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For all enquiries relating to this agenda please contact Helen Morgan
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Date: 29th November 2017

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 6th December, 2017** at **5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

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 November 2017.	1 - 10

A greener place Man gwyrddach

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



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

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

4	PREFACE 17/0565/FULL - Robert Price (Builders Merchants) Ltd, 145 Pontygwindy Road, Caerphilly.	11 - 20
5	17/0256/FULL - Land Within Curtilage of, XPO Transport Solutions UK Limited, Unit A, Distribution Way, Dyffryn Business Park, Ystrad Mynach, Hengoed.	21 - 32
6	17/0897/FULL - Ty Treharne, Groeswen Road, Groeswen.	33 - 44
7	17/0750/COU - Unit 4A and 5, (Unit 1-5), Trecenydd Business Park, Trecenydd, Caerphilly.	45 - 50

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

8	PREFACE 17/0270/OUT - Land at Oakdale Golf Course, Oakdale Golf Course Lane, Oakdale, Blackwood.	51 - 82
9	17/0431/OUT - Land Adjacent to Woodview, Cwmgelli, Blackwood.	83 - 96
10	17/0933/NCC - Marlan Day Centre - CPI Care Ltd, The Warehouse, Crown Street, Crumlin, Newport.	97 - 104

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

11	Applications determined by delegated powers.	105 - 114
12	Applications which are out of time/not dealt with within 8 weeks of date of registration.	115 - 118
13	Applications awaiting completion of a Section 106 Agreement.	119 - 120
14	Appeals outstanding and decided.	121 - 122

Circulation:

Councillors M.A. Adams (Chair), Mrs E.M. Aldworth, C. Andrews, A. Angel, J. Bevan, W. David (Vice Chair), M. Davies, J.E. Fussell, R.W. Gough, A.G. Higgs, A. Hussey, B. Miles, Mrs G.D. Oliver, J. Ridgewell, J. Simmonds, J. Taylor, A. Whitcombe, R. Whiting and T.J. Williams

And Appropriate Officers



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 8TH NOVEMBER 2017 AT 5:00PM

PRESENT:

Councillor M. Adams- Chair
Councillor W. David - Vice-Chair

Councillors:

C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W Gough, A.G. Higgs, A. Hussey, B. Miles, J. Simmonds, J. Taylor, A. Whitcombe, R. Whiting, T.J. Williams

Cabinet Member for Environment and Public Protection - Councillor Mrs E. Stenner

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), L. Cooper (Assistant Engineer), M. Godfrey (Senior Environmental Health Officer), C. Powell (Principal Planner), C. Boardman (Area Senior Planner), E. Rowley (Area Senior Manager), A. Pyne (Senior Planner), A. Wilcox (Senior Planning Officer), H. Morgan (Senior Committee Services Officer) and J. Tyler (Committee Services Administrative Assistant).

1. **APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs E.M. Aldworth, J. Bevan, Mrs G. Oliver and J. Ridgewell.

2. **DECLARATIONS OF INTEREST**

Declarations of interest were received as follows - Councillor W. David - 17/0834/RET, Councillor J.E. Fussell and A. Wilcox - 17/0792/FULL and 17/0793/ADV. Details are minuted with the respective items.

3. **MINUTES – 11TH OCTOBER 2017**

RESOLVED that the minutes of the Planning Committee held on 11th October 2017 (minute nos. 1-8) be approved and signed as a correct record.

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

4. CODE NO. 17/0752/COU – FORMER SOMERFIELD STORES, UNIT A, 12 THE MARKET PLACE, BLACKWOOD.

It was noted that since the preparation of the report a further email of objection had been received.

Councillor K. Etheridge and Councillor N. Dix spoke in objection to the application and Mr M. Mitchell, the applicant's agent, spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there were 3 against and 1 abstention, this was agreed by the majority present.

RESOLVED that: -

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

5. CODE NO. 17/0711/FULL – 17 SHANNON CLOSE, PONTLLANFRAITH, BLACKWOOD.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of the permission: CW2;
- (iii) the applicant be advised that 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.
- (iv) the homeowner/developer be advised that any development that involves works on land that is not owned by the applicant may require agreement under the Party Wall Act. This planning permission is issued having regard to the land ownership certificate submitted by the applicant.

6. CODE NO. 17/0834/RET – 3 PENDARREN STREET, PENPEDAIRHEOL, HENGOED.

Councillor W. David declared an interest (in that he had a closed mind) and moved to the public gallery in order to speak as a local ward member.

Councillor A. Gair spoke on behalf of the objector and Councillor W. David spoke on behalf of the applicant. He left the meeting once he had spoken.

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there were 4 against and 1 abstention, this was agreed by the majority present.

RESOLVED that: -

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

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

7. CODE NO. 17/0565/FULL – ROBERT PRICE (BUILDERS MERCHANTS) LTD, 145 PONTYGWINDY ROAD, CAERPHILLY.

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

Mr. Ryan and Councillor J. Pritchard spoke in objection to the application and Mr. Horowsky spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. By a show of hands this Motion was lost and it was declared that the application be deferred for reasons of refusal based on the height of the building and over bearing impact on a neighbouring property.

RESOLVED that the application be deferred for reasons of refusal based on the height of the building and over bearing impact on a neighbouring property.

8. CODE NO. 17/0796/FULL – UNIT 18, GALLAGHER RETAIL PARK, PARC PONTYPANDY, CAERPHILLY.

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

RESOLVED that: -

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

9. CODE NO. 17/0797/FULL – UNIT 18, GALLAGHER RETAIL PARK, PARC PONTYPANDY, CAERPHILLY.

Mrs S. Powell-Davies, Councillor J. Pritchard and Councillor S. Cook spoke in support of the application.

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

RESOLVED that: -

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

10. CODE NO. 17/1768/RET – STABLES COMPOUND, WEST ROAD, PENALLTA INDUSTRIAL ESTATE, PENALLTA.

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there was 1 abstention, this was agreed by the majority present.

RESOLVED that: -

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

11. CODE NO. 17/0761/COU – CASTLE HOUSE, SOUTHERN STREET, CAERPHILLY.

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there was 1 abstention, this was agreed by the majority present.

RESOLVED that: -

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

12. CODE NO. 17/0716/FULL – 54 PANDY ROAD, BEDWAS, CAERPHILLY.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of the permission: CW2 and SP6;
- (iii) the applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place;
- (iv) the applicant be advised that it is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>;

- (v) the applicant be advised that any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider;
- (vi) the applicant be advised that if any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority;
- (vii) the applicant be advised that 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;
- (viii) the applicant 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 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).

13. CODE NO. 17/0792/FULL – 64-66 CARDIFF ROAD, CAERPHILLY.

Councillor J.E Fussell declared an interest (in that he has undertaken work for the company) and left the meeting when the application was considered. A. Wilcox also declared an interest as a family member is involved with the company.

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 condition contained in the Officer's report this application be granted.

14. CODE NO. 17/0793/ADV – 64-66 CARDIFF ROAD, CAERPHILLY

Councillor J.E Fussell declared an interest (in that he has undertaken work for the company) and left the meeting when the application was considered. A. Wilcox also declared an interest as a family member is involved with the company.

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.

15. CODE NO. 17/0709/FULL – 31 GELLI'R FELIN, CAERPHILLY.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of the permission: SP6
- (iii) the applicant be advised that 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.
- (iv) the applicant be advised that 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;
- (v) the applicant 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 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).

16. CODE NO. 17/0794/RM – LAND AT CAE NANT GLEDYR, CAERPHILLY.

Following consideration of the application it was moved and seconded that subject to an additional condition, the recommendations contained in the Officer's report be approved. By a show of hands this was unanimously agreed.

RESOLVED that: -

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

Additional Condition

Not with standing the approved plans, no construction works shall commence on Plot 4, other than excavations in accordance with Section 8 of the Geo-Technical and Geo-Environmental Report by Terra Firma Ltd dated August 2017, until such time as further gas monitoring has been carried out in accordance with Section 6 of that report (a further 6 readings over a 3 month period). The results of the gas monitoring and any proposed mitigation measures arising from the findings shall be submitted to and approved in writing by the Local Planning Authority prior to any further works commencing on that plot.

Reason

In order to assess the risks to public health arising from ground contamination.

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of the permission: CW2 and CW3;
- (iii) the applicant be advised of the comments from Dwr Cymru/Welsh Water.

17. 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 07:15pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 6th December 2017, they were signed by the Chair.

CHAIR

Members' Site Visit

PLANNING APPLICATION REFERENCE: 17/0565/FULL

PROPOSED DEVELOPMENT: Erect extension to existing detached storage building

LOCATION: Robert Price Builders Merchants, 145 Pontywindy Road, Caerphilly

DATE OF SITE VISIT: 6th November 2017

MEMBERS PRESENT: Mike Adams, Wynne David, Phil Bevan and Shayne Cook.

- Members visited the site and viewed the proposed building from within the application site and from the objector's garden at 151 Pontywindy Road.
- The impact of the proposed extension on the amenity of the objector's property was discussed with members querying what had changed since a previous refusal of planning consent at this site.
- Members were advised that the extension now proposed had been reduced in size to half that previous proposed and they were shown points on the floor of the site where the steel supports for the building would be sited.
- Members were further advised that the impact of the extension was mitigated by the presence of a large garden shed within the objectors property that would be immediately adjacent to the proposed extension.
- The objector showed the members around his garden and pointed to a vegetable patch to the rear of the garden sited between an existing large shed and the rear boundary wall.
- The existing storage building on the application site (which is proposed to be extended here) is to the southern side of the vegetable patch. The existing storage building was erected in 2002 and the vegetable patch is not currently in use.

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Agenda Item 4

PREFACE ITEM

APPLICATION NO. 17/0565/FULL

APPLICANT(S) NAME: Robert Price and sons Ltd.

PROPOSAL: Erect extension to existing detached storage building

LOCATION: Robert Price Builders Merchants Ltd., 145
Pontygwindy Road, Caerphilly

This application was originally reported to the Planning Committee on 8th November 2017, and was deferred as members were minded to refuse the application. A copy of the previous report is attached.

At the committee members raised concerns with regard to the impact of the extension on the rear garden of the adjacent dwelling at number 151 Pontygwindy Road. In particular concerns were raised in respect of the overbearing impact of the extension on an area of garden within which a former vegetable patch and large garden shed were located.

Whilst Officers acknowledge that the proposed extension to the existing storage buildings on the application site would have an impact on the amenity of the neighbouring garden, it is not considered that this impact would be so significant as to warrant refusal of this application. The proposed building is some 55m away from the rear of the objector's property and is sited immediately adjacent to an existing large storage shed in the objector's rear garden. Whilst this storage shed may be in a poor state of repair, it is still a feature on site that serves to mitigate the impact of the proposed extension.

The Local Planning Authority has to consider each application on its own merits as the situation currently stands whilst also having regard for other material factors such as permitted development rights. In this instance the presence of the storage shed in the objector's garden is a significant material factor that weighs in favour of the application.

It should also be noted that, given the path of the sun, the objector's own shed would cast a significant amount of shadow on the aforementioned vegetable patch early in the morning and this has also been factored into the consideration of the impact of the proposal. The proposed extension itself would also cast a shadow over the vegetable patch but this shadow would only be cast for a short period during the late morning of approximately 1 hour. This is not considered to be significant.

Cont'd

Application No: 17/0565/FULL - Continued

RECOMMENDATION

In conclusion it is considered that the proposed extension is acceptable in planning terms and as such the application should be approved in accordance with the recommendation contained in the attached report.

However, if Members are minded to REFUSE the application then I would suggest the following reason for refusal:-

1. The proposed development would have an overbearing impact on the rear garden of the adjacent dwelling at number 151 Pontygwindy Road thereby having a detrimental impact on the amenity of that property. As such the proposal is contrary to criterion A of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Planning Committee 8.11.17.

Appendix

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0565/FULL 04.07.2017	Robert Price And Sons Ltd Mr W Godfrey Park Road Abergavenny NP7 5PF	Erect extension to existing detached storage building Robert Price (Builders Merchants) Ltd 145 Pontygwindy Road Caerphilly CF83 3TD

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the western side of Pontygwindy Road.

Site description: The application site is an established builders merchant's including a retail showroom towards the front of the site and a storage yard to the rear. The yard is largely given over to open air storage but there is a large portal frame storage building in the north west corner of the site adjacent to the side boundary of the rear garden of the dwelling at number 151 Pontygwindy Road. The storage building is steel clad with a profile sheeting roof.

The application site is located in a mixed use area with residential properties to the north, a supermarket to the west and south, and a public house to the east.

Development: The application seeks full planning consent for the erection of an extension to the existing storage building. It would be a two bay extension of the same width and height as the existing building, having an apex roof to match.

Dimensions: The extension measures 6m long by 15m wide by 6.2m high.

Materials: To match the existing building.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

07/1036/FULL - Erect single-storey extension to accommodate sanitary and canteen facilities, alterations to front elevation of building - Granted 03.10.07.

Cont'd

Appendix

Application No. 17/0565/FULL Continued

13/0726/FULL - Erect two bay extension to existing storage building - Refused - 07.07.16

POLICY

Local Development Plan: Within settlement limits.

Policies

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

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

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is not a significant issue in this instance.

CONSULTATION

Transportation Engineering Manager - No objection.

Cont'd

Appendix

Application No. 17/0565/FULL Continued

Head Of Public Protection - No objection.

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

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

ADVERTISEMENT

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

Response: Two letters of objection were received.

Summary of observations:

1. Loss of light and amenity to rear garden.
2. Increased traffic.
3. Increased noise.
4. Increased dust.
5. The extension would leave insufficient space for turning and manoeuvring.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? No.

Cont'd

Appendix

Application No. 17/0565/FULL Continued

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is an established builder's merchants and as such the principle of development is established on this site. The main points to consider in the determination of this application are the objections raised by the member of the public and these will be considered in turn below:-

1. The objector alleges that the building would cause a loss of amenity to the rear garden of his property. The area referred to is at the end of the garden that is sited some 50m away from the objector's dwelling. In that regard it is not felt that the proposed building would have any unduly unacceptable impact on the amenity of the neighbouring dwelling.

The building was causing shade at the far end of the neighbours' garden, but at the immediate rear of their dwellings, buildings are at a domestic scale and they enjoy adequate light. It should also be noted that the amended scheme only provides for a 6m long extension to the existing buildings, half the length of that proposed originally on this application and that refused consent last year. The proposed building would be adjacent to an existing outbuilding in the objector's rear garden and as such there would be no significant impact on any amenity space within that garden.

2. The area where the storage building is located is already used for storage purposes but the extension will allow better storage for materials that cannot be left out in the elements. The extension is also relatively small in comparison to the existing buildings on site and as such it is not felt that it would lead to a marked increase in traffic to the site.

3. As the extension would increase the covered storage within the site and also create a screen on the common boundary with the objector's property it is felt that the proposal would actually lead to a reduction in noise impacts. It should also be noted that the Head of Public Protection has raised no objection to the application.

4. Again the extension would increase the covered storage on site and therefore it is considered that there would be a decrease in dust impact as a result of the development.

5. As stated above, the area proposed for the extension is currently used for open air storage and as such is not used for the turning or manoeuvring of vehicles. It is considered that there is adequate space within the site to accommodate the proposed extension.

Cont'd

Appendix

Application No. 17/0565/FULL Continued

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable in planning terms.

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: Location Plan, 1737-01A, 1737-02A, 1737-03A, 1737-04A, 1737-05A and Planning Statement.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.
- 04) 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.

Cont'd

Appendix

Application No. 17/0565/FULL Continued

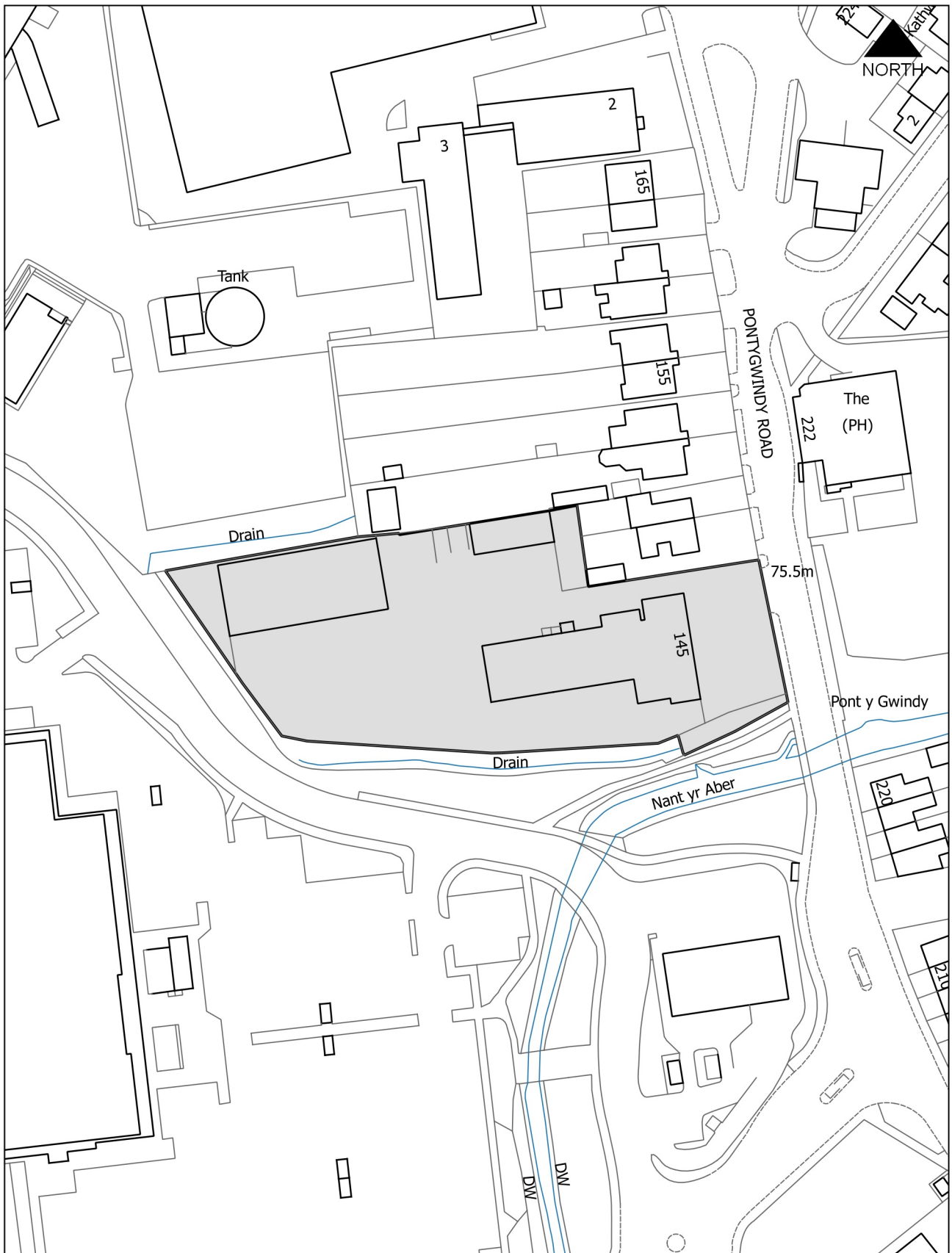
- 05) Notwithstanding the submitted plans, the area indicated for the turning of articulated lorries shall be laid out in accordance with the submitted plans and that area shall thereafter be kept clear at all times for the turning of vehicles only.
REASON: In the interests of highway safety.

