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**Date: 1st March 2017**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 8th March, 2017** 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

## AGENDA

	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 8th February 2017.	1 - 6

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): -

- |   |  |         |
|---|--|---------|
| 4 | Preface Item - 15/0782/FULL - Erect Residential Development for 45 dwellings on Land at Woodfield Park Lane, Penmaen, Oakdale. | 7 - 30  |
| 5 | Preface Item - 16/0899/FULL - Factory Unit, Pengam Road, Aberbargoed, Bargoed.   | 31 - 46 |

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

- |    |  |         |
|----|--|---------|
| 6  | 16/0208/OUT - Catnic Pontypandy Industrial Estate, Caerphilly.   | 47 - 60 |
| 7  | 17/0031/FULL - 11 Maes-Y-Drudwen, Caerphilly.  | 61 - 68 |
| 8  | 16/1062/FULL - Glyn Gwyn Farm, High Street, Trethomas.   | 69 - 78 |
| 9  | 17/0039/COU - 24 Church Street, Bedwas.  | 79 - 86 |
| 10 | Planning Appeal Decision Regarding Erection of Residential Development at Land North of Pandy Road, Bedwas | 87 - 94 |

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

- |    |   |           |
|----|---|-----------|
| 11 | Applications determined by delegated powers.  | 95 - 106  |
| 12 | Applications which are out of time/not dealt with within 8 weeks of date of registration. | 107 - 110 |
| 13 | Applications awaiting completion of a Section 106 Agreement.                              | 111 - 114 |
| 14 | Appeals outstanding and decided.  | 115 - 116 |

**Circulation:**

Councillors M.A. Adams, J. Bevan, P.J. Bevan, D. Bolter, D.G. Carter (Chair), Mrs P. Cook, W. David (Vice Chair), J.E. Fussell, Ms J. Gale, 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



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 8TH FEBRUARY 2017 AT 5PM

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#### PRESENT:

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

#### Councillors:

M. Adams, J. Bevan, D. Bolter, Mrs P. Cook, J.E. Fussell, Ms. J. Gale, R.W. Gough,  
C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, J. Simmonds,  
Mrs J. Summers, Mrs E. Stenner

Cabinet Member for Regeneration, Planning and Sustainable Development - Councillor  
K. James

#### Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), C. Powell (Principal  
Planner), P. Den Brinker (Team Leader East), A. Pyne (Area Senior Planner), M. Davies  
(Team Leader South), M. Noakes (Senior Engineer, Highway Planning), G. Mumford  
(District Environmental Health Officer), H. Morgan (Senior Committee Services Officer)

#### 1. **APOLOGIES**

Apologies for absence had been received from Councillors P.J. Bevan and J. Taylor.

#### 2. **DECLARATIONS OF INTEREST**

Councillor D. Bolter declared an an interest in agenda item 7 - 15/0782/FULL. Details are  
minuted with the respective item.

#### 3. **MINUTES - 11TH JANUARY 2017**

RESOLVED that the minutes of the Planning Committee held on 11th January 2017  
be approved and signed as a correct record.

**4. PREFACE ITEM CODE NO. 16/0883/FULL - NELSON RUGBY FOOTBALL CLUB AND LLWYN-YR-EOS PLAYING FIELD, HEOL LLYSWEN, NELSON, TRESHARRIS**

It was noted that the application had been subject to a site visit on Monday 9th January 2017.

Councillor S. Morgan and Mr Matthew Pearson spoke in support of the application.

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

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

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - NORTH AREA**

**5. CODE NO. 16/0899/FULL - FACTORY UNIT EXTENSION, PENGAM ROAD, ABERBARGOED**

It was noted that the application had been subject to a site visit on Monday 6th February 2017. A briefing note on the issues raised was tabled at the meeting, summarised by the Officer and is appended to these minutes.

It was also noted that since the preparation of the report a further response has been received making eight in total. Further conditions are also proposed.

Councillor K.V. Reynolds spoke in objection to the application and Mr Peter Benson, the agent, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the proposed additional conditions, the recommendations contained in the Officer's report be approved. An amendment was moved and seconded that the application be deferred to allow further information to be sought about the proposed occupier of the premises.

By a show of hands, and in noting there were 2 against and 2 abstentions, the amendment was agreed by the majority present. As such the motion fell and the amendment was declared carried.

RESOLVED that the application be deferred to allow further information to be sought about the proposed occupier of the premises.

**6. 16/1084/FULL - ERECT TWO-STOREY ANNEXE TO EXISTING DWELLING AT PEN-DERI FARM, PEN-DERI FARM LANE, ARGOED**

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

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

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

**7. 15/0782/FULL - ERECT RESIDENTIAL DEVELOPMENT FOR 45 DWELLINGS ON LAND AT WOODFIELD PARK LANE, PENMAEN, OAKDALE**

Councillor D. Bolter declared a prejudicial interest (in that a close friend lives opposite the site) and left the Chamber when the application was discussed.

Councillor R. Saralis and Mr Terry Morgan spoke in objection to the application and Mr Robert Chichester, the applicant's agent, spoke in support of the application.

It was noted that the application had been subject to a site visit on Monday 6th February 2017. A briefing note on the issues raised was tabled at the meeting, summarised by the Officer and is appended to these minutes.

Following consideration of the application it was moved and seconded that the application be deferred for a further report for reasons for refusal as the proposed development is outside the settlement boundary, on a green wedge, within a site of importance for nature conservation and there are concerns for highway safety. By a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for reasons for refusal as the proposed development is outside the settlement boundary, on a green wedge, within a site of importance for nature conservation and there are concerns for highway safety.

**8. 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 6.40pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 7th March 2017, they were signed by the Chair.

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CHAIR

## MEMBERS SITE VISIT - 6TH FEBRUARY 2017

**PLANNING APPLICATION REFERENCE:** 16/0899/FULL

**PROPOSED DEVELOPMENT:** Re-develop and refurbish existing factory building(s) into a food/pharmaceutical/high care manufacturing facility, existing use class of building is B2, with some ancillary elements of B1 & B8

**LOCATION:** Factory Unit, Pengam Road, Aberbargoed, Bargoed

**MEMBERS PRESENT:** D Carter, W David, K Reynolds, M Adams, A Lewis, J Gale, P Cook, E Stenner

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Members met at the northern entrance gate to the site. Access into the site was not possible as the applicant was delayed by traffic. The case officer explained that the application is principally for the raising of the height of the building by approximately 7 metres. The proposed plans were inspected and it was noted that the northern elevation which currently has two loading bay type doors will in the proposed elevation have no openings facing the residential dwellings to the north. It was explained that the proposal includes the removal of certain features such as storage tanks to the front of the building and their replacement with additional parking spaces. The case officer explained that the submitted details do not currently include any means of ventilation or flues and should they be required that applicant would have to make a separate application for planning permission

The following points were raised by members, and answers were provided:

- It was explained that residents had raised concerns regarding the traffic associated with the previous use and whether the new occupiers would give rise to similar issues. In terms of parking the Highway Officer explained that because the footprint of the building is not significantly affected the applicant had not been required to submit a traffic assessment neither had the parking provision been reviewed, however it is noted that the proposed details indicate additional parking spaces. The case officer was requested by members to seek additional background information regarding the anticipated traffic movements of the future occupiers.
- With regard to emissions members pointed out that as a food manufacturer this is a use that would likely require some type of ventilation. The case officer explained that additional information had been sought but the applicant could only offer approximate details of the location of details such as flues and this would not be sufficient in itself to enable the Environmental Health Department to make any informed observations or comment. The application is therefore proceeding on the basis of the submitted details, i.e. a building without flues.
- A question was raised regarding the proposed hours of operation. The case officer explained that as the application did not propose a change of use this issue had not been explored. Members requested that the case officer seek to obtain further background information.
- It was noted by members that there are security lights attached to the northern elevation of the existing building
- Members explained that there have been concerns raised regarding the increased height of the building and its impact upon the nearest properties to the north. From the northern entrance it was noted that the existing factory building is at a lower level than the houses and there is already some tree screening along part of the boundary. The case officer pointed out that the indicative drawing do show some additional planting in an area that has previously been used for external storage in the past but if the development is allowed this would assist the screening of the higher building. Members moved to the nearby residential street to view the existing tree planting at the boundary and noted that it currently does provide screening for the residential dwellings towards the middle and eastern section of the street.

## MEMBERS SITE VISIT - 6TH FEBRUARY 2017

**PLANNING APPLICATION REFERENCE:** 15/0782/FULL

**PROPOSED DEVELOPMENT:** Erect residential development for 45 dwellings, associated highway infrastructure and open space

**LOCATION:** Land at Woodfield Park Lane, Penmaen, Oakdale, Blackwood

**MEMBERS PRESENT:** D Carter, W David, M Adams, A Lewis, J Gale, P Cook

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The case officer explained that the application is a full planning application for the residential development of 45 houses including 10 affordable units. It was also explained that the site is located in a green wedge and within the Blackwood Riverside Woodland SINC. A small copse is situated along the eastern boundary fronting Oakdale Terrace, which is protected by a tree preservation order.

The following points were raised by members:

Members raised a question regarding the green wedge status of the land. The case officer clarified for Members the site is located within the Northern Connections Corridor, which focuses development on both brownfield and greenfield sites. It was also indicated that the site is in a sustainable location, within walking distance of services and facilities of Oakdale and Blackwood.

Members raised concern regarding highway safety. The Highways Officer confirmed that the proposed new junction offered more than adequate visibility splays, (2.4m x 120m in each direction) and in this respect there was no highway objection to the development subject to conditions. The speed of traffic along Oakdale Terrace was also raised and the Highway Officer confirmed that the available visibility at the new road junction surpassed the national design standards and was acceptable based on the speed of traffic.

The landscaping and ecology of the site was discussed. It was confirmed that the development would not result in the loss of the copse situated along the frontage. The hedgerow along the northern boundary would be retained but two new pedestrian links would be provided to link with the neighbouring playground/allotments and links to shops etc. The hedgerow along the frontage would be removed to accommodate the access road but a new hedgerow is to be planted where fence lines occur.

In terms of bats and birds, it was explained that given that the copse and the majority of the existing hedgerows are to remain, and with the additional hedge planting proposed there would be no adverse impact upon the species. Conditions are proposed to ensure biodiversity enhancements by the provision of bat and bird boxes in the development.

It was confirmed the ecological surveys undertaken found no evidence of dormice or badgers. There is low potential for reptiles and in this respect a condition is proposed requiring a reptile clearance method statement to ensure those reptiles are protected.

The site comprises species rich grassland which would be lost as a result of the development and as such grassland compensation is sought. Members requested clarification regarding the area of grassland involved. The grassland area amounts to 1.4 hectares of which about 1.2 hectares will be available for translocation. Of the 1.2 hectares about 75% will be translocated to a Council owned site. The percentage of grassland translocated will depend on its quality and conditions at the receiver site. The applicant will be required to enter into a Section 106 Agreement and pay a commuted sum of £78,260 for the translocation works and 25 year maintenance plus an additional amount totalling £31,917 to replace fence and gates if the developer did not choose to carry out these boundary maintenance works.

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# Agenda Item 4

## PREFACE ITEM

APPLICATION NO. 15/0782/FULL

APPLICANT(S) NAME: Rectory Homes (Wales) Ltd

PROPOSAL: Erect residential development for 45 No. dwellings, associated highway infrastructure and open space

LOCATION: Land At Woodfield Park Lane Penmaen Oakdale Blackwood

A copy of the planning report (attached) was considered at the Planning Committee held on the 8<sup>th</sup> February 2017, members resolved not to accept the recommendation to grant conditional planning permission, subject to the completion of a Section 106 Agreement relating to the provision of affordable housing and grassland compensation but that a further report should be presented with reasons for refusal.

Members carried out a site visit on 6<sup>th</sup> February 2017 and concerns regarding highway safety, the proposed grassland compensation measures and ecology matters were discussed.

These matters were further discussed at the planning committee and the basis of the Member's decision to refuse the application is that the proposed development is outside settlement limits, within both a Site of Importance for Nature Conservation (NH3.71 Blackwood Riverside Woodlands, North East of Blackwood) and a Green Wedge (S11.09 Blackwood, Oakdale & Penmaen) and as such the proposal would be in conflict with local plan policies SP5 (Settlement Boundaries), policy SP10 (Conservation and Natural Heritage), policy CW4 (Natural Heritage Protection) and CW15 (General locational constraints).

However, the following is provided for consideration against the possible prospect of an appeal that will require an evidential basis for the defence of any reason for refusal put forward.

Notwithstanding the site is outside of the settlement boundary within a green wedge, the site is in a sustainable location, well related to the existing settlement, and would result in the loss of only 2.56% of the green wedge. The encroachment into the green wedge is not considered significant enough to undermine its role and function in this location.

Also, the development would not be wholly contrary to the strategy set out in that plan for the Northern Connections Corridor. Policy SP2 states amongst other things that development proposals in that area will promote sustainable development that focuses

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on both brownfield and greenfield sites that have regard for the social and economic functions of the area.

Planning permission was recently allowed on appeal for residential development of some 115 houses at Cwmgelli at the northern end of Blackwood. That site was also outside the settlement and in a green wedge. In that case 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." He went on to conclude that green wedges should be subject of review as advised by Planning Policy Wales.

Overall, the inspector came to the following conclusion, "The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing."

Another more recent planning permission was recently allowed on appeal for residential development of some 300 houses is that of Pandy Road, Bedwas where the Inspector concluded "The council cannot demonstrate a five year land supply. The need to increase supply should be given considerable weight where the proposal would otherwise comply with development plan and national plan policies.

The proposal fails to accord with the adopted development plan as the proposal would constitute a housing development outside the defined settlement boundaries (LDP policy SP5). Nonetheless I have found that the proposal would not have an unacceptable impact on the specific distinctive features and qualities of the SLA or on its overall integrity and would not conflict with development plan policies that seek to protect, conserve, enhance and manage the valuable features of the natural and built environment (LDP policies SP10, NH1 and CW4).

The proposal would also constitute sustainable development being located in close proximity to the settlement boundary with its range of services and facilities and would be in close proximity to public transport. The proposal also includes a number of sustainable travel measures. In the particular circumstances of this case I find the contribution to the supply of housing, including affordable housing, in a sustainable location to be material considerations that outweigh the conflict with the development plan."

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Whilst the development is contrary to the above policies, reasons for refusal have to be balanced against any other material considerations and in this respect the lack of a 5 year land supply and the need for affordable housing are material considerations, and reasons for refusal based upon the above would be challenging to defend at an appeal.

The loss of the grassland to accommodate the development has to be considered on balance with the need for development in line with Policy CW4, where “the need for the development outweighs the ecological importance of the site”. This aspect of the development has been considered and will require the developer to enter into a Section 106 Agreement, in order to provide sufficient compensation for the loss of the grassland on land under the control and maintenance of the Council for a period of 25 years. Again, the need for housing is balanced against the ecological importance of the site and the compensation measures proposed are considered sufficient. In addition, the Council does not have any control over the land, other than in respect of the protected trees and established hedgerow along the northern boundary as an important hedgerow and should the landowner wish to plough this field then he could.

In addition Members considered that the construction and subsequent use of a new junction onto an existing busy road, by additional traffic generated by the development, would have an adverse impact upon highway safety. However, this Council’s Transportation Engineering Manager has confirmed that the proposed new junction offered more than adequate visibility splays, (2.4m x 120m in each direction) and in this respect there is no highway objection to the development subject to conditions. The speed of traffic along Oakdale Terrace was also raised and the Highway Officer confirmed that the available visibility at the new road junction surpassed the national design standards and was acceptable based on the speed of traffic. There is no evidence to support a highway reason for refusal and in this respect Members are advised that a highway reason for refusal could not be sustained at appeal.

If Members are minded to refuse the application the following reasons are presented for consideration: -

1. The proposed development is outside the settlement boundary and within the Blackwood, Oakdale & Penmaen green wedge as defined by the Caerphilly County Borough Council Local Development Plan, up to 2021, adopted November 2010 and is thus contrary to Policy SP5 criterion B of that plan, which seeks to promote the full and effective use of urban land and thus concentrate development within settlements. The development is also contrary to Policy CW15 criterion C of that plan because it is not one of the developments specified as being acceptable outside the settlement boundaries.

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Preface 15/0782/FULL Continued

2. The proposal is contrary to criterion B of Policy CW4 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 in that the development of the site would result in the unacceptable erosion of the Blackwood Riverside Woodlands, North East of Blackwood Site of Importance of Nature conservation as identified by Policy NH3.71 of the plan.

3. The additional traffic generated by the proposed development would result in an adverse impact upon highway safety along Oakdale Terrace contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan, up to 2021.

Recommendation: That (A) The application be deferred to allow the applicant to enter into a Section 106 Agreement in respect of the provision of affordable housing and grassland compensation. On completion of the Agreement that permission is granted subject to conditions as set out in the reports. However, if Members are minded to refuse permission, they are advised to limit their reasons for refusal to reasons 1 and 2 discussed above.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0782/FULL 05.01.2017	Rectory Homes (Wales) Ltd Mr M Miller C/o C2J Architects & Town Planners Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Erect residential development for 45 No. dwellings, associated highway infrastructure and open space Land At Woodfield Park Lane Penmaen Oakdale Blackwood NP12 0EU

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: Land at Woodfieldside Park Lane, Penmaen, Oakdale. The site is located to the north of Woodfield Park Lane, Penmaen, just off Oakdale Terrace, approximately 1km to the east of Blackwood Town Centre and on the southern and eastern periphery of the settlement of Oakdale. Woodfield Park Lane forms the site's southern boundary. Woodfieldside Funeral Home is located to the southern boundary, a public right of way runs along the western boundary of the site beyond which is an equipped children's playground and allotment gardens.

Site description: The site proposed for development comprises an open field, with a small copse on its eastern edge, adjacent to Oakdale Terrace and which is the subject of a group Tree Preservation Order (TPO) No: 119/81. There are no water courses or ponds on the site. The site comprises managed semi-improved grassland, semi-natural broadleaved woodland, species rich hedgerow, trees and scrub.

In terms of topography, the site falls gently from the north east corner to the south west.

Development: Full planning permission is sought in respect of the residential development of the site for 45 dwellings, associated infrastructure and open space. The proposed scheme is amended following discussions with officers of this Local Planning Authority in terms of design, and layout.

A new dedicated access linking to Oakdale Terrace will be located at the southern end of the eastern boundary.

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Application No.15/0782/FULL Continued

The application includes a Tree Survey, Tree Protection Plan, Soft Landscape Plan, Street Lighting Analysis, Arboricultural Report, Design and Access Statement, Drainage Strategy, Ecological Assessment, Transport Statement.

Dimensions: The site amounts to 1.80 hectares.

House type 1 \_ two bedroom detached has maximum dimensions of 6.1m (width) 8.8m (depth) 8.5m (height)

House type 2 \_ 3 bedroom detached has maximum dimensions of 6.1m (width) 9.4m (depth) 8.7m (height)

House type 6 \_ one bed flats, the block has maximum dimensions of 17.6m (width) 7.5m (depth) 8.5m (height)

House type 04a \_ detached 4 bedroom dwelling has maximum dimensions of 6.7m (width) 9.8m (depth) 9.2m (height)

House type 04b \_ detached three bedroom dwelling has maximum dimensions of 6.7m (width) 9.7m (depth) 9.3m (height)

House type 04c \_ semi-detached three bedroom dwelling has maximum dimensions of 6.6m (width) 9.2m (depth) 8.5m (height)

House type 04d \_ detached three bedroom has maximum dimensions of 6.6m (width) 9.7m (depth) 8.5m (height)

House type 05 \_ detached four bedroom dwelling has maximum dimensions of 10.1m (width) 8.2m (depth) 7.6m (height)

House type 06a \_ detached four bedroom dwelling has maximum dimensions of 9.6m (width) 10m (depth) 8.2m (height)

House type 06b \_ detached four bedroom dwelling has maximum dimensions of 9.6m (width) 10m (depth) 8.2m (height)

Double garage \_ 8.8m (width) 6.8m (depth) 4.9m (height)

Single garage \_ 3.4m (width) 6.3m (depth) 3.6m (height).

