gwaun-y-bara House Pentwynngwyn Road Rudry Caerphilly CF83 3DG	Erect a single-storey rear porch extension Gwaun-y-bara House Pentwynngwyn Road Rudry Caerphilly	Granted 22.09.2016

16/0536/FULL 24.06.2016	Mr G Mapp 11 Corbett Crescent Caerphilly CF83 1HP	Erect extension to the rear of the property to house level access bathroom and utility room 11 Corbett Crescent Caerphilly CF83 1HP	Granted 22.09.2016
16/0627/RET 19.07.2016	Mr M Bryant 45 Parkwood Drive Bassaleg Newport NP10 8JT	Retain a two-storey rear extension for new kitchen, bedroom and bathroom 48 Park Place Pontymister Risca Newport	Granted 22.09.2016
16/0658/COND 19.07.2016	Coedlas Developments Ltd Mr P Weedon Glendale Offices Van Road Caerphilly CF83 3RR	Discharge of conditions 02 (contamination), 05 (dust mitigation), 06 (noise mitigation), 08 (invasive species), 09 (doormouse mitigation strategy), 10 (drainage), 13 (arboricultural mitigation) & 15 (road layout/street lighting/surface water drainage) of planning consent 15/0761/FULL (Construct access road in accordance with outline planning permission 14/0841/OUT) Land At Glendale Van Road Caerphilly CF83 3RR	Decided - Discharge of Conditions 22.09.2016
16/0659/FULL 28.07.2016	Mr C Beach 2 Gelli'r Felin Caerphilly CF83 2LF	Erect two-storey extension to side, box dormer loft conversion to rear and new single-storey double garage 2 Gelli'r Felin Caerphilly CF83 2LF	Granted 22.09.2016

16/0662/COND 28.07.2016	Natural Resources Wales C/O Arup Ms N Queffurus 4 Pierhead Street Cardiff CF104QP	Discharge condition 5 (landscape management) of planning consent 14/0611/FULL (Construct flood defences, improve and maintain existing flood defences along the River Ebbw as part of the Risca Flood Risk Management Scheme plus associated engineering operations and landscape works) Land On The Northern Bank Of The River Ebbw Between Crosskeys And Pontymister Risca Newport	Decided - Discharge of Conditions 22.09.2016
16/0673/FULL 01.08.2016	Mr J Baldwin Dinglewood 7 Forge Road Machen Caerphilly CF83 8PH	Erect two-storey side extension Dinglewood 7 Forge Road Machen Caerphilly	Granted 22.09.2016
16/0457/LBC 07.06.2016	Mr D G Dunster Rhymney House Hotel Merthyr Road To Nant Melyn Llechryd Tredegar NP22 5QG	Erect two-storey side extension to provide 14 extra bedrooms Rhymney House Hotel Merthyr Road To Nant Melyn Llechryd Tredegar	Refused 23.09.2016
16/0684/NMA 04.08.2016	Ixon Developments Ltd C/o Bilfinger GVA Mr M Southall One Kingsway Cardiff CF10 3AN	Seek approval of non-material amendments to planning consent 15/0314/RM (Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with planning consent 13/0810/OUT for residential development) Former Blackwood Junior School Pentwyn Road Blackwood NP12 1HN	Granted 23.09.2016

