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(Tel: 01443 864420 Email: sullie@caerphilly.gov.uk)

Date: 14th February 2018

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 21st February, 2018** 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 black ink, appearing to read 'Christina Harrhy'.

Christina Harrhy
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.

A greener place Man gwyrddach



To approve and sign the following minutes: -

- 3 Planning Committee held on 24th January 2018. 1 - 8

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

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

- 4 17/0931/OUT - Land At Grid Ref 311245 205964, Fochriw Road, Pontlloftyn, Bargoed. 9 - 16
- 5 18/0065/FULL - 4 Penmaen Road, Pontllanfraith, Blackwood, NP12 2DL. 17 - 26
- 6 17/1092/FULL - New Inn, Victoria Road, Fleur-de-lis, Blackwood, NP12 3UP. 27 - 36
- 7 17/1001/RET - Glentworth, 11 Fochriw Road, Pontlloftyn, Bargoed, CF81 9QH. 37 - 42
- 8 17/1072/COU - Park Villas, Park Road, Bargoed, CF81 8SP. 43 - 52

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

- 9 17/0473/FULL - Former Caerphilly Police Station, Mountain Road, Caerphilly. 53 - 64
- 10 17/0966/FULL - The De-Winton, De Winton Terrace, Llanbradach, Caerphilly, CF83 3JY. 65 - 78
- 11 17/1027/FULL - Caerphilly Magistrates Court, Mountain Road, Caerphilly, CF83 1HG. 79 - 94
- 12 17/1076/FULL - Land Rear Of Royal Oak Inn, Church Street, Bedwas, Caerphilly, CF83 8EA. 95 - 104
- 13 17/0936/FULL - Former Church Hall, Church Street, Llanbradach, Caerphilly. 105 - 126
- 14 17/0937/CON - Former Church Hall, Church Street, Llanbradach, Caerphilly. 127 - 140

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

- 15 Applications determined by delegated powers. 141 - 152
- 16 Applications which are out of time/not dealt with within 8 weeks of date of registration. 153 - 158
- 17 Applications awaiting completion of a Section 106 Agreement. 159 - 160
- 18 Appeals outstanding and decided. 161 - 162

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

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PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 24TH JANUARY 2018 AT 5:00PM

PRESENT:

Councillor M. Adams - Chair

Councillors:

Mrs E.M. Aldworth, A. Angel, C. Andrews, W. David, M. Davies, B. Miles, J. Ridgewell, J. Taylor, 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), M. Godfrey (Team Leader – Environment Health), C. Boardman (Area Senior Planner), C. Powell (Principal Planner), E. Rowley (Area Senior Manager), M. Davies (Area Principal Planning Officer), A. Pyne (Area Senior Planner), M. Noakes (Senior Engineer, Highway Planning), E. Sullivan (Senior Committee Services Officer) and J. Tyler (Committee Services Administrative Assistant).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, J.E. Fussell, R.W Gough, A.G. Higgs, A. Hussey, Mrs G. Oliver, J. Simmonds, and A. Whitcombe.

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the beginning and during the course of the meeting as follows – R. Crane and C. Powell – 17/0651/COU, W. David - 17/0739/FULL and C. Boardman - 17/0981/FULL. Details are minuted with the respective items.

3. MINUTES – 8TH NOVEMBER 2017

RESOLVED that the minutes of the Planning Committee held on the 6th December 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. 16/1053/COU – THE ROLLING MILL INN, 88 COMMERCIAL STREET, PONTYMISTER, RISCA, NEWPORT, NP11 6EE.

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, CW3, CW4 and CW5;
- (iii) the applicant be advised of the comments from Dwr Cymru/Welsh Water, Natural Resources Wales, The Senior Engineer (Land Drainage) and The Transportation Engineering Manager.
- (iv) 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.

5. CODE NO. 17/0980/FULL – 28 RHODFA GLASCOED, BLACKWOOD, NP12 1GW.

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 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. 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-influencingdistance-of-mine-entries>.

- (iv) 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;
- (v) 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;
- (vi) the applicant be advised that any change in ground levels or raised platform measuring over 0.4 meters in height within the rear garden will require planning approval from the Local Planning Authority and it should be noted that such permission may not be granted;
- (vii) 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);
- (viii) 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.

6. CODE NO. 17/1012/FULL – 18 BRIDGE STREET, RISCA, NEWPORT, NP11 6DE.

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.

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

7. CODE NO. 17/0739/FULL – RUPERRA CASTLE ESTATE, RUDRY ROAD TO CRAIG LLAN, RUDRY.

It was noted that the application had been subject to a site visit on Monday 22nd January 2018. A briefing note on the issues raised was summarised by the Officer and is appended to these minutes.

Councillor B.A. Jones spoke in objection to the application and Mr H. Alkhafaji, the applicant, spoke in support of the application.

During the course of the meeting Councillor W. David declared an interest in that his son H. David, in his capacity as Assembly Member, had been in discussion with the applicant and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that subject to the 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 (07)

The development hereby approved shall not be used for any commercial use whatsoever.

Reason: In the interests of highway safety.

- (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: CW4;
- (iii) the applicant be advised of the comments of Senior Engineer (Land Drainage), Public Rights of Way, Natural Resources Wales.

8. CODE NO. 17/0651/COU – SCHOOL HOUSE, HILLSIDE, CAERPHILLY, CF83 1HN.

R. Crane declared an interest (in that his son attends the school) C. Powell also declared an interest (in that his wife is a member of staff at the school) both left the meeting when the application was considered.

Following consideration of the application it was moved and seconded that subject to the inclusion of two additional conditions 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 conditions this application be granted;

Additional Condition (05)

Prior to the commencement of the use hereby approved details shall be submitted for the written approval of the Local Planning Authority of parking area(s) together with surfacing details to ensure that loose stones or mud etc. are not carried on to the public highway. The agreed parking area(s) shall be laid out and surfaced in accordance with the agreed details within three months of the details having been agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety.

Additional Condition (06)

Prior to the commencement of the use hereby approved details of boundary enclosures shall be submitted for the written approval of the Local Planning Authority. The agreed boundary enclosures (and any alterations to existing enclosures agreed under the approved details) shall be carried out within three months of the details having been agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety and the visual amenity of the area.

- (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 of The Council's Ecologist.
- (iv) 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.

9. CODE NO. 17/0741/RM – LAND TO THE REAR OF, 20 CHURCH STREET, BEDWAS, CAERPHILLY, CF83 8EB

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 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.

10. CODE NO. 17/0930/LA – CAERPHILLY CONTACT CENTRE, FAMILY CENTRE, CALEDFRYN WAY, PENYRHEOL, CAERPHILLY, CF83 2BW.

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 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. 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-influencingdistance-of-mine-entries>.