Materials: External materials comprise render or red facing brick to walls, tiled grey slate or red brown pitched roofs, coloured upvc windows and doors, coloured upvc rainwater goods, coloured upvc/metal garage doors.

All perimeter boundaries will be defined by existing or new hedgerows interspersed with new and existing trees, augmented as necessary by post and wire stock proof fencing. Rear perimeter and party line fencing will be 1.8m stained wood fencing and front boundaries to access roads will be defined by dwarf facing brick walls or low level painted wrought iron fencing.

Ancillary development, e.g. parking: Off-street parking provision in respect of each dwelling unit.

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Application No.15/0782/FULL Continued

## PLANNING HISTORY 2005 TO PRESENT

P/05/0823 - Erect two storey extension and carry out internal alterations - Granted 06.10.2005.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site in question is unallocated and lies outside of the settlement boundary of Penmaen, and is within both a Site of Importance for Nature Conservation (NH3.71 Blackwood Riverside Woodlands, North East of Blackwood) and a Green Wedge (SI1.09 Blackwood, Oakdale & Penmaen).

### Policies:

#### Strategic Policies

SP2 (Development Strategy in the Northern Connections corridor), SP5 (Settlement Boundaries), SP7 (Planning Obligations), SP10 (Conservation of Natural Heritage), SP6 (Place making), SP21 (Parking Standards), SP14 (Total Housing Requirements).

#### Countywide Policies

CW1 ( Sustainable Transport, Accessibility, and Social Inclusion), CW2 (amenity), CW3 (Design considerations - highways), CW4 (Natural Heritage Protection), CW5 (Protection of Water Environment), CW6 (Trees, Woodlands and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Obligation), CW15 (General locational constraints) and supplementary planning guidance contained in LDP1 - Affordable Housing Obligations, LDP4 - Trees and Development, LDP 5 - Parking standards, LDP6 - Building Better Places to Live.

### NATIONAL POLICY

Planning Policy Wales, 9th Edition, November 2016.

PPPW at paragraph 3.1.3

3.1.2 In line with the presumption in favour of sustainable development (see 4.2) applications for planning permission, or for the renewal of planning permission, should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise. Material considerations could include current circumstances, policies in an emerging development plan, and planning policies of the Welsh Government and the UK Government. All applications should be considered in relation to up to date policies (see 2.14 and 4.2).

3.1.4 Factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability (see 4.2).

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3.1.5 The Local Planning Authority should have good reasons if it approves a development which is a departure from the approved or adopted development plan, or is contrary to the Welsh Government's stated planning policies, the advice of a statutory consultee or the written advice of its officers, and those reasons should be recorded in the Committee's minutes. Where planning permission is refused, the local planning authority must state clearly the reasons for the refusal.

3.7.2 The Community Infrastructure Levy (CIL) Regulations 2010 came into force in April 2010 and are non-devolved. The regulations allow local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money raised from the levy (CIL) must be used to fund infrastructure to support the development of the local authority's area. "Infrastructure" includes roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.

3.5.6 The CIL is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms. As a result, there may still be some site specific impact mitigation requirements without which a development should not be granted planning permission. Some of these needs may be provided for through the CIL but others may not, particularly if they are very local in their impact. There is therefore still a legitimate role for development-specific planning obligations to enable a local planning authority to be confident that the specific consequences of development can be mitigated.

4.7.8 Development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

4.8.1 Around towns and cities there is often the need to protect open land. Local planning authorities need to consider establishing Green Belts and making local designations, such as green wedges. Both Green Belts and green wedges must be soundly based on a formal assessment of their contribution to urban form and the location of new development and can take on a variety of spatial forms. The essential difference between them is the issue of permanence. Land within a Green Belt should be protected for a longer period than the current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.

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Inappropriate development

4.8.14 When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply.

Local planning Authorities should attach substantial weight to any harmful impact which a development would have on a Green Belt or green wedge.

4.8.15 Inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan.

4.8.16 The construction of new buildings in a Green Belt or in a locally designated green wedge is inappropriate development unless it is for the following purposes:

- justified rural enterprise needs;
- essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;
- limited extension, alteration or replacement of existing dwellings;
- limited infilling (in those settlements and other development sites which have been identified for limited infilling in the development plan) and affordable housing for local needs under development plan policies; or
- small scale diversification within farm complexes where this is run as part of the farm business.

9.2.10 In determining the order in which sites identified in accordance with paragraph 9.2.8 above should be allocated, the presumption will be that previously developed sites or buildings for re-use or conversion should be allocated before greenfield sites. The exception to this principle will be where previously developed sites perform so poorly in relation to the criteria listed in paragraph 9.2.9 as to preclude their use for housing (within the relevant plan period or phase) before a particular greenfield site.

TAN 1: Joint Housing Land Availability Studies (2015), TAN 2 - Planning and Affordable Housing (2006), TAN 5 - Nature Conservation and Planning (2009), TAN 11 - Noise (1997) TAN 12 - Design (2014), TAN 18 - Transport (2007).

There are also other policy related matters which require to be considered in respect to this submission. Such matters could constitute material considerations in respect to the determination of this proposal. They are;

The 5 year Housing Land Supply.  
The Annual Monitoring Report.

Cont....

Application No.15/0782/FULL Continued

The Community Infrastructure Levy (i.e. CIL). Yes the site falls within the mid-range viability charging zone, which is set at £25 per square metre in respect of residential development.

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes the proposal exceeded the threshold of 0.5 hectares for such developments.

Was an EIA required? No.

### COAL MINING LEGACY

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

### CONSULTATION

Head Of Public Protection - No objection subject to a standard condition regarding the importation of soils or materials.

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.

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

Police Architectural Liaison Officer - Provides advice to be conveyed to the developer.

Head Of Public Services - The Authority provides a kerbside refuse and recycling service with the onus on the developer to ensure there is sufficient off road storage for one refuse wheeled bin, one recycling wheeled bin plus a food caddy per property. Confirms that there appears to be suitable off road storage for the various refuse/recycling containers other than for the affordable housing units. Provision needs to be made for these properties. In addition their vehicles will not travel over any un-adopted sections of highway in which case suitable collection points may need to be agreed.

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

Cont....

Application No.15/0782/FULL Continued

Countryside And Landscape Services - Have no objection to the development subject to conditions being attached to any consent requiring both hard and soft landscaping details, specification of the stone fill to be used within the proposed gabion baskets and a method statement in respect of the construction of the proposed footpath access routes from the development to the public right of way. Details are also required in respect of the management of public areas outside of the boundary of individual plots. In terms of ecology there is no objection to the development as discussed in this report subject to conditions being attached to any consent in respect of grassland compensation, landscaping management, and protection and biodiversity enhancement conditions relating to reptiles, bats and birds as appropriate.

CCBC Housing Enabling Officer - Would seek to accommodate: -

6 x 1 bed 2 person apartments (separate walk-up) £48,723  
2 x 3 bed 5 person houses £67,722  
2 x 2 bed 4 person houses £67,391

All homes will need to meet DQR and be transferred to the POBL Group at the values contained within the current SPG on affordable housing.

Outdoor Leisure Development Officer - Notes the development is adjacent to an existing playground to the rear of Oakdale Terrace and that pedestrian connections are provided from the development site to the playground and allotments and as such has no further comments.

Gwent Wildlife Trust - Objects to the development because the site has high value as a SINC and do not believe the compensation measures proposed are adequate or complete.

### ADVERTISEMENT

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

Response: A petition signed by 74 people; and 11 letters in response to the original planning application submitted.

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Summary of observations:

- the land is green wedge in the Local Development Plan;
- the land is outside of the settlement boundary;
- the land is a designated SINC (Policy NH3.71) and there will be loss of wildlife;
- highway considerations in particular the access to the site will be onto a road that is regularly monitored for speeding traffic and has a history of serious and fatal accidents;
- increased traffic on main road during funeral services held at Woodfieldside Funeral Home;
- position of the flats on boundary fence will result in loss of privacy;
- lack of infrastructure - Doctors surgery, Schools;
- there are adequate Brownfield sites to fulfil the growing demand for housing needs.

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 significant effects that would prejudice the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

An initial ecological assessment was undertaken in October 2015, but additional surveys to be undertaken at an appropriate time of year were requested and have subsequently been undertaken and submitted in two documents comprising A Botanical Assessment of Grassland undertaken by Vegetation Survey and Assessment Ltd dated June 2016, and an Ecological Assessment of Land Off Woodfield Park Lane undertaken by Ethos Environmental Planning and dated December 2016. In addition, the applicant has submitted a grassland compensation plan prepared by Ethos Environmental Planning dated December 2016.

The assessment identifies that the site forms part of Blackwood Riverside Woodlands Site of Importance for Nature Conservation and species-rich neutral grassland that lies within the application site will be lost as a result of the planning application. Woodland habitat which also forms part of the SINC feature will be retained as part of the proposal.

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A botanical vegetation survey undertaken in June 2016 confirmed that the majority of the site supported a grassland that has very high nature conservation value classified as MG5c in the National Vegetation Classification. This is a rare grassland community and is characteristic of hay meadows, which is a UK Biodiversity Action Plan Priority Habitat and is listed within Section 7 of the Environment Wales Act (formerly Section 42 of the NERC Act 2006) as a habitat of key significance to support and improve biodiversity in Wales.

Policy CW4 of the LDP states that development proposals that affect locally designated natural heritage features, will only be permitted:

Within or in close proximity to Sites of Importance for Nature Conservation (SINC).where proposals either:

- i) Conserve and where appropriate enhance the ecological or geological importance of the designation, or
- ii) Are such that the need for the development outweighs the ecological importance of the site, and where harm is minimised by mitigation measures and offset as far as practicable by compensation measures designed to ensure that there is no reduction in the overall value of the area or feature.

It is not possible to conserve the majority of the grassland and the little that remains cannot be enhanced sufficiently to mitigate the area that will be lost. The determination of this application therefore needs to consider if the need for the development outweighs the ecological importance of the site. If the need for the development is concluded to outweigh the ecological interests, the applicant has put forward compensation proposals that includes translocation of grassland to an alternative site together with the provision of funding to enable the long term management (over 25 years) of a grassland owned by Caerphilly County Borough Council. This grassland formerly supported a species rich hay meadow community, but has declined due to lack of management. The enabling works and introduction of long term management secured through a Section 106 Agreement, would provide sufficient compensation for the loss of this grassland. The detail of the submitted Grassland Compensation Plan is limited and further details will be required including timing of works and further details of translocation methodology that can be provided by condition.

There are three hedgerows present on site, one of which was identified as being an important hedgerow under the Hedgerow Regulations criteria. This hedgerow will be retained as part of the development, although a small part of the hedgerow will need to be removed to make provision for a footpath. A second hedgerow bordering Oakdale Terrace was identified as being not important under the hedgerow regulations, and this hedgerow will be removed. The applicant is proposing to mitigate for the loss of these hedgerows through the creation of new hedgerows where fencelines currently occur. This would be acceptable, and would form part of the landscaping scheme that can be conditioned.

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Application No.15/0782/FULL Continued

#### European Protected Species

The site was assessed for the suitability of the site for bats, and was followed up with bat activity surveys and static bat recordings. The surveys concluded that the woodland copse on the east of the site was suitable for roosting bats and 1 common pipistrelle was seen emerging from the woodland. All hedgerows were of value for foraging and commuting bats, particularly the hedgerow on the north of the site that recorded the highest bat activity. 7 species of bat were recorded with the highest numbers being common pipistrelle. Although no bat roosts were confirmed it is likely that a bat roost is present within the woodland copse. However as this copse is to be retained and a bat licence is unlikely to be required to enable the development to proceed, the three European tests do not need to be applied to this application. However measures to enable bats to continue to use the site such as control of lighting close for foraging and commuting routes will need to be controlled by condition, and due to the current level of bat use, bat roost provision within the new properties adjacent to the hedgerow and woodland on site should also be provided.

The site was also surveyed for the presence of Dormice through the erection of nest tubes and boxes and searches for dormouse opened hazel nuts and nests. No evidence was found.

#### UK Protected Species

Surveys were also undertaken for badgers and suitability assessments undertaken for reptiles, breeding birds, amphibians, invertebrates and hedgehogs. The site was considered suitable for breeding birds, which could be affected by the removal of hedgerows, they have proposed to mitigate for the loss of breeding habitat through the planting of new hedgerows and provision of additional bird boxes in the remaining hedgerows and trees, which is acceptable. The margin of the site adjacent to the northern hedgerow was considered suitable for reptiles, and although the likely use was considered to be low there is the potential for reptiles to be killed during site clearance works. A reptile clearance method statement would minimise the risk of killing or injury to reptiles, should therefore be conditioned.

#### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes and the total payable would be £115,650.

#### ANALYSIS

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

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Development Strategy - As can be seen from the policy section above there are a range of policy considerations applicable to this site. In view of the location of the site, being outside the settlement limit, it is evident that there are policies which the application is clearly contrary to. However in a plan led system the legislation states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise" (Planning and Compulsory Purchase Act 2004, Section 38 (6)). As such this section will give an overview of the policy considerations and seek to provide a conclusion based on all the relevant considerations.

Strategic Policies are designed to deliver wider aims and objectives of the plan's Development Strategy.

The first of these policies is SP2 which addresses the development strategy in the Northern Connections Corridor (NCC). This policy requires development proposals within the NCC to focus significant development 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; make the most efficient use of existing infrastructure; protects the natural heritage from inappropriate forms of development and capitalises on the economic opportunities offered by Oakdale/Penyfan Plateau.

The site lies outside the settlement boundary of Penmaen and is contrary to the provisions of Policy SP5. The site is also within a Green Wedge and a SINC. The encroachment into the Green Wedge is not considered to be significant enough to undermine its role and function in this location, providing that the impact of development can be acceptably managed in relation to the SINC.

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 2016 Annual Monitoring Report accepted the only way that the Council can improve the land availability situation directly is to approve new housing sites over and above the allocations in the Adopted Plan. It is highly likely that such sites will be windfall sites or sites located on the edge of settlements, often outside settlement boundaries and which are, therefore, contrary to the Adopted Plan policies. In this instance, the Council will need to carefully consider proposals for such development balancing the sustainability and benefits and disbenefits of development proposals on a case-by-case and that the need to release greenfield land is acceptable in planning terms, in order to address the lack of a five year land supply in the short term. The development of the application site for housing would deliver much needed housing, including affordable housing, in an area of housing need.

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Application No.15/0782/FULL Continued

On balance the need to deliver new housing in this area and the need to increase the housing land supply over-rides the fact that this site lies outside the settlement boundary and therefore there is no objection to the development in principle. 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 consent is granted.

The site is within a sustainable location, within walking distance of the services and facilities of Oakdale and close enough to Blackwood town centre to support its role and function. The site is considered to provide a suitable rounding off for Penmaen, between the existing development and the funeral home.

Policy CW3 of the LDP considers highway implications and in this respect the applicant has submitted a Transport Statement. This Council's Group Manager Transportation and Highways has raised no objection to the development subject to conditions being attached to any consent in respect of the access to the development and parking provision.

Policy CW4 of the LDP considers Natural Heritage Protection. The Phase 1 Habitat Survey and Ecological Assessment of the site was undertaken in November 2015. Section 9 of the report sets out a series of recommended mitigation measures to offset any potential impact associated with the development.

The assessment identified the importance of the broadleaved woodland, hedgerows and grassland on site. Whilst the development proposals have been developed to retain both the majority of the woodland and hedgerows it will require removal of the majority of the grassland with moderate biodiversity, one species-poor hedgerow and part of a species-rich hedgerow. A new hedgerow is proposed along the western boundary of the site, where a fence is currently located to mitigate for the loss of hedgerow. As the majority of the grassland will be lost through the proposed development, there is little opportunity to compensate for the loss of the grassland within the development footprint. Therefore the loss of the grassland has to be considered on balance with the need for development in line with policy CW4, where "the need for the development outweighs the ecological importance of the site". This aspect of the development has been considered above and will require the development to enter into a Section 106 agreement, in order to provide sufficient compensation for the loss of this grassland.

CW5 of the LDP considers protection of the water environment. In this respect the site is not located within a flood zone. The application is supported by a preliminary drainage strategy, which is informed by consultations with statutory undertakers, known site constraints, mindful of existing infrastructure and current best practice and industry standards. This council's Land Drainage Officer has raised no objection to the development subject to a condition being attached to any consent requiring details of surface water and land drainage.

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Application No.15/0782/FULL Continued

Policy CW6 of the LDP considers trees, woodland and hedgerow protection as a result of development. The arboricultural report submitted with the application identifies all trees on site, their condition, quality and benefit within the context of the proposed development. The report identifies the trees (No.4) to be removed and pruned as a result of the development and incorporates an Arboricultural Method Statement providing guidelines for the protection for remaining trees during construction work. conditions may be attached to any consent ensuring the protection of the trees and woodland.

Policy CW11 of the LDP considers affordable housing. The recommendation is to require the applicant to enter into a S106 Agreement in respect of Affordable Housing provision. The applicant has agreed to enter into such an agreement on the terms outlined. However there are tests for S106s which have to be met.

These are as follows:-

- (a) The financial contribution, arrangements and works contained in the obligation are required;
- (b) They are directly related to the development, and;
- (c) They are fairly related in scale and kind to the development.

With regard to the first of these the arrangements required in respect to affordable housing are to comply with Local and National policy.

In respect to the second point this is an area of housing pressure and affordable dwellings are required in the Oakdale area. It is considered essential that this proposal will provide a substantial allocation of such properties for the benefit of residents.

The third point relates to fairness of scale and kind. In this regard the provision of 10 housing units, comprising a mix of 6 x one bedroom flat, 2 x 3 bedroom house and 1 x 2 bedroom house is considered to be reasonable.

In the circumstances it is recommended that the application be deferred pending the signing of a Section 106 Agreement in respect of the provision of the affordable housing as stated. The affordable units will need to be transferred at the values contained within the Council's current SPG dated July 2015. The social rented units will be delivered to the Welsh Government's Design Quality Requirements (DQR) and transferred to the Pobl Group. The developer will need to deliver the homes at the affordable values set out within the Council's current SPG on affordable housing.

Upon the completion of this agreement the application be approved on the basis of the conditions stated below.

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

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Comments from public:

- the land is green wedge in the Local Development Plan;  
It is considered, as reasoned above that on balance the need to deliver new housing in this area and the need to increase the housing land supply over-rides the fact that this site lies outside the settlement boundary and therefore there is no objection to the development in principle.
- the land is outside of the settlement boundary;  
Discussed above.
- the land is a designated SINC (Policy NH3.71) and there will be loss of wildlife;  
The applicant has submitted the necessary ecological surveys and this Council's Ecologist has considered the same as discussed above.
- highway considerations in particular the access to the site will be onto a road that is regularly monitored for speeding traffic and has a history of serious and fatal accidents; This Council's Transportation Engineering Manager has raised no objection to the development subject to conditions requiring highway improvements.
- increased traffic on main road during funeral services held at Woodfieldside Funeral Home;  
The funeral Home has its own associated parking and whilst it may be that on occasion there will be increased traffic on the highway during large funerals, it is not considered that the potential for this to occur justifies a reason for the refusing the development.
- position of the flats on boundary fence will result in loss of privacy;  
The developer has addressed this aspect of the development by amending the block of flats to 6 walk up flats, no more than two-storey high and set back from the site boundary. In this respect the development will achieve the 21m between habitable room windows generally sought in a back to back situation. Therefore it is not considered that the revised scheme would result in the amenity of existing neighbouring properties situated opposite the site along Oakdale Terrace being adversely affected.
- lack of infrastructure - Doctors surgery, Schools,  
It is not considered that the proposed development would impact significantly in terms of infrastructure provision.