16/0686/CLPU 08.08.2016	Ms S Clarke 2 Bryncoed Terrace Penpedairheol Hengoed CF82 8DE	Obtain a Lawful Development Certificate for the proposed single storey rear extension 2 Bryncoed Terrace Penpedairheol Hengoed CF82 8DE	Granted 23.09.2016
16/0699/FULL 11.08.2016	Ebenezer Baptist Church Mr R Walton 12 St Cenydd Road Caerphilly CF83 2TB	Replace former (now demolished) vestry with new vestry Ebenezer Baptist Church De Winton Terrace Llanbradach Caerphilly	Granted 23.09.2016
16/0790/NMA 07.09.2016	Mr B Jenkins Glan Y Mynydd Pentrapeod Road Aberbeeg Abertillery NP13 2DT	Erect sun lounge, porch and dormer on application 16/0311/FULL Glan Y Mynydd Pentrapeod Road Aberbeeg Abertillery	Granted 23.09.2016
16/0644/FULL 26.07.2016	Mr P Laycock 15 Clos Pandy Bedwas Caerphilly CF83 8DN	Erect a two-storey and single-storey rear extension 15 Clos Pandy Bedwas Caerphilly CF83 8DN	Granted 26.09.2016
16/0620/FULL 18.07.2016	LWH Construction Mr L Hallett 6 Lanelay Farm Talbot Green Llantrisant CF72 9LA	Construct 3 three-bedroom terraced dwellings Land Adjacent To 26 Gelynos Avenue Argoed Blackwood	Refused 27.09.2016
16/0635/FULL 21.07.2016	ID Estates Mr D Lipfriend C/o RPS Planning & Development Mr C Tookey Park House Greyfriars Road Cardiff CF10 3AF	Use the ground floor for Class A3 pizza delivery and takeaway operation, with associated external alterations including alterations to ventilation/extraction plant on rear elevation 201 High Street Blackwood NP12 1AA	Granted 28.09.2016
16/0639/FULL 25.07.2016	Mr G Ball 11 Elm Grove Trethomas Caerphilly CF83 8GT	Erect mono-pitched porch to the front elevation 11 Elm Grove Trethomas Caerphilly CF83 8GT	Granted 28.09.2016



16/0814/COND 15.09.2016	Dr A Kamal 5 Sovereign Gardens Miskin Pontyclun Rhondda Cynon Taf CF72 8SZ	Discharge conditions 3 (Contamination - validation) and 4 (Contamination - soil import testing) of planning application 06/0815/FULL (Construct 24 dwelling houses) 23 The Railway Junction Ystrad Mynach Hengoed CF82 7TU	Decided - Discharge of Conditions 28.09.2016
15/0495/FULL 31.07.2015	Mr A Chetland Abercarn Rugby Football Club High Street Abercarn Newport NP11 5GQ	Erect two-storey changing rooms and gymnasium Abercarn Welfare Ground Unit 24 Darren Drive Prince Of Wales Industrial Estate	Granted 29.09.2016
16/0619/FULL 15.07.2016	Mr N Rawlings 148 Elm Drive Ty Sign Risca Newport NP11 6PA	Provide a double car hard standing in front garden 148 Elm Drive Ty Sign Risca Newport	Granted 29.09.2016
16/0685/FULL 04.08.2016	Mr M Shepherd 16 Woodside Drive Newbridge Newport NP11 4NQ	Erect detached domestic garage 16 Woodside Drive Newbridge Newport NP11 4NQ	Refused 29.09.2016
16/0681/FULL 08.08.2016	Mr M Ashall C/o Lloyds PMS Ltd Mr D Willicombe Deall Sunnybank Machen Caerphilly CF83 8PY	Demolish existing rear extension and construct new single storey extensions 31 Court Road Energlyn Caerphilly CF83 2LT	Granted 29.09.2016
16/0698/FULL 09.08.2016	Mrs H K Sandhu Wingfield Stores 41 Wingfield Crescent Llanbradach Caerphilly CF83 3NU	Erect single-storey extension Wingfield Stores 41 Wingfield Crescent Llanbradach Caerphilly	Granted 29.09.2016
16/0690/FULL 08.08.2016	Mr D Lockett 3 Castle Fields Rhymney Tredegar NP22 5NJ	Erect first-floor extension above existing garage/utility room 3 Castle Fields Rhymney Tredegar NP22 5NJ	Granted 30.09.2016

16/0707/ADV 12.08.2016	Food Programme Delivery Orchid Group Co-op 1 Angel Square Manchester M60 0AG	Erect signage The Co-operative Food 51-53 Church Street Bedwas Caerphilly	Granted 30.09.2016
16/0711/CLPU 13.08.2016	Mr A Evans 12 Heol Glyn Energlyn Caerphilly CF83 2LZ	Obtain a Lawful Development Certificate for the proposed single-storey side extension 12 Heol Glyn Energlyn Caerphilly CF83 2LZ	Granted 30.09.2016
16/0718/ADV 16.08.2016	HSBC Holdings PLC Mr B French 8 Canada Square London	Erect two halo illuminated letters and logo fascia signs, one internally illuminated projecting roundel sign and two vitreous enamelled branch nameplates HSBC 37 Cardiff Road Caerphilly CF83 1WE	Granted 30.09.2016