- (iii) 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;
- (iv) 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;
- (v) the applicant be advised of the comments of The Council's Ecologist, Dwr Cymru and Land Drainage Officer.
- (vi) 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.
- (vii) 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);

11. CODE NO. 17/0981/FULL – BOOT ROAD ALLOTMENT, MAIN ROAD, MAESYCWMMER, HENGOED.

C. Boardman declared an interest (in that the applicant is a family member and also a member of the Allotment Association) and left the meeting when the application was considered.

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 CW15.

12. ITEMS FOR INFORMATION

The following items were received and noted: -

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

The meeting closed at 6:27pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 21st February 2018, they were signed by the Chair.

CHAIR

Agenda Item 4

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0931/OUT 26.10.2017	Mr W Thomas Duffryn Farm Pontlottyn Bargoed CF81 9RN	Construct two detached dwellings with new junction and private drive Land At Grid Ref 311245 205964 Fochriw Road Pontlottyn Bargoed

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is an area of land adjoining the east of the built environment of Pontlottyn on the Fochriw Road.

Site description: The site is part of a field currently in pasture bounded by hedgerow. It slopes downwards from west to east and sits above the existing dwellings to the east. To the west is a Green Wedge that leads out onto common land. To the south across the Fochriw Road is a Visually Important Local Landscape made up of open fields. To the north is a similar field of white land within the settlement boundary.

Development: This outline proposal is for residential development on part (0.32 hectare) of a site of 1.3 hectare with all matters reserved. Two dwellings with access from the southern boundary directly onto Fochriw Road.

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

Width 20m max to 10m min;

Depth 12m max to 8m min;

Eaves 6m max to 4.8m min;

Ridge 11m max to 8m min.

Materials: To be agreed at reserved matters.

PLANNING HISTORY 2005 TO PRESENT

17/0056/OUT - Construct 5 no. detached dwellings with new junction and internal roads
- Granted - 10.08.2017.

Cont'd....

Application No. 17/0931/OUT Continued

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is unallocated land within the settlement boundary.

Policies: Policy SP1 Development Strategy - Development in the Heads of the Valleys Regeneration Area;
Policy SP5 Settlement Boundaries;
Policy CW2 Amenity;
Policy CW3 Design Considerations Highways;
Policy CW10 Leisure and Open Space Provision.

NATIONAL POLICY

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? Yes.

CONSULTATION

Transportation Engineering Manager - There is objection to the development because it lacks any footpath connection to the settlement thereby obliging all pedestrians to use the vehicular carriageway to access the site to the detriment of highway safety.

Senior Engineer (Land Drainage) - Advice is provided and a drainage condition is recommended.

Dwr Cymru - Advice is provided and a drainage condition is recommended.

The Coal Authority - It is pointed out that the site has an extant outline consent and previously made comments remain applicable.

Principal Valuer - It is noted that the submitted details show a pedestrian access that passes over Council owned land for which no formal land owner consent has been granted.

Cont'd....

Application No. 17/0931/OUT Continued

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 27 neighbouring properties have been consulted.

Response: No response has been 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?

It is not considered that this development will have any material impact upon crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? - Yes (with regard to the larger site).

European protected species have been identified by a survey submitted with the recent application for the development of all of the larger site, that is to say this application section of the field and the remaining land within the field.

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

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

(ii) There is no satisfactory alternative.

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

The three tests were applied and answered as follows:

(i) The derogation is strictly limited and can be mitigated by the provision of a reptile mitigation area at the large site.

Cont'd....

Application No. 17/0931/OUT Continued

(ii) The reptile mitigation area previously agreed is a satisfactory but does not form part of the agreed details of this application as will be explained in the analysis.

(iii) Any derogation should be minor and thus not be detrimental to the maintenance of the population of the species.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, but the site is within a lower viability zone - 0 rated.

ANALYSIS

Policies: This application relates to part of a larger site that has recently been granted planning permission for residential development, all appropriate policy considerations were considered and there has been no material change in circumstances since that decision, Council reference 17/0056/OUT. The previous application was for a larger site of 1.3 hectare within which the current application site occupies approximately 0.3 hectare with an illustrative layout of two dwellings.

The previous application was accompanied by an illustrative layout that showed the site boundary set back with a new footpath running to the southeast along the side of the road from the proposed entrance until it connected to an existing footpath to the front of No 11 Brynhyfyd. This route was not without problem as it involved engineering operations that could have been challenging. It was subsequently demonstrated that an alternative pedestrian connection could be achieved via an alternative route onto another existing path at Brynhyfyd. This avoided the need to demonstrate how the route could be achieved over a steeply sloping area just outside the application site that could have resulted in steps in front of No 11. Such steps could not be considered feasible in the absence of sufficient detail to demonstrate their impact upon No 11, i.e. looking into the windows of the property. There was also an issue where the route crossed a culvert. This application is for only two plots within the previously approved site and is not accompanied by details demonstrating the alternative pedestrian access and the applicant has specifically explained that this alternative access is not considered necessary.

The applicant is of the view that "there is no requirement for providing footpaths off site to existing adopted roads, which remains clearly the responsibility of the Highway Authority i.e. Caerphilly C.B.C." The Council is not intending and does accept the "responsibility" to provide such a link over this private land to the application site therefore it will remain unsuitable for residential development. It is suggested that guidance such as Manual for Streets or Planning Policy Wales "which he (the case

Cont'd....

officer) quotes are (not) approved Policies of the Caerphilly C.B.C." This assertion ignores the fact that a Local Planning Authority may take into account guidance from other relevant sources and that Local Development Plans do not normally include or repeat such guidance as already exists. Current adopted plan policy CW3 is now relevant. This policy requires amongst other things that proposals must have regard to safe use of the transportation network and to promote the interests of pedestrians before that of the private car. The proposed development has not demonstrated how an adequate pedestrian connection can be achieved to the existing settlement network thereby requiring all pedestrian movement to and from the settlement to be via the vehicular carriageway of Fochriw Road which lacks safe refuge for pedestrians to the detriment of highway safety contrary to CW3.

The intention of showing the two furthest plots developed first appears to be a suggestion that they are more or less in the countryside thereby implying the usual planning requirements of development within the settlement boundary do not apply. This view would also seem to rest on the fact that planning permission has already been granted in outline, however that consent was only granted on the basis that adequate pedestrian access could be achieved. This part of site is still within the settlement boundary and there are no clear reasons or extenuating circumstances as to why this part of it should be treated differently to the previous whole or any other such site within the settlement where pedestrian access can be achieved. Possibly an argument may be made that this application is for only two plots therefore the footpath requirement is diminished by the number of users, again the same argument could be made of any application for two dwellings (or less) within the settlement. If there is a cost concern regarding the length of footpath to be constructed to connect the first two dwellings then clearly it may be reduced by building first dwellings on the part of the site immediately adjacent to the existing built environment thereby reducing the length of footpath initially required. Building the furthest two dwellings first has not been given any demonstrable planning necessity.