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Application No.15/0782/FULL Continued

- there are adequate Brownfield sites to fulfil the growing demand for housing needs;  
That may be the case where those brownfield sites are being developed but as reasoned above the lack of housing is considered to be a material consideration in the determination of this planning application.

Other material considerations: None.

RECOMMENDATION (A) that the application be DEFERRED to allow the applicant to enter into a Section 106 Agreement as set out in this report in respect of the provision of affordable housing and grassland compensation. On completion of the Agreement (B) that Permission be GRANTED.

This permission is subject to the following condition(s)

- 01) Prior to the commencement of the development hereby approved a notice shall be given to the Local Planning Authority.
  - (a) stating the date on which the development is to begin;
  - (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it. That decision notice shall be in the form specified by, and must be displayed in accordance with, Schedule 5B of the Order.  
REASON: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.
- 02) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 03) The development shall be carried out in accordance with the following approved plans and documents:  
Site location plan drawing no: AL(90) A;  
Proposed site plan Drawing no: AL(90)10 Rev L;  
Proposed affordable housing types: dwg no: AL(O)10 Rev D  
Proposed House type 4A, 4B AC drawing no: AL(O)11A  
Proposed House type 5 and detached garage drawing no: AL(O)12A  
Proposed House type 6A and 6B drawing no: AL(O)13A.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 04) 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.
- 05) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining on site full engineering details and structural calculations for the proposed retaining, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.  
REASON: In the interests of highway safety.
- 06) The proposed gabion structure approved as part of this development shall be filled with sandstone, and local building stone but not limestone.  
REASON: This is the naturally occurring bedrock of the area.
- 07) A Landscape Management Plan, including  
(a) long term design objectives,  
(b) management responsibilities, and  
(c) maintenance schedules for all landscape areas, other than domestic gardens, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.  
The Landscape Management Plan shall be carried out as agreed.  
REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area.
- 08) A Method Statement for the construction of the proposed footpath access routes from the development hereby approved to the Public Right of Way outside of the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of those works. The development shall be carried out and completed prior to the beneficial occupation of any dwelling.  
REASON: In the interests of amenity and to ensure the protection of retained hedgerows.

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Application No.15/0782/FULL Continued

- 09) Prior to commencement of development an amended Grassland Compensation Plan shall be submitted to the Local Planning Authority for approval and shall include amongst other things timing of works, and further details of grassland translocation. The works shall be undertaken in accordance with the agreed details.  
REASON: To ensure priority habitats are safeguarded, in the interests of biodiversity.
- 10) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 11) 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 properties adjacent to the perimeters of the application site hereby approved shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 12) No development or site or vegetation clearance shall take place until a detailed methodology for capture and translocation of reptiles on site including details of any proposed remedial measures has been submitted to and agreed in writing with the Local Planning Authority. The approved measures shall be carried out in accordance with the agreed details.  
REASON: To ensure that reptiles are protected.
- 13) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species shall be submitted to the local planning authority for approval. The approved details shall be implemented before the new dwellings hereby approved are first occupied.  
REASON: To provide mitigation for loss of bird nesting sites and additional nest sites 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).

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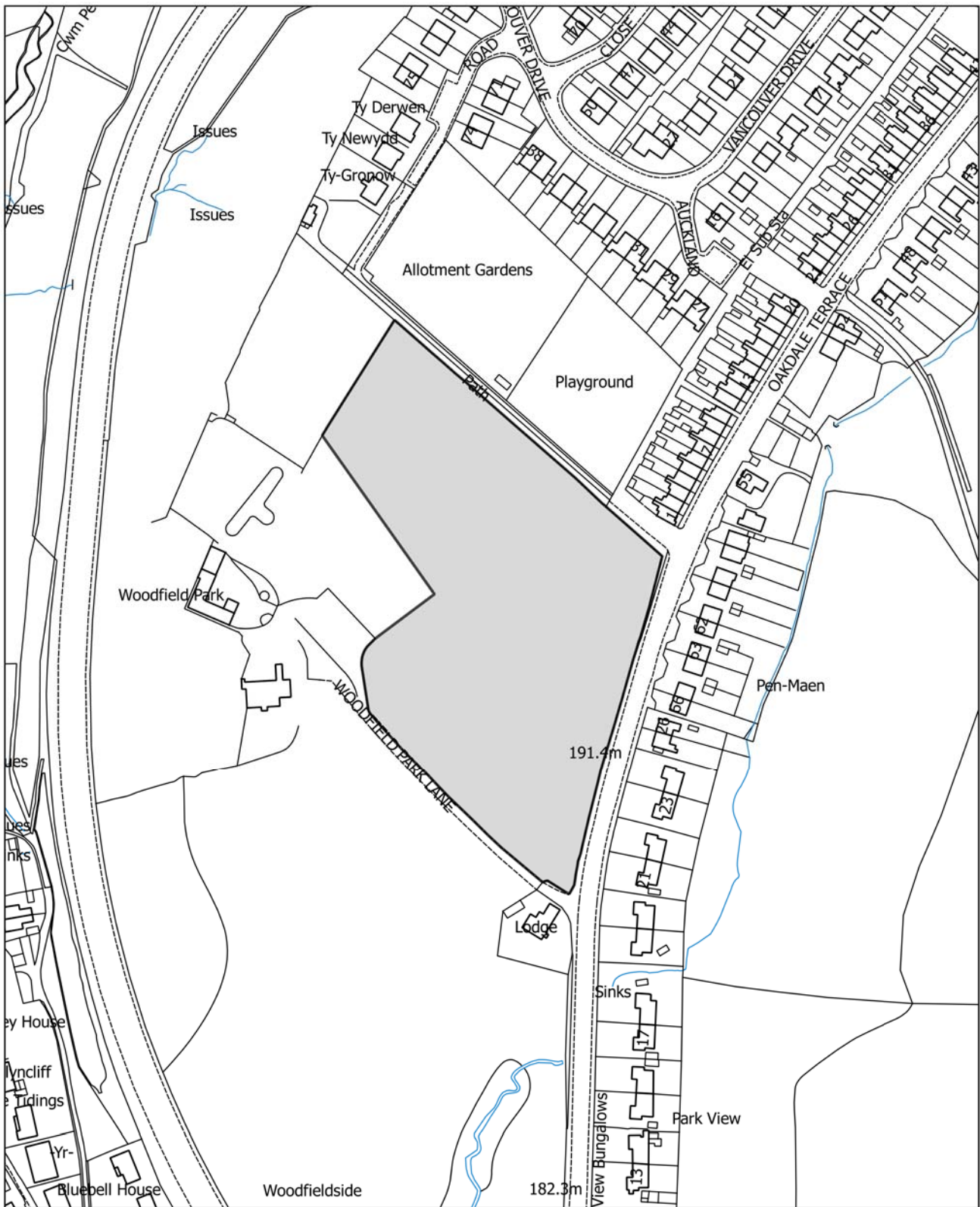
Application No.15/0782/FULL Continued

- 14) Site clearance operations that involve the destruction and removal of vegetation, including felling clearing or removal of trees and shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Local Planning Authority prior to their removal/felling/clearing to ensure that breeding birds are not adversely affected.  
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.
- 15) No development shall commence until details of a scheme for the disposal of 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.
- 16) No development shall commence, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding;
  - v) measures to control the emission of dust and dirt during construction.
- REASON: In the interests of residential amenity.
- 17) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.  
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.

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: SP2, SP6, SP7, SP14, SP10, SP14, SP15, CW2, CW3, CW4, CW5.

The applicant is advised of the comments of Wales and West Utilities.



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# Agenda Item 5

## PREFACE ITEM

APPLICATION NO. 16/0899/FULL

APPLICANT(S) NAME: Weststar Developments

PROPOSAL: Re-develop and refurbish existing factory building(s) into a food/pharmaceutical/high care manufacturing facility, existing use class of building is B2, with some ancillary elements of B1 & B8

LOCATION: Factory Unit Pengam Road Aberbargoed Bargoed CF81 9FW

This application for an extension of a factory was reported to Committee on 8<sup>th</sup> February 2017 and was deferred for further information regarding the identification of the future occupier of the building. A copy of the previous report is attached before reporting that information it is necessary to explain that there has been some confusion which has arisen from the description of the development, which was:

“Re-develop and refurbish existing factory building(s) into a food/pharmaceutical/high care manufacturing facility, existing use class of building is B2, with some ancillary elements of B1 & B8”.

The description sought to clarify that the proposed use would remain in the same class as the extant lawful use. This has though created the impression that the proposed development included a change of use; it does not. This application is solely for building works associated with the refurbishment of an existing factory unit and principally those works include the raising of the height of the building.

As mentioned the applicant has been requested to provide further information regarding the future occupier of the building. The applicant has responded and explains there is concern that this application, “appears to be being unfairly judged against the previous perceived issues with the site under an historic tenant, issues that not only does the current application have nothing to do with but also in many instances seeks to resolve”. With regard to the request for specific information regarding the future occupier it is explained that this is not an application for a change of use, and thus the information required is “not relevant towards the determination of the proposals”.

It is further explained that the building already has a lawful B2 use, thus any proposed tenant could occupy the building, “tomorrow and start manufacturing, without the need for a planning permission”. What this “application seeks to do is change the height of the building and generally re-clad to greatly improve its appearance, in order to make it

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a more viable, versatile and attractive prospect for any potential tenant.” It is understood that the reason for the request for further information has arisen from a misunderstanding that the application included a proposed change of use and this is partly due to a confusion in the wording of the planning application when it was first submitted. The applicant therefore is willing to amend the wording to better suit the proposal. The suggested amended wording is: ‘Increase in height, re-cladding and general refurbishment of existing B2 Factory building’, or similar, to make it clearer that there is no change of use proposed (or necessary) as part of this application.

From the information provided above it is clear that the applicant is not in a position to identify a future occupier; however, as has been explained this is not a necessary planning requirement for the refurbishment of an existing building where no change of use is proposed.

At the previous meeting it was explained verbally that the Environmental Health Department have recommended further conditions. Those conditions are provided at the end of this preface item together with an additional condition in accordance with members’ concerns regarding the need to agree details of the sound insulation of the building.

Comments have been received from the Council’s Ecologist who raises no objection and recommends a bird nesting condition that is included in the list at the end of this item.

Comments have also been received from Dwr Cymru/Welsh Water who have two recommendations. The first is that if the roof area is increased there should not be any additional surface water flows into the public sewerage system. As has been explained the building is not increased in size and the layout of the site remains significantly unaltered. The second recommendation relates to the perceived change of use that has already caused confusion. The recommendation is that a grease trap should be fitted before the “approved use” commences. Because there is no proposed change of use this condition does not relate to the proposed development. The recommendations of Dwr Cymru/Welsh Water do not therefore require any additional conditions.

As reported verbally at the previous committee if members are minded to grant planning permission the recommended condition No 7 which relates to flues would benefit from additional wording to include the provisions of the Town and Country Planning General Permitted Development Order.

**RECOMMENDATION:** That planning permission is GRANTED in accordance with the attached report and subject to the additional conditions listed below.

**Additional Conditions:**

Prior to the commencement of the development hereby approved a scheme of noise insulation of the refurbished building shall be submitted to and agreed in writing with the

Cont’d.....

Preface 16/0899/FULL Continued

Local Planning Authority. The development shall be completed in accordance with the agreed details.

REASON: In the interest of the residential amenity of near by dwellings.

Prior to the commencement of the development hereby approved a scheme to deal with the contamination of the site within any areas that are to be disturbed by excavation shall be submitted to and agreed in writing with the Local Planning Authority. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and measures to be taken to avoid risk to the occupants of the development. The development shall be completed in accordance with the agreed details.

REASON: In the interest of public health.

A report or reports verifying that the contamination remediation required above has been completed shall be submitted to and agreed in writing in writing by the Local Planning Authority before any relevant part of the refurbished building is reoccupied.

REASON: In the interest of public health.

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

REASON: To prevent contamination of the application site in the interests of public health.

Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the development hereby approved arrangements for the storage and collection and disposal of commercial waste shall be submitted to and agreed in writing in writing by the Local Planning Authority.

REASON: In the interest of public health.

Prior to the commencement of the development hereby approved, details of the provision of nesting sites for bird species (Swift, House Martin, House Sparrow or Starling) to be sited on the refurbished building (North and East facing), shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be implemented concurrently with the refurbishment of the building extension hereby approved.

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).

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0899/FULL 05.01.2017	Weststar Developments Mr P Benson 24-26 Chapel Street Marlow SL7 1DD	Re-develop and refurbish existing factory building(s) into a food/pharmaceutical/high care manufacturing facility, existing use class of building is B2, with some ancillary elements of B1 & B8 Factory Unit Pengam Road Aberbargoed Bargoed CF81 9FW

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application site is a large employment unit that lies to the northern extremity of the Bowen Industrial Estate.

Site Description: The site is a large extant factory unit with external parking and access. There is one main building that is approximately rectangular to the centre of the site; to the north are residential properties (Marsh Court); to the east is countryside; to the west is open, looking out towards the town of Bargoed; and to the south is the Bowen Industrial Estate.

Development: The refurbishment of the existing building including two minor loading bay extensions and the removal of some external buildings and storage containers. The floor layout of the main building indicates an internal manufacturing process with storage and office areas.

Dimensions: The existing main building footprint is circa 10500 square metres. The proposed footprint removes some of the existing extensions and includes two new loading bays but the overall footprint remains virtually the same. The height of the building is raised from 5.85 metres at the eaves to 12.8 metres, and 10.7 metres to 17.5 metres at the three roof ridges.

Materials: The main building is to be re-clad in grey and grey/white steel sheeting. It will be mainly windowless except for the southern section where there will be office windows facing the front looking out westwards towards Bargoed and some to the south facing the industrial estate.

Cont....

Application No. 16/0899/FULL Continued

Ancillary development, e.g. parking: 115 car parking spaces are indicated in the proposed layout, some are new and replace existing plant that is to be removed, but mostly the spaces occupy the previous car parking areas.

#### PLANNING HISTORY 2005 TO PRESENT

P/05/0407 - Construct additional production space, new reception and associated meeting rooms and labs - Granted 15.09.05.

P/05/1631 - Replace storage facility, external plans and associated works - Granted 30.03.06.

06/0748/FULL - Erect silo container - Granted 25.01.07.

#### POLICY

##### LOCAL DEVELOPMENT PLAN

Site Allocation: Employment Land allocation EM2.6 Bowen Industrial Estate.

Policies: CW2 Amenity.

NATIONAL POLICY Planning Policy Wales states as follows:

" 7.6.1 Local Planning Authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses Authorities should take account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- the numbers and types of jobs expected to be created or retained on the site;
- whether and how far the development will help redress economic disadvantage of support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;
- a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

7.6.2 When considering planning applications which have economic development potential, Local Planning Authorities should seek the views of all relevant Local Authority Departments and particularly from Economic Development Officers as this can assist in the identification of economic benefits.

7.6.3 Employment and residential uses can be compatible and Local Planning Authorities should have regard to the proximity and compatibility of proposed residential development adjacent to existing industrial and commercial uses to ensure that both amenity and economic development opportunities are not compromised."

Cont....

Application No. 16/0899/FULL Continued

### 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 - The existing building is not within a high risk area although part of the existing access is.

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions requiring the completion of the parking areas in permanent materials.

Head Of Public Protection - This application as submitted does not show any external plant, ventilation or flues. The applicant has been asked if there is to be any such additions but could not provide anything other than indicative plans of flues, therefore the Environmental Health Department do not offer any comment at this stage.

Senior Engineer (Land Drainage) - It is noted that the applicant has provided only limited information regarding the discharge of surface water, therefore a condition should be imposed to require the agreement of the details of drainage.

Countryside And Landscape Services - It is pointed out that the increase in height of the building raises the need to introduce significant additional landscaping to break up its mass and protect more distant views.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 29 neighbouring properties have been consulted.

Response: Seven responses have been received.

### Summary of observations:

- There is objection to the continued B2 use of the site because it borders a residential area and is within an area of "Designated Scientific Interest" (DSI).
- It is explained that the B2 usage was granted before "DSI" classification and prior to the building of the residential estate, therefore a B1 usage would now be more appropriate due to changed circumstances. One writer suggests the site is part of a Conservation Area therefore the factory should be demolished.

Cont....

Application No. 16/0899/FULL Continued

- The increased roofline and overspill car park will cause overlooking of nearby houses, reduce visual amenity and increase noise disturbance.
- The proposed screening is inadequate, particularly on the northwest corner and the complete western lower elevation. "Compulsory screening with dense foliage" is recommended to mitigate light, noise and air pollution and improve visual amenity.
- B8 external warehousing use is unsuitable given the close proximity to a residential area.
- The location of the north-west vehicle entrance, next to 41 Marsh Court, is inappropriate and not suitable for the movements of 115 cars or an unquantified number of HGV lorries and suppliers. The section of road immediately leading to the entrance will struggle to accommodate waiting and turning HGVs without posing a danger and blocking the road, leading to access difficulties for residents as this is the only access road to the housing estate. It is suggested that there should be an alternative access via the Bowen Industrial Estate with a new entrance to the South Elevation where the chemical store is currently situated. Another writer has suggested an additional entrance directly from the roundabout.
- There may be greater air pollution from the traffic and the plant itself compared to the previous owners.
- There may be light pollution from security lights.
- If there is additional noise from traffic should hours of operation be introduced? One writer implies that there should not be "unlimited" visits by HGVs.
- Drivers previously visiting the site would block the access to the residential estate.
- Previously drivers, allegedly not from the UK and overnighting on the access road, would use the drains as public urinals when children were going to school.
- Putting a large car park near the road will make the current "eyesore" look even worse.
- During the previous occupation there were many fires at the factory along with chemical spills that contaminated the local waterways.
- Property values will be affected.
- All the loading bays should be moved to the other side of the site away from residential areas. The writer explains that he and his wife are shift workers. Trying to sleep with noise from the site is impossible during the day.
- The proposed height extension would be above the current tree line and would significantly reduce the field of vision from the back of one of the properties.

Cont....

Application No. 16/0899/FULL 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?

It is not anticipated that the proposed development will have a material impact upon crime and disorder.

### 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: This application is essentially for the refurbishment of an existing industrial unit. The description of the development includes mention of ancillary B1 and B8 uses but as they are ancillary to the existing B2 use there is no change of use involved. This application is therefore principally concerned with the physical alterations to the building. Those alterations involve the external appearance that will be significantly rationalised by the total recladding of the main building and raising its height by 6.95 metres at the eaves and 6.8 metres at the ridges. With regard to Policy CW2 it is to be noted that the proposed northern elevation has no openings facing the residential properties to the north. (The existing elevation has a number of door openings) This proposal will therefore remove some of the existing openings currently facing the residents. Not only are there no openings to the northern elevation there are new designed loading bays that face away from the dwellings

The design of the refurbished structure is much the same as many industrial buildings being a steel clad structure in shades of white/grey. The removal of some of the existing clutter and extensions will simplify it. The change in height of 6.8 metres at ridge level is significant and it will be approximately 47 to 55 metres from the nearest residential properties to the north. The impact upon those properties is discussed in more detail below with regard to concerns that have been raised by the residents. The building, and consequently the proposed changes would be very visible from Gilfach and Bargoed on the opposite side of the valley but in view of the intervening distance, no objection is raised. Additional planting on the western side of the building should be secured by condition.