Advisory Note(s)

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

Please find attached comments from Dwr Cymru/Welsh Water and the Council's Ecologist.

DEFERRED FOR REASONS FOR REFUSAL



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Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0256/FULL 17.07.2017	TWT Logistics Limited C/O Boyer Mr L Forse Third Floor Park House Greyfriars Road Cardiff CF10 3AF	Erect a warehouse/light industrial building (Use classes B1 and B8) Land Within Curtilage Of XPO Transport Solutions UK Limited Unit A Distribution Way Dyffryn Business Park Ystrad Mynach Hengoed CF82 7TS

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the southern side of Distribution Way on the Duffryn Industrial Estate.

Site description: The application site formerly formed part of the service yard to Unit A on Distribution Way but it has now been separated from that unit by a palisade fence. The site is a largely rectangular area of land that is hard surfaced with concrete. It is currently not in use. The site is surrounded by industrial units of various sizes and is within an established industrial site.

Development: The application seeks full planning consent for the erection of a new detached industrial production facility. It is intended to erect a rectangular steel portal frame building with an apex roof.

Dimensions: The building measures 60m long by 15m wide by 8.162m high.

Materials: Insulated profile sheeting.

Ancillary development, e.g. parking: Nine parking spaces are proposed.

PLANNING HISTORY 2005 TO PRESENT

P/05/0990 - Construct new covered trailer park building. Granted 28.11.2005.

Cont'd

Application No: 17/0256/FULL - Continued

POLICY

Local Development Plan: Within settlement limits on land allocated for employment purposes.

Policies

Local Development Plan: SP2 (Development Strategy - Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP16 (Managing Employment Growth), CW2 (Amenity), CW3 (Design Considerations: Highways), CW5 (Protection of the Water Environment), CW13 (Use Class Restrictions - Business and Industry), CW15 (General Locational Constraints) and EM2.13 (Employment Sites Protection).

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

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Paragraph 4.9.1 of Planning Policy Wales states:-

“Previously developed (or brownfield) land (see Figure 4.4) should, wherever possible, be used in preference to greenfield sites, particularly those of high agricultural or ecological value. The Welsh Government recognises that not all previously developed land is suitable for development. This may be, for example, because of its location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated. For sites like these it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health”.

Paragraph 4.9.2 states:-

“Many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- in and around existing settlements where there is vacant or under-used land, commercial property or housing;
- in suburban areas close to public transport nodes which might support more intensive use for housing or mixed use;

Cont'd

Application No: 17/0256/FULL - Continued

- which secure land for urban extensions, and;
- which facilitate the regeneration of existing communities”.

Paragraph 4.11.9 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 4.12.3 states:-

“Development proposals should also include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change, for example by incorporating green space to provide shading and sustainable drainage systems to reduce run-off and are designed to prevent overheating and to avoid the need for artificial cooling of buildings”.

Paragraph 5.5.2 states:-

“When considering any development proposal (including on land allocated for development in a development plan) local planning authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment. Where other material considerations outweigh the potential adverse environmental effects, authorities should seek to minimise those effects and should, where possible, retain and, where practicable, enhance features of conservation importance”.

Paragraph 13.4.1 states:-

“Development proposals in areas defined as being of high flood hazard should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event”.

Cont'd

Application No: 17/0256/FULL - Continued

National Planning Guidance contained in Technical Advice Notes 12 - Design, and 15 - Development and Flood Risk is also of relevance to the determination of this application.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site lies within a high risk area but The Coal Authority raises no objection to the development. However an advisory note should be attached to any consent granted advising the developer that the site is within a high risk area.

CONSULTATION

Head Of Public Protection - No objection subject to conditions.

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

Transportation Engineering Manager - No objections subject to conditions.

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

The Coal Authority - No objection.

Natural Resources Wales - Raises objection to the application as the applicant has failed to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in line with Technical Advice Note 15 (TAN 15).

ADVERTISEMENT

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

Response: None.

Cont'd

Application No: 17/0256/FULL - Continued

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The proposal seeks full planning consent for the erection of a warehouse and industrial unit within an established industrial area on land that is protected for such purposes. The site is previously developed and the proposed building is considered to be acceptable in design terms, and adequate parking and servicing can be provided. In that regard it is considered that the proposal complies with Policies CW2, CW3, CW13 and EM2.13 of the Local Development Plan.

The main point to consider in the determination of this application is the site's location within Flood Zone C1 as defined in the Development Advice Maps attached to Technical Advice Note 15 Development and Flood Risk. In that regard it should be noted that Natural Resources Wales have raised an objection to the application as it is considered that the application has failed to demonstrate the risks and consequences of flooding can be managed to an acceptable level. This view is given having considered the following:-

"Based on existing site levels, the FCA (Flood Consequence Assessment) identifies the development site (including the proposed warehouse) is predicted to flood during a 1% (1 in 100 year) plus 25% allowance for climate change fluvial flood event. This does not meet the requirements of A1.14 of TAN15, which states the development should be flood free in such a flood event".

Cont'd

Application No: 17/0256/FULL - Continued

"The FCA considers raising the finished floor level (FFL) of the proposed warehouse by 400mm, to 91m AOD. Based on a FFL of 91m AOD, the FCA identifies the proposed warehouse is predicted to be flood free during a 1% (1 in 100 year) plus 25% allowance for climate change fluvial flood event. However, the remaining development site (car parking and loading area) is still predicted to flood during a 1% (1 in 100 year) plus 25% allowance for climate change fluvial flood event. This does not meet the requirements of A1.14 of TAN15, which states the development should be flood free in such a flood event. Furthermore, the proposed raising of the FFL is predicted to result in increased flood risk elsewhere. This does not meet the requirements of A1.12 TAN15, which advises a site should only be considered for development if the proposed development does not increase flood risk elsewhere".

Paragraph A1.14 of TAN 15 states:-

"A1.14 In addition to the above general conditions there are particular flooding consequences which may not be considered acceptable for particular types of development. For instance in view of the traumatic impact of flooding on people's personal lives it is not sensible to allow residential development in areas which flood frequently. Natural Resources Wales advice to planning authorities suggests that development should be designed to be flood free during the 1% fluvial flood (i.e that fluvial flood with a 100 to 1 chance of occurring in any year) and the 0.5% tidal/coastal flood (i.e. 200 to 1 chance in any year event). There is therefore a frequency threshold of flooding below which flooding of development should not be allowed".

Paragraph A1.12 of TAN 15 states:-

"A1.12 To satisfy these criteria a site should only be considered for development if the following conditions can be satisfied;

- Flood defences must be shown by the developer to be structurally adequate particularly under extreme overtopping conditions (i.e. that flood with a probability of occurrence of 0.1%),
- The cost of future maintenance for all new/approved flood mitigation measures, including defences must be accepted by the developer and agreed with the Environment Agency,
- The developer must ensure that future occupiers of development are aware of the flooding risks and consequences,

Cont'd

Application No: 17/0256/FULL - Continued

- Effective flood warnings are provided at the site,
- Escape/evacuation routes are shown by the developer to be operational under all conditions,
- Flood emergency plans and procedures produced by the developer must be in place,
- The development is designed by the developer to allow the occupier the facility for rapid movement of goods/possessions to areas away from the floodwaters,
- Development is designed to minimise structural damage during a flooding event and is flood proofed to enable it to be returned to its prime use quickly in the aftermath of the flood,
- No flooding elsewhere”.

It is considered that this interpretation of the Guidance is overly prescriptive and does not take account of the economic benefits of this proposal. Whilst it is accepted that Section A1.14 of TAN 15 states that developments should be flood free, it should also be noted that should the proposed building be built on a raised floor level 400mm above the existing site level as proposed, then it would be flood free. It is also acknowledged that the service and delivery area part of the application site would not be flood free, but it should also be noted that that area until very recently was used as a service and delivery yard in connection with the adjacent Unit A Distribution Way, and it could be returned to that use without the need for planning consent. The purpose of the TAN is to consider the suitability of development on any site having regard for the risks to people and property. It is considered given that the use of the site for industrial purposes is already established in planning terms, the additional risk to life or property in this instance would be negligible and does not in itself warrant refusal of this application.

Further consideration should also be given to the extent of additional flooding that this development would cause. As stated above the proposed building would be flood free if it was erected at 400mm above existing site levels. It is a given that this would lead to increased flooding elsewhere, but it is considered that the extent of this flooding should determine whether or not the impact is acceptable. The Flood Consequence Assessment submitted with this application suggests that in a 1 in 100 year flood event the areas covered by flood waters would not increase as a result of this development. It does acknowledge that areas that would currently flood would experience an increased depth of flooding as a consequence of this proposal. However, the increase in the depth of the flooding for a 1 in 1000 year event would be 40mm for properties that would already experience flooding to a depth of over 1m. In that regard it is not considered that the increase in flooding to third party property would be so significant as to warrant refusal of this application.

Cont'd

Application No: 17/0256/FULL - Continued

In respect of the economic argument for the proposal, Paragraph 6.2 of TAN 15 states:-

“6.2 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,
- iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable”.

It is considered that the proposal is less vulnerable development which is acceptable in terms of sections 5, 7 and appendix 1.

Duffryn Industrial Estate is identified as a Primary Industrial Estate in the LDP and is protected for B1, B2 and B8 uses and other ancillary uses to support the primary uses. Given its excellent links to both the A469 and the A472 the estate is a key strategic employment site within the County Borough with low vacancy rates. The application proposes the erection of an additional production facility for a large international employer on the estate and would create 7 jobs and help to safeguard a further 120. Paragraph 7.2.2 of Planning Policy Wales states:-

“Local planning authorities are required to ensure that the economic benefits associated with a proposed development are understood and that these are given equal consideration with social and environmental issues in the decision-making process, and should recognise that there will be occasions when the economic benefits will outweigh social and environmental considerations”.

Cont'd

Application No: 17/0256/FULL – Continued

It is considered in this instance that the economic benefits of this proposal do outweigh the environmental considerations and as such the proposal is supported by Planning Policy Wales. This is especially relevant and refusal of this application could lead to the sterilisation of the whole industrial estate, and the loss of existing employment having significant economic implications for the County Borough.

Comments from Consultees: The comments of Natural Resources Wales are addressed above. No other objections were received.

Comments from public: No objections received.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of suitably worded conditions.

TAN 15 requires that Natural Resources Wales should be informed where the Local Planning Authority is minded to go against its advice and grant consent so that it can make further representations to ensure consequences can be managed acceptably. The recommendation reflects that requirement.

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 the application is DEFERRED to allow Natural Resources Wales to be notified. On receipt of their further comments on the management of consequences, 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: 17/0256/FULL – Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents: 17.8511/100, G (1), G (2) and the Flood Consequences Assessment by JBA Consulting dated July 2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.
- 04) 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.
- 05) Notwithstanding the submitted details, the building hereby approved shall be constructed at 400mm above existing site levels.
REASON: In order to ensure that the building remains flood free.
- 06) 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.
- 07) Prior to occupation of the building hereby approved, a flood action plan shall be submitted to and agreed in writing with the Local Planning Authority. The occupation of the building shall thereafter be carried out in accordance with the agreed plan.
REASON: To ensure the correct action is taken in the event of an extreme flood.

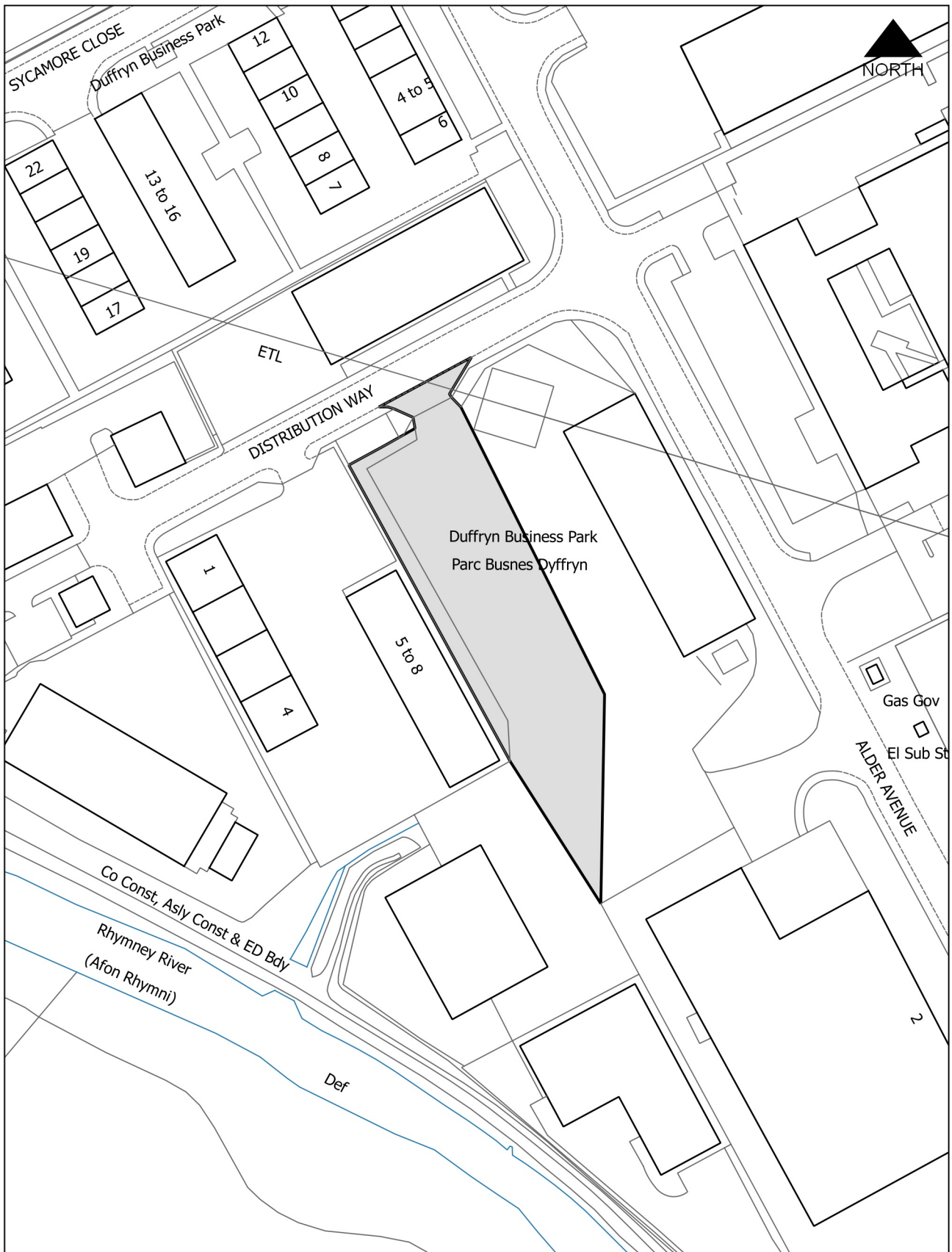
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Application No: 17/0256/FULL - Continued

Advisory Note(s)

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

Please find attached comments from Dwr Cymru/Welsh Water and National Grid.



Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0897/FULL 08.11.2017	Mrs Brazis 3 Melin Dwr Draethen Caerphilly NP10 8GL	Erect a replacement detached dwelling with associated detached garage, garden landscaping and external walls, and new vehicular access arrangements Ty Treharne Groeswen Road Groeswen

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the southern side of Groeswen Road.

Site description: The application site is a dilapidated former farmhouse within the Groeswen Conservation Area. The dwelling is actually made up of an original small two bedroom cottage and a two storey extension to the side of similar dimensions thereby creating a long narrow two storey dwelling. The dwelling is finished in render and stone and had a slate roof but the dwelling has been fire damaged and it is in a poor state of repair. There are large agricultural barns attached to the pine end of the dwelling and these are largely finished in profile sheeting.

The application site is on the edge of a small hamlet outside of the settlement limits with fields to the south and west, a road to the north and dwellings to the east.