Pedestrian accessibility is well established policy criterion. It is enshrined in Guidance including the Council's Supplementary Planning Guidance LDP6 (Adopted January 2017), which sets out the following Accessibility and ease of movement criteria:

1. Has consideration been given to pedestrians, cyclists, and other road users?
 2. Has consideration been given to the relationship of the site with existing communities and are the access routes well integrated into the surrounding area?
 3. Is access to public transport highlighted?
- Is the development permeable? - Can people move easily with-in the development and between the development and the wider area?

The proposed development fails these three criteria.

Cont'd....

Application No. 17/0931/OUT Continued

Other guidance emphasises pedestrian priority over cars. Planning Policy Wales, amongst other things sets out a transport hierarchy where walking and cycling are the first priority (Para 8.1.4).

The absence of a pedestrian connection to the existing network within the settlement increases dependency upon less sustainable vehicular modes of transport contrary to Department of Transport Manual for Streets 2.3.6 and in other chapters, which refers to the weight to be given to walking and cycling to provide a more sustainable alternative to the car.

From the perspective of highway safety the proposed development has not demonstrated how an adequate pedestrian connection can be achieved to the existing settlement network thereby requiring all pedestrian movement to and from the settlement to be via the vehicular carriageway of Fochriw and is therefore unacceptable.

Comments from Consultees:

Transportation Engineering Manager raises objection to the development because it lacks any footpath connection to the settlement thereby obliging all pedestrians to use the vehicular carriageway to access the site to the detriment of highway safety. As explained above this concern is considered sufficient to warrant refusal.

Senior Engineer (Land Drainage) provides advice and a drainage condition is recommended.

Dwr Cymru provides advice and a drainage condition is recommended. The Coal Authority point out that the site has extant outline consent and previously made comments remain applicable.

Comments from public: None.

Other material considerations: The previous application was approved subject to a condition requiring a reptile mitigation strategy and the approved indicative layout included an area suitable for reptile habitat. The current application does not address reptiles, however in view of the current recommendation this matter is not taken further.

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.

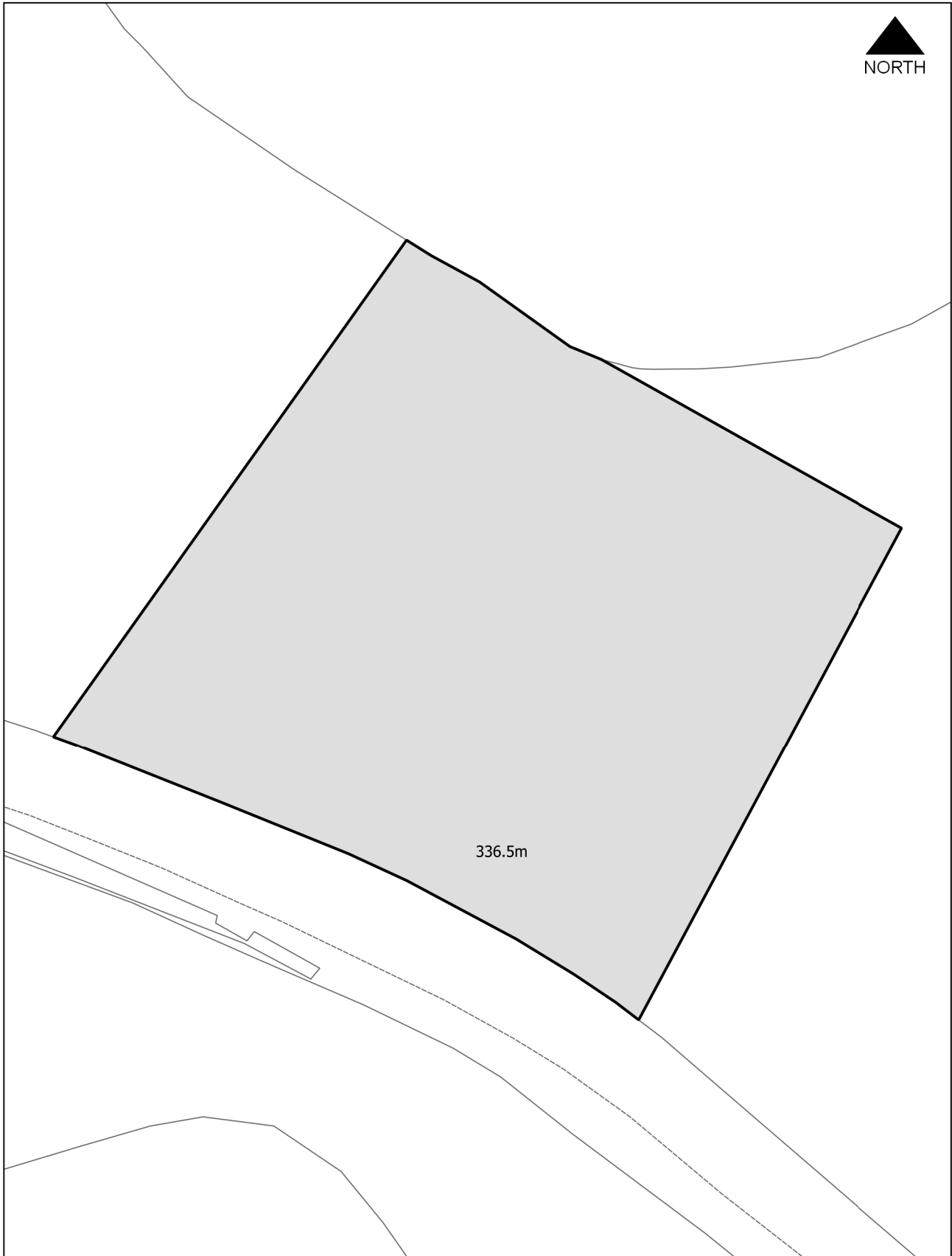
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Application No. 17/0931/OUT Continued

RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) The application site is within the settlement boundary and without demonstrating a pedestrian connection to the existing settlement network the proposed development does not adequately provide "integrated" pedestrian access contrary to objective number 3 of good design as explained in Caerphilly County Borough Council Supplementary Planning Guidance LDP6 "Building better Places to Live" Adopted January 2017, which, amongst other things, requires that access routes be "well integrated into the surrounding area".
- 02) The absence of a connection to the pedestrian highway is contrary to Planning Policy Wales Paragraph 8.1.4 which sets out amongst other things a "transport hierarchy" where in the first instance walking and cycling should wherever possible be "included from the outset".
- 03) The absence of a pedestrian connection to the existing network within the settlement increases dependency upon less sustainable vehicular modes of transport contrary to Department of Transport Manual for Streets 2.3.6 and in other chapters, that refer to the weight to be given to walking and cycling to provide a more sustainable alternative to the car and contrary to "promoting sustainable means of travel" as explained in Technical Advice Note 12, Design, March 2016 page 24.
- 04) The proposed development has not demonstrated how an adequate pedestrian connection can be achieved to the existing settlement network thereby requiring all pedestrian movement to and from the settlement to be via the vehicular carriageway of Fochriw Road which lacks safe refuge for pedestrians to the detriment of highway safety contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, which requires amongst other things that proposals must have regard to safe use of the transportation network and to promote the interests of pedestrians before that of the private car.



Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0065/FULL 19.01.2018	Mr G Jones 5 Oak Tree Rise Homeleigh Newbridge Newport NP11 4RH	Erect rear single storey bathroom extension and rear first floor shower room extension 4 Penmaen Road Pontllanfraith Blackwood NP12 2DL

APPLICATION TYPE: Full Application.

SITE AND DEVELOPMENT

Location: The application property is located on the eastern side of Penmaen Road, Pontllanfraith.

House type: Two storey mid terrace property with an original ground floor annexe to the rear.

Development: Full planning permission is sought for the erection of a two storey rear extension. The ground floor element will provide a utility room and bathroom whilst the first floor element will provide relocation of one bedroom.

Dimensions: The ground floor element of the proposal measures 3.2 metres in width by 2.7 metres in depth with a height of 2.4 metres to the eaves and 3.5 metres to ridge height.

The first floor element measures 3.2 metres in width by 2.0 metres in depth with a height of 5.5 metres to the eaves and 6.7 metres to ridge height.

Materials: Render, concrete roof tiles and white upvc to match existing.

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

PLANNING HISTORY 2005 TO PRESENT

17/0996/FULL - Erect two storey rear extension - Refused 15.01.18.

Cont'd....

Application No. 18/0065/FULL Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW15 (General Locational Constraints) and advice contained in the Council's Adopted Supplementary Planning Guidance LDP7: Householder Developments (2017).

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.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site is located within an area where no coal mining report is required, however standing advice will be provided.

CONSULTATION

Ecologist - No objection subject to the imposition of biodiversity enhancement conditions attached to any permission granted.

ADVERTISEMENT

Extent of advertisement: A site notice was not required in this instance, however two neighbours were notified by letter.

Response: One letter of representation has been received.

Summary of observations: The following concerns were raised:

1. The dwellings were designed to take into consideration the orientation of sun movements.
2. The dwellings as built have afforded the benefits of sufficient sunshine and light.

Cont'd....

Application No. 18/0065/FULL Continued

3. The occupiers of no.4 require agreement from the neighbouring occupiers when exceeding 4.0 metres in depth.
4. The existing first floor layout of no.4 is no smaller than that of no.6.
5. The proposal may disrupt the existing underground pipework and cause future problems.
6. The conservatory that has subsequently been removed allowed sufficient light, however the current proposal will have adverse impacts.
7. Overbearing and overshadowing impact on the occupiers of no.6.
8. The occupier of no.6 was not consulted by the applicant prior to submission of this application.
9. The first floor element of the proposal is considered to be inappropriate development.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

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

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as less than 100 square metres of additional floor space is proposed.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main issue to consider in the determination of this application is whether the proposed works would have an overbearing impact on the amenity of the occupiers of 6 Penmaen Road, Pontllanfraith.

A previous applications at the property (Ref: 17/0996/FULL) for a two storey rear extension were refused for the following reason:

"By virtue of its siting and scale, the proposed first floor rear extension would result in an unacceptable overbearing and overshadowing impact on the occupiers of no. 6

Cont'd....

Application No. 18/0065/FULL Continued

Penmaen Road, resulting in a loss of daylight and sunlight. Such an impact is contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, as well as Guidance Note 2 of the Local Planning Authority's Adopted Supplementary Planning Guidance LDP7: Householder Developments (2017)."

The resubmitted scheme has been amended to reduce the depth of the first floor element of the two storey extension. This now measures 2.0 metres in length from the rear wall of the application property compared to the 3.7 metres previously proposed. With regards to the design, the two storey extension is considered to be acceptable in terms of its setting, materials, roof design and fenestration.

In terms of its size and the impact that the development would have upon the neighbouring dwelling (6 Penmaen Road), advice contained in Supplementary Planning Guidance LDP7: Householder Development is of relevance. In particular, Guidance Note 2 of Supplementary Planning Guidance LDP7: Householder Developments (2017) states:

"Extensions and conservatories should not cast large shadows onto neighbour's houses or gardens. As a general rule single storey extensions near to a ground floor window of any principal room in an adjoining property, should be no longer than 4 metres, whilst two-storey extensions in the same circumstances should be no longer than 2 metres. A 'principal room' can be defined as one of the main rooms of a house, such as a living room, main bedroom and dining room.' Unless the context allows otherwise, those dimensions could be increased to a maximum of 6 metres and 4 metres respectively, where the extension does not breach a line taken at 45 degrees from the centre of the nearest ground floor window of any principal room in an adjoining property, and it would not have an overbearing effect or an adverse impact on outlook."

In that regard the application property benefits from an original single storey annexe and therefore the ground floor element of the proposal is commensurate with what can be built under permitted development. In terms of the first floor element, the 2.0 metres first floor extension accords with the above guidance.

Due to the orientation of the dwellings within this terrace, it is acknowledged that the occupier of no.6 Penmaen Road experiences overshadowing at certain times of the day. However, it is not considered that the first floor element of this proposal would have an overbearing impact or exacerbate any existing overshadowing to a degree sufficient enough to warrant refusal of planning permission. Furthermore, it is not considered that the proposal would have an adverse impact on outlook or bring about any loss of

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Application No. 18/0065/FULL Continued

privacy. As such the proposal accords with policy CW2 of the Caerphilly County Borough Council Local Development Plan up to 2021 (adopted November 2010).

Comments from consultees: Whilst the council's ecologist has requested the imposition of bird breeding provision and bat roost provision, given the nature of the development proposed, it is not considered reasonable or necessary to impose two conditions to this permission and subsequently one condition is considered appropriate for the development proposed.