# Agenda Item 13

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

APPLICATION NUMBER DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
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.
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.
13/0799/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.
13/0809/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.
14/0328/FULL 19.05.14	Erect a detached six bedroom dwelling on Land Adjacent To Brook House Pandy-Mawr Road Bedwas Caerphilly	Awaiting amended plans.
15/0060/COU 22.01.15	Convert first and second floors to 6 No. one bedroom flats at 1 Pentrebane Street Caerphilly	Awaiting additional information.
15/0278/RET 10.04.2015	Retain metal recycling centre at Unit 15 Darren Drive, Prince Of Wales Industrial Estate, Abercarn	Awaiting additional information about parking space and wildlife.
15/0348/COU 20.05.16	Change the use of part of ground floor and first floor to add three flats to existing A1 use at 101 - 103 Commercial Street Pontymister, Risca	Extension of time agreed and subject to further discussion.

15/0440/CON 30.06.16	Demolish former health centre building at 1st Oakdale Scout Group, Oakdale Scout Hall, Kincoed Road, Oakdale	Subject to further discussion and consideration.
15/0466/FULL 30.06.16	Erect single-storey lounge/dining extension plus two-storey extension, rebuilding garage with ground floor study and first floor bedroom at 10 Cwrt Pantycelyn, Pontllanfraith, Blackwood	Additional information requested.
15/0502/COU 13.07.15	Change of use of the first and second floors from offices to 6 residential flats at Caerphilly Indoor Market 5 Pentrebanne Street, Caerphilly	Re-consulting on amended plans.
15/0708/FULL 06.11.15	Erect outhouse and garden retaining walls at Shangri La, Bryn Road Pontllanfraith, Blackwood	Subject to further discussion and consideration.
15/1175/FULL 25.11.15	Erect B1/B2/B8 units together with associated parking/servicing At Phase 5 Dyffryn Business Park, Ystrad Mynach Hengoed.	Awaiting wildlife information.
16/0009/COND 07.01.06	Discharge Conditions 2 (land drainage), 5 (wind turbine data), 7 (shadow flicker), 8 (Traffic Management Plan), 9 (highway survey), 10 (access route), 11 (switchgear housing), 12 (reptile mitigation strategy), 13 (archaeological written scheme of investigation) and 16 (anti-collision lighting) of planning consent 15/0499/FULL (Erect a single wind turbine of max 77m to tip, along with associated infrastructure including an access track and electrical housing) at Castell Llwyd Farm Heol Las Nelson Treharris	Subject to further discussion and consideration.
16/0208/OUT 05.03.16	Erect up to 200 dwellings and access with all other matters reserved at Catnic Pontypandy Industrial Estate Caerphilly	Subject to further discussion and consideration.
16/0335/FULL 12.04.16	Erect new dwelling on Land Rear Of 39 Highfield Road, Pontllanfraith Blackwood	Additional information requested.
16/0341/COND 24.05.16	Discharge condition 09 (soil testing scheme) of planning consent 09/0469/OUT (Erect residential development with associated vehicle access, car parking and services, other ancillary uses and activities) at Land At Former Coal Yard Llancaiach View Nelson Treharris	Awaiting views of Consultees.

16/0387/COU 17.05.16	Change the use of dog kennels to holiday-let accommodation at Bridge Croft Kennels Tir Adam Uchaf Farm Heol Adam Gelligaer	Awaiting traffic information.
16/0424/LBC 31.05.16	Demolish and re-construct the east gable wall in rendered blockwork, convert the existing church into one dwelling and convert the adjoining building into two dwellings at Beulah Baptist Church North Road, Newbridge, Newport	Subject to further discussion and consideration.
16/0427/FULL 01.06.15	Erect detached dwelling and garage on Land South Of Glendale, Van Road Caerphilly	Considering affordable housing considerations.
16/0449/COU 06.06.16	Demolish and re-construct the east gable wall in rendered blockwork, convert the existing church into one dwelling and convert the adjoining building into two dwellings at Beulah Baptist Church North Road, Newbridge, Newport	Subject to further discussion and consideration.
16/0505/COND 16.06.16	Discharge conditions 03 (Amended Traffic Management Plan), 06 (Tree Protection) and 07 (Capital Asset Valuation for Trees) of planning consent 16/0044/LA (Upgrade existing school playing fields to a 3G artificial area to allow for rugby, football and a 200m running track, erect a minimum 5m high security fence, designate an area as MUGA pitches with a surrounding fence at minimum 2.4m height and provide floodlighting to the 3G pitch only, along with pedestrian lighting to the pathways (Phase IV)) at Y Gwyndy - Ysgol Gyfun Cwm Rhymni, Pontygwindy Road Caerphilly	Awaiting views of consultees.
16/0506/OUT 16.06.16	Erect a residential self-build dwelling at Plot 2, Land Adjacent To Islwyn Indoor Bowls Centre, Gelli Lane, Pontllanfraith, Blackwood	Considering affordable housing implications.
16/0507/OUT 16.06.16	Erect a residential self-build dwelling at Plot 1, Land Adjacent To Islwyn Indoor Bowls Centre, Gelli Lane Pontllanfraith, Blackwood	Considering affordable housing implications.
16/0508/OUT 16.06.16	Erect a residential self-build dwelling at Plot 4, Land Adjacent To Islwyn Indoor Bowls Centre, Gelli Lane Pontllanfraith, Blackwood	Considering affordable housing implications.