Development: The application seeks full planning consent for the demolition of the farmhouse and the erection of a replacement dwelling. The replacement dwelling will be a two storey property with an entrance hallway, living room, study, utility room, sitting room, dining room and kitchen on the ground floor, and three bedrooms, a bathroom and a store on the first floor. The dwelling will be long and narrow with its pine end facing the road to replicate the existing dwelling and will have porches to the front and rear elevations.

Cont'd

Application No: 17/0897/FULL - Continued

Consent is also sought for the erection of a detached garage to the side of the dwelling together with a new access to the highway and facilities to turn within the site. Landscaping is also proposed within the site. The detached garage will be split level as a result of the levels of the site with storage accommodation in the roof space and dead work below ground level.

Dimensions: The dwelling measures 18m long by 7.2m wide by 8.7m high with the front porch measuring 2.7m by 1.7m by 3.5m high and the rear porch measuring 2.1m by 2.1m by 3.5m high. The garage measures 6.9m by 6.2m by 6.3m high from road level.

Materials: Stone walls with a slate roof and timber windows and doors.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

09/0046/CON - Demolish all buildings on site - Granted 23.07.09.

09/0931/OUT - Erect residential development - Granted 06.02.13.

17/0486/CON - Demolish and provide work in connection with the safe removal of the dangerous structure (marked TT3 and TT4 on submission drawings) in accordance with the recently serviced notice under Section 77 of the Building Act 1984 - Granted 28.07.17.

17/0810/NCC - Vary conditions 3 and 4 of planning consent 17/0486/CON (Demolish and provide work in connection with the safe removal of the dangerous structure (marked TT3 and TT4 on submission drawings) in accordance with the recently serviced notice under Section 77 of the Building Act 1984) - NYD.

POLICY

Local Development Plan: Outside settlement limits and within the Groeswen Conservation Area.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW20 (Locational Constraints: Conversion, Extension and Replacement of Buildings in the Countryside) and NH1.3 (Mynydd Eglwysilan Special Landscape Area).

Cont'd

Application No: 17/0897/FULL - Continued

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

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Paragraph 4.11.9 of Planning Policy Wales states: -

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

Paragraphs 6.5.19 - 6.5.23 apply.

Paragraphs 6.1, 6.6, 6.7, 6.10 - 6.14 of TAN 24 The Historic Environment also apply.

National Planning Guidance contained in 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? The site is within a low risk area and as such an informative note should be attached to any consent granted.

CONSULTATION

Countryside And Landscape Services - No objection subject to the submission of a landscaping scheme and conditions in respect of ecology.

Conservation & Design Officer - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection.

Cont'd

Application No: 17/0897/FULL - Continued

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

Rights Of Way Officer - No objection.

CCBC Housing Enabling Officer - No objection.

ADVERTISEMENT

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

Response: No objections received.

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes. Based on a floor area of 238.385 square metres a CIL amount of £9535.40 is payable.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks full planning consent for a replacement dwelling on a site that is outside of the settlement limits. In that regard the application falls to be considered against Policy CW20 of the Local development Plan. Criterion D of that Policy states:-

Cont'd

Application No: 17/0897/FULL - Continued

“D Replacement is justified by demonstrating that:

- i The existing building is structurally unsound and not capable of rehabilitation or conversion to an alternative use without major alteration or rebuilding,
- ii The use of the existing building has not been abandoned,
- iii The use cannot practicably continue to be accommodated in the existing building, and
- iv All practical appropriate alternatives for reuse have been examined”.

The existing building on site has suffered significant fire damage and as such it is not in a fit state for human habitation at present. The fire damage is so severe that renovation of the building to make it habitable would not be financially viable and as such the only practicable option is to demolish the dwelling and replace it with a new dwelling. In that regard it is considered that the proposal complies with sub criterion i of the above policy.

Whilst the dwelling is not currently in use and is not capable of being put to use, there was no intention on the behalf of the successive landowners to abandon the residential use of the site. Indeed consent has previously been granted to erect three dwellings on the site and it is considered therefore that the proposal complies with sub criterion ii.

As stated above the residential use cannot be accommodated within the existing building and as such the proposal complies with sub criterion iii.

Given the condition of the building and its proximity to the residential properties adjacent it would not be possible to use the building for any other purpose. In that regard it is considered that the proposal complies with sub criterion iv.

The design of the building is considered to be in keeping with and will enhance the character of the conservation area and the existing building and there would be no detrimental impact on the visual amenity of the area and subject to the imposition of a condition requiring the submission of details of the materials it is considered that the proposal would be acceptable in that regard. There would be no detrimental impact on the privacy of neighbouring dwellings and a residential use is considered to be acceptable in this location. In that respect it is considered that the proposal complies with Policy CW2 of the Local Development Plan.

Cont'd

Application No: 17/0897/FULL - Continued

In respect of highway safety adequate off street parking is provided for the dwelling and an improved access is also proposed that includes an acceptable vision splay, having regard for the nature of the highway network and the existing use of the site. Vehicles are also able to turn within the site, enabling them to enter and leave in a forward gear. In that regard the proposal complies with Policy CW3 of the Local Development Plan.

The existing buildings proposed for demolition i.e. TT1, TT2 and TT5 (as well as those previously demolished, TT3 & TT4) represent unlisted buildings within the conservation area and do not make a positive contribution to the character or appearance of the conservation area. Ty Treharne itself is a burnt out, derelict and vacant former farmhouse and associated agricultural outbuildings. The main dwelling did previously have some character and represented the traditional vernacular architecture of the area. The re-use of salvaged pennant sandstone walling in the new scheme is welcomed. The existing dry stone boundary walls with their cock and hen copings are also typical of the area and form a very important part of and play a positive contribution to, the character or appearance of the conservation area and its setting and should be retained, repaired and restored as set out in the proposals. This proposal affords the opportunity to preserve the remaining features of the historic stone boundary walls and enhance the Groeswen Conservation Area as a whole.

The Heritage Impact Statement submitted justifies the demolition of the abandoned and fire damaged buildings that have been left unoccupied and exposed to the elements and proposes a replacement residential building that would serve to enhance the character and appearance of the Conservation Area.

Comments from Consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable subject to conditions. It is reported to committee because the agent is related to an Officer of the Council.

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: 17/0897/FULL - 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: Design and Access Statement October 2017, Heritage Impact Statement October 2017, AL.00.LOC Rev C, AL.00.001 Rev A, AL.00.103, AL.00.110 Rev C, AL.00.111 Rev E, AL.00.112 Rev A, AL.00.113 Rev D, AL.00.114, AL.00.115 Rev B, Arboricultural Impact Assessment & Tree Details for Ty Treharne and Further Survey for Bats October 2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.
- 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) The development hereby approved shall be carried out fully in accordance with the 'Precautionary Measures' made in Section 5 of the 'Further Survey for Bats' dated October 2017, prepared by Dave Clements Ecology Ltd., unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection for protected species.

Cont'd

- 06) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 07) No development or site/vegetation clearance shall take place until a detailed Reptile Method Statement has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.
REASON: To ensure that reptiles are protected.
- 08) Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed on site. The treatment of Japanese Knotweed shall be carried out in accordance with the approved details.
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act" . Japanese Knotweed (*Fallopia japonica* / *Polygonum cuspidatum*) is included within this schedule. All Japanese knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
- 09) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new property at Ty Treherne, Groeswen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property 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

- 10) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Starling or House martin) in the new property at Ty Treherne, Groeswen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 11) Any gates shall be located and fitted a minimum of 5m from the edge of the carriageway to enable vehicles to stand clear of the highway when entering the site.
REASON: In the interests of highway safety.
- 12) Any boundary treatments fronting onto Groeswen Road shall be limited to 0.9m in height in order to maximise visibility for vehicles emerging from the site.
REASON: In the interests of highway safety.
- 13) 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.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.
- 15) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, including detailed specifications for the natural roofing slate and ridge tiles, rainwater goods, doors, windows and the garage doors, 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.

Cont'd

Application No: 17/0897/FULL - Continued

- 16) Prior to works commencing on site a method statement for the construction of the external walls using salvaged pennant sandstone random rubble walling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In order to ensure that the proposal is in keeping with the character of the Groeswen Conservation Area.

Advisory Note(s)

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

Please find attached information from the Councils Ecologist in respect of bat and bird boxes.

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 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).

Cont'd

Application No: 17/0897/FULL - Continued

The age of the buildings dictate that asbestos may be present; if this is the case, a registered asbestos contractor should remove all asbestos within the boundary of the development. If the demolition is carried out regardless of this fact, the land within the boundary of the development could become contaminated.

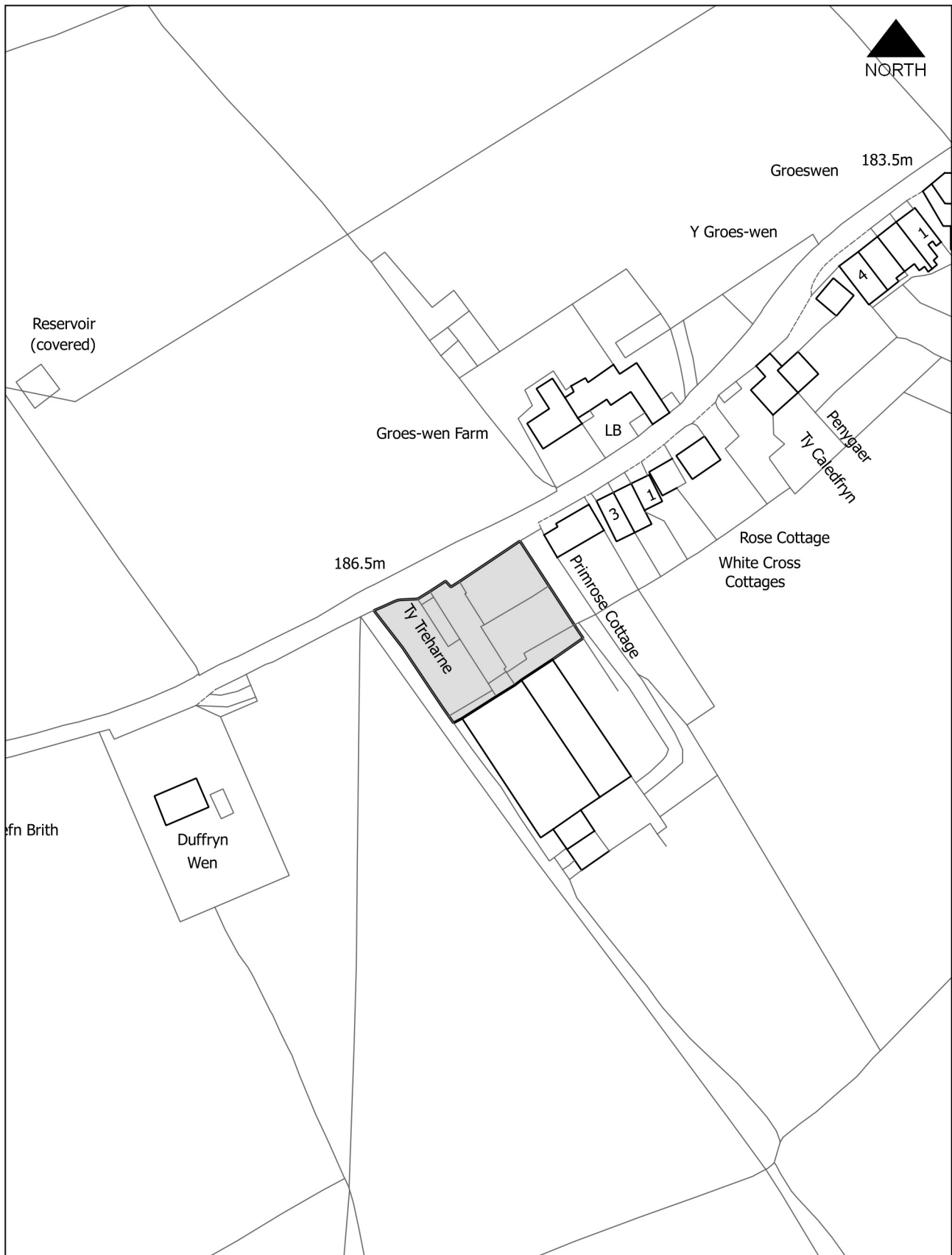
The applicant is reminded that it is an offence to obstruct a Public Right of Way. There is a Public Right of Way in the area of this application. The planning permission does not authorise the stopping up or diversion of the Public Right of Way. The Public Right of Way may be stopped up or diverted by Order under section 257 of the Town and Country Planning Act 1990, provided that the order is made before the development is carried out. If the Public Right of Way is obstructed before the Order is made, the order cannot proceed until the obstruction is removed."

The Public Right of Way in the area of the application must remain available for use and the safety of the public using the footpath must be ensured at all times." The Public Right of Way is regularly used by the public, and the site needs to be kept free of obstructions.

(See attached map in PDF file 17-0897-FULL-PROW.pdf) which is an extract from the Definitive Map.

The 'Guidance for applications for Mod Orders PROW.pdf' flowchart is also attached, and is sent for information should you wish to modify the Public Right of Way.

Please find attached comments from the Council's Land Drainage Engineer.



Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0750/COU 20.09.2017	Callowgate Ltd Ms L Pugh P O Box 89 Porthcawl CF36 9BU	Change the use from Office B1 to Leisure D2 for a gym Unit 4A And 5 (Unit 1-5) Trecenydd Business Park Trecenydd Caerphilly CF83 2RZ

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application property is located at the northern end of Trecenydd Industrial Estate.

Site description: The application property is two vacant industrial units that are attached to four other units. It is a two storey building with office accommodation on the first floor and access doors at either end. There is car parking along the side wall of the building together with further parking on the western boundary of the industrial estate.

Development: The application seeks full planning consent for the change of use of the building from industrial to a gym. The ground floor would be split up into a gym area with a Juice Bar area, main reception and toilets with changing rooms in the smaller unit 4A. An exercise studio will then be provided above Unit 4A. Consent is also sought to replace a window on the southern elevation with a roller shutter door.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: A total of 44 parking spaces are proposed.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

Local Development Plan: Within settlement limits.

Cont'd

Application No: 17/0750/COU - Continued

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW13 (Use Class Restrictions - Business and Industry) 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 states: -

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

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

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is in a low risk area.

CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to a condition requiring the submission of a scheme for roof mounted plant.

CADW - No objection.

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

Cont'd

Application No: 17/0750/COU - Continued

ADVERTISEMENT

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

Response: One letter was submitted in support of the application.

Summary of observations: The writer generally supports the proposal.

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.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is located on a Secondary Employment site as defined in the LDP and as such commercial services unrelated to B use classes are considered to be acceptable in principle in accordance with Policy CW13. The external alterations to the building are minimal and there is sufficient parking to serve the use within the applicants control. Given that the use is contained within the industrial estate it is not considered that there would be any undue detrimental impact on the amenity of the neighbouring residential properties on First Avenue. In that regard the proposal complies with Polices CW2 and CW3 of the Local Development Plan.

Comments from Consultees: Penyrheol, Trecenydd and Energlyn Community Council has objected to this application as it is felt that this could set a precedent for other non-industrial uses on this estate. In that regard it should be noted that each application has to be considered on its own merits. As discussed above the proposal is considered to be acceptable in planning terms and it complies with local plan policies. No other objections were raised.

Cont'd

Application No: 17/0750/COU - Continued

Comments from public: No objections raised.

Other material considerations: None.

In conclusion the proposal is considered to be acceptable in planning terms subject to the imposition of 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.

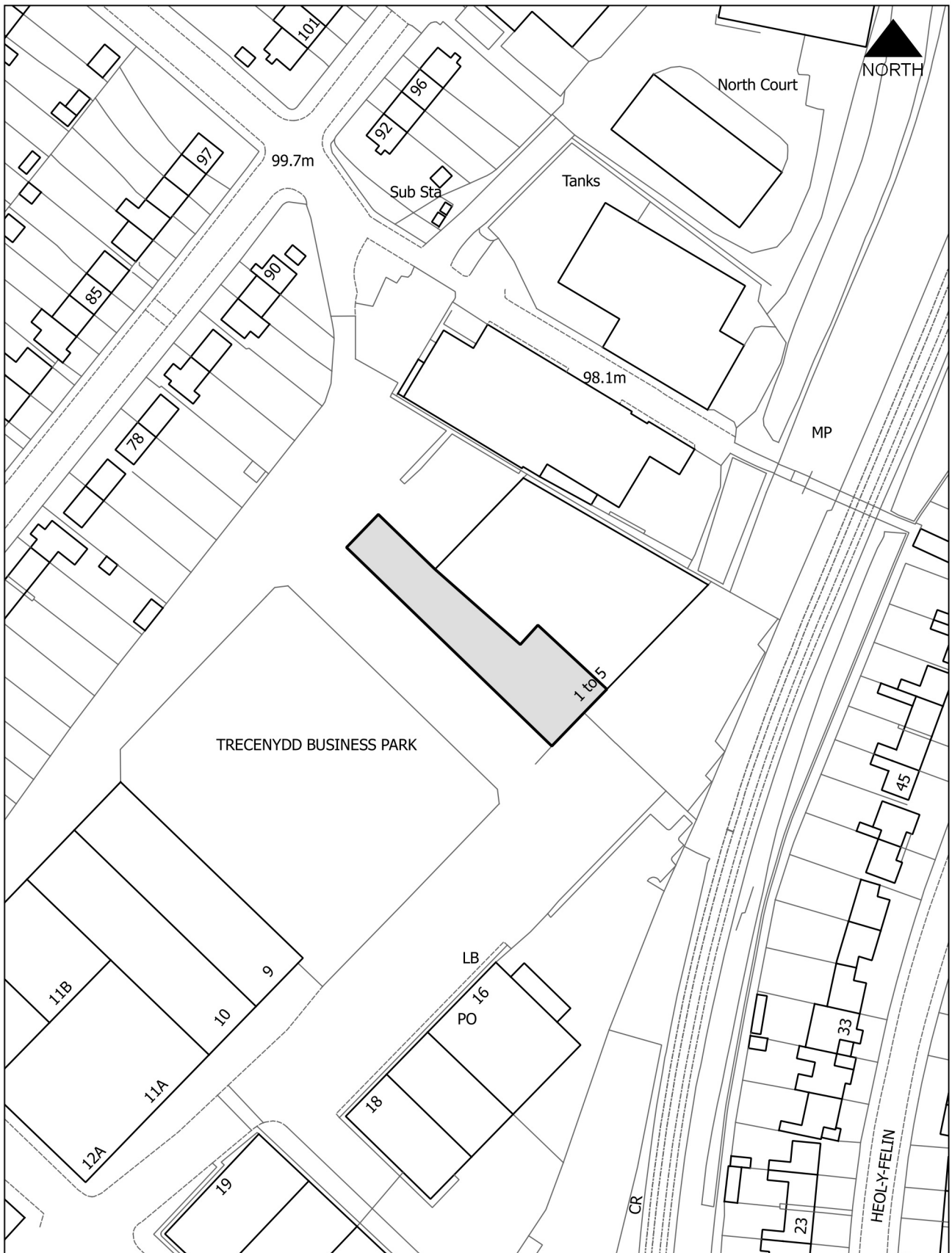
RECOMMENDATION that Permission be GRANTED

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: Location Plan, Existing Offices Plan, Proposed Plan, Proposed First Floor Plan Existing South Elevation and Proposed South Elevation.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The premises shall be used for Gymnasium purposes only and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) without the approval of the Local Planning Authority.
REASON: In the interests of retaining effective control of the development.