Comments from public: The following representations were raised:

1. The dwellings were designed to take into consideration the orientation of sun movements - Orientation of the dwelling, the tracking of the sun's movements and advice contained within supplementary planning guidance LDP7: (Householder Developments) have been taking into consideration in the determination of this application.
2. The dwellings as built have afforded the benefits of sufficient sunshine and light - Whilst the depth of the first floor element of the proposal is considered to be unacceptable, a reduction to two metres complies with the Council's Supplementary Planning Advice LDP7 :Householder Developments (2017).
3. The occupiers of no.4 require agreement from the neighbouring occupiers when exceeding 4.0 metres in depth - The applicant served notice on the occupier of no.6 Penmaen Road. Further issues can be addressed under the Party Wall Act.
4. The existing first floor layout of no.4 is no smaller than that of no.6 - This is not a material planning consideration, it is within the applicant's gift to apply for planning permission to increase the footprint of the dwellinghouse.
5. The proposal may disrupt the existing underground pipework and cause future problems - This is not a material planning consideration. and can be addresses through the submission of a building regulations approval application.
6. The conservatory that has subsequently been removed allowed sufficient light, however the current proposal will have adverse impacts - It is difficult to ascertain the extent of the original ground floor annexe at no.4, however as the applicant has permitted development rights, a structure of 4.0 metres could be erected onto the existing annexe without the need for planning permission and would have a similar impact to the ground floor element proposed as part of this submission.
7. Overbearing and overshadowing impact on the occupiers of no.6 - This has been discussed in the report above.

Cont'd....

Application No. 18/0065/FULL Continued

8. The occupier of no.6 was not consulted by the applicant prior to submission of this application - There is no requirement for the applicant to consult with neighbours prior to submission of any application for planning permission, however the Local Planning Authority encourages neighbourly conversations prior to the submission of any application.

9. The first floor element of the proposal is considered to be inappropriate development - Whilst the occupier of no.6 considers that any first floor development to the application property is unacceptable, the Council's Supplementary Planning Advice LDP7: Householder Developments acknowledges that first floor extensions up to 2.0 metres in depth is acceptable in planning terms and can project considerably further subject to the 45 degree rule.

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:
Dwg No. 15-11-17/1 (A) Proposed Plans and Elevations received on 19.01.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Application No. 18/0065/FULL Continued

- 03) 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 the two storey extension shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

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.

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

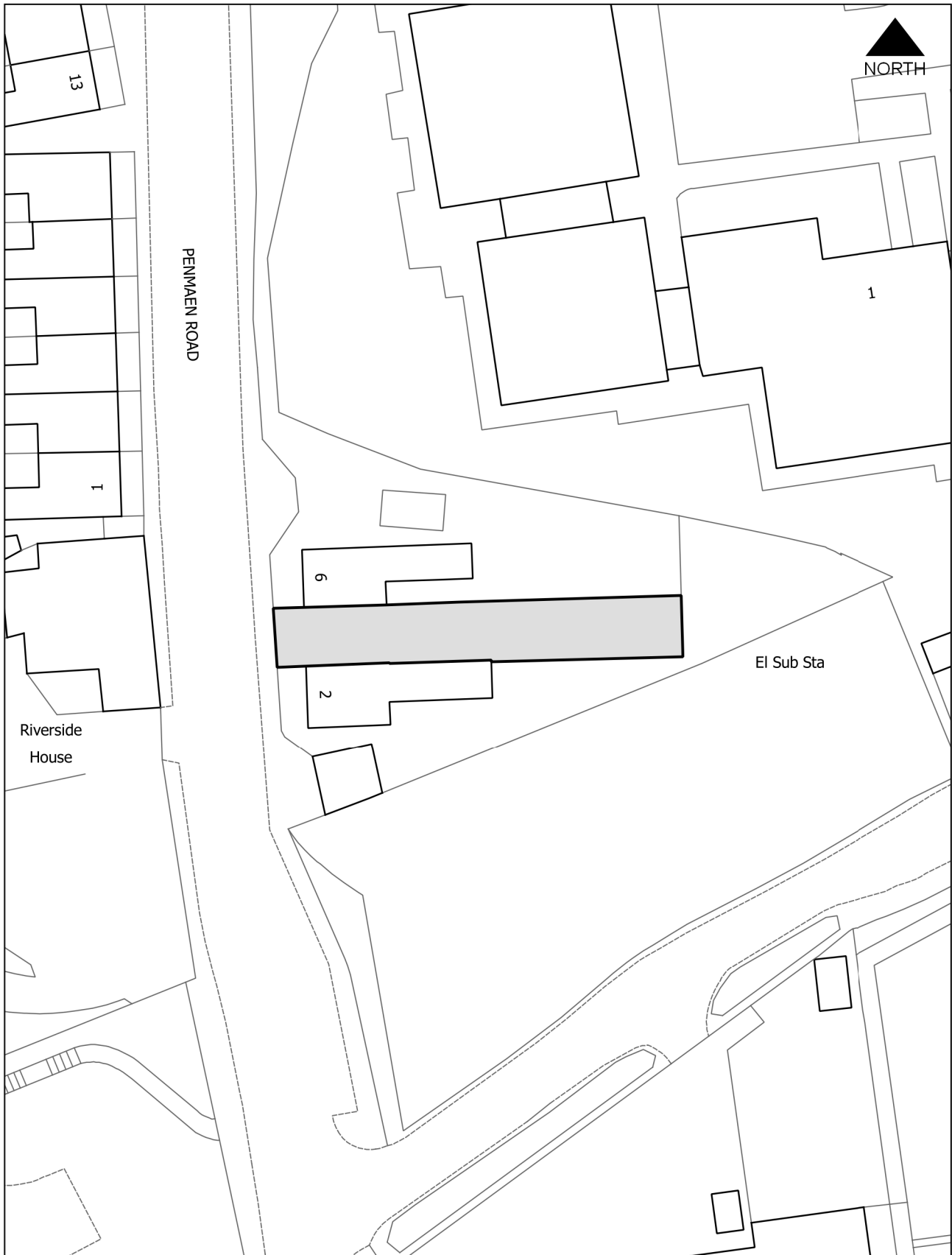
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Application No. 18/0065/FULL Continued

and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

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

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



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Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1092/FULL 11.01.2018	Mr C Vaughan New Inn Victoria Road Fleur-de-lis Blackwood NP12 3UP	Erect rear single storey extension providing a living room and billiard room New Inn Victoria Road Fleur-de-lis Blackwood NP12 3UP

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The property is located on the western side of Victoria Road.

Site description: The application site is a former public house, that was converted into a residential unit in the 1980's.

Development: A single storey rear extension.

Dimensions: The rear extension projects out by 4.6m, and is 15.8m wide. The height to the eaves is 2.4m, and to the highest point on the ridge is 3.4m.

Materials: To match the existing, white render with concrete interlocking roof tiles and white UPVC glazing.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021, Adopted November 2010.

Site Allocation: The site is in the settlement boundary of Fleur-De-Lis.

Policies: Policy CW2 (Amenity) and guidance contained in Supplementary Planning Guidance LDP7: Householder Development.