Cont....



Comments from Consultees:

The Council's Landscape Architect points out that the increase in height of the building will result in significant increase in its massing. Additional screening to the northern boundary is shown in submitted indicative images, but it is the Landscape Architect's view that this should be taken further to include the western boundary to break up the massing. It is further recommended that any landscaping agreed by condition should be covered by a landscape management plan.

The submitted details do not include any external flues or ventilation systems (the current building appears to have a number of such systems). The applicants have been asked if they would wish to provide any such details at this stage for consideration. They are not able to provide details other than indicative locations of flues. This information would be insufficient to enable the Environmental Health Department to provide any details observations. The consideration of this application therefore proceeds upon the basis of the information submitted. A condition should be imposed to confirm that if there is an intention to install any such systems at a later stage the consent of the Local Planning Authority would be required.

The Senior Engineer (Land Drainage) recommends a condition to require the agreement of details of drainage.

The Transportation Engineering Manager recommends a condition to require the completion of the parking spaces in permanent materials.

Comments from public:

- It is stated that there is objection to the continued B2 (General Industry) use of the site because it borders a residential area. It is suggested that the site is within an area of "Designated Scientific Interest" (DSI) and a conservation area. However this application is not for a change of use therefore the cessation of the existing lawful use is not a planning consideration. It is to be noted that there are a number of nature designations, such as SSSI on land outside the application site but they do not include it. This site is allocated for employment. It is also to be noted that the site is allocated in the adopted development plan for employment (EM2.6) therefore the suggested removal of the use would be contrary to policy which protects the site for secondary employment use, i.e. B2 use.
- It is explained that the B2 usage was granted before "DSI" classification and prior to the building of the residential estate, therefore a B1 (Business) usage would now be more appropriate due to changed circumstances. Again as this is an application only for physical changes (operational development) a change of use is not a planning consideration and as mentioned the site is allocated in the development plan for B2 use.

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- It is stated that the increased roofline and overspill car park will cause overlooking of nearby houses, reduce visual amenity and increase noise disturbance. Whilst the increased roofline will have visual impact there is no reason to suppose that it would lead to increased noise or overlook any nearby houses as there are no windows in the elevation nearest to the dwellings. There is some additional car parking proposed but there is no reason to presume that it would give rise to unacceptable disturbance or overlooking. Arguably the additional parking gives rise to a visual improvement because it replaces tanks and other plant and an existing extension to the front of the building. The visual impact of the increased height is discussed below.
- It is suggested that the proposed screening is inadequate, particularly on the northwest corner and the complete western lower elevation. "Compulsory screening with dense foliage" is recommended to mitigate light, noise and air pollution and screening on the western boundary improving visual amenity. Whilst it does not necessarily follow that screening will have any material impact upon air pollution or noise mitigation, this observation is valid with regard to the additional screening measures that are discussed above as required by the Council's Landscape Architect.
- It is suggested B8 external warehousing is unsuitable given the close proximity to a residential area. It is not suggested in the submitted details that the warehousing element of this proposal will include external storage. The submitted details do indicate a high level internal storage system that utilises the new height of the building. A condition may be imposed to ensure that this remains the case.
- The location of the north-west vehicle entrance, next to 41 Marsh Court, is described as inappropriate and not suitable for the movements of 115 cars or an unquantified number of HGV lorries and suppliers. The objection goes on to explain that the section of road immediately leading to the entrance will struggle to accommodate waiting and turning HGVs without posing a danger and blocking the road, leading to access difficulties for residents as this is the only access road to the housing estate. It is suggested that there should be an alternative access via the Bowen Industrial Estate with a new entrance to the South Elevation where the chemical store is currently situated. This application does not though propose any changes to the existing lawful entrances and the suggested changes are not directly linked to the proposed alterations to the building. Requiring such changes to the entrances would not therefore be relevant to the development proposed.
- There may be greater air pollution from the traffic and the plant itself compared to the previous owners. This concern assumes there will be a significant increase in traffic. It is to be noted that the revised building has virtually the same footprint as the current building. From a planning perspective it should also be explained that the previous use was B2 and no change of use is currently proposed. Therefore in the absence of a significant change in floor area it would be unreasonable to seek to limit traffic. No limitation restricted the previous occupiers.

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- There may be light pollution from security lights. This is a valid concern as the building is higher and there may be an intention to illuminate it or attach lights to it. A condition should therefore be imposed.
- If there is additional noise from traffic should hours of operation be introduced? This question again raises the issue of there being a planning justification for introducing restrictions to an extant employment site. One writer implies that there should not be "unlimited" visits by HGVs. Such a restriction does not reasonably relate to the proposed development. The development does not propose a change of use or significantly alter the footprint of the building. It is for a refurbishment that by itself should not warrant such a restriction from a planning point of view.
- It is explained that drivers previously visiting the site would block the access to the residential estate. It is implied that the delays were significant for residents trying to get into and out from the estate. This may have arisen from the practice of overnighting explained below. Whatever the past reason the vehicles were waiting on the highway and not within the application site, if they were obstructing the highway that was a matter for the Police. At this point in time there is no particular reason to assume the future occupiers would allow the same practices; if they did this would again be a matter for the Police. It may also be something that the Highway Authority would have to consider if it arises with the new occupiers, i.e. the introduction of parking restrictions.
- Previously drivers, allegedly not from the UK and overnighting on the access road, would use the drains as public urinals when children were going to school. It is assumed these were drivers previously locked out and awaiting the opening of the factory. This should again be a matter for the Police.
- It is suggested that putting a large car park near the road will make the current "eyesore" look even worse. The suggestion that a large car park will make the currently vacant building look worse, does not take into account that the current proposal is to take away some of the less attractive features and completely refurbish the whole front elevation. It is also not entirely the case that there will be a new large car park. Whilst parking spaces will replace some of the less attractive features that are to be removed, there is already a large car park forward of the front albeit now in rather disused state. The proposed details show that particular area more neatly laid out with marked spaces but not significantly changed. The additional spaces run along the frontage of the building which is quite normal and it is not accepted that they would constitute an "eyesore". Such parking arrangements are commonplace.
- During the previous occupation there were many fires at the factory along with chemical spills that contaminated the local waterways. These previous incidents cannot prejudice the determination of this application.
- Property values will be affected. This is not a material planning consideration.

Cont....

- It is suggested in one response that all the loading bays should be moved to the other side of the site away from residential areas. This suggestion is impracticable as the far end of the building; is too narrow, there is insufficient curtilage and it would not allow deliveries into large areas of the building. Some openings closest to the dwellings are removed in the revised design. It should also be explained that the revised layout does propose two loading areas (with five bays in total) at the rear, both of which have doors facing away from the dwellings. The writer goes on to explain that he and his wife are shift workers, thus trying to sleep with noise from the site is impossible during the day. This application also does not propose any external activities that are outside the lawful use of the site.
- Finally, it is commented that the proposed extension would be above the current tree line and significantly reduce the field of vision from the rear. The existing factory is approximately 10.5 metres high to the ridges. The proposed height is approximately 17.5 metres high. The five nearest dwellings with windowed elevations facing the building are approximately 47 to 55 metres away. The land is not flat and the factory is slightly lower than the dwellings, but if they were on the same level the current building would be approximately similar in height impact to a three storey building and the proposed building would be approximately five storey at ridge level. In addition the dwellings at the eastern end of the boundary also enjoy tree screening. The separation of 47 to 55 metres between the rears of the houses and the factory means that although there will be a significant change in the outlook from the rear of these houses, it would not justify a refusal of planning permission. The submitted details indicate additional planting which should assist and should be required by condition, also those dwellings at the western end of the boundary are slightly off-set from the rear elevation and currently overlooking a storage area that would have to be removed to enable the additional planting.

Other material considerations:

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.

Cont....

Application No. 16/0899/FULL Continued

- 02) The development hereby approved shall be completed in accordance with the parking provisions as detailed in drawing number 216-A-100-LAY-910 Revision P1 received on 14 October 2016 and those parking spaces shall be completed and marked out in permanent materials (i.e. not loose stone). The spaces shall not thereafter be used for any purpose other than parking.  
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
- 03) The development shall be carried out in accordance with the following approved plans and documents: 216-A-100-LAY-910 Revision P1 received on 14 October 2016 216-A-100-LAY-906 Revision P1 received on 14 October 2016.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 04) Prior to the commencement of the development hereby approved a landscaping scheme and management plan shall be submitted to and agreed in writing by the Local Planning Authority. That scheme shall include the reinforcing of the tree and shrub screening to the northern boundary and additional tree and shrub planting along the western boundary. In particular the scheme shall include the removal of the hard surfaced storage area to the rear of numbers 39 to 41 Marsh Court for use as additional landscaping space as partially indicated in the proposed 3D Indicative Images drawing number 216-A-100-LAY-998 revision P1. The scheme shall seek to address the massing of the building from near and distant viewpoints. 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. Those landscaped areas shall thereafter be maintained for landscaping only and shall not be used for storage, parking or any other use.  
REASON: In the interests of the visual amenity of the area.
- 05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no doors or other such openings, 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.

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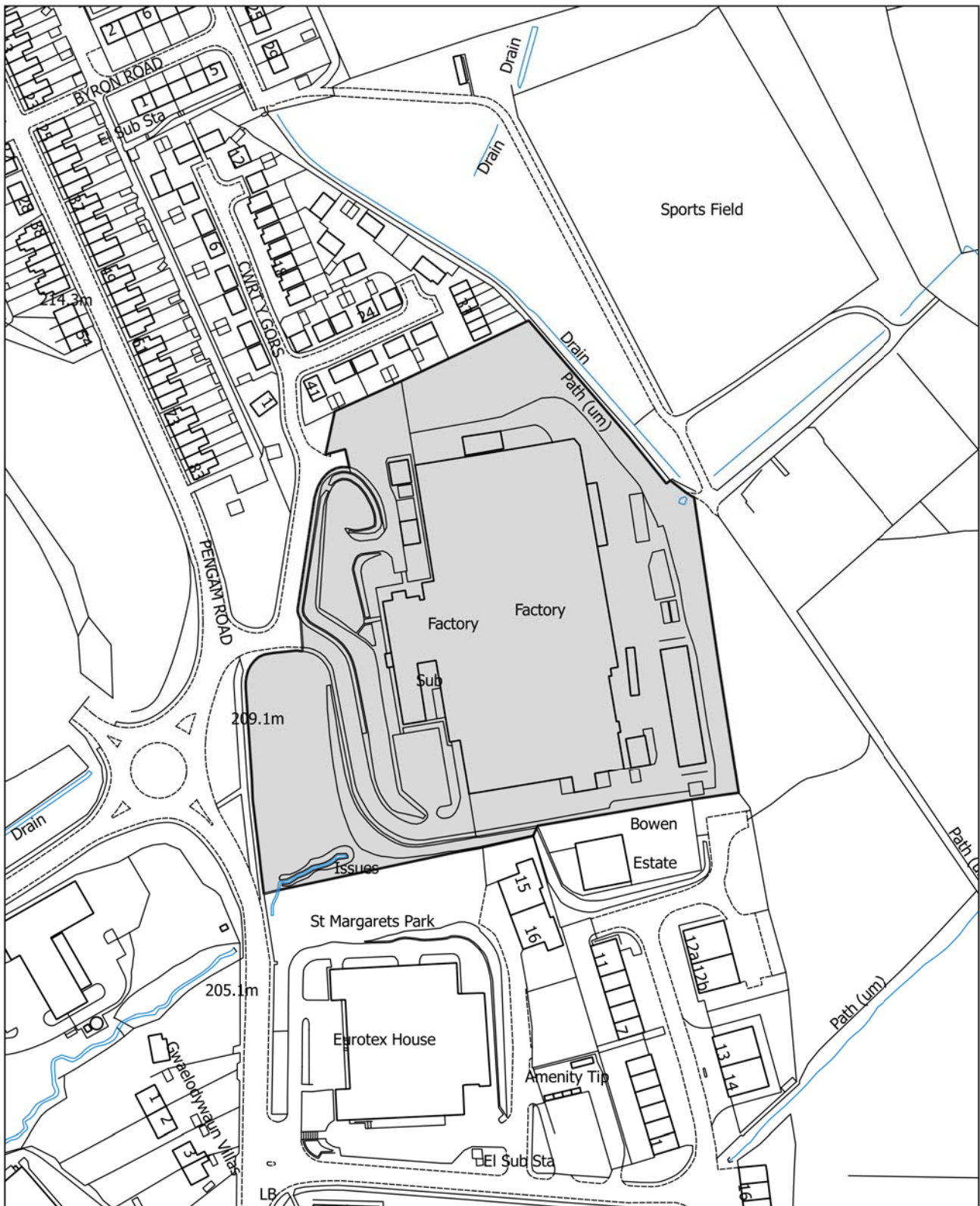
Application No. 16/0899/FULL Continued

- 06) All storage and production shall be internal as indicated in the submitted details (Drawings Nos 216-A100-LAY-902 revision P1 and 216-A100-LAY-906 revision P1) and there shall be no external storage or manufacturing or operating of plant or machinery.  
REASON: To retain effective control of the development hereby approved
- 07) The elevational details and plans hereby approved do not include any external flues, ventilation systems or other plant and machinery and no such additions shall be installed, constructed or operated without the consent of the Local Planning Authority.  
REASON: In the interest of residential amenity.
- 08) Details of surface water drainage shall be submitted to and agreed in writing with the Local Planning Authority before the works hereby approved commence and shall be carried out in accordance with the agreed details before the development is brought into use.  
REASON: To ensure that the development is appropriately drained.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: Policy CW2.

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# Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0208/OUT 16.03.2016	MC295 Ltd C/O Asbri Planning Ltd Mr M Gray Unit 9 Oak Tree Court Mulberry Drive Cardiff Gate Business Park Cardiff CF23 8RS	Erect 176 dwellings and access with all other matters reserved Catnic Pontypandy Industrial Estate Caerphilly CF83 3GL

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is located on a private road on the eastern side of Pontygwindy Road approximately 150m from Pwll Y Pant Roundabout.

Site description: The application site is the site of the existing Catnic factory which encompasses an office building at the western end of the site together with a large yard area and manufacturing and storage occupying the remainder of the site. The office building is a modern two storey structure clad in metal and glass panels with a flat roof. The other buildings are typical portal frame steel clad buildings used for the manufacture and the storage of the products created by the company.

The site is accessed via an unmade access road that serves the application site and the recently built development at Kings Mead. Kings Mead is a development of 200 units that is now nearing completion comprising of two storey dwellings with a mixture of two, three and four bedrooms. To the north of the application site is the A468 link road towards Bedwas Bridge, to the west is Pontygwindy Road with a small number of dwellings on the eastern side of the road and an industrial estate to the western side. To the south of the site is the Kings Mead development and to the east is the Gallagher Retail Park.

Development: The application seeks outline planning consent for the development of the site for up to 176 dwellings with all matters other than access reserved for future consideration. The application is supported by an indicative site layout plan that shows the provision of the dwellings with the principal access being off the existing unmade road with three separate access points into the site itself. The layout also shows the provision of public open space, a Multi Use Games Area, and parking and turning for all of the dwellings. An indicative housing mix is shown of 10 one bed flats, 52 two bed dwellings, 104 three bed dwellings, 8 four bed dwellings and 2 two bed bungalows.

Cont'd.....

Application No. 16/0208/OUT Continued

The application is supported by a Planning Statement, a Design and Access Statement, a Transport Assessment, a Drainage Strategy, a Flood Consequence Analysis, an Ecology Report, a Noise Report and a Site Investigation.

Dimensions: The site has an area of 4.77 hectares and maximum dimensions of 390m by 175m.

The suggested scale parameters are as follows:-

1 bed flats - 8-9m high by 8-9m wide by 8-10m deep,  
2 bed houses - 8-9.5m high by 4-5.5m wide by 8-10m deep,  
3 bed houses - 8-9.5m high by 4-6m wide by 8-10m deep,  
4 bed houses - 8-9.5m high by 9-11m wide by 7-10m deep and  
2 bed bungalows - 6-7m high by 9-10.5m wide by 9-10m deep.

Ancillary development, e.g. parking:

#### PLANNING HISTORY 2005 TO PRESENT

EIASCR/16/0002 - EIA Screening opinion for a proposed residential development of up to 200 dwellings.

#### POLICY

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP3 (Development Strategy in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP15 (Affordable Housing Target), 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 Planning Obligation), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

National Policy: The Proposal should be considered in line with National Planning Policy and Guidance and in particular the requirements of:-

Cont'd.....

Application No. 16/0208/OUT Continued

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 12: Design (2014).

Technical Advice Note 18: Transport (2007).

### 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. The developer has provided a coal mining risk assessment that is considered satisfactory by The Coal Authority.

### CONSULTATION

CCBC - 21st Century Schools - No objection.

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

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

Police Architectural Liaison Officer - No objection.

Wales & West Utilities - Provides advice to be conveyed to the developer.

Parks And Open Spaces - No objection subject to the provision of a suitably equipped play facility together with a multi use games area on the application site.

The Coal Authority - No objection subject to the imposition of a condition requiring the submission of a scheme of intrusive site investigations to establish the mining legacy at the site.

Cont'd.....

Application No. 16/0208/OUT Continued

Countryside And Landscape Services - No objection subject to the provision of a comprehensive landscaping scheme at reserved matters stage. Concern is also raised with regard to the lack of pedestrian facilities within the site and the preponderance of car parking on plot frontages. Conditions should be imposed on any consent in the interests of the protection of protected species.

Rights Of Way Officer - Footpaths 54 and 56 in the Community of Caerphilly abut the site and must be kept open at all times unless an order is made to temporarily close them.

CCBC Housing Enabling Officer - Expresses disappointment that the development will only generate 5% affordable housing but accepts that this is justified by a viability assessment. Requires that the affordable housing is constructed to Development Quality Requirements and that the mix be agreed at the reserved matters stage.

#### ADVERTISEMENT

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

Response: One letter of objection was received.

Summary of observations:

1. The development will cause traffic congestion on Pontygwindy Road.
2. What provision will be made for new facilities within the area?
3. Residents will not use public transport as suggested in the Transport Statement.
4. Additional cars will lead to additional pollution.

#### SECTION 17 CRIME AND DISORDER ACT

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

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species have been identified by a survey.

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

Cont'd.....

Application No. 16/0208/OUT Continued

(i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

(ii) There is no satisfactory alternative.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:

(i) Caerphilly County Borough Council is currently undertaking a review of its Local Development Plan as there is a shortfall in the housing provision within the plan. At present there is only a 1.5 year supply of housing land and the Council is required by the Welsh Government to provide a minimum of 10 years. In that regard there is an overriding need to demolish the existing building in order to open up the land for development. This is in keeping with national planning guidance and local plan policy.

(ii) There is no satisfactory alternative in terms of redeveloping this site. As stated above the existing building needs to be demolished in order to provide the new dwellings and to not carry out the development would not assist with the Councils need to improve its housing land supply. There would be no way of demolishing the buildings without affecting the roost and adequate mitigation will be provided in the proposed development.

(iii) Common Pipistrelle bats emerged from the building during the bat survey carried out by a competent ecologist with proven expertise in bat surveying at an appropriate time of year. The survey report concludes that the building is a non-breeding roost for Common Pipistrelle bats. The proposed demolition will therefore result in disturbance to bats, however, adequate mitigation, compensation and monitoring recommendations have been put forward in the method statement and conditions can be placed on the applicant to ensure that the mitigation will be implemented. The favourable conservation status of the species is therefore unlikely to be affected by this development, as the mitigation measures will ensure that new bat lofts will be created within the development.