Advisory Note(s)

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



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Agenda Item 8

PREFACE ITEM

APPLICATION NO. 17/0270/OUT

APPLICANT(S) NAME: Persimmon Homes East Wales

PROPOSAL: Erect residential development of up to 175 units including open space provision, access and parking arrangements and to approve the matters of access and scale

LOCATION: Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood

This application was first reported to Planning Committee on 14th June with a recommendation that permission should be granted, a copy of the previous report is attached. Committee deferred the application to enable an appeal for exactly the same development, which was in progress at that point in time, to be determined. At the time this application was reported to Committee it was assumed that the appeal decision would be received in time for the following Committee. This did not occur and it was again reported to Committee on 12.07.17 where determination was further deferred until the appeal decision had been received. On the basis of a letter from Welsh Government a decision was expected to be in time for the Committee on 13 September 2017; that target also passed. A decision has now been received. The appeal has been allowed and planning permission is granted subject to conditions. A full award of costs against the Council has also been allowed. The appeal decision in summary granted consent for the development principally because of the weight that should be afforded to the need for an adequate supply of housing land. Other matters such as highways, the settlement boundary and the impact upon the Conservation Area were also considered, but it was held that these were not matters that would warrant refusal of planning permission.

Given the appeal decision has now been issued this application is returned to members for determination.

RECOMMENDATION: Planning permission is GRANTED for the proposed development subject to the conditions imposed by the Welsh Ministers. Those conditions are as follows:

Cont'd

Application No: 17/0270/OUT - Continued

1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: To comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2) Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than one year from the date of this permission.

REASON: To comply with the provision of Section 92 of the Town and Country Planning Act 1990.

3) The development shall begin either before the expiration of three 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 provision of Section 92 of the Town and Country Planning Act 1990.

4) No development shall commence, including any works of demolition, 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:

- a. the parking of vehicles of site operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. the location of temporary facilities for staff and welfare;
- e. the erection and maintenance of security hoarding
- f. the location of wheel washing facilities;
- g. measures to control the emission of dust and dirt during construction;
- h. a waste management scheme for recycling/disposing of waste resulting from the construction works; and
- i. hours of working and deliveries to the site.

REASON: To protect the living conditions of neighbouring occupiers, to ensure sustainable disposal of waste and in the interests of highway safety.

Cont'd

Application No: 17/0270/OUT - Continued

5) The details required under Condition 1 shall include an Arboricultural Method Statement and Tree Protection Plan which shall include:

- a. all site instructions and prohibitions necessary to the success of the Tree Protection Plan;
- b. a programme for arboricultural supervision and monitoring;
- c. a programme for any pre-development access facilitation works; and
- d. the requirements for any contractors engaged to provide such services.

The Method Statement and Tree Protection Plan shall be agreed in writing with the Local Planning Authority and thereafter all works shall be undertaken in accordance with the agreed details.

REASON: To ensure the protection of retained trees, which make an important contribution to the local landscape.

6) The details required under Condition 1 shall include the provision of a Local Equipped Area for Play (LEAP) and informal open space including a "kick about" area within the site. The details shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained in accordance with the approved details.

REASON: To ensure the sustainability of the site and to comply with Policy CW10 of the LDP, adopted November 2010.

7) Prior to the occupation of the first dwelling hereby permitted, the access shown on plan T15.168.OS.102.01 shall be constructed and open to traffic and pedestrian use. This access shall be maintained thereafter with vision splays of 2.4 metres x 33 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.

REASON: In the interests of highway safety.

8) The development shall be carried out in accordance with the Travel Plan dated July 2015 and the measures the measures and monitoring strategy contained therein shall be implemented and maintained thereafter.

REASON: To encourage the use of a variety of sustainable travel modes.

9) Prior to the commencement of development details of a 1.8m footway along the site boundary fronting Llwyn-On Lane shall be submitted to and approved in writing by the Local Planning Authority. This footway shall be constructed in accordance with the approved details and shall be completed and open to pedestrians prior to the occupation of the first dwelling hereby permitted.

REASON: In the interest of highway safety and to encourage a variety of sustainable travel modes.

Cont'd

Application No: 17/0270/OUT - Continued

10) Prior to the commencement of development, including site/vegetation clearance, a detailed methodology for the capture and relocation of reptiles on site, including details of the receptor site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and the Oakdale Golf Course Reptile Survey Report by TerrAqua Ecological Services Ltd dated June 2015 and maintained thereafter.

REASON: To ensure proper measures are taken to protect reptiles, in the interest of biodiversity.

11) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduce light spillage into foraging habitats for bats, shall be submitted to and agreed in writing by the Local Planning Authority. The light mitigation strategy shall be carried out as agreed and maintained thereafter.

REASON: To ensure proper measures are taken to protect bats, in the interest of biodiversity.

12) Prior to the commencement of development, a plan showing details of works for the provision of roosts and a means of access for bats in the development shall be submitted and approved in writing by the local planning authority. The works shall be carried out in accordance with the agreed details and the Golf Course Bat Survey by TerrAqua Ecological Services Ltd dated October 2015 and thereafter retained in perpetuity.

REASON: To ensure proper measures are taken to protect bats, in the interest of biodiversity.

13) Prior to the commencement of development, details of works for the provision of nesting sites for bird species (house martin, house sparrow, starling, swallow and swift) within the development shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and thereafter retained in perpetuity.

REASON: In the interest of biodiversity.

14) Prior to the commencement of development a 5 year management plan for the protection of amphibian and reptile habitats within the retained pond and its margins, shown on Plan MP.01, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

REASON: In the interest of biodiversity.

Cont'd

Application No: 17/0270/OUT - Continued

15) No building shall be occupied until a sustainable drainage system for the site has been completed in accordance with the details first submitted to and approved in writing by the Local Planning Authority. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: In the interests of land drainage, pollution control and flood prevention.

16) No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the beneficial use of the development and retained in perpetuity.

REASON: To ensure the site is served by an adequate system for the disposal of foul and surface water.

17) The development hereby approved shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Planning Policy Wales (paragraph 9.2.14) or any future guidance that replaces it. The scheme shall include:

- a. 25% affordable housing of the number of dwellings approved pursuant to Condition 1;
- b. the tenure of the affordable housing to be provided; the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c. the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved) ;
- d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- e. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To ensure the necessary provision of affordable housing in order to contribute to balanced and sustainable communities.

Appendix

Planning Committee 14.06.17

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0270/OUT 27.03.2017	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant Rhondda Cynon Taf CF72 8YP	Erect residential development of up to 175 units including open space provision, access and parking arrangements and to approve the matters of access and scale Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is part of a Golf course that is to the south of the settlement of Oakdale.

Site description: Access to the site is via the existing golf course entrance onto Llwyn On Lane where there is something of a break in the building line. The area identified includes the clubhouse, the golf driving range building, the car park, parts of the course and a small field behind Nos. 2 to 14 Waungoch Road. A public right of way enters the site from the east and joins with the lane that runs through the site from the north to the south. The Nant Philkins runs through the site east to west.

Development: Outline consent is sought for residential development. All matters except access and scale are reserved. At the entrance there is an existing pond that is shown re-sited to accommodate the proposed access.

Dimensions: The site measures approximately 5 hectares and is of an irregular shape. The indicative master plan illustrates a layout of 175 dwellings with an area of public open space comprising approximately 25% of the site situated to the southwest section. The scale parameters of the proposed dwellings are as follows:-

Minimum	Maximum
Width 4.0	17.5
Depth 5.0	10.0
Height 7.50	11.0.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

Other information: The application is accompanied by a pre-application Consultation Report that concludes that the consultation process has been recorded, considered and addressed.

PLANNING HISTORY 2005 TO PRESENT

P/05/0561- Erect one detached house - Refused 06.10.05.

P/05/1682 - Erect two storey dwelling to be used as holiday let - Granted 16.02.06.

P/06/0392 - Erect two dormer bungalows - Granted 01.06.06.

06/0753/FULL - Erect extension to driving range - Granted 25.01.07.

11/0095/FULL - Erect two dormer bungalows with associated groundworks, access and car parking - Granted 31.03.11.

15/0567/OUT - Erect residential development of up to 175 units including open space provision, access and parking arrangements - Refused 07.04.16 - Appeal In Progress.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is part of an existing golf course. It lies outside the settlement boundary of Oakdale and is not allocated for residential use, the proposal therefore represents a departure from the plan. Part of the site lies within a sandstone safeguarding area.

Policies:

Strategic Polices

SP2 - Development Strategy in the Northern Connections Corridor, SP4 - Settlement Strategy , SP5 - settlement boundaries, SP6 - Place making, SP7 - Planning Obligations, SP8 - Minerals Safeguarding, SP10 - Conservation of Natural Heritage, SP14 - Total Housing Requirements, SP15 - Affordable Housing Target, SP21 - Parking Standards.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

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, Woodland and Hedgerow protection, CW10 - Leisure and Open space provision, CW11 - Affordable Housing Planning obligation, CW15 - General locational constraints, CW22 - Locational constraints - Minerals, 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 (Edition 9, November 2016);
- Technical Advice Note 1: Joint Housing Land Availability Studies (2015);
- Technical Advice Note 2: Planning & Affordable Housing (2006);
- Technical Advice Note 11: Noise (1997);
- Technical Advice Note 12: Design (2016);
- Technical Advice Note 18: Transport (2007).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? - Not applicable.

COAL MINING LEGACY

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

CONSULTATION

Cadw - No Comment.

Rights Of Way Officer - No objection. Advice is provided regarding rights of way that pass through the site.

Senior Engineer (Land Drainage) - No objection subject to conditions. Drainage advice is provided.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

Transportation Engineering Manager - No objection subject to conditions previously recommended for recent application for same development.

Outdoor Leisure Development Officer - No objection subject to the provision of suitably scaled and designed multiuse games area.

Head Of Public Services - No objection subject to previously recommended conditions.

Dwr Cymru - No objection and drainage advice is provided.

Police Architectural Liaison Officer - No objection. It is recommended that existing speed control be extended and additional traffic calming be introduced. It is also suggested that the uncontrolled pedestrian crossing at the school be upgraded to traffic light controlled and a section of additional pavement be provided. Secure by design advice is provided.

Natural Resources Wales - No objection. Advice is provided.

Welsh Ambulance Services NHS Trust - No comment.

Conservation & Design Officer - No objection in principle, however at reserved matters attention will need to be focused upon the impact upon the character of the Conservation Area.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press and 53 neighbouring properties have been consulted.

Response: Approximately 62 letters/emails/online objections and a petition with 415 signatures have been received raising the following issues.

Summary of observations:

- It is suggested that the proposed development will give rise to changes in the water environment that includes an existing stream that flows though the site. Questions have also been raised about the calculations and specification of the drainage system that is to be constructed to serve the proposed development.
- It is stated that the site lies within a "mining area" and it is questioned as to whether there will be any impact upon the water table.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

- The proposed residential development "will stick out like a sore thumb and take the character away from Oakdale", thereby over developing a model village.
- The schools are full and cannot accommodate any more children.
- The doctor's surgery is full.
- There are over 600 houses for sale within a 3 mile radius of Oakdale therefore no more houses are needed.
- It is suggested the Councils planning decisions are affected "when money is involved".
- It is suggested that the Transport Engineering Manager's previous assessment of the previously submitted traffic impact analysis was not correct as there were significant flaws in the information submitted with particular reference to the nearby school.
- The sewerage system is at capacity and is not capable of taking additional flows.
- The land is in a green wedge and outside the settlement.
- The access to the site is inadequate and potentially dangerous.
- An area of "natural beauty with a huge variety of wildlife will be lost" and is also a carbon sink.
- There are brown field sites such as the Oakdale Comprehensive site that should be developed first.
- the development will adversely affect the air quality in the locality.
- There is insufficient leisure space to serve the local community and this land should be retained for that purpose.
- The development would create a town or "metropolis" as opposed to a village and remove Oakdale's historic character and identity.
- There should be no more development on green land areas.
- Development of this type is for profit.
- It would be "illegal" for the Planning Authority to determine this application whilst there is an undetermined appeal with the Ministers.
- The Stage Coach service does not run the 5a bus (Blackwood to Trinant) during peak traffic times.
- "The National Planning Policy Framework strongly recommends all local planning authorities to get up to date Local Plans in place as soon as possible" and the community should be consulted through the review process.
- Members have been "mised" through the LDP process as to the need for new housing.
- The proposal would lead to unsustainable development by virtue of increased traffic.

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- A farm access lane passes through the site and it should be widened to allow for increased traffic.
- Farm lane is narrow, with bends, few passing opportunities, poor visibility at its access and is already used as a "rat run".
- *It is suggested that an existing culvert should be diverted to alleviate existing flooding in the farm lane.
- An existing watercourse runs through the site and there is concern that its flows should not be increased such that additional erosion occurs on the farm land. It is suggested that existing flows should not be exceeded.
- Livestock drink from the watercourse therefore it should not be contaminated with surface water flows that may poison animals.
- There may be increased damage to trees, dogs and trespass upon the adjacent farm land. Additional fencing is suggested.
- The construction traffic would have an unacceptable impact upon air quality.

SECTION 17 CRIME AND DISORDER ACT

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

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No - There is bat activity on site but the application site recommendation does include bat roosts and adequate bird nesting ecological mitigation can be achieved.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? - Yes - The site is within the Mid-Range Viability Area for residential development, but it is not chargeable at the outline stage.

Cont'd

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ANALYSIS

Policies: The site comprises the existing site of the golf club car park, driving range, clubhouse and northern part of the golf club. A lane runs north to south through the centre of the application site, separating the driving range from the golf course, clubhouse and car park. It is proposed that this lane will be retained. The indicative master plan identifies an access to the site from east of the drainage pond off Llwyn On Lane.

The site in question is unallocated and lies outside of the settlement boundary.

Strategy Policies

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

Planning Policy Wales sets out the definition of previously developed land as "that which is or was occupied by a permanent structure and associated fixed surface infrastructure." Excluded from the definition are a number of uses including land in built up areas that has not been developed previously, for example parks, recreation grounds and allotments, even though these areas may contain certain urban features such as paths, pavilions and other buildings. It is considered that the golf course itself would also fall within this category and should be considered greenfield, along with the driving range and field to the north of the golf course. However, the large car park and clubhouse area and driving range buildings would be considered to be brownfield. The development of a greenfield site is acceptable in this strategy area in accordance with the policy and the site is well served by footpaths and bus routes.

The potential impact of development on the natural heritage of the site is discussed further below.

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The site lies outside of the settlement boundary, as defined by Policy SP5 Settlement Boundaries of the LDP. The settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. The settlement boundary serves to promote the full and effective use of land and thus concentrate development within settlements; to prevent the coalescence of settlements and fragmented development and prevent inappropriate development in the countryside. The application is clearly contrary to Policy SP5 of the Adopted LDP.

In this location, the settlement boundary has been drawn to include the properties fronting on to Llwyn On Lane, but the buildings associated with the golf club were excluded from the settlement boundary. It is considered that the brownfield element of the site (the car park and buildings) would be a logical rounding off given the pattern of the built form in this area, but the key issue is whether the extension to include the greenfield element to the south, which extends further into the countryside, is acceptable.

It is noted that the whole golf course is not included within the application boundary, as this would be an incongruous extension into open countryside. The southern boundary instead is not drawn to a defensible boundary on the ground, as the golf course is clearly open in nature. It is recognised that a new boundary is shown on the master plan will be created by a hedgerow on the southeast and road on the southwest. Notwithstanding the delineation of the existing settlement boundary, it is considered that the boundary as shown in the planning application, whilst extending into the countryside, would relate well to existing development and be a suitable rounding off. Any further extension south into the golf course would, however, be unacceptable.

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

The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The proposed layout should be assessed against national design guidance contained in TAN 12 Design and against LDP 6: Building Better Places to Live in order to ensure that the requirements of SP6 are fully met.