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Application No. 17/1092/FULL Continued

CW2 (Amenity) ensures that development proposals have regard for all relevant material planning considerations to ensure that there is no unacceptable impact on the amenity of adjacent properties or land, the proposal would not lead to overdevelopment and that the development would be compatible with the surrounding land uses.

NATIONAL POLICY Planning Policy Wales (9th Edition) and Technical Advice Note 12: Design (2016).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site lies in an area where there may have been previous coal mining. An informative will be provided should the application be recommended for approval.

CONSULTATION

Countryside And Landscape Services - No comments received at time of writing the report, however considering the works proposed, advisories will be put on relating to the potential of bats and buildings should the application be recommended for approval.

Dwr Cymru - No objection. Information should be provided to the applicant should the application be recommended for approval.

ADVERTISEMENT

Extent of advertisement: The application was advertised by neighbourhood letters to the nearest eight properties.

Response: Two letters of objection were received.

Summary of observations: The issues raised with the application are summarised below:

- 1) Buildings are already closely related consequently the extension will have an overbearing impact;
- 2) The extension will be 14 foot (4.3m) high at the ground level of the patio of the adjacent bungalow;

Cont'd....

Application No. 17/1092/FULL Continued

- 3) Extension will overshadow kitchen window and downstairs bathroom;
- 4) A reduction in the depth of the extension would be welcomed;
- 5) Extension will block light into the patio area;
- 6) When scaffolding used on the application property, workmen able to look into the bathrooms;
- 7) If there are skylights proposed, there would be a clear view into the upstairs bathroom (which also has a skylight).

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
Crime and disorder are not considered to be issues in 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, as the proposed increase in floorspace would be less than 100 square metres.

ANALYSIS

This application is before planning committee as the applicant is a member of Council staff.

Policies: This application has been considered in accordance with Local Plan Policy and Supplementary Planning Guidance. The main points to consider in the determination of this application are whether the proposal is acceptable from a design perspective, and whether the proposal would have an overbearing and overlooking impact on the adjacent dwellings at 'The Bungalow' and No. 5 Julian Heights.

In terms of design, the scheme is considered to be acceptable as the materials proposed match the existing dwelling house. The pitch of the roof is relatively low, and the upper windows are not to be replaced. The extension is removing patio doors at the rear, and replacing them with patio doors to the western elevation, and a bay window to the eastern elevation (which fronts Victoria Road). In order to maximise light to the extension, a roof lantern is proposed. Whilst this is not strictly similar to the host

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Application No. 17/1092/FULL Continued

property in design terms, the area is characterised by a myriad of different styles of dwellings, therefore would not add an unacceptable design element to the area. The extension is in keeping with the host dwelling and proposed extension is therefore considered acceptable and in accordance with policy CW2 (Amenity) part (a).

With regard to the potential overbearing and overlooking impact on the adjacent dwellings, the impacts on 'The Bungalow' and No. 5 Julian Heights are different and as such, the impact on both properties will be assessed separately.

Turning firstly to the impact on the property at the rear of the application 'The Bungalow', the existing separation distance between both properties is 8.4m (at its closest) to 9.1m (at its furthest). The proposed extension would see this separation distance decrease to 3.6m and 5.0m respectively. 'The Bungalow' is also set down from the application property by approximately 0.6m, consequently any development would have a negative impact. Consideration must be given to the size of extension that could be erected under permitted development rights. In this specific location, a rear extension of up to 4 metres could be erected across the entire width of the property, without the need for planning permission. Therefore, the main consideration in the determination of this application is whether the additional 0.6 metre would have an adverse negative impact on 'The Bungalow', and whether this is sufficient to justify refusing the application.

Guidance contained in LDP7: Householder Development states that "Extensions and conservatories should not cast large shadows over, or have an overbearing impact on, a neighbour's house or garden". As a general rule single storey extensions on the common boundary and near to a ground floor window of any principal room should not be longer than 4 metres, however these limitations can be exceeded depending on the context of the proposed extension. Those that are pertinent to this application are:

- Orientation of the house;
- Location of any windows and the rooms they serve.

It is also noted that the rooms directly affected in 'The Bungalow' are a kitchen and bathrooms. However, LDP7: Householder Development, does not classify these rooms as 'principal habitable rooms'. As such, this would be one situation where the 4.0m rule could be exceeded. Given that the two properties are closely located as well as the difference in levels, there is already an element of overshadowing and overbearing caused by the application property. Furthermore, a 2m boundary fence could be erected at the application property without the need for planning permission, which would have a similar, if not greater impact on 'The Bungalow' than the proposed extension. Similarly, the application is proposing no windows directly facing 'The Bungalow', which could be installed without the need for planning permission if the applicants were to

Cont'd....

Application No. 17/1092/FULL Continued

utilise their permitted development rights. The design of the scheme minimises the impact the development would have, as the height of the eaves and ridge of the roof are low, and only take into account general head height.

With regards to the impact on No. 5 Julian Heights, the proposed extension seeks to install a patio door on the western elevation that would be approximately 17m away from the bedroom windows of No. 5. Guidance contained in LDP7: Householder Development seeks to ensure that the separation distance of approximately 21m is sought for a back-to-back situation. As this would be a side-to-back scenario, coupled with the close boarded fence that surrounds the site, any potential overlooking is predominantly prevented. In order to ensure that overlooking is restricted, it is deemed necessary to impose a condition stipulating that the fence nearest to No. 5 should always be at a height of 1.8m high.

In summary, given that fall-back position of what could be erected under permitted development, on balance the proposal will not have a sufficient impact on 'The Bungalow' or No. 5 Julian Heights to warrant a refusal. Given the close proximity to the neighbouring dwellings, it is deemed necessary to impose conditions restricting the addition of windows and dormers without prior approval from the Local Planning Authority. As such, planning permission for this extension is recommended for approval.

Comments from consultees: These are incorporated in the report above.

Comments from public:

1) Buildings are already closely related consequently the extension will have an overbearing impact;

This is noted and is discussed in the above report.

2) The extension will be 14 foot (4.3m) high at the ground level of the patio of the adjacent bungalow.

This issue is discussed in the above report.

3) Extension will overshadow kitchen window and downstairs bathroom.

This issue is discussed in the above report.

4) A reduction in the depth of the extension would be welcomed.

This application can only consider the merits of the proposal as submitted.

Cont'd....

Application No. 17/1092/FULL Continued

5) Extension will block light into the patio area.

Given the low height to eaves, as well as the fall-back position of a 2.0m boundary fence and a 4.0m rear extension being erected, the impact generated by the extension will not be significant to justify a refusal.

6) When scaffolding used on the application property, workmen able to look into the bathrooms

Any potential overlooking would be limited to during the construction period.

7) If there are skylights proposed, there would be a clear view into the upstairs bathroom (which also has a skylight).