Is this development Community Infrastructure Levy liable? As this is an outline application a CIL levy is not payable. However, a payment would have to be made in respect of any subsequent reserved matters or full application.

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## 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 the defined settlement limits and on land that is not allocated or protected for any purpose in the Local Development Plan. Whilst the site is currently used for industrial purposes it is in an area where residential development has been constructed to the south and with dwellings fronting onto Pontygwindy Road to the west and in that regard it is considered that residential development of the site is acceptable in principle.

The main points to consider in the determination of this application are the loss of the industrial land and the highways impact of the development. With regard to the first point it should be noted that at the outset of the application, Catnic (who are the tenants on the site) raised an objection to the application. However, it should be noted that the site is not allocated or protected for industrial use in the Local Development Plan and as such the Local Planning Authority could not justify objecting to the loss of the use in planning terms. Moreover, the redevelopment of the site is part of a relocation package between the owners and TATA Steel to move the use to Duffryn Industrial Estate. As the site at Duffryn Industrial Estate is on a protected industrial estate that is sited away from existing residential development and with excellent transport links to the A469 it is considered that that is a better site for the use. It should also be noted that the site is bounded on two sides by residential development and as such it is considered that residential use of the site would be more in keeping with the area.

With regard to the second issue it should be noted that the application is supported by a Transport Statement which identifies that the traffic generated by the proposed use would be a reduction to that created by the existing use. Whilst the peak flows of the traffic would be at different times of the day having regard for the existing shift pattern at Catnic, it should be noted that there is no control over that shift pattern or the user of the site. In that regard it is not considered that the traffic flows from the proposed development would justify the refusal of this application.

With regard to the need for Affordable Housing it should be noted that the developers have gone through an exhaustive viability appraisal that has also been assessed by the District Valuer. The appraisal confirms that, given the abnormal costs that would be associated with the redevelopment of an industrial site and the costs of relocation to a new site, affordable housing is not viable on this site. Nevertheless, the applicants are offering to provide 5% of the dwellings as affordable units.

The indicative layout shows the provision of adequate leisure facilities within the site (as required by Policy), the relationship between the dwellings and the right of way to the east of the site is addressed and a number of access points off the existing unmade access road together with a network of footpaths are proposed making movement through the site easier for pedestrians as well as vehicles.

Cont'd.....

Application No. 16/0208/OUT Continued

Comments from consultees: No objections raised.

Comments from public: 1 The traffic impact of the development has been addressed above.

2. The development will be expected to pay a Community Infrastructure Levy at the reserved matters stage which will contribute to the provision of facilities in the area. Moreover, the perceived lack of medical and educational facilities in the area has been addressed through the Local Development Plan process and it is for the relevant bodies to hi-light their concerns at that time. In response to the concerns raised the Local Development Plan makes provision for sites to provide such facilities. No such allocations have been made in the vicinity of this site.

3. The Welsh Government is seeking to create a modal shift from private transport to public transport. In that regard whilst it is acknowledged that the majority of movements are made using private transport, government guidance supports the provision of fewer parking spaces etc as a means of encouraging the use of public transport.

4. No objection has been raised by the Council's Head of Public Protection in respect of pollution and as such it is considered that the proposal is acceptable in that regard.

Other material considerations: None.

In conclusion it is considered that the development of the site for housing is acceptable in principle subject to the imposition of suitably worded conditions.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that (A) The application is Deferred to allow the completion of a Section 106 Agreement for the provision of 5% Affordable Housing and Open Space Provision as set out in the report. On completion of the Agreement (B) that Permission be GRANTED.

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.

Cont'd.....

Application No. 16/0208/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) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) 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.
- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.

Cont'd.....



Application No. 16/0208/OUT Continued

- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 09) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.  
REASON: To ensure that the demolition is carried out in an appropriate manner.
- 10) Prior to the commencement of work on site details of hedgerow enhancement planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing hedgerows, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the hedgerow planting shall be carried out within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 11) The existing access shall be improved, in a manner to be agreed in writing with the Local Planning Authority before any works commence and be completed in materials as approved by the Local Planning Authority in accordance with a timetable which shall be firstly agreed in writing prior to works commencing on site.  
REASON: In the interests of highway safety.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other order replacing or re-enacting that order, no vehicular or pedestrian accesses shall be created directly onto the A468 or to Footpath 54 in the Community of Caerphilly.  
REASON: In the interests of highway safety.
- 13) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of highway safety.

Cont'd.....

Application No. 16/0208/OUT Continued

- 14) 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. Those details shall include:
- (a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and
  - (b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and
  - (c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- REASON: In the interests of the visual amenity of the area.
- 15) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
- REASON: In the interests of the visual amenity of the area.
- 16) 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.
- 17) Prior to the commencement of the development hereby approved a notice shall be given to the Local Planning Authority.
- (a) stating the date on which the development is to begin;
  - (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").

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Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it. That decision notice shall be in the form specified by, and must be displayed in accordance with, Schedule 5B of the Order.

REASON: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

- 18) Prior to the commencement of the development 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 approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area.
- 19) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors,
  - (b) Loading and unloading of plant and vehicles,
  - (c) Storage of plant and materials used in constructing the development,
  - (d) Wheel cleaning facilities
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written agreement of the Local Planning Authority.  
REASON: In the interests of amenity and highway safety.
- 20) 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.

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- 21) The plans and particulars submitted in accordance with Condition 2) shall include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) or general landscape factors) must be shown.
  - b) the details of each tree as required at para. 4.2.6 of BS5837 in a separate schedule.
  - c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruning and other remedial or preventative work.
  - d) the details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring ground.
  - e) the details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development.
  - f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.
  - g) No tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998. In this condition a "retained tree" means an existing tree that is to be retained in accordance with the plan referred to at paragraph (a) above.

REASON: To safeguard the vegetation that is considered to be worthy of retention in the interests of visual amenity of the area.

- 22) The development hereby permitted shall not exceed a density of 176 dwelling in total.

REASON: The indicative layout demonstrates that the site is only capable of accommodating 176 dwellings together with open space, car parking etc.

- 23) 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.

Cont'd.....

Application No. 16/0208/OUT Continued

- 24) Where any species listed under Schedules 2, 4 or 5 of the Conservation of Habitats and Species regulations 2010 is present on the site, or other identified area, in respect of which this permission is hereby granted and a Welsh Government European Protected Species licence is required, no works or site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted by the Welsh Government in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.  
REASON: To ensure that plant and animal species which come within the terms of the Conservation of Habitats and Species Regulations 2010 are effectively protected and that a copy of the WG licence is submitted to the LPA.
- 25) Prior to commencement of development details of a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority including an openable glazing system which is to be fitted to all windows of habitable rooms. The glazing system shall be capable of achieving an internal LAeq level of 30 dB(A) measured over an 8 hour period (2300 - 0700) in bedrooms and 35 dB(A) in all other habitable rooms measured over 16hour LAeq (0700 - 2300). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.  
REASON: To protect the residential amenity from road traffic noise.
- 26) Prior to commencement of development details of the acoustic fence on the northern boundary of the site proposed in MC295 Technical Report, shall be submitted to the Local Planning Authority to ensure external amenity noise levels are met as stated.  
REASON: To protect the residential amenity from road traffic noise.

Advisory Note(s)

Please find attached comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), The Council's Ecologist, The Coal Authority and Wales and West Utilities.

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.



# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0031/FULL 12.01.2017	Mr J Law 11 Maes-Y-Drudwen Caerphilly CF83 2QG	Erect two storey extension to the side of the property 11 Maes-Y-Drudwen Caerphilly CF83 2QG

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: 11 Maes Y Drudwen, Caerphilly, CF83 2QG.

House type: Semi detached residential dwelling within an existing housing development. To the north-west is the attached neighbouring residential property 9 Maes Y Drudwen. To the south east is the neighbouring property number 13 Maes Y Drudwen. To the north-east are the rear curtilage areas of 12 and 14 Llwyd-Y-Berth set at a higher level. To the south-west is Maes-Y-Drudwen road with residential properties beyond.

Development: Two storey extension. The extension would provide at ground floor level a study and kitchen and at first floor level two bedrooms and a bathroom.

Dimensions: 9.7 metres long by 2.7 metres wide with an overall height of 6.7 metres.

Materials: Face brickwork and concrete roofing tiles to match existing dwelling.

Ancillary development, e.g. parking: Driveway enlarged to provide three parking spaces.

## PLANNING HISTORY 2005 TO PRESENT

16/0937/FULL - Erect two-storey extension to side of property - Refused 22.12.2016.

## POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough - Local Development Plan up to 2021.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), SP6 (Place making).

Cont'd.....

Application No. 17/0031/FULL Continued

Supplementary Planning Guidance Note LDP7 - Householder Development (Revision Number 3, adopted January 2017).

NATIONAL POLICY Planning Policy Wales, 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? Low risk, attach informative note.

CONSULTATION

Dwr Cymru - Public Sewer Crosses site.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 15 nearby properties.

Response: One objection has been received in relation to the application.

Summary of observations:

- The proposed extension is not in keeping with the street scene and will have a terracing effect.
- It will have an overbearing impact on the natural light to the side and rear of the neighbour's property.
- It will impinge upon the neighbour's privacy.
- The building up at a higher level than my property would cause further damp issues in the neighbour's garage.
- Devaluation of Property.

SECTION 17 CRIME AND DISORDER ACT

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

It is not considered that crime and disorder will be materially affected by the development.

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Application No. 17/0031/FULL Continued

### 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? The development is not chargeable as the additional internal floorspace created is below 100sqm.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main issues to consider in the determination of this application is the impact of the development on the visual amenity of the area, the impact on neighbour amenity and highway considerations.

This application has been submitted following an earlier refusal of planning permission (16/0937/FULL). The original scheme has been amended to remove a front gable extension, lower the ridge height of the extension, provision of a setback from the principal elevation and reduce the length of a rear two storey projection.

The visual impact of the proposed development has been considered. It is noted that the design of the extension includes a setback (0.3m) from the principal elevation of the dwelling and a set down (0.3m) from the main dwelling's ridge height. It would extend to the side boundary line of the property and includes a projection behind the existing rear building line of 1.8 metres. The principal elevation of the extension will appear within the street scene to be broadly similar in appearance to an existing two storey side extension present on number 5 Maes Y Drudwen which is one of the neighbouring pair of semi-detached properties to the north-west. In addition a two storey side extension of a similar design has been approved (15/0569/FULL) but is not yet constructed on the attached neighbouring property number 9 Maes Y Drudwen. It is considered that the set down in roof height and set back from the principal elevation accords with the adopted Supplementary Planning Guidance Note LDP7 (Householder Development) to avoid the introduction of a terracing effect.

The proposed development is located on the south-eastern side of the dwelling and would increase massing to the boundary with the adjacent property number 13 Maes Y Drudwen. Number 13 has a single storey garage on the boundary with the application property and the main rear building line of number 13 is set back behind the application

Cont'd.....

Application No. 17/0031/FULL Continued

property. The fenestration in the main side wall of number 13 facing the proposed new development is limited to a first floor window understood to serve a non-habitable area. The new extension would extend beyond the rear wall of the garage of number 13 Maes Y Drudwen which has a glazed door and window openings and the extension would finish in a broadly similar position to the main rear building line of number 13 Maes Y Drudwen.

The impact of the development on the amenity currently enjoyed by the occupants of number 13 has been considered. In particular, whether the extension would have an unacceptable overbearing effect. The relationship between the main rear building lines of the two properties, where number 13 Maes Y Drudwen projects beyond the application property and the existing garage on number 13 Maes Y Drudwen reduces the impact of the development. It is considered on balance that the development would not have an unacceptable overbearing impact. It is considered that overshadowing or loss of light would not be so severe to warrant refusal of the application on this basis. The proposed extension would introduce fenestration including a first floor bedroom window closer to the common boundary than at present, but this window is on the rear elevation viewing primarily onto the applicant's garden. As such it is not considered to introduce unacceptable levels of overlooking to the rear amenity area of number 13 Maes Y Drudwen. It is also noted in terms of massing that the existing two storey extension on number 5 Maes Y Drudwen to the north-west has a similar relationship with an adjacent residential property and has a longer two storey rear projection than the current proposal.

The impact on the amenity of occupants of number 9 Maes Y Drudwen is considered to be acceptable and it is considered that there will be no unacceptable overlooking introduced by the development to the properties and their curtilage areas to the north-east (located on Llwyd Y Berth) nor to the properties across Maes Y Drudwen road to the south-west.

The proposed development includes provision at the frontage of the property for three car parking spaces which accords with adopted Parking Guidelines. It is therefore considered that the proposal meets the requirements of Policy CW3 (Highways).

It is considered that the development accords with adopted Local Development Plan policies SP6 (Placemaking), CW2 (Amenity) and CW3 (Highways), will not have an unacceptable impact on the amenity of any of the surrounding residential properties and is recommended for approval accordingly.

Comments from consultees: No comments have been received from the Council's Ecologist however previous comments made have recommended ecological enhancement be secured via planning condition.

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Comments from public:

- The proposed extension is not in keeping with the street scene and will have a terracing effect.

It is not considered a terrace effect will be created due to the design of the extension which includes a set down from main ridge height and the set back from the principal elevation of the host dwelling. A similar form of extension exists within the same street, two houses away and therefore it is considered that the extension would have an acceptable appearance within the street scene.

- It will have an overbearing impact on the natural light to the side and rear of the neighbour's property.

The adjacent property has limited fenestration on the side elevation of the property facing the development and the extension will not project significantly beyond number 13's rear building line. It is not considered that unacceptable loss of light to habitable rooms or curtilage areas will occur as a result of the development.

- It will impinge upon the neighbour's privacy.

It is not considered that unacceptable levels of overlooking would be introduced as a result of the development.

- The building higher level than my property would cause further damp issues in the neighbour's garage.

This is considered to be a civil matter between the two parties.

- Devaluation of Property.

This is not a material planning consideration.

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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.

Cont'd.....

Application No. 17/0031/FULL Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan, received 12.01.17,
  - Block Plan, received 12.01.17,
  - Proposed Floor Plans, received 12.01.17,
  - Proposed Elevation Plans, received 12.01.17.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.
- 04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.

Advisory Note(s)

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.

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)

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

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP6, CW3.

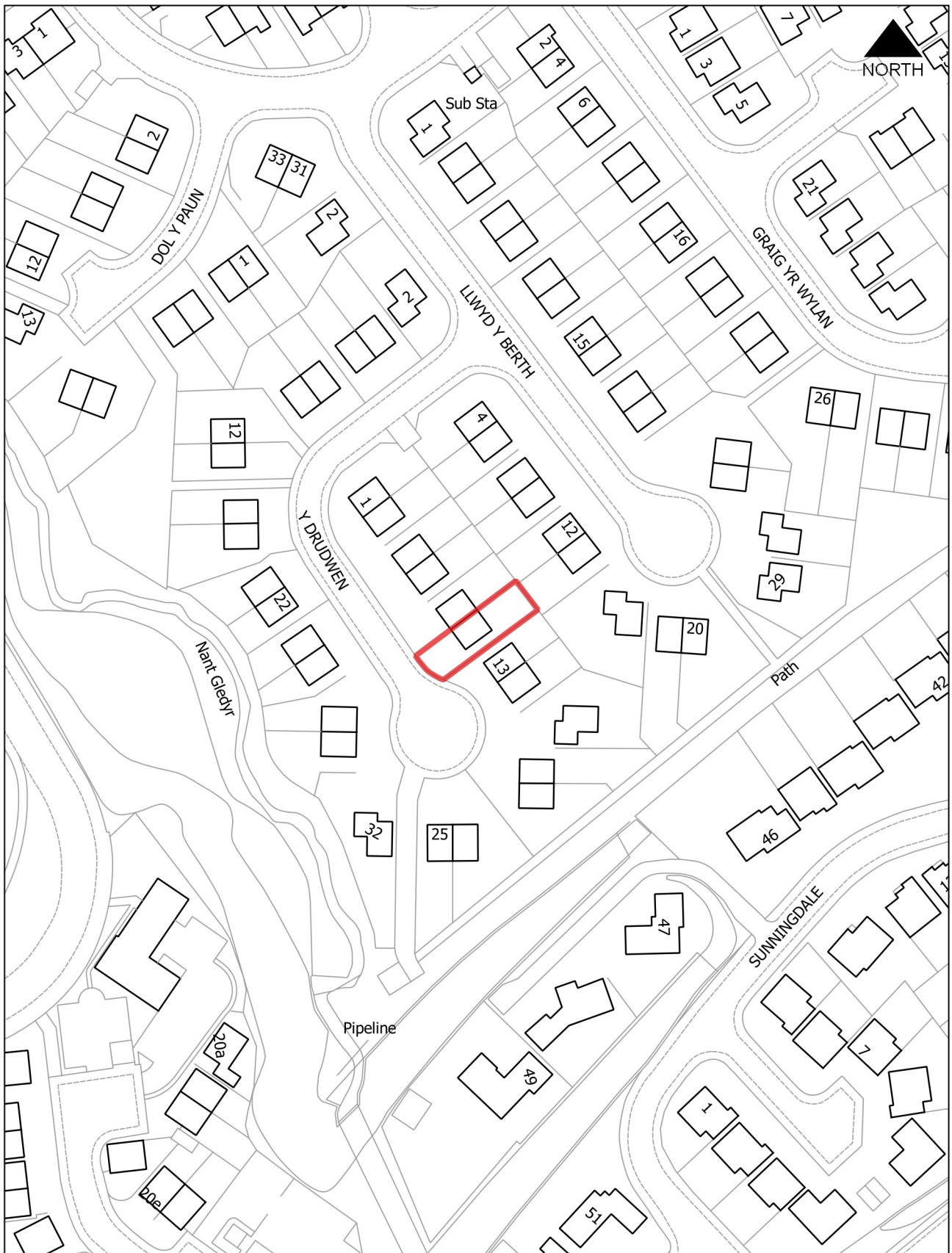
Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all

Cont'd.....

Application No. 17/0031/FULL Continued

works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.



# Agenda Item 8

Application No 16/1062/FULL

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/1062/FULL 25.01.2017	Mr J Nicholas Glyn Gwyn Farm High Street Trethomas Caerphilly CF83 8FU	Demolish existing garage, alter and extend existing side annexe to form new double garage, first floor extension for games room and incorporate land as domestic curtilage Glyn Gwyn Farm High Street Trethomas Caerphilly CF83 8FU

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Glyn Gwyn Farm, Trethomas, Caerphilly, CF83 8FU.

Site Description: The application site is a large detached house located at the northern edge of Trethomas. To the south of the site is a former railway bridge with a vehicle access linking down to High Street/Upper Glyn Gwyn Street. Three residential properties (Woodlands, Garth View and Lynburn House) are located approximately 18 metres from the southern edge of the application site. To the east are various barns/structures and open fields. To the west is an 'L' shaped workshop/garage building. North are fields with a row of electricity pylons beyond.

Development: Demolish existing garage, alter and extend existing side annexe to form new double garage, first floor extension for games room and incorporate land as domestic curtilage.

### Dimensions:

Garage: 7 metres long by 7 metres wide with a height of 5.2 metres.  
First floor Games Room/link: 7.5m long by 5.1metres wide, overall height 7m.  
Area to be incorporated into domestic curtilage approximately 450 sqm.

Materials: None.

Cont'd....

Application No 16/1062/FULL Continued

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2005 TO PRESENT

14/0444/FULL - Part demolish and erect extension to west elevation - Granted  
28.07.14.

### POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough - Local Development Plan  
up to 2021.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways) SP6 (Place making) LE4 (Formal Leisure  
Facilities), CF1 (Community Facilities), SP5 (Settlement Boundaries), HG1 (Housing).

NATIONAL POLICY Planning Policy Wales, 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? Low risk area, attach  
informative note.

### CONSULTATION

Transportation Engineering Manager - No objection.

Countryside And Landscape Services - No objection.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour  
notification letters were sent to 3 nearby properties.

Response: Two objections have been received in relation to the application.

Cont'd.....



Application No 16/1062/FULL Continued

Summary of observations:

- Considers the advertised site address is incorrect.
- This is not a garage but is an engineering yard.
- The application refers to a separate site from the farm house. It is not connected to it and is on an elevated position.
- The application makes it sound like it is just knocking down an existing garage and re-building it. It is not. There is a strong possibility that they are building a separate dwelling for the future.
- The land is not part of the dwelling's curtilage/ownership.
- Expresses concern in relation to access to the property due to the access including a railway bridge. States that previous building work had resulted in the road being blocked.

SECTION 17 CRIME AND DISORDER ACT

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

It is not considered that crime and disorder will be materially affected by the development.

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? The development is not chargeable as the additional internal floorspace created is below 100sqm.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main issues to consider in the determination of this application is whether the proposed extension would harm the visual amenity of the area, neighbour amenity or be incompatible with Local Development Plan allocations.

Cont'd.....

## Application No 16/1062/FULL Continued

This application seeks permission to extend a detached residential dwelling on its northern side elevation. The property has previously been extended under permission (14/0444/FULL). The development would include constructing a first floor over an existing attached single storey store building to accommodate a games room. This would be linked at first floor level to a new double garage located on higher ground to the north of the property. At present the area where the double garage would be constructed is not within the dwelling's curtilage being on an adjacent parcel of land which has an existing corrugated sheet metal garage sited on it which would be demolished to facilitate the development. A separate small stone building is also present on the land sought to be included as residential curtilage.

The whole of the application site is within the defined settlement boundary. The new garage and proposed new curtilage area is on part of an adjacent field to the dwelling which is accessed via a separate field gate to the north of the property. The portion sought for inclusion within garden curtilage includes a stone building and the garage to be demolished. To the west of the proposed garage is an area of hardstanding and another larger 'L' shaped building outside of the application site.

It is considered that the visual impact of the development would be acceptable according with Policy SP6 (Placemaking). The existing corrugated metal sheet garage which would be demolished as part of the proposals is considered to be visually unappealing and whilst the development would increase the footprint of the already extended dwelling it would provide a more visually appealing linked garage structure which would be finished in materials to match the appearance of the main dwelling.

The impact on neighbour amenity is considered acceptable as there are no residential dwellings within 21 metres of the application site and those properties on High Street to the south of the application would be screened from the development by the existing dwelling.

The application site is part of large land allocations for several uses within the adopted Local Development Plan including housing under Policy HG.1.60, Leisure under Policy LE4.12 and Education CF1.33 (Former Bedwas Colliery). These designations cover a significant area of land (in the case of the housing allocation this encompasses an area of land in excess of 36 hectares). Therefore noting the relatively small area of land included within this application and the partial coverage of the land by existing buildings, it is considered that the proposed development would not have a material impact on the ability to implement the proposed land use designations.

The development proposed is considered to have an acceptable visual impact, no unacceptable impact on any residential properties and is considered acceptable in its size. It is recommended for approval accordingly.

Cont'd.....

Application No 16/1062/FULL Continued

Comments from consultees: The Council's Ecologist has offered no objections to the development subject to informative notes and the provision of ecological enhancement including bird and bat boxes.

Comments from public:

- Considers the advertised site address is incorrect.

The application has been advertised using the address point data on the Council's Geographical Information System which accords with Royal Mail records.

- This is not a garage but is an engineering yard

The application has been amended to incorporate a change of use to domestic curtilage incorporating the garage. There is no planning history relevant to the garage; however, aerial photographs dating from 2001 appear to show the garage in situ and therefore would be immune from Planning Enforcement. The proposed change of use of the land to residential use and works to replace the sheet metal garage with a more visually appealing structure is considered acceptable.

- The application refers to a separate site from the farm house. It is not connected to it and is on an elevated position.

The applicant has amended the application to incorporate a change of use of land to domestic curtilage.

- The application makes it sound like it is just knocking down an existing garage and re-building it. It is not. There is a strong possibility that they are building a separate dwelling for the future.

It is noted that the garage structure includes a physical link to the main dwelling. A planning condition is proposed to be added requiring the garage and a separate existing outbuilding to be used for purposes incidental to the enjoyment of the main dwelling house.

- The land is not part of the dwelling's curtilage/ownership.

The applicant has amended the application to incorporate a change of use of land to domestic curtilage. The applicant has confirmed that he the owner of the land.

- Expresses concern in relation to access to the property due to the railway bridge. Previous building work has resulted in the road being blocked.

It is considered that the development is of relatively modest scale and should problems occur during construction this would be a matter for enforcement by the police.

Cont'd.....

Application No 16/1062/FULL Continued

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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:
  - Proposed Floorplans, received 9th December 2016,
  - Proposed Elevation plans, received 9th December 2016,
  - Site Location Plan, received 9th December 2016,
  - Curtilage Plan, drawing reference Plan 1, received 19th January 2016.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The garage hereby approved and the existing stone outbuilding included within the land subject to the change of use (as defined in condition 6) shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Glyn Gwyn Farm.  
REASON: In order to retain control over the future use of the buildings in the interests of the amenity of the area.
- 04) 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 garage at Glyn Gwyn Farm, Trethomas, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new garage 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).

Cont'd.....

Application No 16/1062/FULL Continued

- 05) 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 garage at Glyn Gwyn Farm, Trethomas, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new garage 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).
- 06) The land hereby approved for change of use to garden land is restricted to that land north of the application dwelling as defined by the red diagonal lined area shown on drawing reference 'PLAN 1' and appearing on the drawing key with the title "Area to be incorporated as domestic curtilage."  
REASON: To define the scope of the permission.
- 07) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.

Advisory Note(s)

Please find attached the comments of The Council's Ecologist that are brought to the applicant's attention.

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), 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. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for

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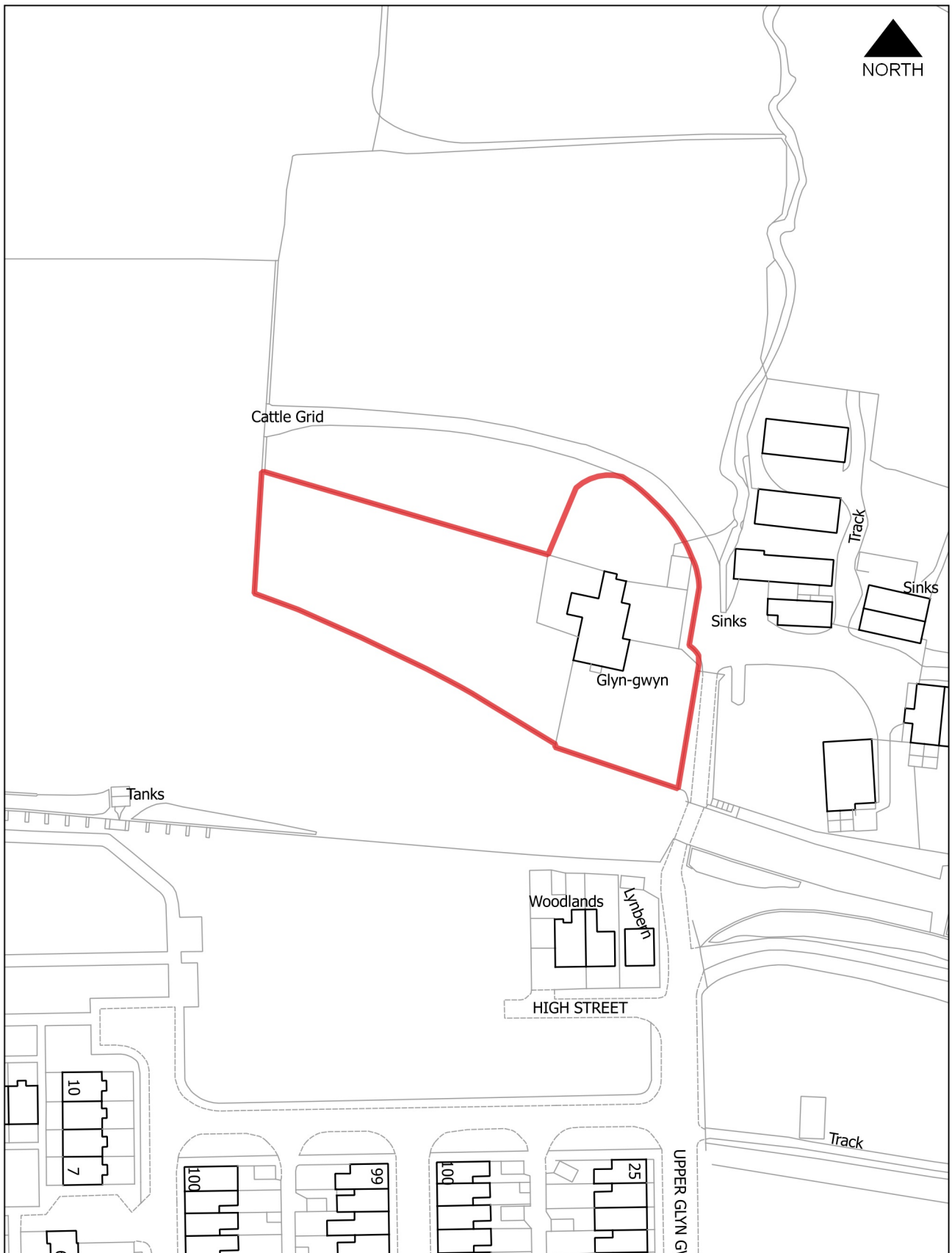
Application No 16/1062/FULL Continued

birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

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.

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)

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: SP6, CW2.



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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0039/COU 25.01.2017	Mr D Dogan 6 Newport Road Trethomas Caerphilly CF83 8BY	Change the use from Florist Shop (A1) to Hot Food Takeaway (A3) plus new extract flue chimney to rear elevation 24 Church Street Bedwas Caerphilly CF83 8EB

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of Church Street.

Site description: The application property is a two storey semi detached property that was most recently used as a florist shop. The property is situated within the established local retail centre of Bedwas in an area characterised by a mixture of retail uses interspersed with residential properties. The properties either side are in retail use with a hot food take away number 22 Church Street and a Chemist at number 26 whilst on the opposite side of the road there is a mixture of commercial and residential properties. Whilst there are double yellow lines to the front of the application site, there is a limited waiting parking zone on the opposite side of the road.

Development: The application seeks full planning consent for the change of use of the property from a florist to a hot food takeaway. There would be no alterations to the front elevation of the property with the only external alteration being an extract flue to the rear.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2005 TO PRESENT

13/0646/COU - Change use of ground floor from cafe/shop to apartment - Granted  
01.09.15.

Cont'd.....

Application No. 17/0039/COU Continued

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), SP17 (Promoting Commercial Development), CW2 (Amenity), CW14 (Use Class Restrictions - Retail) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) 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."

Paragraph 7.6.1 states that Councils should adopt a positive approach to applications for economic development. Paragraph 10.2.4 encourages a diversity of uses in village centres.

National Planning Guidance contained in Technical Advice Notes 4 - Retailing and Town Centres, 12 - Design and 23 - Economic Development.

## CONSULTATION

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

Head Of Public Protection - No objection subject to conditions in relation to noise and odour.

Transportation Engineering Manager - No objection.

## ADVERTISEMENT

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

Cont'd.....

Application No. 17/0039/COU Continued

Response: Letters of objection were received from the occupiers of two properties together with a number of letters sent by one of those persons to the MP and the Local Councillors.

Summary of observations:

1. There are already too many takeaways in Bedwas.
2. There is already a traffic problem in Bedwas with insufficient parking on Church Street.
3. Litter is a problem in the street.
4. Users of the hot food takeaway will cause a noise nuisance.
5. The extract flue will lead to smell.

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? Yes, but the building has been in use recently and so it is not payable in this case.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application property is located within a mixed use commercial and residential area within the village centre of Bedwas and as such the principle of a change of use to a hot food take away is considered to be acceptable. Indeed, as stated above Paragraph 10.2.4 of Planning Policy Wales encourages a diversity of uses in village centres.

Comments from consultees: No objections raised.

Comments from public:

1. Whilst it is noted that there are a number of hot food takeaways in Bedwas, it is for the market to decide whether there are too many and not for the planning system.

Cont'd....

2. No objection has been received from the Council's Transportation Engineering Services Manager in respect of the highways impact of this development. The property has a lawful use as an A1 shop and the car parking generated by the proposed use has to be considered against that generated by the existing. In that regard no additional off street parking would be required. It should also be noted that whilst the objections suggest that there are severe parking problems in the vicinity of the site, during the site visits that have been carried out by officers of the Council in order to assess the application, no parking problems were identified and ample parking was available in the area.
3. Litter is a material planning consideration but it would be unreasonable to refuse permission on that basis in a village centre location, where litter enforcement can be carried out by other agencies. In any event the complainant suggests that much of the litter is from the McDonalds restaurant at Gallagher Retail Pak approximately 1 mile to the south. It would not be reasonable to refuse this application on the basis of an ongoing problem associated with another business unrelated to this one.
4. Noise nuisance from users of the premises would be a matter for the police. However, a condition would be attached to any consent granted controlling the hours of opening of the premises in order to avoid any late night disturbance. Nevertheless it should also be noted that this is a mainly commercial area with a number of existing hot food takeaways and as such not all noise nuisance can be attributed to this proposal.
5. The purpose of an extract flue is to suppress odour from cooking and to control the noise created by that process. Subject to the submission of acceptable details, which would be required by condition, it is not considered that any unacceptable smell would be caused.

Other material considerations: As there is a flat above the hot food takeaway it is considered that a condition should be attached to any consent granted requiring the submission of a scheme of noise insulation in order to protect the amenity of occupiers of that flat.

In conclusion it is considered that the proposal is acceptable in planning terms as the use is in keeping with other uses in the area and there would be no unacceptable impact on highway safety and residential amenity. Conditions can mitigate any noise and odour nuisance and there would be no visual impact from the development.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Cont'd.....

Application No. 17/0039/COU Continued

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: PL04, PL03, PL0 and PL02.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to commencement of development details of a scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority to mitigate the effect of noise from the proposed commercial use on the residential use of the property. Development shall be carried out in accordance with the approved details before first use of the premises hereby approved.  
REASON: In the interests of residential amenity.
- 04) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.  
REASON: In the interests of the amenity of the area.
- 05) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.  
REASON: In the interest of public health.
- 06) The use hereby permitted shall not be open to customers outside the following times: (a) 07.00 hours to 23.00 hours Monday to Saturday, and (b) 07.00 hours to 22.00 hours Sunday.  
REASON: In the interests of residential amenity.

Advisory Note(s)

Please find attached comments from Dwr Cymru/Welsh Water.

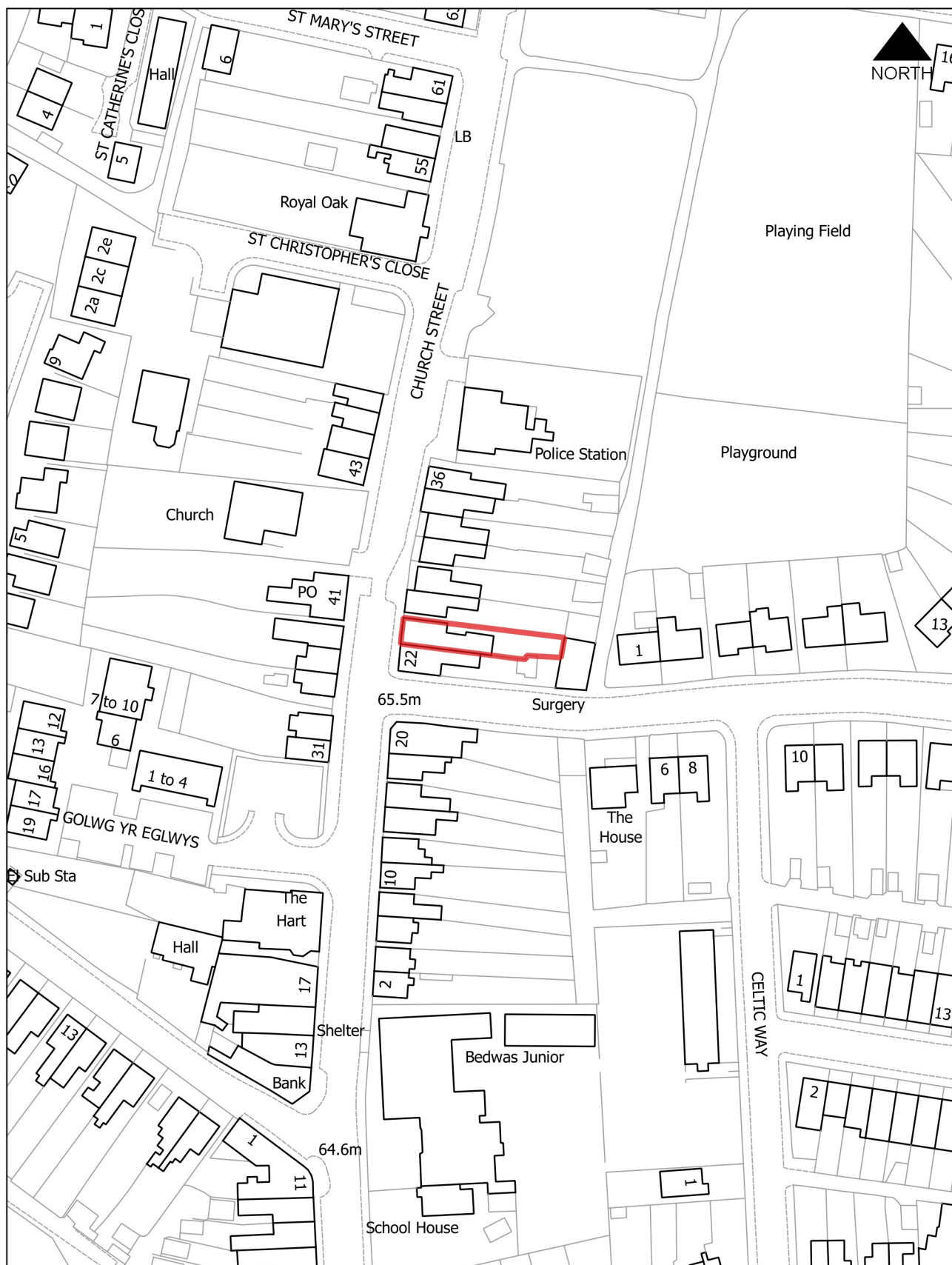
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Application No. 17/0039/COU Continued

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.

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)

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



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## PLANNING COMMITTEE – 8<sup>TH</sup> MARCH 2017

**SUBJECT: PLANNING APPEAL DECISION REGARDING ERECTION OF RESIDENTIAL DEVELOPMENT AT LAND NORTH OF PANDY ROAD, BEDWAS.**

**REPORT BY: CORPOTATE DIRECTOR COMMUNITIES**

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### 1. PURPOSE OF REPORT

1.1 To review a recent appeal decision in respect of housing development at Pandy Road, Bedwas

### 2. SUMMARY

2.1 The local planning authority (LPA) refused planning permission for housing development on land north of Pandy Road at Bedwas, because the site is beyond the defined settlement and the development would be detrimental to the character of the special landscape area . Whilst the proposals was on the face of it contrary to the adopted local development plan (LDP), other material planning considerations, in particular the five year housing land supply, weighed in favour of the proposal. This report will briefly review the issues considered by the inspector and the Welsh Minister, and their conclusions.