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It should be noted that the Oakdale Conservation Area lies directly north of Llwyn On Lane and the design will need to be sensitive to this. The Conservation and Design Officer has been consulted regarding the potential impact this scheme may have on the conservation area. No in principle objection is raised, it is pointed out that at the reserved matter stage design issues will receive closer scrutiny with regard to the character of the conservation area, as well as its context in general.

Policy SP10 Conservation of Natural Heritage recognises the natural heritage as a positive asset that enriches people's quality of life. In this context Policy SP10 indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Policy SP10. The illustrative plan demonstrates that natural features such as the existing pond and hedgerows can be utilised.

The site is not subject to any natural heritage designations, but it does adjoin Sites of Importance of Nature Conservation (SINC) at NH3.97 Nant Philkins Fields to the east of the site and NH 3.89 Coed Cwm Philkins to the south. The Council's Ecologist has been consulted and has not raised objection.

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

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

The Council has prepared four reports to date, the most recent of which was considered by Council in October 2016. It is evident from the AMR that new housing has not been delivered at the levels required in the first half of the plan period. Policy SP14 indicates that there is a housing requirement for 8,625 new dwellings to be delivered to meet identified need over the plan period.

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In order to meet this need an average of 575 dwellings needs to be delivered per annum. The 5th AMR indicated that 4,239 units had been delivered (49% of the total housing requirement) up to March 2016.

Therefore there is a need for a further 4,386 dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement for the plan period.

National indicators are also included within the AMR for housing land supply and notably these require housing land supply to be monitored based on the residual method as outlined in Technical Advice Note 1: Joint Housing Land Availability Studies (2015). TAN 1 seeks to ensure that there is a genuine 5 year land supply available, and thus categorises sites to indicate those that can be included within the 5 year land supply. Using this method of calculation the 2016 JHLAS indicated that there is only 1.5 year supply available. It is to be noted that this fall from the figure of 1.9 that was previously reported to committee (15/0567/OUT).

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

The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period. The 2016 AMR recognises the need to address this ongoing issue and recommendation R2 of the report states: "the 2016 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply."

Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion requires development proposals that are likely to generate a significant number of trips to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot.

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It is noted that the site is in close proximity to bus stops and is in walking distance to Oakdale village centre and local primary school. Furthermore, the potential to connect to the existing lane as a potential cycle and pedestrian link is acknowledged. The Transportation Engineering Manager has been consulted and has not raised objection.

Policy CW2 Amenity indicates that development proposals must ensure that the proposal would not result in over-development of the site or its surroundings. Furthermore, the policy indicates that the proposed use would need to be compatible with the surrounding land uses. Its location in a residential area would mean that the principle of housing is acceptable. However, it is recognised that Croespenmaen Industrial Estate is just over 200m from the site boundary across open fields and the potential noise conflict is a matter that should be considered. Furthermore, there is a social club in close proximity on Llwyn On Lane, which may be a further source of conflict. Environmental Health has considered the noise aspect and no objection is raised subject to conditions.

Policy CW3 Design Considerations - Highways states that development proposals must meet a number of highways requirements including that the new access roads are designed to an appropriate standard. It is noted that a Traffic Assessment has been submitted with the application and in this respect the Transportation Engineering Manager's view has been sought on the proposed access arrangements as they relate to Policy CW3; no objection is raised subject to conditions.

CW6 Trees, Woodland and Hedgerow Protection identifies criteria against which developments containing trees will be permitted, and states that development will only be permitted where development proposals have made all reasonable efforts to retain, protect and integrate trees within the development. The proposed layout will result in the loss of a number of trees on the golf course and this would need to be considered by the Arboricultural Officer to determine whether this would be acceptable. The Arboricultural Officer has considered the proposal and raises no objection subject to tree protection measures that may be required by condition.

CW8 Protection of Community and Leisure Facilities indicates that proposals that would result in the loss of a community or leisure facility will not be permitted except where a comparable replacement facility can be provided by the developer either on or off site or it can be demonstrated that the facility is surplus to requirements. The applicant has provided a report that details a pattern of decline in golf club memberships with a number of reported drops of 17 to 20% in membership in the UK in the years since 2004.

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The applicant has provided figures that suggest the golf course has lost 52% of income from the driving range during the years 2004 to 2014 with operational losses in 6 of the last 10 years. There has been a general decline in turnover of 46% over the same period with the most serious decline in the more recent years.

The report also suggests that as there are 10 other golf courses within a 12.5km radius of Oakdale, most of which have 18 holes compared to the 9 at the application site, the attraction of other sites and pattern of falling interest in this golf course demonstrate that its closure will not be contrary to CW8.

Policy CW10 on Leisure and Open Space Provision requires sites of 10 or more dwellings to make provision for well-designed useable space as an integral part of the development and appropriate children's play and outdoor sports provision either on or off site. The proposal does include a large open area within the application boundary in the western part of the site, which is overlooked by housing. However, it does not appear that any formal facilities have been proposed within the master plan. This should be resolved at reserved matters and a condition may be imposed to that effect.

CW11 Affordable Housing Planning Obligation identifies that there will be a requirement to seek to negotiate affordable housing. An indicative target of 25% is identified in this area.

CW22 Locational Constraints - Minerals identifies that development proposals which may impact on minerals safeguarding areas will be considered against a number of criteria, including that the applicant can demonstrate that the mineral is no longer of any value, it can be extracted prior to the development taking place or there is an overriding need for the development. The site lies within a Sandstone Safeguarding Area and the Mineral Officer's views on the value of the sandstone in this area has been provided and no objection is raised. It is also recognised that there is a need for market and affordable housing in the County Borough as a whole that the development of this site could contribute to.

Policy Conclusion

The site lies outside the settlement boundary of Oakdale and is contrary to the provisions of Policy SP5. Notwithstanding this, it is well located to the existing settlement and would constitute a logical rounding off to the settlement encompassing an area of brownfield land and part of the greenfield golf course and driving range.

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The Council is required to ensure that there is a genuine 5-year supply of housing land available within the County Borough and therefore the lack of 5-year supply is a material consideration in determining this application. The Council in its consideration of the 2016 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply and granting planning permission for this site would help to achieve this. The development of the application site for housing would deliver much needed housing, including affordable housing, in an area of considerable housing need.

On balance, subject to there being sufficient justification for the loss of the facility, the need to increase the housing land supply outweighs 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 outline consent is granted (as opposed to the usual five years), with reserved matters submission within one year instead of three

This application is a re-submission of planning application reference 15/0567/OUT to erect a residential development of up to 175 units including open space provision, access and parking arrangements. That previous application was refused on 07.04.16 and is currently the subject of an appeal that is in progress. The reason for refusal was that: -

- 01 The proposed development is premature in the light of the emerging review of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and therefore would prejudice the Development Plan Inspector's ability to reach a balanced decision on the housing land in the county borough and remove the public's opportunity to comment on the allocation of the application site for housing through that review process.

Since that decision was issued the review of the Local Development Plan has been withdrawn and consequently the reason for refusal could not be defended.

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An appeal hearing was held on 11.05.17. The hearing Inspector will now produce a report that will be presented to Welsh Ministers to determine and a decision should be reached before mid-July. The appellant has made an application for costs against the Authority. That application for costs will also be determined within the same time frame.

The previous Officer recommendation was for approval subject to conditions and there has been no material change in circumstances since that time other than the change in the housing land supply. At the time the application was previously reported to Committee the housing land supply was 1.9 years as opposed to the 5 years that TAN 1 recommends. The Joint Housing Land Availability Study now indicates that the supply has now dropped to 1.5 years. The proposed development will take place on the Southern side of the Llwynon Lane where there is already residential development. A sensitive scheme secured at reserved matters stage will preserve and enhance the character of the Conservation Area.

Comments from Consultees: No objections are raised and any concerns are addressed by conditions.

Comments from public:

- It is suggested that the proposed development will give rise to changes in the water environment that includes an existing stream that flows through the site. Questions have also been raised about the calculations and specification of the drainage system that is to be constructed to serve the proposed development. This application has been the subject of consultation with Natural Resources Wales and the Council's Land Drainage Section who have not raised these concerns. Conditions are recommended to determine the drainage proposals at reserved matters.
- It is stated that the site lies within a "mining area" and it is questioned as to whether there will be any impact upon the water table. The site is in a low risk mining area therefore there are no special considerations at this stage. The impact upon the water environment is dealt with above.
- The proposed residential development "will stick out like a sore thumb and take the character away from Oakdale", thereby over developing a model village. The concern regarding the impact upon the character of the Conservation Area is discussed in more detail above. In brief the character of the Conservation area will not be significantly affected because the application site lies outside it and only the relatively short length of site frontage abuts its southern boundary.

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- Views into the application site from the Conservation area will be very limited. It is also important to bear in mind that "Oakdale was a planned, small model village built solely for the miners who worked in Oakdale Colliery by the Tredegar Iron and Coal Company. The colliery opened in 1907 and a competition was held in 1910-11 to design a village of 660 houses, in its time it was by far the most ambitious attempt by any mining company in South Wales to provide planned housing for its workforce" (the Council's Conservation officer). Oakdale itself was a response to housing need and that necessity to plan for housing need still endures with the current lack of housing land supply.
- The schools are full and cannot accommodate any more children and the doctor's surgery is full. The introduction of Community Infrastructure Levy (CIL) is intended to address infrastructure investment such as schools. This is CIL liable development. Doctors' surgeries, dentists etc. are services that should follow demand.
- There are over 600 houses for sale within a 3 mile radius of Oakdale therefore no more houses are needed. Using one of the online property search engines it is possible to demonstrate that there are approximately 470 houses for sale in a 3 mile radius of Oakdale. Using the same tool it is also possible to demonstrate that there are over 840 houses for sale within 3 miles of Caerphilly, and this exercise can be repeated throughout the County Borough, it does not prove that there is a lack of housing need in that area. The number of houses for sale is not therefore a good indicator of housing need and the Strategic Planning Section using recognized methods have calculated that there is a significant shortage of housing land within the County Borough, as detailed in the attached previous report.
- It is suggested the Councils planning decisions are affected "when money is involved". This is not a material consideration.
- It is suggested that the Transportation Engineering Manager's previous assessment of the previously submitted traffic impact analysis was not correct as there were significant flaws in the information submitted with particular reference to the nearby school. The Transportation Engineering Manager has considered additional concerns that have been raised with regard to traffic flows and remains of the same view.

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- The sewerage system is at capacity and is not capable of taking additional flows. This is an unqualified concern that has been previously raised and has not been supported by Welsh Water.
- The access to the site is inadequate and potentially dangerous. The traffic impact has been assessed by the Transportation Engineering Manager and this is not a concern shared by him.
- It is stated that the application site is an area of "natural beauty with a huge variety of wildlife that will be lost" and is also a carbon sink. The area does not have any Local Development Plan status as an area of visual amenity or of nature conservation, national or local.
- There are brownfield sites such as the Oakdale Comprehensive site that should be developed first. This suggestion has to be balanced against the shortage of housing land that is currently being experienced within the borough and would hold weight only if there were an adequate supply of such land.
- The development will adversely affect the air quality in the locality. The Council's Environmental Health Department have not raised such a concern.
- There is insufficient leisure space to serve the local community and this land should be retained for that purpose. The land is currently a golf course. It has been previously explained that this type of leisure facility is currently in declining national demand and the application site is not an exception to that trend.
- The development would create a town or "metropolis" as opposed to a village and remove Oakdale's historic character and identity. There are no clear planning definitions of the descriptions given but they are understood to explain that the character of the area will be transformed beyond its current recognition. It is a fact that growing settlement sizes do impact upon the character of an area, however the addition of the proposed dwellings to one side of the settlement of Oakdale is not considered to be as transformative as suggested. It is also to be pointed out that the planning system generally seeks to direct development towards existing settlements to reduce the pressure on the open countryside.

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- There should be no more development on green land areas. This is a position adopted possibly by a significant body of thought; however this has not currently been translated into formal planning policy.
- Development of this type is for profit. This is not a planning consideration.
- It would be "illegal" for the Planning Authority to determine this application whilst there is an undetermined appeal with the Ministers. It would not be "illegal" for this application to be determined by the Planning Authority unless it has been called in by Ministers.
- The Stage Coach Service does not run the 5a bus (Blackwood to Trinant) during peak traffic times. It is unclear as to the exact bearing of this observation upon the proposed development.
- "The National Planning Policy Framework strongly recommends all Local Planning Authorities to get up to date Local Plans in place as soon as possible" and the community should be consulted through the review process. This is correct; however CCBC is currently in a situation where the shortage of housing supply remains a material consideration that must be afforded significant weight.
- Members have been "misled" through the LDP process as to the need for new housing. The writer has not explained precisely how members have been misled.
- The proposal would lead to unsustainable development by virtue of increased traffic. The proposal is situated in close proximity to an existing settlement, which is generally considered to be more sustainable in planning terms.
- A farm access lane passes through the site and it should be widened to allow for increased traffic. This has been considered by the Transportation Engineering Manager and is not acceptable as it would encourage additional traffic into a lane system that is extremely constricted.
- Farm lane is narrow, with bends, few passing opportunities, poor visibility at its access and is already used as a "rat run". This has also been considered by the Transportation Engineering Manager who will be considering at reserved matters details such as signage and restrictive layouts to discourage additional traffic.

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- It is suggested that an existing culvert should be diverted to alleviate existing flooding in the farm lane. The drainage of the site is a matter that will be determined at reserved matters.
- An existing watercourse runs through the site and there is concern that its flows should not be increased such that additional erosion occurs on the farm land. It is suggested that existing flows should not be exceeded. The drainage of the site is a matter that will be determined at reserved matters.
- Livestock drink from the watercourse therefore it should not be contaminated with surface water flows that may poison animals. The drainage of the site is a matter that will be determined at reserved matters.
- There may be increased damage to trees, dogs and trespass upon the adjacent farm land. Additional fencing is suggested. Means of enclosure is also a reserved matter. It will again be more appropriate to consider the suggestion of additional fencing at that stage.
- The construction traffic would have an unacceptable impact upon air quality. This concern has not been raised by the Environmental Health Department.

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 (A) a decision is DEFERRED to allow the applicants to enter into a Section 106 Agreement for the provision of affordable housing as previously recommended with regard to application reference 15/0567/OUT. On satisfactory completion of the Agreement (B) Permission be GRANTED subject to the following condition(s):-

This permission is subject to the following condition(s)

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- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the 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 one year 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 three 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) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.

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- 06) Prior to the commencement of the development hereby approved, a construction phase noise scheme (to include proposed hours which the developer intends to work) shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented as agreed.
REASON: To control noise arising from the development.
- 07) Prior to the commencement of the development hereby approved, a construction phase dust mitigation scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. Thereafter, the construction phase shall be carried out in accordance with the agreed.
REASON: To control any dust arising from the construction phase.
- 08) Prior to commencement of the development hereby approved details of a scheme of glazing shall be submitted to and agreed in writing by the Local Planning Authority for a glazing system to be fitted to all windows of habitable rooms facing the Croespenmaen Industrial Estate. 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). The glazing scheme shall be carried out in accordance with the approved details before first use of the dwellings to which it relates.
REASON: To protect the residential amenity of occupants from noise from the Industrial Estate
- 09) 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.
- 10) No site or vegetation clearance associated with the development hereby approved shall take place until a detailed methodology for the capture and translocation of reptiles on site, including details of any proposed remedial measures and details of the receptor site/s, has been submitted to and agreed in writing with the Local Planning Authority. The measures shall be carried out in accordance with the agreed details.
REASON: To ensure that reptiles are protected.

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- 11) No site clearance work shall be undertaken unless an updated Badger survey has been undertaken, and the results and any necessary mitigations measures, submitted to and agreed in writing with the Local Planning Authority. The clearance works shall be undertaken in accordance with the agreed details.
REASON: To ensure that badgers are protected.
- 12) 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.
- 13) The retained pond shall be protected and managed for amphibians in accordance with a 5 year management plan to be submitted to and agreed in writing by the Local Planning Authority before the commencement of any works on site. That plan shall include the timing of its implementation.
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 Tan 5 Nature Conservation and Planning (2009).
- 14) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 75% native and local provenance tree, shrub and wildflower species shall be submitted to the Local Planning Authority for approval. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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- 15) The following activities must not be carried out under any circumstances:
- a) no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - b) no works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - c) no equipment, signage, fencing, tree protection barriers, materials, components, utilities, vehicles or structures shall be attached to or supported by a retained tree.
 - d) no mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
 - e) no alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
- REASON: In the interests of visual amenity.
- 16) 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 within the proposed development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before any the part of the development to which it relates is first occupied.
REASON: To provide 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.
- 17) Prior to the commencement of any works on site associated with the development hereby approved, details of the provision of nesting sites for bird species (House martin, House sparrow, Starling, Swallow and Swift) in the proposed development shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be implemented before any part of the proposed development to which it relates is first occupied.
REASON: To provide nesting opportunities for birds 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.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

- 18) Prior to the commencement of works associated with the development hereby approved, a 5-year hedgerow management plan, which shall include details of the timing of its implementation, shall be submitted to the Local Planning Authority for approval.
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).
- 19) Notwithstanding the submitted master plan details shall be submitted at reserved matters that shall take into account the need to provide appropriate leisure facilities to meet the needs of the residents of the proposed development. Those facilities shall include areas of well designed open space that benefit from good access and surveillance, a suitably sized equipped play area and a suitably sized all weather sports court.
REASON: To comply with policy CW10 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 20) Notwithstanding the submitted illustrative layout, the site layout to be submitted at reserved matters shall provide details of the land drainage including the existing water courses on site and full engineering details of the extended pond at Llwyn On Lane. The development shall be carried out in accordance with the approved details in accordance with a timetable that shall also have been agreed as part of those reserved matters details.
REASON: In the interests of land drainage
- 21) Prior to the commencement of work on site a Tree Protection Plan (TPP) shall identify the root protection areas of all trees to be retained on site and shall be shown as a plan overlaying the proposed site layout and be accompanied by an Arboricultural Method Statement (AMS). A suitably qualified arboriculturist shall prepare them both. The TPP shall graphically illustrate where all necessary Construction Exclusion Zones (CEZs) are required in order to protect retained trees from any adverse impact from the proposed development. The TPP and AMS shall detail in full any necessary protection measures required in order to enforce CEZs (i.e. a tree protection barrier), as well as any other measures such as ground protection or special methodologies such as no-dig constructions wherever they may be arboriculturally necessary. The AMS shall also detail all site access details with regard to retained trees' wellbeing, as well as provide all relevant detail of site storage and compound facilities for the duration of the proposed development.
REASON. To ensure the protection of retained trees.