The skylights on the proposed extension are located at a height of 2.3m high, making any overlooking impact down onto 'The Bungalow' difficult due to the acute angle. The outlook would be to the top of 'The Bungalow' roof, or the sky.

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 titled 'Proposals at New Inn Cottage' dated 29/11/2017 received 21/12/2017.
 - Site Layout Plan received 21/12/2017.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Application No. 17/1092/FULL Continued

- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed in the extension hereby approved without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement to the extension consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 05) Notwithstanding the submitted plans, the boundary treatment on the west of the site (closest to No. 5 Julian Heights) shall be at least 1.8m high (but no higher than 2.0m) and shall be maintained in perpetuity as such.
REASON: In the interests of residential amenity.

Advisory Note(s)

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

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.

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

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Application No. 17/1092/FULL Continued

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>

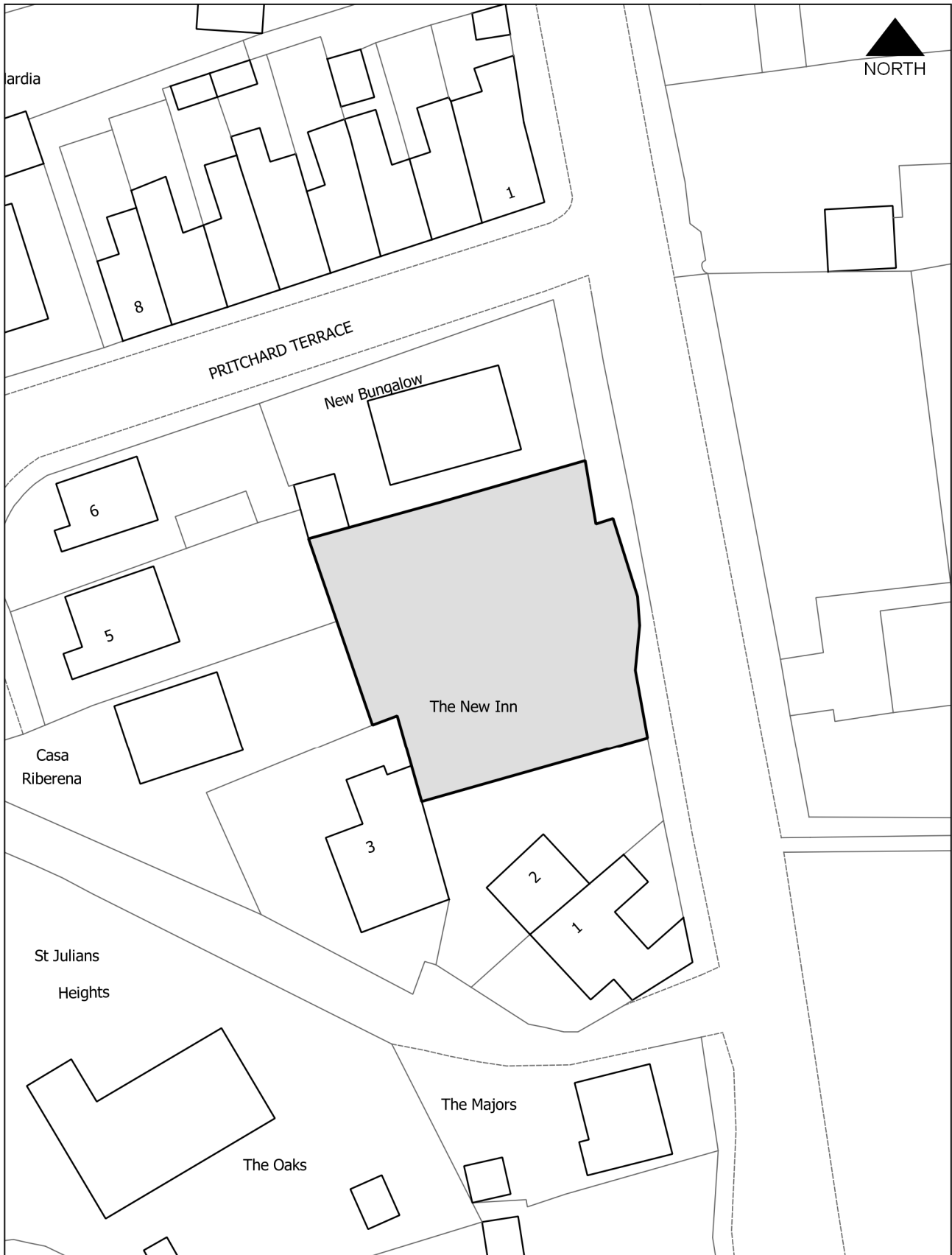
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment 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.

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.

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



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Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1001/RET 08.01.2018	Mr L Davies Glentworth 11 Fochriw Road Pontlloftyn Bargoed CF81 9QH	Retain new concrete block wall Glentworth 11 Fochriw Road Pontlloftyn Bargoed CF81 9QH

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application property is located on Fochriw Road, Pontlloftyn.

Site description: Two storey mid-terrace property elevated above the highway.

Development: Full planning permission is sought to retain the concrete block wall within the rear garden of the property.

Dimensions: The wall measures approximately 10.0 metres in length by 2.5 metres in height. The remainder of the wall along the boundary nearest no.12 Fochriw Road is within permitted development limits.

Materials: Concrete blockwork.

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

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Policies: SP5 (Settlement Boundaries), CW2 (Amenity), CW15 (General Locational Constraints) and advice contained in the Local Planning Authority's adopted Supplementary Planning Guidance LDP 7: Householder Developments (January 2017).

Cont'd....

Application No. 17/1001/RET Continued

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016) and Technical Advice Note 12: Design (March 2016).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

COAL MINING LEGACY

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

CONSULTATION

None.

ADVERTISEMENT

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

Response: One letter of representation was received.

Summary of observations: 1. The standard of workmanship is poor.
2. The wall has been tied to the neighbour's wall without permission.

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.

Cont'd....

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This is an application to retain a concrete wall that has been constructed within the rear curtilage of 11 Fochriw Road. It should be noted that there has always been a wall between no.11 and no.12 Fochriw Road and that wall is still in situ behind the recently constructed wall. Therefore the main consideration in the determination of this application is whether the newly constructed wall has a detrimental impact on the amenity of the occupiers of no.12 Fochriw Road.

In that regard, the section of wall that requires planning permission extends from the rear wall of the dwelling to the steps which rise up to the rear boundary of the garden. The wall measures 2.5 metres at its highest from the lowest point at ground level and is approximately 10 metres in length. The application property (no.11) is located at a significantly lower level than no.12 whereby the scale and massing of the existing boundary wall has always had a greater impact on the occupiers of no.11. The difference in height between the existing boundary wall and the new wall measures 0.1 metres in height. In that respect the wall measures 1.2 metres in height from the ground level of no.12. As such, it is not considered that the wall as built has a detrimental impact on the occupiers of no.12 Fochriw Road in terms of visual amenity or overbearing impact, therefore the application is considered to be acceptable in planning terms.