### 3. LINKS TO STRATEGY

3.1 No links to strategy: this report is for information and review, rather than for decision making purposes.

### 4. THE REPORT

4.1 Planning permission was refused in November 2015 (Council ref. 15/0038/OUT) for residential development on land north of Pandy Road, Bedwas because the site was outside the settlement boundary defined in the LDP, and it would be detrimental to a special landscape area (SLA). The site has an area of over 8 hectares, and supporting information indicated that it could be developed for up to 300 houses. An appeal was made against the decision, and the inquiry was held in mid-April 2016. Due to the size of the development, the appeal was called in by the Welsh Minister, who issued her decision, based on the inspector's report, on 31 January 2017.

4.2 The issues considered by the Welsh Minister were:

1. Whether the proposal would provide an appropriate site for housing having regard to planning policies that seek to control the location of new development;
2. The effect of the development on the character and appearance of the area with particular regard to its designation as a Special Landscape Area; and

3. Whether there are other material considerations that would justify granting permission in particular with regard to housing supply and the sustainable credentials of the development.

These matters are reviewed below.

#### 4.3 Appropriate site

It was noted that at the time of the inquiry that the LDP was failing to deliver a five year housing supply which stood at 1.9 years. A review of the LDP was being prepared but due to the stage it was at, the Replacement LDP could only be given slight to modest weight. The subsequent withdrawal of the LDP was also noted. The Inspector concluded that the LDP, adopted in 2010 which plans for the period up to 2021, remained the adopted development plan for the purposes of determining the appeal and was neither out of date in its approach to the management of new development, nor superseded by changes to national policy. The Minister concurred with this view.

- 4.4 Policy SP5 of the LDP defines settlement boundaries and policy CW15 relates to general locational constraints and state, amongst other things, that development outside settlement boundaries will not be permitted unless for certain specified activities. For ease of reference, these are reproduced below.

**SP5** The Plan defines settlement boundaries in order to:

- A Define the area within which development would normally be allowed, taking into account material planning considerations
- B Promote the full and effective use of urban land and thus concentrate development within settlements
- C Prevent the coalescence of settlements, ribbon development and fragmented development
- D Prevent inappropriate development in the countryside

**CW15** Development proposals will be considered against the following criteria, where they apply:

- A Development proposals will not be permitted if they prejudice the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use
- B Within settlement boundaries proposals for all types of development accord with the role and function of the settlement within which they are located, and
- C Outside settlement boundaries proposals will not be permitted unless the proposed development is either:
  - i Associated with either agriculture, forestry or the winning and working of minerals or
  - ii For the conversion, rehabilitation or replacement of rural buildings and dwellings, or
  - iii For recreation, leisure and tourism proposals that are suitable in a countryside location or
  - iv Associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere or
  - v Associated with the reclamation/treatment of derelict or contaminated land

It was concluded that the proposal failed to accord with policies in the LDP, specifically criteria A and B of policy SP5 and policy CW15. The development would not result in coalescence of settlements or comprise ribbon and fragmented development, but in terms of criterion D of policy SP5, it would be inappropriate development in the countryside. In conclusion on this particular matter, having regard to planning policies which seek to control the location of new development, the proposed development would not provide an appropriate site for housing and would therefore fail to accord with the adopted LDP, in particular policy SP5.

#### 4.5 Special Landscape Area

The site lies within an area designated as the North Caerphilly Special Landscape Area (SLA) in the LDP. Policy SP10 states the Council will protect, conserve, enhance and manage the natural heritage of the Borough in the consideration of all development proposals within both the rural and built environment. Policy NH1 of the LDP states SLAs will be protected; the supporting text explains SLAs are local non-statutory designations which seek to protect areas exhibiting distinctive features and characteristics and will be protected from development which harms these features and characteristics. It was emphasised that the policy is not designed to preclude development, but applicants will need to demonstrate that proposals will not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA. That approach was deemed to be in conformity with guidance in Planning Policy Wales (PPW).

4.6 The debate at the inquiry revolved around the visual and sensory elements of the SLA, with the inspector concluding that whilst the appeal site comprises part of the pastoral farmland in field enclosures which feature in the SLA, and it makes a contribution to the overall form of the open rolling valley, it is a small element in the wider valley landscape. Noting the appeal site is located to the immediate west of Bedwas, with industrial development to the south which extends further west and beyond the proposed western boundary of the site, her view was the proposal would not visually project out into the open countryside when viewed from the wider surrounds and would be visually related to existing development in the valley. The Minister concurred with this view including that those using public rights of way and common land for recreation and residential occupiers, particularly some distance from the site, would not perceive the proposal as a completely alien feature in a landscape which is already heavily developed.

4.7 There would be a clear impact from close to the site, but in conclusion the proposal would not be in conflict with LDP policies SP10, NH1 or CW4.

#### 4.8 Other material planning considerations.

At the time of the inquiry, the five year housing land supply was only 1.9 years, and the Minister agreed with the inspector that whilst the proposal did not comply with the development plan, the considerable shortfall in housing supply should be given substantial weight and weighed heavily in favour of the proposal. The issue of whether granting planning permission would be premature was considered, but national policy clearly states refusal on grounds of prematurity, where an LDP is in preparation, will not usually be justified except in cases where a development proposal goes to the heart, of a plan and is individually or cumulatively so significant that to grant permission would predetermine decisions regarding the scale, location or phasing of new development which ought properly to be taken in the LDP context. It was concluded that would not be the case.

4.9 The provision of affordable housing, and the sustainable location served by a bus route weighed in favour of the scheme. The land is in agricultural use, but is not classified as the best and most versatile land. It does contain sandstone and mineral resources which are safeguarded in the LDP, but due to the proximity to the settlement area, any excavation of these resources would likely to be unacceptable taking into account the defined buffer zones for such extraction.

4.10 Transport impacts, the setting of nearby listed buildings, and the impact on health and education facilities were also considered. In conclusion the inspector stated:

“...I find that the relevant policies to this appeal within the adopted LDP remain in accordance with national policy in respect of defining settlement boundaries and providing local non-statutory designations such as SLAs. As such I consider that the policies are neither outdated nor superseded. The Replacement LDP provides the

proper process for considering changes to settlement boundaries or local natural heritage designations and can be given little weight given its current position.

“The Council cannot demonstrate a five year housing supply. The need to increase supply should be given considerable weight where the proposal would otherwise comply with development plan and national planning policies.

“The proposal fails to accord with the adopted development plan as the proposal would constitute a housing development outside the defined settlement boundaries (LDP policy SP5). Nonetheless I have found that the proposal would not have an unacceptable impact on the specific distinctive features and qualities of the SLA or on its overall integrity and would not conflict with development plan policies that seek to protect, conserve, enhance and manage the valuable features of the natural and built environment (LDP policies SP10, NH1 and CW4).

“...I have taken into account all other matters raised, but find none that would lead me to a different conclusion. I conclude that the appeal should be allowed and planning permission be granted subject to conditions.”

#### 4.11 Conclusion

There are a number of broad conclusions to be drawn from this decision:

1. The adopted LDP remains the appropriate development plan for the determination of planning applications.
2. In considering whether development is contrary to the policies in the plan, careful consideration needs to be given to the objectives of those policies, and whether the proposal is contrary to those objectives, not least because,
3. Significant weight should be given to the lack of a five year housing supply in determining planning applications.

#### **5. EQUALITIES IMPLICATIONS**

5.1 None. This report is for information and review, rather than for decision making purposes.

#### **6. FINANCIAL IMPLICATIONS**

6.1 None

#### **7. PERSONNEL IMPLICATIONS**

7.1 None

#### **8. CONSULTATIONS**

8.1 None

#### **9. RECOMMENDATIONS**

9.1 That the comments in the report are noted.

#### **10. REASONS FOR THE RECOMMENDATIONS**

10.1 This report is for information and review, rather than for decision making purposes.

## **11. STATUTORY POWER**

11.1 Not applicable in this case because this report is for information and review, rather than for decision making purposes.

Author: Tim Stephens, Interim Head of Planning

Background Papers: Inspectors' decision.



Ein cyf/Our ref: Housing

To: Heads of Planning  
(CC: PINS / HBF)

23 February 2017

Dear Colleague,

The delivery of housing remains one of the highest priorities of this Government. It is essential for the planning system to facilitate the provision of additional housing through robust evidence based Local Development Plans (LDPs). We have an ambitious target of delivering 20,000 affordable homes over this term of Government. If we are to realise our ambition, it will be necessary to use all available policy levers to their full potential, including the planning system.

The monitoring of housing land supply has identified a large proportion of Local Planning Authorities which have not been able to demonstrate a five-year housing land supply. The recently completed study of viability through the planning process, undertaken by Arcadis Consulting, examined the reasons behind this situation and I will be reflecting on this issue and the associated recommendations as a matter of urgency.

I expect each Local Planning Authority to give priority to the preparation or replacement of LDPs, including giving full consideration to the production of joint plans with neighbouring authorities. To be clear, each Local Planning Authority must provide a genuinely available supply of land for housing, based on meeting the housing requirements they have identified in their Development Plan. This is a core principle of the planning system established by *Planning Policy Wales* since 2002 and an integral part of preparing an LDP.

Bae Caerdydd • Cardiff Bay  
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CF99 1NA

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Technical Advice Note 1 (TAN 1) sets out the methodology for Local Planning Authorities to demonstrate whether they have a five-year supply of deliverable land for housing by preparing an annual Joint Housing Land Availability Study (JHLAS). I am aware a number of Local Planning Authorities with adopted LDPs, cannot demonstrate a five-year housing land supply, as well as those who are unable to undertake a JHLAS because they do not have an adopted LDP. I also accept some Local Planning Authorities may, as a consequence of not being able to demonstrate a five-year housing land supply, be subject to speculative planning applications.

I reiterate all such applications should be assessed against relevant policy considerations, including the need to increase housing land supply and the principle of sustainable development. The Welsh Government remains committed to increasing housing land supply by requiring Local Planning Authorities to give it considerable weight as a material consideration when dealing with planning applications for housing. However, this is subject to the development otherwise complying with development plan and national planning policies, as clearly set out in paragraph 6.2 of TAN 1. This includes ensuring development proposals are well related to the existing settlement form and do not lead to unacceptable impacts on local economic, social and environmental infrastructure. The principles of sustainable development and the creation of cohesive communities, which forms the basis of the Welsh Government's planning policy, remains and should not be undermined by the need to increase housing land supply.

Regards  
Lesley Griffiths

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig  
Cabinet Secretary for Environment and Rural Affairs

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# Agenda Item 11

## APPLICATIONS DETERMINED BY DELEGATED POWERS

<b>APP NO. DATE REC'D</b>	<b>NAME AND ADDRESS OF APPLICANT(S)</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DECISION</b>
16/0579/COND 07.07.2016	Charter Housing Association Mr S Traves Exchange House The Old Post Office High Street Newport NP20 1AA	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) Crumlin Mining School Site Mining School Hill Crumlin Newport	Decided - Discharge of Conditions 27.01.2017
16/0752/RET 24.08.2016	The Old Library Caerphilly Ltd Mr E Crabtree The Old Library Nantgarw Road Caerphilly CF83 1AP	Retain the change of use from category D1 (Library) to category A3 (Cafe) The Old Library Nantgarw Road Caerphilly CF83 1AP	Granted 27.01.2017
16/0993/COND 17.11.2016	Mr A Davies 7 Mount Pleasant Ynysddu Newport NP11 7JQ	Discharge conditions 3 (Garage - apron materials), 5 (Levels), 6 (Materials), 7 (Contamination - scheme to treat), 9 (Boundary treatment) and 10 (Drainage) from planning consent 15/0262/NCC Land Adj To 7 Mount Pleasant Ynysddu Newport	Decided - Discharge of Conditions 27.01.2017
16/1035/COND 01.12.2016	Jehu Mr M Davies C/O Agent	Discharge of condition 6 (construction - engineering details) of planning consent 14/0855/FULL (Erect residential development and associated works) Land At Watford Road Caerphilly	Decided - Discharge of Conditions 27.01.2017

16/0748/FULL 23.08.2016	Mr R Comeston Gwerna Hall Farm Pandy Lane Ystrad Mynach Hengoed CF82 7TZ	Convert existing stone barn into a single dwelling Gwerna Hall Barn Pandy Lane Ystrad Mynach Hengoed	Granted 30.01.2017
16/0753/ADV 24.08.2016	The Old Library Caerphilly Ltd Mr E Crabtree The Old Library Nantgarw Road Caerphilly CF83 1AP	Retain two fascia signs The Old Library Nantgarw Road Caerphilly CF83 1AP	Granted 30.01.2017
16/0928/FULL 28.10.2016	Mr & Mrs Godwin Ty Maen Farm Mountain Road Bedwas Caerphilly CF83 8ER	Extend and convert old stables into games room and study Ty Maen Farm Mountain Road Bedwas Caerphilly	Granted 30.01.2017
16/0989/FULL 14.11.2016	Mr R A O'Keefe 3 Coundley Close Fleur-de-lis Blackwood NP12 3TS	Erect two storey side extension 3 Coundley Close Fleur-de-lis Blackwood NP12 3TS	Granted 30.01.2017
16/1004/FULL 21.11.2016	Mr T Hillier Pontypool Campus Blaendare Road Pontypool NP4 5YE	Erect single storey front and rear extensions 80 Sir Stafford Close Caerphilly CF83 3BB	Refused 30.01.2017
16/1007/FULL 22.11.2016	Mr Hall 16 Dan-Y-Deri Bedwas Caerphilly CF83 8HR	Construct two new window openings within attic area, to the front and rear elevations 16 Dan-Y-Deri Bedwas Caerphilly CF83 8HR	Granted 30.01.2017
16/1056/FULL 08.12.2016	Mr L Hewitt 126 Heol-Y-Ddol Caerphilly CF83 3JN	Erect a two storey side extension 126 Heol-Y-Ddol Caerphilly CF83 3JN	Granted 30.01.2017
16/1081/ADV 16.12.2016	Mr M Nur 34 Orchard Lane Britannia Blackwood NP12 3TJ	Install 2 no. internally illuminated fascia signs and 1 no. wall sign Unit 7 Lowry Plaza Hanbury Road Bargoed	Granted 30.01.2017
16/0878/FULL 07.10.2016	Mr C Webb Whitehall Farm Coed-Y-Paen Pontypool NP4 0SY	Erect a detached dormer bungalow Land On The Eastern Side Of Pleasant View To Station Row Tirphil New Tredegar	Granted 31.01.2017

16/0879/FULL 07.10.2016	Mr C Webb Whitehall Farm Coed-y-Paen Pontypool NP4 0SY	Erect a detached dormer bungalow Land Adjacent To A469 Tirphil New Tredegar	Granted 31.01.2017
16/0880/FULL 10.10.2016	Mr C Webb Whitehall Farm Coed-Y-Paen Pontypool NP4 0SY	Erect a detached dormer bungalow Land North Of Coedcae Tirphil New Tredegar	Granted 31.01.2017
16/1012/FULL 23.11.2016	Mr D Richards 43 St Annes Gardens Abertridwr Caerphilly CF83 4BS	Erect two-storey extension to side of existing building 43 St Annes Gardens Abertridwr Caerphilly CF83 4BS	Granted 31.01.2017
16/1043/FULL 05.12.2016	Mrs R Thomas 4 Clos Cae Mawr Penpedairheol Hengoed CF82 7TH	Convert garage into a sitting room 4 Clos Cae Mawr Penpedairheol Hengoed CF82 7TH	Granted 31.01.2017
16/1092/LBC 21.12.2016	Mr & Mrs J Flicker Gwaun-y-bara Pentwynwyn Road Rudry Caerphilly CF83 3DG	Install 2 No. rooflights to rear elevation Gwaun-y-bara Pentwynwyn Road Rudry Caerphilly	Defer for Cadw's Recommendatio n 31.01.2017
16/0987/OUT 11.11.2016	Coedlas Developments Mr P Weedon Glendale Offices Van Road Caerphilly CF83 3RR	Construct eight self build detached dwellings Land South Of Glendale Van Road Caerphilly	Granted 01.02.2017
16/1019/FULL 25.11.2016	Western Power Distribution (South Wales) PLC Avonbank Feeder Road Bristol BS2 0TB	Erect extension to rear of existing substation to include new 33/11kV switch room building, new 33kV transformer and various items of outdoor electrical apparatus, internal access road, 2.4m high steel palisade compound fence and gravelled surface Trethomas 33KV Substation Addison Way Graig-y-Rhacca Caerphilly	Granted 01.02.2017

16/1050/FULL 02.12.2016	Mr G Rowlands 6 George Street Ystrad Mynach Hengoed CF82 7BJ	Erect single storey rear extension 6 George Street Ystrad Mynach Hengoed CF82 7BJ	Granted 01.02.2017
16/1054/FULL 07.12.2016	Mr J Harry Cherry Lyn New Bryngwyn Road Newbridge Newport NP11 4NF	Convert garage to habitable accommodation and new lightweight roof covering to conservatory and enlargement of driveway Cherry Lyn New Bryngwyn Road Newbridge Newport	Granted 01.02.2017
16/1058/FULL 08.12.2016	Mrs J Pope 66 Hanbury Street Glan-y-nant Blackwood NP12 3XP	Erect rear ground floor extension for kitchen and bathroom 66 Hanbury Street Glan-y-nant Blackwood NP12 3XP	Granted 02.02.2017
16/1070/FULL 13.12.2016	Mr J Thomas 69 Bedwellty Road Cefn Fforest Blackwood NP12 3HB	Erect a detached double garage 69 Bedwellty Road Cefn Fforest Blackwood NP12 3HB	Granted 02.02.2017
17/0002/COND 03.01.2017	Mr J Cook Kashmir 16 Moriah Hill Risca NP11 6PZ	Discharge condition 3 (amended bat roost provision) of planning consent 16/0922/FULL (Erect dormer roof extension) Kashmir 16 Moriah Hill Risca Newport	Decided - Discharge of Conditions 02.02.2017
17/0017/COND 10.01.2017	Mrs H Morris 16 Clos Coed Duon Highfields Blackwood NP12 1FP	Discharge condition 1 (privacy screen details) of planning application 16/0757/RET (Retain decking 3.7m wide) 24 Greensway Abertysswg Tredegar NP22 5AR	Decided - Discharge of Conditions 02.02.2017
16/0892/FULL 12.10.2016	Mr A Gibbs 34 Haydn Terrace Penydarren Merthyr Tydfil CF47 9YJ	Erect prefabricated wooden building to house sheep, poultry and implement store, two containers and field shelter Land North Of Tair Waun Uchaf Farm Cilfynydd Road To Pant-Du Road Llanfagon	Granted 03.02.2017