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

- 22) Prior to beneficial occupation of any part of the development hereby approved a 1.8m wide footway along the site boundary fronting Llwyn On Lane shall be constructed in permanent materials the design of which shall have been agreed in writing with the Local Planning Authority.
REASON: In the interest of highway safety.
- 23) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 33 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 24) The travel plan hereby approved is that submitted on 6th November 2015 with regard to application Council Reference 15/0567/OUT.
REASON: To encourage the use of a variety of transport options.
- 25) The details to be submitted at reserved matters shall include a scheme of land and surface water drainage within the site. 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.

Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage), Natural Resource Wales, Police Architectural Liaison Officer, Rights of Way Officer, Conservation & Design Officer, Dwr Cymru/Welsh Water that are brought to the applicant's attention.

Planning Requirements Relating to Drainage & Flood Risk Management:-

1

This document has been prepared to highlight the key considerations when submitting a scheme for drainage relating to a Planning Permission.

General Requirements:

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

When submitting a scheme for drainage the applicant should consider the following, please note that these recommendations should not be regarded as exhaustive, and each application will be considered on a site specific basis:

a. The applicant should incorporate Sustainable Drainage principles into their drainage design where possible, to minimise the impacts to existing/proposed drainage infrastructure/receiving watercourses. Particular reference should be given to the requirements and advice contained within the following documents:

i. Recommended non-statutory standards for sustainable drainage (SuDS) in Wales - Published by Welsh Government, January 2016.

ii. The SuDs Manual C753, Published by Ciria, 2015.

iii. Code of practice for surface water management for development sites, BS 8582:2013.

iv. Rainfall Runoff Management for Developments, Published by the Environment Agency - Report SC030219.

v. Sewers for Adoption 7th Edition, published by Wrc plc, August 2012.

vi. Technical Advice Note 15: Development and Flood Risk, Published by Welsh Government, July 2004.

b. A detailed drainage strategy should be provided which demonstrates the proposed surface water drainage complies with the discharge hierarchy specified within Part H of the Building Regulations/Sustainable Drainage hierarchy. As much of the runoff as possible should be discharged to each hierarchy element before a lower hierarchy element is considered. Collection and infiltration methods of drainage are required to be considered in the first instance.

c. Soakaways will only be permitted if the applicant can satisfy the authority that permeability tests have been carried out that comply with the requirements of BRE Digest 365 (2016). A feasibility report including test reports and calculations is required which demonstrates that the use of soakaways or other infiltration systems will not adversely affect the development, adjacent land, structures or highways. Soakaways should be designed to a minimum storm return period (RP) of once in ten years (with consideration given to an appropriate factor of safety).

d. Any proposal to discharge surface/ground water flows to existing watercourses is likely to be limited to minimum rates of discharge which will be determined by this authority. The applicant should indicate how these requirements will be met. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 (TAN15).

Planning Requirements Relating to Drainage & Flood Risk Management:-

Cont'd

Appendix

Planning Committee 14.06.17

Application No: 17/0270/OUT Continued

2

e. Development layout should take into account exceedance of the drainage system by demonstrating safe overland flows paths and flood routing. Runoff for the 1 in 100 RP event (plus climate change allowance) should be managed within the site at designated temporary storage locations and not adversely affect the development or surrounding infrastructure.

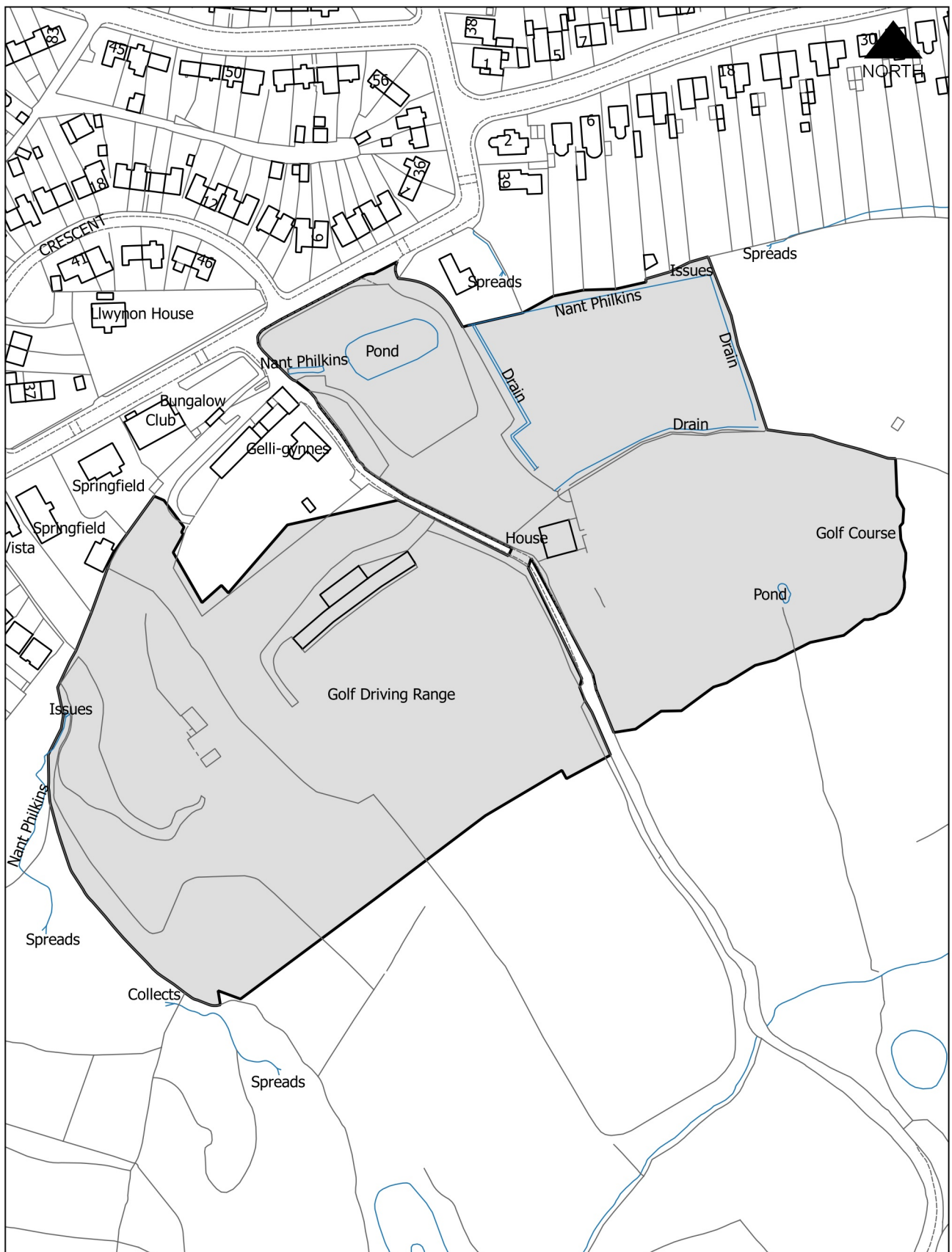
f. It is recommended the applicant open early dialogue with Dwr Cymru Welsh Water (DCWW) with regards to foul/ surface water drainage arrangements, and secure the necessary permissions/ adoption agreements, where interaction with DCWW infrastructure is proposed.

g. The applicant must ensure that during the development period and thereafter that surface water, groundwater, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of permanent or temporary cut off drainage.

h. The applicant should also demonstrate that appropriate pollution control measures are in place prior to discharge and confirm the proposals for adoption and long-term maintenance of the drainage system, where appropriate.

i. Please note that no discharge of surface water from the proposed development including driveways will be permitted to drain to the public highway or any highway drain. If the applicant intends to discharge surface water runoff from new highway areas submitted for adoption to the local highway drainage system he may be required to demonstrate that this system has adequate capacity to deal with anticipated additional flows generated by the proposed development. Permission to discharge to the existing highway drainage system may be conditional on the applicant carrying out upgrading works at their own expense or connecting to a point of adequacy within the system.

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



Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0431/OUT 28.07.2017	Halo Developments C/O LHS Planning Miss L Hughson-Smith 24 Gold Tops Newport NP20 4PG	Erect residential development of three units Land Adjacent To Woodview Cwmgelli Blackwood

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of the B4251 (High Street), north of the access into Blackwood Retail Park and south of The Chartists Bridge.

Site description: The application site is an L-shaped sloping plot of land located that adjoins the side and rear boundary of Woodview and the rear boundaries of no.1 and no.2 Brookside Bungalows. The site has a gentle fall from west to east and is largely overgrown with hedgerow trees on the eastern and western boundaries. Woodview is accessed via a narrow strip of highways land adjacent to the B4251 that serves Rosebank cottage

Development: Outline planning permission is sought for the erection of three residential dwellings with all matters reserved for subsequent approval. An indicative layout and access have been submitted to demonstrate that an acceptable private drive and layout can be achieved.

Dimensions: The indicative submitted details indicate detached dwellings. The scale parameters for the proposed dwellings are:

Minimum	Maximum
Width: 4.5 m	5.5m
Depth: 7.5 m	9.0m
Ridge Height: 7.5	9.0m

Materials: No details have been submitted at this stage.

Ancillary development, e.g. parking: All proposed plots will be capable of having parking and private amenity space.

Cont'd

Application No: 17/0431/OUT - Continued

PLANNING HISTORY 2005 TO PRESENT

13/0049/CLEU - Obtain a Certificate of Lawful Existing Operation for the setting out on site and the part construction of the access roadway, including the provision of underground drainage, undertaken as required to implement the scheme approved under planning consent Ref. P/06/0336 - Refused 20.03.13. Dismissed On Appeal 06.01.14.

11/0778/NCC - Vary Cond 1) of planning permission to extend period of time for the commencement of the development for an additional two years to 26th February 2014 - Refused 20.01.12.

09/0744/OUT - Erect residential development - Refused 06.10.11.

P/06/0336 - Erect residential development - Granted 26.02.07.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The application site is located outside settlement limits and is also located within the Blackwood, Oakdale and Penmaen Green Wedge.

Policies: SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW15 (General Locational Constraints), CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside) and advice contained within the council's adopted supplementary planning guidance LDP 5 (Car Parking Standards), LDP6 (Building Better Places to Live) and LDP 7 (Householder Developments).

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016) and TAN 12: Design (March 2016)

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

Cont'd

Application No: 17/0431/OUT - Continued

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, the applicant has submitted a coal mining risk assessment and the Coal Authority raises no objection subject to the imposition of a condition prior to commencement that the developer shall carry out an investigation of the underground strata in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence.

CONSULTATION

Head Of Public Protection - No objection subject to the imposition of conditions in relation to contamination, remediation, dust mitigation and noise mitigation.

CCBC Housing Enabling Officer - No objection.

Senior Engineer (Land Drainage) - No objection subject to developer providing a scheme prior to the commencement of works on site a scheme of land and surface water drainage within the site .

Transportation Engineering Manager - No objection subject to a condition ensuring that the existing footway which lies adjacent to High Street, shall be widened to 3.0m to provide for a shared footway/cycleway which would link in to the network south of the site.

Dwr Cymru - Provides advice to the developer.

Countryside And Landscape Services - No objection subject to biodiversity enhancement conditions and the submission of a Reptile Method Statement.

Principal Valuer - No objection has been raised however there would need to be a revised legal agreement as there is currently no agreement to use the council land for access.

The Coal Authority - The Coal Authority has no objection to the proposed development subject to the imposition of a condition to ensure that intrusive site investigation works are undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Cont'd

Application No: 17/0431/OUT - Continued

Strategic & Development Plans - Whilst development of the site is contrary to the provisions of the adopted Local Development Plan, the site lies in a highly sustainable location on the edge of Blackwood Town Centre with all its services, amenities and excellent public transport links. Furthermore, the proposed development will make a minor contribution to the housing land supply.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and sixteen neighbours were notified by letter.

Response: One letter of representation has been received objecting to the development.

Summary of observations: The proposal will be detrimental to highway safety as it is located between two roundabouts that are within 100 metres of each other.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The proposed site is located immediately adjacent to excellent bird and bat foraging habitat (Blackwood Riverside Woodland Site of Importance for Nature Conservation) and the South East Wales Biodiversity Records Centre (SEWBReC) planning data search has records of both bats and house nesting birds within close proximity to the site.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes the development is CIL liable, this will be a matter to address at reserved matters stage.

Cont'd

ANALYSIS

Policies: The application has been determined in accordance with national guidance, local plan policies and supplementary planning guidance. The main considerations in the determination of this application are whether the proposed development would provide an appropriate site for housing, whether there would be any impact on the character of the surrounding area, and whether there would be any impact in terms of highway safety.

In that regard the application site is located outside settlement limits. Policy SP5 relates to settlement boundaries and states that:

"The Local Development 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".

In terms of the above, whilst the application site is located outside the defined settlement boundary, it is located wholly within the curtilage of an existing residential property, and would adjoin the residential boundaries of another two existing residential properties. It should be noted that previous planning permission (reference P/06/0336), granted residential development on a much larger scale as the application once formed part of the settlement boundary of Blackwood, as defined in the Caerphilly Unitary Development Plan.

Policy CW2 Amenity requires new development to be compatible with surrounding land-uses. The proposal is for residential development immediately adjacent to the settlement boundary. The application is for residential development located within a green wedge and outside settlement limits, however given that the application site is adjacent to the settlement boundary and in close proximity to Principal Town Centre of Blackwood, it is considered that the proposal would constitute sustainable development. However, given the sustainable location careful consideration has been given to the loss of some of the Green Wedge.

Cont'd

Application No: 17/0431/OUT - Continued

Policy SI1.9 of the Caerphilly Local Development Plan up to 2021 identifies the site within a large green wedge that is defined to prevent the coalescence of Blackwood, Oakdale and Penmaen and states that the need to define and maintain open spaces between and within urban areas and settlements is considered important to protect the integrity of both the built and natural environment. Development that does not maintain the open character should be resisted. Furthermore, Planning Policy Wales (Edition 9) explains that the construction of new buildings in the Green Wedge is inappropriate development. It confirms that 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 Wedge.

In that regard, whilst the development proposed involves the construction of new buildings in the green wedge, it is not considered that the proposal will lead to the erosion of the green wedge and the coalescence of Blackwood, Oakdale and Penmaen as a significant amount of land would remain. Furthermore, A recent planning appeal decision, for land off Woodfield Park Lane, Penmaen, Oakdale (appeal ref. APP/K6920/A/17/3173196, planning application ref 15/0782/FULL), related to a proposal for residential development comprising 45 dwellings within the Blackwood, Oakdale and Penmaen Green Wedge. The Inspector acknowledged that the proposed development would cause material harm to the Green Wedge by failing to maintain its openness. However, and whilst there was no doubt that the proposed development would inevitably alter the rural character of the site it was found that the harm would be outweighed by such very exceptional circumstances, i.e. the shortfall of housing land.

Planning Policy Wales (PPW) requires local planning authorities to ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study (JHLAS). Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies states that the results of the JHLAS should be treated as a material consideration in determining planning applications for housing. In that respect, the Caerphilly JHLAS for 2017 shows that there is a 2.1 year land supply when calculated using the residual method as required by TAN 1. Where the current study shows a land supply below the 5-year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies. The lack of a five-year housing land supply is a matter of serious concern that needs to be addressed if the overall housing requirement is to be met over the plan period.

Cont'd

Application No: 17/0431/OUT - Continued

Whilst the proposal for housing is clearly contrary to certain provisions of the adopted LDP (specifically beyond the Settlement Boundary and within a green wedge). This needs to be balanced against other material planning considerations. The JHLA monitoring evidence indicates that it is unlikely that this position will improve in the short term and therefore whilst a small number of dwellings are proposed, the development will make a positive contribution to the shortfall in housing land supply. Also, in that respect there has been a material change in circumstances compared to when the development of the site was refused permission in 2012.

In terms of highway safety, notwithstanding the comments of the Council's Principal Valuer outlined above, there is no objection to the principle of the development subject to a condition for the developer to widen the existing footway which lies adjacent to High Street and the application site to provide a 3.0 metre shared footway/cycleway which would link in to the network south of the site. Whilst this cycle network is aspirational, given that the requested works would be located outside of the application site, it is not considered reasonably related to the nature and size of the proposed development and it would be unreasonable to impose such a condition. However conditions in relation to securing the required parking requirements would be imposed on the planning consent to ensure the safe and efficient use of the highway network.

For the reasons outlined above the proposal complies policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan (up to 2021).

Comments from consultees: Blackwood Community Council raises no objection to the proposal, however wishes it to be noted that members retain their right to consider any further information when the detailed planning application is made.

Comments from public: One representation was received objecting to the proposed development on the basis that the proposal will be detrimental to highway safety as it is located between two roundabouts that are within 100 metres of each other. The Transportation Engineering Manager has not raised any objection on this basis.

Other material considerations: The need to increase the housing land supply is a material planning consideration which should be given considerable weight where the proposal would otherwise comply with the development plan and national planning policies.