16/0509/OUT 16.06.16	Erect a residential self-build dwelling at Plot 3, Land Adjacent To Islwyn Indoor Bowls Centre, Gelli Lane Pontllanfraith, Blackwood	Considering affordable housing implications.
16/0510/OUT 16.06.16	Erect a residential self-build dwelling at Plot 5, Land Adjacent To Islwyn Indoor Bowls Centre, Gelli Lane Pontllanfraith, Blackwood	Considering affordable housing implications.
16/0512/RM 17.06.16	Seek approval of the reserved matters regarding details of access, appearance, landscaping, layout and scale in regard to planning consent 12/0760/NCC (Vary condition 07 of planning permission 12/0593/NCC to allow the access location to be as indicated on drawing number 231/2C (submitted on 24th August 2009 in relation to application 09/0672/OUT) to the south of the existing dwelling) at 3 Britannia Villas Britannia Terrace, Britannia, Blackwood	Subject to further discussion and consideration.
16/0514/NOTF 17.06.16	pgrade existing tracks to facilitate the felling of larch infected with phytophthora ramorum and for the purposes of restocking the woodland at Woodland Northeast Of Machen, Caerphilly	Subject to further discussion and consideration.
16/0544/COND 27.06.16	Discharge condition 3 (land drainage), 4 (contamination) and 5 ( imported materials) of 15/0556/FULL at Unit 5 Lawrence Court, Greenway Bedwas House Industrial Estate Bedwas, Caerphilly	Awaiting views of consultees.
16/0554/COND 01.07.16	Discharge conditions 2 (external surfaces), 3 (drainage), 4 (boundary treatment), 5 (contamination), 6 (structural calculations), 7 (finished levels), 8 (parking) and 9 (private driveway and turning area) of Planning Application 16/0321/FULL (Construct a two-storey, four bedroom detached house with detached garage) at Plot 2 17 Homeleigh Newbridge Newport	Awaiting views of consultees.

16/0579/COND 07.07.16	Discharge Conditions 10 (invasive species), 11 (invasive species), 15 (bat protection), 17 (contamination) and 20 (hard and soft landscaping) Condition 2 (land drainage) and Condition 7 (engineering details) of planning consent 15/0408/FULL (Demolish former derelict buildings and erect 29 residential units and associated works) at Crumlin Mining School Site Mining School Hill Crumlin Newport	Awaiting views of consultees.
16/0607/FULL 13.07.16	Construct 4 self-contained apartments with onsite car parking, cycle, refuse and amenity facilities at Tredegar Junction Hotel Commercial Street Pontllanfraith Blackwood	Awaiting viability information regarding affordable housing.
16/0647/COND 27.07.16	Discharge conditions 2 (details of ledged and braced doors), 3 (roof tile samples), 4 (further drawings) and 7 (bat survey) of planning consent 15/1096/LBC (Repair barn including the partial demolition of a leaning wall to the front, provide alternative openings to front elevation (two window openings and one door opening to replace existing two door openings and one window), rebuild gable ends and upper walls only, add a new roof structure and reuse barn as agricultural storage only) at Ty Isaf Farm Pandy-Mawr Road Bedwas Caerphilly	Awaiting views of consultees.
16/0668/OUT 29.07.16	Erect residential development at Land To North Of Car Park Aiwa Technology Park North Celynen Newbridge	Awaiting views of consultees.
16/0671/NCC 29.07.16	Vary condition 21 of planning consent 12/0570/FULL (Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works) to re-locate the landscape bund because of land stability issues at Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed	Subject to further discussion and consideration.