16/0968/FULL 11.11.2016	Cardtronics UK Ltd Trading As Cashzone PO Box 476 Hatfield AL10 1DT	Install an Automated Teller Machine The Co-operative Group Station Buildings High Street Newbridge	Granted 03.02.2017
16/0969/ADV 11.11.2016	Cardtronics UK Ltd Trading As Cashzone PO Box 476 Hatfield AL10 1DT	Erect signage The Co-operative Group Station Buildings High Street Newbridge	Granted 03.02.2017
11/0191/OUT 11.03.2011	Mr R Williams Gelli Pystyll Farm Elm Drive Ty Sign Risca Newport NP11 6HN	Demolish existing farmhouse and farm buildings and construct new two-storey residential units Gelli Pystyll Farm Elm Drive Ty Sign Risca	Refused 07.02.2017
15/0466/FULL 10.07.2015	Mr & Mrs W Davies 10 Cwrt Pantycelyn Pontllanfraith Blackwood NP12 2LT	Erect single-storey lounge/dining extension plus two-storey extension, rebuilding garage with ground floor study and first floor bedroom 10 Cwrt Pantycelyn Pontllanfraith Blackwood NP12 2LT	Refused 07.02.2017
16/1034/FULL 01.12.2016	KFC UK Mr N Hewlett Orion Gate Guildford Road Woking Surrey GU22 7NJ	Respray existing panelling to building envelope, install feature lighting and other external alterations KFC (GB) Ltd Unit B Pontymister Industrial Estate Pontymister	Granted 07.02.2017
16/1048/FULL 02.12.2016	Mrs J Acreman 47 Pen-Y-Dre Rhymney Tredegar NP22 5DL	Construct single storey rear extension and internal adaptations 47 Pen-Y-Dre Rhymney Tredegar NP22 5DL	Granted 07.02.2017
16/1072/FULL 15.12.2016	Miss G Carter 12 Bristol Terrace Bargoed CF81 8RF	Erect two storey rear extension 12 The Avenue Gilfach Bargoed CF81 8JY	Granted 07.02.2017

16/0672/OUT 29.07.2016	Mr G Rees 26 Brook Rise Oakdale Blackwood NP12 0ES	Erect residential development and associated works Land Off Sir Ivor Road Pontllanfraith Blackwood	Granted 08.02.2017
16/0984/FULL 15.11.2016	Mr & Mrs Jones 14 Garden Suburbs Pontywaun Newport NP11 7GB	Take down existing rear stone boundary wall, and re-build at back of proposed hard standing, construct new access gate and step access down to garden 14 Garden Suburbs Pontywaun Newport NP11 7GB	Granted 08.02.2017
16/1025/FULL 28.11.2016	CTIL And Vodafone Ltd The Connection Newbury RG14 2FN	Install a 17.5m lightweight lattice mast accommodating three no. antennas, one no. 600mm dish and one no. 300mm dish, radio equipment housing and ancillary development Cwmbargoed Disposal Point Fochriw Road Cwmbargoed Merthyr Tydfil	Granted 08.02.2017
16/1066/FULL 12.12.2016	Mr M Thompson 7 Gelliargwellt Road Penybryn Hengoed CF82 7FZ	Erect detached dwelling and integral garage Land Adj To 75 Upper Road Elliot's Town New Tredegar NP24 6EA	Granted 08.02.2017
16/1080/TPO 15.12.2016	Mr C Heaven 25 Cefn Mably Park Michaelston-Y-Fedw Cardiff CF3 6AA	Remove Cypress tree and remove and reduce heavily weighted limbs of Oak tree (TPO No. 13/01/CCBC) 25 Cefn Mably Park Michaelston-Y-Fedw Cardiff CF3 6AA	Granted 08.02.2017
16/1078/FULL 16.12.2016	Mr & Mrs B Pugh Sunnybank 7 Cwm-nant-yr-odyn Springfield Pontllanfraith Blackwood NP12 2DU	Convert loft including raising ridge height Sunnybank 7 Cwm-nant-yr- odyn Springfield Pontllanfraith	Granted 08.02.2017

16/1086/COND 20.12.2016	United Welsh Housing Association Miss S Davies C/O Asbri Planning Ltd Mr L Griffiths Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Discharge condition 13 (Code for Sustainable Homes) of planning consent 13/0465/FULL (Demolish existing buildings and erect 29 dwellings (comprising of a mix of 1 bed apartments and 2 & 3 bedroom houses) with all associated infrastructure and landscaping) Greenfly Social Club & Cats House Newport Road Bedwas Caerphilly	Decided - Discharge of Conditions 08.02.2017
16/1076/COND 23.12.2016	Penyrheollas Solarfield Limited Hamilton House 25 High Street Rickmansworth Hertfordshire WD3 1ET	Discharge conditions 02 (notice of commencement of works) and 15 (protection measures for strategic water main) of planning consent 15/0451/FULL (Install ground mounted photovoltaic solar arrays with transformer stations; internal access tracks; biodiversity enhancement; landscaping; stock fencing; security measures; access gate and ancillary infrastructure) Land At Pen-Yr-Heol-Las Manmoel Road Manmoel NP12 0RQ	Decided - Discharge of Conditions 08.02.2017
17/0047/COND 20.01.2017	Pearmat Solar 4 Ltd C/o Pegasus Planning Group Ltd First Floor, South Wing Equinox North, Great Park Road Almondsbury Bristol BS32 4QL	Discharge conditions 10 (scheme for disposal of surface water and land drainage flows) and 24 (highway condition survey) of planning consent 15/0433/FULL (Create 4.1MW solar farm, consisting of around 15,796 solar modules, on-site access tracks, substation, three combined inverter/transformer stations, underground cables, perimeter fencing and CCTV cameras) Land At Pen-Y-Fan Pen-Y-Fan Farm Lane Manmoel NP12 0HZ	Decided - Discharge of Conditions 08.02.2017

16/1068/COND 13.12.2016	Premier Inn Hotels Ltd Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable LU5 5XE	Discharge conditions 03 (land drainage scheme) and 05 (contamination - scheme to treat) of Planning consent 16/0515/FULL (Construct 28 bedroom hotel annexe with changes to parking arrangements, install air conditioning compound and associated works) Premier Travel Inn Unit 2 Crossways Park Parc Pontypandy	Decided - Discharge of Conditions 09.02.2017
16/1074/COND 15.12.2016	Mark4developments Mr R Morgan 60 Lakeside Drive Lakeside Cardiff CF23 6DG	Discharge conditions 7 (amended drawings) and 8 (hard and soft landscaping) of application 13/0545/COU (Convert public house and flat to retail ground floor and nine self-contained flats in upper floors with two and single-storey rear extensions and external alterations) Panteg Hotel The Square Abertridwr Caerphilly	Decided - Discharge of Conditions 09.02.2017
16/1060/FULL 09.12.2016	Mr & Mrs G & C Stephens 7 Haines Close Caerphilly CF83 1SY	Erect single storey side extension, new vehicle access and parking space 7 Haines Close Caerphilly CF83 1SY	Granted 10.02.2017
16/1077/FULL 16.12.2016	Project One Ltd Mr D Bowen Unit 3 3 Glebe Street Penarth Cardiff	Provide alterations to existing fenestration and external finishes SkyFall Mountain Road Thornhill Caerphilly	Granted 10.02.2017
16/1095/NMA 22.12.2016	Mr A Potter 85 Greenfield Newbridge NP11 4QZ	Seek approval of a non-material amendment to planning consent 16/0321/FULL (Construct a two storey, four bedroom detached house with detached garage) to raise the level of the house by 300mm Plot 2 15 Homeleigh Newbridge Newport	Granted 10.02.2017



16/1073/COND 15.12.2016	Mr R Cope Cefn Fawr Farm Ty Gawla Isaf To Rhymney River Cefn Mably Cardiff CF3 6LP	Discharge conditions 4 (bat method statement) and 7 (bird nesting provision) of planning consent 16/0560/FULL (Erect a first floor extension over existing garage, a rear single-storey extension and ancillary works) Cefn Fawr Farm Ty Gawla Isaf To Rhymney River Cefn Mably Cardiff	Decided - Discharge of Conditions 13.02.2017
16/1088/FULL 19.12.2016	Mr I Snook Greenroofs 5 St David's Road Pengam Blackwood NP12 3TY	Alter existing driveway and front garden to provide a new exit/entrance Greenroofs 5 St David's Road Pengam Blackwood	Granted 13.02.2017
17/0007/COND 04.01.2017	Mr D Lockett 3 Castle Fields Rhymney Tredegar NP22 5NJ	Discharge conditions 1 (commencement), 2 (approved plans), 3 (materials), 4 (no windows/dormer windows), 5 (bat roost provision) and 6 (bird nesting provision) of planning consent 16/0690/FULL (Erect first floor extension above existing garage/utility room) 3 Castle Fields Rhymney Tredegar NP22 5NJ	Decided - Discharge of Conditions 13.02.2017
16/1090/COND 20.12.2016	REG Windpower Ltd Mr S Morgan Unit 3B Damery Works Damery Lane Woodford Berkeley GL13 9JR	Discharge condition 02 (external surfaces) of planning consent 16/0897/FULL (Erect 15m lightweight modular lattice tower, 600mm microwave dish antenna and ancillary development) Pen Bryn Oer Merthyr Road Rhymney	Decided - Discharge of Conditions 14.02.2017
16/0424/LBC 31.05.2016	Mr R Parfitt Highwinds New Bryngwyn Road Newbridge NP11 4NF	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 Beulah Baptist Church North Road Newbridge Newport	Granted 15.02.2017

17/0004/FULL 03.01.2017	Mr I Collins 4 Penmaen Close Cefn Hengoed Hengoed CF82 7JD	Erect two storey side extension 4 Penmaen Close Cefn Hengoed Hengoed CF82 7JD	Granted 15.02.2017
17/0025/TPO 11.01.2017	Mrs H Smith Broomwood Newport Road Machen Caerphilly CF83 8RA	Reduce lateral lower branch overhanging house by approximately 1.5 to 2.0 metres (Tree Preservation Order 6/76/RVDC) Broomwood Newport Road Machen Caerphilly	Granted 15.02.2017
17/0059/NMA 20.01.2017	CCBC Mr B Hopkins Ty Penallta Tredomen Park Ystrad Mynach Hengoed CF82 7PG	Seek approval of a non- material amendment to planning consent 16/0564/LA (Erect a single-storey pitched roof extension providing two additional classrooms, toilets, resource areas and circulation constructed in two phases) to amend the proposed layout to reduce the size Trinity Fields School And Resource Centre Caerphilly Road Ystrad Mynach Hengoed	Granted 15.02.2017
16/0852/CLPU 03.10.2016	Ms K Hynes 12 Goodrich Avenue Caerphilly CF83 1LG	Obtain a Lawful Development Certificate for the proposed garage and gate 12 Goodrich Avenue Caerphilly CF83 1LG	Refused 17.02.2017
16/1052/FULL 06.12.2016	Mrs K Ralph Greenways 1 Underwood Avenue Maesycwmmmer Hengoed CF82 7PT	Erect a single-storey rear extension Greenways 1 Underwood Avenue Maesycwmmmer Hengoed	Granted 17.02.2017
14/0328/FULL 19.05.2014	Opus Security Mr M Woods Castle View Shopping Centre Caerphilly CF83 1SN	Erect a detached six bedroom dwelling Land Adjacent To Brook House Pandy-Mawr Road Bedwas Caerphilly	Refused 21.02.2017

16/1033/FULL 01.12.2016	Pentholm Properties Ltd Mr M Daly 57 Princes Street Roath Cardiff CF24 3SL	Construct pair of semi-detached houses Land At Rhos Llantwit Caerphilly	Granted 21.02.2017
16/1082/FULL 16.12.2016	Mr M Parker The Old Bakery R/O 53 Shingrig Road Nelson Treharris CF46 6DY	Erect a detached garage 13 Lon Isaf Caerphilly CF83 1BT	Granted 21.02.2017
17/0010/CLEU 05.01.2017	Mr A Payne 13 Ty-Isaf Crescent Pontymister Risca Newport NP11 6LX	Obtain a Lawful Development Certificate for existing detached garage 13 Ty-Isaf Crescent Pontymister Risca Newport	Granted 21.02.2017
17/0030/FULL 13.01.2017	CCBC Directorate Of Communities Mr C Watts Private Sector Housing PO Box 128 Hengoed CF82 9BP	Create a car parking space and turning facility including new access to highway and associated groundworks 2 Ty Nant Penyrheol Caerphilly CF83 2RA	Granted 21.02.2017
17/0054/NOTA 24.01.2017	Mr H Haines C/O Barton Willmore Greyfriars House Greyfriars Road Cardiff CF10 3AL	Erect agricultural barn Pentwyn Farm Heol Las Penyrheol Caerphilly	Prior Approval Required 23.02.2017

<p>17/0062/NMA 24.01.2017</p>	<p>Dwr Cymru/Welsh Water C/o Ove Arup &amp; Partners Limited Ms N Queffurus Arup 4 Pierhead Street Cardiff CF10 4QP</p>	<p>Seek approval of a non-material amendment to planning consent 16/0935/FULL (Erect one electrical control kiosk plus associated access arrangements, boundary treatment and outfall, related to a below ground Combined Sewer Overflow) to change the material for river bed protection at the base of the headwall/outfall from boulders to gabion baskets Land To The South Of Deri Community Centre Car Park Riverside Walk Deri Bargoed</p>	<p>Granted 23.02.2017</p>
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# Agenda Item 12

## 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.
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.
15/0502/COU 13.07.15	Change of use of the first and second floors from offices to 6 residential flats at Caerphilly Indoor Market 5 Pentrebane Street, Caerphilly	Re-consulting on amended plans.
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.

16/0671/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	Awaiting submission of full application for new development.
16/0693/COND 08.08.16	Discharge condition 1 (commencement), condition 2 (approved plans), condition 3 (photographic schedule), condition 4 (window designs), condition 5 (ceiling) and condition 6 (surface water and land drainage) of previous consent 16/0151/LBC (Carry out various renovation works) at Argoed Baptist Chapel High Street Argoed Blackwood	Awaiting views of consultees
16/0724/FULL 18.08.16	Erect extension to detached apartment at The Coach House The Row To Gwern-Y-Goytre Draethen Newport	Subject to further discussion and consideration.
16/0829/FULL 24.09.16	Erect extension and remodel the rear of the property to provide additional bedroom and larger kitchen area at 24 Van Terrace Caerphilly	Subject to further discussion and consideration.
16/0886/NCC 11.10.16	Vary condition 1 of planning consent 06/0848/NCC (Reclaim former quarry - operate recycling and transfer station with associated storage) to extend the life of the permission for a further ten years so that the development hereby permitted shall cease not later than 31st December 2027 at Bowen Contractors Ltd Berthgron - Panthraillan Quarry Tydu Road Nelson	Subject to further discussion and consideration.
16/0887/NCC 11.10.16	Vary Condition 1 of planning consent 06/0849/NCC (Reclaim former quarry with inert waste and extend access/haul road to landfill site) to extend the life of the permission for a further five years so that the development hereby permitted shall cease not later than 31st December 2021 at Bowen Contractors Ltd Berthgron - Panthraillan Quarry Tydu Road Nelson	Subject to further discussion and consideration.

16/0901/FULL 14.10.16	Erect first floor shower room extension at 25 Medart Street Crosskeys Newport	Subject to further discussion concerning design.
16/1044/NOTA 05.12.16	Create an area on the farm land to store silage bales at Ty Canol Farm Mountain Road Abertridwr To Hendredenny Park Hendredenny Caerphilly	Awaiting additional information.
16/1071/FULL 14.12.16	Erect part two storey and part first floor side extension and single storey rear extension at 22 Ffos Y Cerridden Nelson Treharris	Awaiting end of consultations following submission of amended plans.

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# Agenda Item 13

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

<b>APPLICATION NUMBER &amp; DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
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. Cant agree over some clauses regarding Affordable Housing. Waiting for instructions from Planning
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.
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. Think they may be implementing previous consent as nothing happening on this.
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.
15/0442/OUT 30.06.16	Erect residential development comprising approximately 18-20 houses and 8 flats on Land At Abertridwr Road, Penyrheol, Caerphilly	Sent draft to Solicitors. Sols say their client needs to meet with Planning to discuss.
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	Sent draft. Sols Requested Woodland Plan. Waiting for planning to provide.

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	Sent draft. Sols Requested Woodland Plan. Waiting for planning to provide.
16/0076/OUT 28/01/16	Erect residential development on Land To The North Of Meadowland Close Caerphilly	Waiting for Solicitors details Draft prepared. Not responding.
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. No change.
16/0373/OUT 12.05.16	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 on Land South Of A472 (Mafon Road) Ty Du, Nelson, Treharris	Issues with title that we are trying to resolve. No change.
16/0506/OUT	Erect a residential self-build dwelling at Plot 2 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Sent draft. Chased comments.
16/0507/OUT	Erect a residential self-build dwelling at Plot 1 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Sent draft. Chased comments.
16/0508/OUT	Erect a residential self-build dwelling at Plot 4 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Sent draft. Chased comments.
16/0509/OUT	Erect a residential self-build dwelling at Plot 3 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Sent draft. Chased comments.
16/0510/OUT	Erect a residential self-build dwelling at Plot 5 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Sent draft. Chased comments.

16/0614/FULL 15.07.16	Erect 5 No. 4 bedroom detached dwellings on Land At St Lukes Church Chapel Gardens Abercarn	Waiting for Solicitors details. Cant get a response from agent. Not progressing.
16/0617/OUT 15.07.16	Erect 16 dwellings at Land South Of The Glade Wyllie Blackwood	Sent initial letter requesting solicitors details.
16/0668/OUT 29.07.2016	Erect residential development at Land To North Of Car Park Aiwa Technology Park North Celynen Newbridge	Initial stages.
16/0843/NCC 27.09.16	Vary condition 9 of planning consent 16/0032/FULL (Erect a two-storey mixed development of three apartments and four commercial units with on site car parking, refuse and cycle storage facilities) to extend the opening hours of the commercial unit and for the condition to read 'The use hereby permitted shall not be open to customers outside the following times 07.00 hrs to 23.00 hrs Monday to Sunday.' On Land Adjacent To Fwrrwm Ishta House 68 Commercial Road Machen Caerphilly CF83 8PG	Nearing completion.

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# Agenda Item 14

## OUTSTANDING APPEALS

<b>APPEAL REF/ PLANNING APP. NO.</b>	<b>APPELLANT</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DATE APPEAL REGISTERED</b>
16/0011/REF 16/0640/FULL	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	17.10.16
16/0015/REF 15/0412/OUT	Redrow Homes Limited Redrow House Copse Walk Cardiff Gate Business Park Cardiff CF23 8RH	Erect residential development of up to 260 dwellings with open space at Land North Of Hendredenny Drive Hendredenny Caerphilly	09.11.16
16/0016/REF 15/0567/OUT	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant Rhondda Cynon Taf	Erect residential development of up to 175 units including open space provision, access and parking arrangements at Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood	07.12.16
17/0001/REF 16/0867/FULL	Ms L Cochrane Gelliwen Farm Bedwellty Road Markham Blackwood	Erect two 3-bedroomed cottages at Land At Heol-Y-Bedw-Hirion Bedwellty NP12 0BD	09.01.17
17/0002/CERT 15/1092/CLEU	Mr A Majid 57 Ty Draw Road Cardiff CF23 5HD	Obtain a Lawful Development Certificate for the existing use as a general repair garage (B2) at General Lee Motors Ltd Unit B - Dalton Court Lawrence Street South Lane Caerphilly CF83 3SQ	02.02.17

**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>
15/0012/REF 15/0038/OUT	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	Allowed 31.01.17	COMM
16/0009/COND 15/0781/ROMPSP	First periodic review of planning conditions (Environment Act 1995) at The Senghenydd Minerals Site Graig-yr-hufen Road Senghenydd Caerphilly	Allowed 23.01.17	COMM
16/0012/REF 16/0595/COU	Change the use of dwellinghouse (C3(a)) to house in multiple occupation (C4) at 4 Woodside Terrace Hafod-Yr-Ynys Road Crumlin Newport NP11 5EW	Dismissed 13.01.17	DEL
16/0013/REF 16/0576/OUT	Construct one 2 bedroom detached dwelling with on-site parking at Land Opposite 174 Jubilee Road Elliot's Town New Tredegar NP24 6PA	Dismissed 02.02.17	DEL