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: 17/0431/OUT - Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development shall be carried out in accordance with the following approved plans and documents:
Drawing No. 1703/02B Indicative Site Plan received on 07.11.2017,
Drawing No. SK01 Rev A received on 07.11.2017,
Tree Report dated May 2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd

- 06) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.
REASON: In the interests of health and safety.
- 07) 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.
- 08) 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.
- 09) 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.
- 10) 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.

Cont'd

- 11) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area.
- 12) 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.
- 13) No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.
- (a) Risk assessment of potentially damaging construction activities.
 - (b) Identification of "biodiversity protection zones".
 - (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - (d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - (e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - (f) Responsible persons and lines of communication.
 - (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - (h) Use of protective fences, exclusion barriers and warning sign.
- All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.
REASON: In the interests of protecting the biodiversity of the environment.
- 14) No development or site/vegetation clearance shall take place until a detailed Reptile Method Statement has been prepared by a competent ecologist and submitted for the approval of the Local planning Authority. The approved details shall be strictly complied with.
REASON: To ensure that reptiles are protected.

Cont'd

Application No: 17/0431/OUT - Continued

- 15) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling or Swift) in the new properties at Land adjacent to, Woodview, Cwmgelli, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are 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).
- 16) 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 properties at Land adjacent to Woodview, Cwmgelli, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are 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).
- 17) Parking throughout the development shall be provided in line with the Local Planning Authority's adopted standard set out in LDP5 Car Parking Standards.
REASON: To ensure that adequate parking facilities are provided within the curtilage of the site.
- 18) The proposed private driveway shall be provided in accordance with amended Drawing No. SK01 Rev A received on 07.11.2017, to ensure that an adequate turning facility is provided to serve the new dwellings. This driveway shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and shall be completed prior to beneficial occupation.
REASON: In the interests of highway safety

Advisory Note(s)

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

Please find attached the comments of the council's ecologist that are brought to the applicant's attention.

Cont'd

Application No: 17/0431/OUT - Continued

Please find attached the comments of the Senior Engineer (Land Drainage) that are brought to the applicant's attention.

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 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).



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Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0933/NCC 27.10.2017	CPI Care Limited Mr B Morgan The Warehouse Crown Street Crumlin Newport NP11 4PR	Vary Condition 03 of Planning consent 07/0985/COU to facilitate the use of the first floor as additional training space from an ancillary office Marlan Day Care Centre - CPI Care Ltd The Warehouse Crown Street Crumlin Newport NP11 4PR

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application property is located on the corner of Crown Street and Main Street, Crumlin.

Site description: Two storey end of terrace building with the principal access located on the corner where Crown Street and Main Street meet. The building is triangular in shape, with ground floor windows looking out onto Crown Street and first floor windows overlooking Main Street and Crown Street. The ground floor element of the building is currently used as a day centre for adults with learning disabilities, whilst the first floor is used as ancillary office space in connection with the day centre.

Development: Planning permission is sought to remove condition (03) of planning consent 07/0985/COU to change the use of the first floor office accommodation to facilitate additional floor space to be used as a training space in connection with the day centre.

Dimensions: Not applicable. The external and internal dimensions of the building remain unchanged.

Materials: Not applicable. There are no proposed exterior alterations.

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

Cont'd

Application No: 17/0933/NCC - Continued

PLANNING HISTORY 2005 TO PRESENT

07/0985/COU - Change the use to day centre for adults with learning disabilities -
Granted 09.10.07.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The application site is located within settlement limits.

Policies: SP5 (Settlement Boundaries), SP6 (Place Making), SP22 (Community, Leisure and Education Facilities), CW2 (Amenity) and CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

COAL MINING LEGACY

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

CONSULTATION

Transportation Engineering Manager - No objection raised.

Head Of Public Protection - Environmental Health have no adverse comments to make with regards to this planning application.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and twenty neighbours were notified by letters.

Response: At the time of writing the report, thirteen letters of representation were received objecting to the proposal. If any further representations are received, these will be reported to members at planning committee.

Cont'd

Application No: 17/0933/NCC - Continued

Summary of observations:

1. There are currently existing parking issues on Crown Street and they will be exacerbated if the development proceeds.
2. There is no provision for another business use within the street as there is currently a day care centre, nursing home and doctor's surgery in one small street.
3. In support of the use of the building, however, objects to Saturday opening hours.
4. Concerned about the date the neighbour notification letter was printed and received in the post. This is a tactic employed by the council not allowing residents enough time to object to the application.
5. Residents not able to park outside their own properties.
6. Existing overlooking issues from the building and reduces the privacy of staff and occupiers of the care home.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as no additional floor space is proposed.

ANALYSIS

Policies: The application has been determined in accordance with national guidance and local plan policies. The main consideration in the determination of this application is whether the proposed change of use is acceptable, the impact on the character of the surrounding area and highway safety.

Cont'd

Application No: 17/0933/NCC - Continued

In that regard the application relates to the use of the first floor building which is currently used as ancillary office space in connection with the ground floor use as a day care centre for adults with learning disabilities. The building is accessed via the entrance on the corner of Crown Street and Main Street and there is an internal staircase leading to the current first floor office accommodation. In terms of the proposed use of the first floor, this will be used by the same care provider and for the same purposes as the ground floor.

Whilst the proposed change of use to the first floor introduces a new use within the building, the overall use of the building will be one planning unit and the resultant change would require the need to employ four additional staff. In that respect where a change of use occurs, the development needs to be compatible with neighbouring land uses, have regard to the safe use of the transportation network, and provide adequate parking and servicing. In that regard, previous planning permission (07/0985/COU) has already considered whether the existing use of the ground floor element within the building is compatible in this residential area. Therefore it is not considered that the first floor element of the building, which will be used for the same purposes, would be incompatible with neighbouring land uses. In addition, as there are no proposed external changes to the building, it is not considered that there would be any adverse impact on the physical character of the surrounding area.

In terms of highway safety, there is a requirement for new developments to provide parking, appropriate servicing and operational space. In this instance there is no provision to provide any additional parking, however, regard has to be given to the historical uses of the building. The Transportation and Engineering Manager has raised no objection to the proposal given that no extra parking can be provided and that the previous uses of the building has included a club and a warehouse, subject to the imposition of condition regarding the hours of operation are the same as the ground floor. Furthermore, as part of the process for determining this application, parking surveys have indicated that there is sufficient on-street parking available on weekdays in addition to the free car parking spaces provided in the public car park at the end of Crown Street to cater for the proposal.

In conclusion the proposal accords with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021.

Comments from consultees: No objection.

Cont'd

Application No: 17/0933/NCC - Continued

Comments from public: The following representations were received objecting to the proposal:

1. There are currently existing parking issues on Crown Street and that will be exacerbated if the development proceeds - Crown Street is a busy residential street that is frequented by vehicle and pedestrian users outside of the surrounding area, which in turn does lead to parking problems during certain periods of the day. However there are no planning or highway restrictions to prevent this from occurring. The proposal intends to employ four additional members of staff, and it is not considered that the additional increase in staff numbers would have an adverse impact in terms of highway safety.
2. There is no provision for another business use within the street as there is currently a day care centre, nursing home and doctor's surgery in one small street - Whilst it is accepted that there are additional community facilities within this street, the application is not proposing to introduce an additional use to the area, it is utilising the same building where the use is currently being undertaken.
3. In support of the use of the building, however objects to Saturday opening hours - The previous planning permission permitted use of the building to be used on Saturdays. It would be difficult to restrict the use of the first floor given that the building will be used as one planning unit.
4. Concerned about the date the neighbour notification letter was printed and received in the post and that only four neighbours were consulted. This is a tactic employed by the council not allowing residents enough time to object to the application - Whilst the neighbour letters may have been received late, twenty neighbours were consulted and a site notice was erected allowing neighbours twenty one days to respond from the date that the site notice was erected outside the application site.
5. Residents not able to park outside their own properties - Whilst this is an inconvenience to residents, this is a common problem within residential areas and the introduction of four additional members of staff would not aggravate matters to such an extent as to justify a refusal of permission.
6. Existing overlooking issues from the building and reduces the privacy of staff and occupiers of the care home - There are no external changes proposed to the building, given the current and proposed use, there is no requirement for the developer to undertake any alterations to the building.

Cont'd

Application No: 17/0933/NCC - Continued

Other material considerations: None.

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:
Drawing No. HD2323_A01 Site Location and Block Plan received on 27.10.2017
Drawing No. HD2323_A03 Proposed First Floor Plan received on 27.10.2017
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The day centre hereby approved shall not be open for use outside the hours of 08.30hrs to 17.30hrs Monday to Saturday and not at all on Sunday.
REASON: In the interests of residential amenity.
- 04) The premises shall be used as a day centre for adults with learning disabilities and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) without the approval of the Local Planning Authority.
REASON: To retain effective control of the development.

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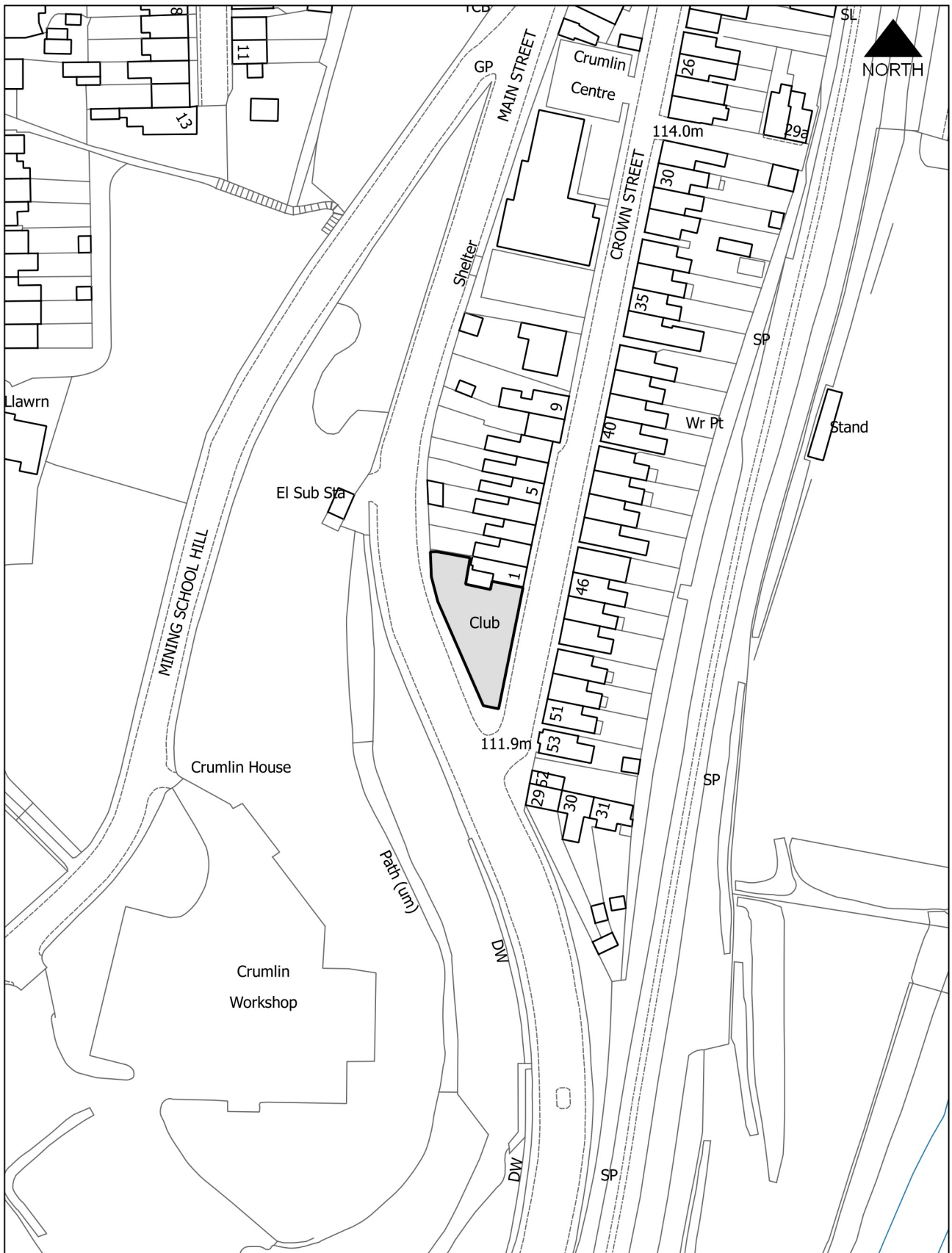
Application No: 17/0933/NCC - Continued

Advisory Note(s)

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.



Agenda Item 11

APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
17/0753/FULL 01.09.2017	Mr D Knibbs 134 Nantgarw Road Caerphilly CF83 1AP	Erect two storey and single storey extension to rear 134 Nantgarw Road Caerphilly CF83 1AP	Granted 30.10.2017
17/0579/FULL 07.07.2017	Mr C O'Leary 21 Glyn Derwen Llanbradach Caerphilly CF83 3PQ	Erect detached dwelling; reposition and changes to house type approved under planning permission 13/0865/FULL (plot 3) Land At 23 Glyn Derwen Llanbradach Caerphilly	Granted 31.10.2017
17/0708/COU 15.08.2017	Mrs C Barber Pen-Coedcae Farm Pen-Coedcae Farm Lane Pant-Yr-Resk Mynyddislwyn NP11 5GP	Change the use of shop from nail bar to dog groomers 35 Commercial Street Nelson Treharris CF46 6NF	Granted 31.10.2017
17/0756/FULL 01.09.2017	Mr G Paul 3 King Street Cwmfelinfach Newport NP11 7HL	Erect first floor rear extension 3 King Street Cwmfelinfach Newport NP11 7HL	Granted 31.10.2017
17/0785/CLEU 08.09.2017	Linc Cymru Housing Association Limited C/O GVA Mr M Southall One Kingsway Cardiff CF10 3AN	Obtain a Lawful Development Certificate for the existing C3(b) use as residential accommodation for up to six residents who live as a single household for in excess of 4 years Long Barn The Fairways Blackwood NP12 1HX	Granted 31.10.2017

17/0851/COND 02.10.2017	Pearmat Solar 4 Ltd C/o Pegasus Planning Group Ltd Mr C Virtue First Floor, South Wing Equinox North, Great Park Road Almondsbury Bristol BS32 4QL	Discharge condition 2 (commencement), condition 3 (external finishes of Transformer and Invertor Cabinets) condition 4 (external wall), condition 6 (Construction Environment Management Plan), condition 9 (disposal of surface and land drainage water), condition 11 (Noise Mitigation Scheme), condition 17 (Construction Traffic Management Plan) condition 18 (mud/debris prevention) , condition 19 (vehicle access), condition 20 (access details) and condition 23 (highway condition survey) of planning consent 15/0433/FULL (Create 4.1MW solar farm) superseded by 17/0140/NCC Pearmat Ltd Pen-y-fan Solar Park Manmoel Road Manmoel	Decided - Discharge of Conditions 31.10.2017
17/0640/COU 24.07.2017	Relay Taxis Mr R Salter Cwm Roly House Lon Maes Yr Haf Croespenmaen Newport NP11 3BR	Change the use from A1 shop to a booking office plus A1 shop 116 High Street Blackwood NP12 1AF	Refused 01.11.2017
17/0855/NMA 03.10.2017	Mr Davies C/o Asbri Planning Ltd Miss L Hallett Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Seek non-material amendment to remove condition 9 (omission of southern boundary 2m footway) and 13 (omission of traffic island) of planning consent 07/1153/OUT (Construct 14 No. 2 bedroom apartments) Castle Manor Nantgarw Road Caerphilly	Refused 01.11.2017
17/0695/FULL 09.08.2017	Mr B Singh 35 High Street Rhymney Tredegar Gwent NP22 5LP	Erect extension to office at ground floor and a first floor bedroom and en-suite extension Family Shopper 35 High Street Rhymney Tredegar	Granted 02.11.2017

17/0764/CLPU 05.09.2017	British Airways Interiors Engineering M004 Mr C Powell 4 Hawtin Park Gelli-Haf Blackwood NP12 2EU	Obtain a Lawful Development Certificate for the proposed construction of new oxygen charging room British Airways Interior Engineering Ltd 4 Hawtin Park Gelli-haf Pontllanfraith	Granted 02.11.2017
17/0786/ADV 08.09.2017	Morgans Consult Mr J Marshall 285 Cowbridge Road West Cardiff CF5 5TD	Erect 2 No. internally illuminated fascia signs and 1 No. internally illuminated projecting sign Principality Building Society The Twyn Caerphilly CF83 1JL	Granted 02.11.2017
17/0798/FULL 13.09.2017	Mr & Mrs A Prosser 98 Western Avenue Newport NP20 3QZ	Erect single-storey rear extension and convert part of garage to utility room 7 Chapel Close Pontllanfraith Blackwood NP12 2AD	Granted 02.11.2017
17/0923/COND 23.10.2017	Cushman & Wakefield Mr J Stockley Marchmount House Dumfries Place Cardiff CF10 3RJ	Discharge condition 3 (details of design and colour of fencing) of planning consent 17/0692/FULL (Replace two sections of existing chain link fencing with new Euromesh type fencing) Units A - F Parc Bedwas 2 Greenway Bedwas House Industrial Estate	Decided - Discharge of Conditions 02.11.2017
17/0737/FULL 24.08.2017	Ms E Szymczak Thirlmere Twyn Road Ystrad Mynach Hengoed CF82 7EU	Remove two rear sheds and erect two-storey extension and storm porch to rear of existing dwelling Chapel Cottage Twyn Road Ystrad Mynach Hengoed	Granted 03.11.2017
17/0790/FULL 11.09.2017	Mr L Exton 12 Bryn Derw Blackwood NP12 1SN	Erect two storey side extension 12 Bryn Derw Blackwood NP12 1SN	Granted 06.11.2017
15/0502/COU 13.07.2015	Westway Properties 452 Stratford Road Birmingham B11 4AE	Change of use of the first and second floors from offices to 6 residential flats Caerphilly Indoor Market 5 Pentrebane Street Caerphilly CF83 1FR	Granted 08.11.2017