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# Agenda Item 14

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Received draft agreements. Waiting for internal comments.
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. File closed due to no progress.
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.	Position being reviewed because of lack of response from Applicants about the S106. Waiting for confirmation from Planning is application been refused. File closed due to no response from Planning.
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.	In discussions as to how best to proceed in light of CIL. Still in discussions with Solicitors. Other side asked for meeting. Asked for instructions from Planning.
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. Told works have been undertaken. Planning said to hold file in abeyance while they investigate. Told may be a while due to issues. Planning waiting for ecological report. Planning will contact applicant again. Waiting to hear from Planning.
14/0239/NCC 16.04.14	Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters on Land At Albertina Road Treowen Newport	Documents sealed. Waiting for our Legal fees.

14/0802/OUT 26.11.14	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from the A4049 and footpaths and the installation of new services and infrastructure, ecological mitigation and enhancement works and other ancillary works and activities at Land At Hawtin Park Gelli-haf Pontllanfraith Blackwood	Draft agreed. Waiting for draft consent from Planning so we can attach.
14/0855/FULL 15.01.15	Erect residential development and associated works at Land At Watford Road Caerphilly	UU agreed and on file waiting to be completed when Richard's Development Agt is.
15/0156/NCC 12.03.15	Vary condition 3 of planning consent 10/0215/OUT (Erect residential development with alterations to existing access) to extend the period of time to submit reserved matters by a further three years at Quarry Court North Road, Newbridge, Newport	Sent amended drafts to Solicitors. Chased. Threatened to refer back to Committee if no progress as we are getting no response.
15/0442/OUT 30.06.16	Erect residential development comprising approximately 18-20 houses and 8 flats on Land At Abertridwr Road, Penyrheol, Caerphilly	Waiting for instructions regarding housing clauses.
15/0563/OUT 31.07.15	Erect up to 50 dwellings and access with all other matters reserved at Land At Ty-Mawr, Ty-Mawr Farm Lane, Croespenmaen, Newport	Sending comments on Solicitors amendments to draft.
16/0016/NCC 08/01/16	Vary condition 1 of planning consent 2/06678 (Quarrying of Grit stone. 8.5 hectares) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Queried title evidence with Solicitors.
16/0017/NCC 08/01/16	Vary condition 1 of planning consent 2/07947/T (Storage of overburden from adjacent Quarry) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Queried title evidence with Solicitors.

16/0076/OUT 28/01/16	Erect residential development on Land To The North Of Meadowland Close Caerphilly	Waiting for Solicitors details.
16/0085/NCC 05/02/16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue Cefn Fforest Blackwood	Waiting for instructions from housing.

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# Agenda Item 15

## OUTSTANDING APPEALS

<b>APPEAL REF/ PLANNING APP. NO.</b>	<b>APPELLANT</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DATE APPEAL REGISTERED</b>
15/0012/REF 15/0038/OUT	Land Matters Limited C/O Savills Mrs M Lewis 12 Windsor Place Cardiff CF10 3BY	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from Pandy Road and footpaths and requiring the installation of new services and infrastructure and other ancillary works and activities at Land North Of Pandy Road Bedwas Caerphilly	23.11.2015
16/0007/NONDET 16/0074/NCC	Dr M A Alam 21 St Peters Drive Libanus Fields Blackwood NP12 2ER	Vary condition 1 of planning consent 10/0902/FULL (Erect new house and integral garage) to extend the period of time within which to commence development at 45 Gelynos Avenue Argoed Blackwood NP12 0AT	18.04.16
16/0009/COND 15/0781/ROMPS	Mr C Payne 17F Hall Street Blackwood Caerphilly	First periodic review of planning conditions (Environment Act 1995) at The Senghenydd Minerals Site Graig-yr-hufen Road Senghenydd, Caerphilly	27.06.16

**APPEALS DECIDED**

<b>APPEALS DECIDED APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION APPEAL</b>	<b>DECISION/ DATE</b>	<b>COMM/ DEL</b>
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None.