17/0787/FULL 11.09.2017	Mr & Mrs K Gilbert 17 The Crescent Maesycwmmmer Hengoed CF82 7QF	Erect single storey bedroom and sitting room extension to rear of dwelling 17 The Crescent Maesycwmmmer Hengoed CF82 7QF	Granted 08.11.2017
17/0788/FULL 11.09.2017	Mr M Thompson 7 Gelliargwellt Road Penybryn Hengoed CF82 7FZ	Erect detached house and integral garage Land Between 75-77 Upper Road (Grid Ref 315409 202062) Elliots Town New Tredegar	Granted 08.11.2017
17/0791/FULL 13.09.2017	Mr J Quirk Alea Bryn Amlwg Close Princetown Tredegar NP22 3AB	Erect rear single-storey extension Alea Bryn Amlwg Close Princetown Tredegar	Granted 08.11.2017
17/0812/FULL 19.09.2017	Mr A Evans 53 High Street Nelson Treharris CF46 6EU	Erect detached garage 53 High Street Nelson Treharris CF46 6EU	Granted 08.11.2017
17/0838/FULL 26.09.2017	Mr Sharma 31 Clos Enfys Caerphilly CF83 1SB	Erect a conservatory to rear of property 31 Clos Enfys Caerphilly CF83 1SB	Granted 08.11.2017
17/0894/NMA 17.10.2017	Mrs J Hook 24 Banalog Terrace Hollybush Blackwood NP12 0SF	Seek approval of a non-material amendment to planning consent 16/0098/FULL (Erect a first storey rear extension) to alter flat roof to duo-pitched gables and add window to front elevation 24 Banalog Terrace Hollybush Blackwood NP12 0SF	Granted 08.11.2017
17/0519/RET 19.06.2017	Mr C Powell Pen-y-fan Farm Pen-y-fan Farm Lane Manmoel Blackwood	Upgrade access track to allow farm plant machinery to access higher ground for agricultural purposes and the retention of earth works to create cattle proof bunds along the upgraded access track Pen-y-fan Farm Pen-y-fan Farm Lane Manmoel Blackwood	Refused 09.11.2017

17/0620/FULL 17.07.2017	Mr R Skinner 6 Bryngolau Rudry Caerphilly CF83 3DN	Erect rear kitchen, dining and study extension 6 Bryngolau Rudry Caerphilly CF83 3DN	Granted 09.11.2017
17/0759/FULL 01.09.2017	Engie Mr M Douglas 5th Floor Fiveways House Islington Row Middleway Edgbaston Birmingham B15 1SL	Install new shopfronts into existing (previously unoccupied) shop units and associated plant Unit 3 And 4 Lowry Plaza Hanbury Road Bargoed	Granted 09.11.2017
17/0760/ADV 01.09.2017	Engie Mr M Douglas 5th Floor Fiveways House Islington Row Middleway Edgaston Birmingham B15 1SL	Install 1 fascia sign and 1 projecting sign Unit 3 And 4 Lowry Plaza Hanbury Road Bargoed	Granted 09.11.2017
17/0580/COU 05.07.2017	GLJ Recycling Ltd Mr G Jones Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn Newport NP11 7NL	Change the use of land for storage area for empty storage containers Land Adjoining GLJ Recycling Ltd Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn	Refused 13.11.2017
17/0696/FULL 09.08.2017	Mr R Baker Holly Bungalow New Road Pengam Blackwood NP12 3QY	Carry out hip to gable loft conversion with front and rear facing dormers at first floor level, new entrance canopy, facade remodelling, demolish chimney and demolish and rebuild rear single storey extension Holly Bungalow New Road Pengam Blackwood	Granted 13.11.2017
17/0754/ADV 01.09.2017	SF 247 West Ltd (The Dhillons) Mr J Dhillon Unit 25 Market Place Blackwood NP12 1AU	Display 2 no. internally illuminated fascias and various window manifestations Former Somerfield Stores Unit A 12 The Market Place Blackwood	Granted 13.11.2017

17/0794/RM 12.09.2017	Mr S Cronk Unit 1 Prince Of Wales Trading Estate Abercarn Newport	Approve the matters of access, appearance, landscaping, layout and scale for the erection of four residential properties and associated works Land At Cae Nant Gledyr Caerphilly CF83 2BB	Granted 13.11.2017
17/0795/COU 12.09.2017	Ms M Miles Sirhowy Arms High Street Argoed NP12 0HQ	Change the use of land to extend domestic curtilage, erect extensions to the existing dwelling, timber decking, steps, retaining walls and double garage with parking area Quoits Cottage The Retreat- Argoed High Street Argoed	Granted 13.11.2017
17/0808/FULL 18.09.2017	Mr S Rees 4 Gelli'r Felin Caerphilly CF83 2LF	Erect single-storey rear kitchen extension 4 Gelli'r Felin Caerphilly CF83 2LF	Granted 13.11.2017
17/0814/FULL 20.09.2017	CCBC - Private Sector Housing Mr C Spearman Tredomen Business & Technology Centre Tredomen Park Ystrad Mynach Caerphilly CF82 7FN	Erect single storey side extension for use by a disabled person 1 Three Elms Close Cefn Hengoed Hengoed CF82 7LL	Granted 13.11.2017
17/0862/NCC 06.10.2017	Mr A Webley 14 Conway Road Trinant Newport NP11 3JN	Vary condition 02 (approved plans) of planning consent 17/0539/FULL (Erect single-storey kitchen extension to rear of dwelling) to amend location of extension 14 Conway Road Trinant Newport NP11 3JN	Granted 13.11.2017
17/0839/TPO 26.09.2017	Mr C Davies 14 Oak Lane Royal Oak Machen Caerphilly CF83 8SQ	Remove primary lower branch over drive, crown lift/reduction by 2 to 2.5 metres, thinning and removal of deadwood and crossing branches of 1.5 to 2.5 metres (Tree Preservation Order 59/84/RVDC) 14 Oak Lane Royal Oak Machen Caerphilly	Granted 14.11.2017

17/0881/NMA 12.10.2017	Mr F Richley Ffynnon Wen Pengam Road To Heol Y Cefn Bedwellty Blackwood NP12 0BQ	Seek approval of a non-material amendment to planning consent 17/0627/FULL (Construct detached garage) to change the garage construction and external materials from rendered block walls with tiled roof to a timber framed building with timber ship-lap cladding and a profiled metal roof Ffynnon Wen Pengam Road To Heol Y Cefn Bedwellty Blackwood	Granted 15.11.2017
17/0660/FULL 31.07.2017	Mr G Raison 8 Heol-y-Ffynon Efail Isaf Pontypridd CF38 1AU	Convert storage unit into 3 bed annex Land To The Rear Of 3 Victoria Road Maesycwmmmer Hengoed	Granted 16.11.2017
17/0768/RET 06.09.2017	Mr K Lewis 54 Hengoed Road Penpedairheol CF82 8BR	Retain mixed use of premises as residential accommodation and stables for horses Stables Compound West Road Penallta Industrial Estate Penallta	Granted 16.11.2017
17/0780/FULL 08.09.2017	Shadow Scaffolding Ltd Mr G Mills C/O Sullivan Land And Planning The Studio Beaufort Yard Devauden Chepstow NP16 6NT	Erect a stand-alone storage/distribution unit including parking and offices Shadow Scaffolding Unit B Angel Lane Industrial Estate Angel Lane	Granted 16.11.2017
17/0801/ADV 14.09.2017	Engie Mr M Douglas 5th Floor Fiveways House Islington Row Middleway Edgbaston Birmingham B15 1SL	Erect fascia sign and projecting sign Vision House High Street Blackwood NP12 1BE	Granted 16.11.2017

17/0848/FULL 02.10.2017	Mrs Owens 10 Pembroke Close Cefn Fforest Blackwood NP12 1JL	Convert garage to bedroom 10 Pembroke Close Cefn Fforest Blackwood NP12 1JL	Granted 16.11.2017
17/0536/FULL 26.06.2017	Mr D Godfrey 38 Mountain Road Caerphilly CF83 1HL	Extend the existing property by removing the existing roof, adding an additional floor and a new pitched roof over 38 Mountain Road Caerphilly CF83 1HL	Granted 20.11.2017
17/0779/FULL 08.09.2017	Mr Miles 3 Pen-Y-Bont Penpedairheol Hengoed CF82 8HD	Erect two-storey side extension and front porch 3 Pen-Y-Bont Penpedairheol Hengoed CF82 8HD	Granted 20.11.2017
17/0797/FULL 12.09.2017	Gallagher Developments Caerphilly Ltd Gallagher House Gallagher Business Park Warwick CV34 6AF	Sub-divide and carry out external alterations to front, side and rear elevations including new front entrances and installation of plant to create two units 18A and 18B within Use Class A1, including the sale of food and drink and other convenience and comparison goods and ancillary cafe from Unit 18B Unit 18 Gallagher Retail Park Parc Pontypandy Caerphilly	Granted 20.11.2017
17/0824/FULL 22.09.2017	Mr A Harvey 2 Underwood Terrace Abertridwr Caerphilly CF83 4BQ	Erect garage with storage room over in existing parking area 2 Underwood Terrace Abertridwr Caerphilly CF83 4BQ	Granted 20.11.2017
17/0830/FULL 25.09.2017	Mr J Thomas 9 Waunfawr Park Road Crosskeys Newport NP11 7PH	Erect single storey front porch and two storey rear extension and loft extension 9 Waunfawr Park Road Crosskeys Newport NP11 7PH	Granted 20.11.2017
17/0831/FULL 25.09.2017	Mr G Brown 27 Homeleigh Newbridge Newport NP11 4RQ	Erect a two storey rear extension 27 Homeleigh Newbridge Newport NP11 4RQ	Granted 20.11.2017

17/0835/FULL 26.09.2017	Mr R Terrell 3 Gelli-Unig Terrace Gelli-Unig Road Pontywaun Newport NP11 7GF	Erect split level mobility single dwelling and timber summer house used for temporary accommodation during the build Land At Grid Ref 322085 192612 Trinity Hill Gelli-Unig Place Pontywaun	Granted 21.11.2017
17/0095/COU 03.02.2017	Mr J Nadarajah 1 Court Road Energlyn Caerphilly CF83 2QW	Change the use from shop and dwelling to shop and first floor flat including two storey rear extension and new shopfront single storey extension to front 1 Court Road Energlyn Caerphilly CF83 2QW	Granted 22.11.2017
17/0799/ADV 29.08.2017	Caerphilly Hand Car Wash Mr A Adam 13 Dynevor Terrace Nelson Treharris CF46 6PD	Retain signage for car wash surround Shiny Hand Car Wash Bargoed Service Station Gwerthonor Place Gilfach	Granted 22.11.2017
17/0800/CLPU 14.09.2017	Engie Mr M Douglas 5th Floor Fiveways House Islington Row Middleway Edgbaston Birmingham B15 1SL	Obtain Lawful Development Certificate for proposed installation of new Plant Vision House High Street Blackwood NP12 1BE	Granted 22.11.2017
17/0847/CLPU 02.10.2017	Mr Evans 21 Cae Melyn Hengoed CF82 7RT	Obtain certificate of lawfulness for a proposed single storey rear extension 21 Cae Melyn Hengoed CF82 7RT	Granted 22.11.2017
17/0853/FULL 03.10.2017	Mr R Cowling 36 Woodside Walk Wattsville Newport NP11 7NZ	Convert garage for residential use and carry out alterations to front forecourt 36 Woodside Walk Wattsville Newport NP11 7NZ	Granted 22.11.2017
17/0854/FULL 03.10.2017	HLN Architects Mr M Hughes 14 Cathedral Road Cardiff CF11 9LJ	Install 1 no. single MOE door Unit C Pontymister Industrial Estate Pontymister Risca	Granted 22.11.2017

17/0813/FULL 20.09.2017	Mr B Howells 14 Heolddu Road Gelligroes Pontllanfraith Blackwood NP12 2GZ	Erect part single storey, part two storey rear extension 14 Heolddu Road Gelligroes Pontllanfraith Blackwood	Granted 23.11.2017
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Agenda Item 12

LIST OF PLANNING APPLICATIONS WHICH ARE NOT DEALT WITH IN TIME

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.
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.

17/0088/OUT 03.02.17	Construct revised housing site development for 19 properties on Land At Fair View Garage Pengam Road Pengam Blackwood	Considering need for air quality assessment.
17/0113/FULL 10.02.17	Erect 5 No. detached 4-bedroom houses at Land To The South Of The Glade Wyllie Blackwood	Discussing highway matters.
17/0411/OUT 11.05.17	Erect residential development with strategic open space including play facilities and pedestrian and cycle networks at Land At Gwern Y Domen (Grid Ref 317068 187536) Gwern-y-domen Farm Lane Caerphilly	Subject to further discussion and consideration.
17/0473/FULL 05.06.17	Erect part two, part three, part four storey building comprising 43 retirement apartments with associated communal lounge, guest suite, electric buggy store and other communal facilities including car parking, sub station and landscaped grounds at Former Caerphilly Police Station Mountain Road Caerphilly	Viability assessment submitted and under consideration.
17/0475/COU 05.06.17	Change the use of land and erect 3 wooden camping pods for tourism and recreation purposes at Land Off Blackvein Road Risca NP11 7PS	Awaiting comments from Highways.
17/0655/RM 28.07.17	Construct Phase 1 Infrastructure Works associated with Outline Planning Consent 16/0373/OUT - reserved matters application regarding access, diversion of haul route, drainage, public open space and landscaping at Land At Grid Ref 311051 194899 South Of Mafon Road Ty Du Nelson	Awaiting further details re: footpaths.
17/0679/RET 04.08.17	Retain and complete temporary covered stand, temporary press office, temporary ticket office and temporary camera gantry positions at Bargoed RFC Bargoed Park Park Drive Bargoed	Awaiting ground investigation.

17/0714/COND 17.08.17	Discharge conditions 3 (drainage), 5 (dust suppression), 6 (noise suppression), 8 (hedgerow management) and 12 (materials) of planning consent 17/0462/FULL (Erect an additional bungalow and reposition of bungalow previously approved under planning consent 15/0705/FULL (as amended by 17/0289/NMA)) at Land At Grid Ref 315079 192127 (South Of Birchwood) Caerphilly Road Llanbradach	Awaiting additional details.
17/0715/COND 17.08.17	Discharge conditions 3 (drainage), 8 (hedgerow management) and 12 (materials) of planning consent 15/0705/FULL (Erect three bungalows on land adjoining the existing garden) at Land At Grid Ref 315079 192127 Caerphilly Road Llanbradach	Awaiting further information about landscaping.
17/0805/COND 18.09.17	Discharge conditions 8 (public rights of way), 10 (vehicular and pedestrian routes/access), 15 (trees with high potential for bat habitat), 16 (trees with medium potential for bat habitat), 17 (scheme of lighting), 18 (construction environmental management plan) and 19 (surface water management plan) of planning consent 16/0373/OUT (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) at Land South Of A472 (Mafon Road) Ty Du Nelson Treharris	Subject to further discussion and consideration.

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Agenda Item 13

APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Received draft agreements. Waiting for internal comments. Can't 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.
13/0479/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. Received advice from Planning. Sent draft internally for comments.
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	Amended draft sent. Waiting for final approval. Asked Planning if new plan approved. Chased. Asked for further clarification from Planning.
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	Amended draft sent. Waiting for final approval. Asked Planning if new plan approved. Chased. Asked for further clarification from Planning.
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.

16/0208/OUT 05.03.16	Erect 176 dwellings and access with all other matters reserved at Catnic Pontypandy Industrial Estate Caerphilly CF83 3GL	Sols reviewing draft. Chased.
16/0506/OUT 16.06.16	Erect a residential self-build dwelling at Plot 2 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Drafts agreed. Waiting for ownership to be split.
16/0507/OUT 16.06.16	Erect a residential self-build dwelling at Plot 1 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Drafts agreed. Waiting for ownership to be split.
16/0508/OUT 16.06.16	Erect a residential self-build dwelling at Plot 4 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Drafts agreed. Waiting for ownership to be split.
16/0509/OUT 16.06.16	Erect a residential self-build dwelling at Plot 3 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Drafts agreed. Waiting for ownership to be split.
16/0510/OUT 16.06.16	Erect a residential self-build dwelling at Plot 5 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Drafts agreed. Waiting for ownership to be split.
17/0278/OUT	Erect residential development of 9 residential properties (7 x detached dwelling houses and 2 x semi-detached properties) with all matters reserved on Land At Grid Ref 314117 193622 Troedyrhiw Ystrad Mynach	Sent draft internally for comments.

Agenda Item 14

OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
17/0010/REF 17/0529/RET	Mr & Mrs W Garland 25 Heol Fawr Nelson Treharris CF46 6NP	Retain and complete decking/patio area 25 Heol Fawr Nelson Treharris CF46 6NP	20/11/17

APPEALS DECIDED

APPEALS DECIDED APPEAL REF/ PLANNING APP NO.	PROPOSAL & LOCATION APPEAL	DECISION/ DATE	COMM/ DEL
16/0016/REF 15/0567/OUT	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	15/11/17	COMM
17/0008/REF 16/1087/FULL	Erect four detached dwellings at Land Adjacent To Beechgrove Virginia Park Golf Club And Driving Range Virginia Park Caerphilly CF83 3SN	17/11/17	COMM