Comments from consultees: None.

Comments from public: The following issues were raised:

1. The standard of workmanship is poor - An officer from the council's building control department has visited the development and requested some remedial strengthening works to the wall. Those works have now been undertaken and the building control officer is satisfied. This however is not a material planning consideration.
2. The wall has been tied to the neighbour's wall without permission - The wall has been built within the existing boundary of no. 11. It is not the role of the planning authority to ascertain the ownership of the existing boundary wall between the no.11 and 12, land ownership matters are private disputes.

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,

Cont'd....

Application No. 17/1001/RET Continued

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

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.

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.



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Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1072/COU 21.12.2017	United Welsh Housing Association C/o LRM Planning Ltd Mr M Rees 22 Cathedral Road Cardiff CF11 9LJ	Change the use of the existing offices (B1) to residential accommodation and support for young people aged 16 to 25 (C2) and construct new lobby (7.5 sqm) Park Villas Park Road Bargoed CF81 8SP

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application site is located on the corner of Park Road and Ruth Street, Bargoed.

Site description: Two-storey detached building. Currently vacant, formerly used as B1 office accommodation.

Development: It is proposed to change the use of the building from B1 office use to a C2 residential accommodation use to include support for young people ages 16 to 25. The proposal will provide two self-contained flats, six bed sits, communal areas, office and meeting space and overnight accommodation for staff. The scheme will be managed by Llamau, and will form a direct replacement for the existing scheme at 39 Cardiff Road, Bargoed. The scheme at 39 Cardiff Road has been operating in excess of 15 years and is due to be decommissioned. The aim of the scheme is to provide young people with the support they need to enable them to move on to full independent living. Such support could range from health to help with training, job seeking and budgeting/practical skills, subject to the individual needs of residents.

Ancillary development, e.g. parking: Off-street parking provision for 4 cars is proposed. A small lobby (7.5 sq. metres) is also proposed on the north facing elevation.

PLANNING HISTORY 2005 TO PRESENT

15/0458/FULL - Provide alterations and extend existing building to form 4 residential dwellings - Granted 02.11.15.

Cont'd....

Application No. 17/1072/COU Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: SP1 - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP21 - Parking Standards, CW2 - Amenity, CW3 - Design considerations - Highways, CW15 - General locational constraints, CW18 - Locational constraints - Housing for People in Need of Care, supplementary planning guidance LDP5 - Parking Standards, LDP6 - Building Better Places to Live, LDP7 - Householder Development.

NATIONAL POLICY Planning Policy Wales and TAN 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? Not an issue in respect of this planning application.

CONSULTATION

Transportation Engineering Manager - No objection subject to a condition that requires the proposed parking area to be provided prior to first use of premises for its approved use.

Head Of Public Protection - No objection.

Bargoed Town Council - Raises objection to the proposed development and request wider public consultation be undertaken by the Local Planning Authority.

Dwr Cymru - Provides advice to the developer.

Cont'd....

ADVERTISEMENT

Extent of advertisement: Twelve neighbouring properties/premises were consulted by way of letter and a site notice was displayed near the application site.

Response: 29 objection letters have been received.

Summary of observations:

1. Development will result in anti-social issues;
2. Neighbour consultation process undertaken by Local Planning Authority is flawed and more neighbouring properties should have been consulted as part of the planning application;
3. Noise disturbance from proposed use;
4. Request that site be developed for 4 properties in line with previous planning permission on the site;
5. Lack of supervision of tenants during the day;
6. Other similar schemes in the area have regular drug and crime activity associated with them;
7. Devaluation of nearby properties;
8. Position of proposed smoking shelter, bike store and bin store will result in increased noise/air pollution.

It should also be noted that the developer also carried out a public consultation exercise prior to submitting the application. This consisted of letters to approximately 145 nearby properties inviting them to an exhibition and directing them to the agents website. As a result of this exercise, 48 representations/letters were submitted to the agent, as well as a petition signed by 171 residents objecting to the proposal. According to the pre-application consultation report submitted by the agent, the objections raised in these representation (not covered above) were as follows:

- Loss of privacy;
- Concerns over traffic/parking;
- Query relating to using other vacant buildings outside residential areas;
- Concerns relating to introducing young people into an 'aged community';
- Query over bat survey;
- Concerns over construction noise;
- Increased car/house insurance as result of development;
- Concerns over safety of existing residents of area;
- Query relating to reduction in council tax for local residents;
- Query for council to pay and install panic buttons/alarms;
- Concerns development would change sense of community;
- Concerns over litter.

Cont'd....

Application No. 17/1072/COU Continued

These matters have been satisfactorily addressed in the applicants pre-application consultation report and do not represent reasons that would warrant a refusal of planning permission.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
Crime and disorder are not considered to be an issue for this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A preliminary roost assessment was undertaken. On the basis of this report it is not considered that the development will have a detrimental impact on biodiversity, subject to the recommendations contained within the report being complied with.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? C2 use is not CIL liable.

ANALYSIS

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

The main issues in respect of the residential development of this site are considered to be the compatibility of the use with surrounding land uses, the effect of the development upon the character of the surrounding area and upon the amenity of occupiers of neighbouring properties, and also in terms of highway safety.

Given that the site subject of this application is included within the settlement boundary for Bargoed as identified in the LDP and is also a Brownfield site, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate development within the existing settlement.

Policy CW18 of the LDP sets out criteria relating to the provision of housing for people in need of an element of care, either through change of use or new development. The proposed supported living accommodation meets the relevant criteria because it is located within the defined settlement boundary and there is safe and easy access to existing community facilities, local shops and services.

Cont'd....

Application No. 17/1072/COU Continued

Policy CW2 sets out criteria relating to amenity and contains the following criteria: -

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

In response to Criterion A it is not considered that the proposed use will have an unacceptable impact on the amenity of adjacent properties. The proposed scheme consists of eight residential units with an element of support and care. Such a C2 residential institution use is considered to be an appropriate use of land in a predominantly C3 (individual dwellinghouses) residential area.

With regard to the issue of over-development (i.e. Criterion B), it is not considered the proposal would constitute over-development of the site. The amount of development can be adequately accommodated on the site with a reasonable level of external amenity space/parking provision/bin storage/smoking shelter to serve the proposed development.

Criterion C seeks to ensure that the proposal does not constrain the authorised neighbouring land uses. In this regard the proposed use conforms to its mainly residential surroundings and it will not adversely impact on these activities. The proposed supported living accommodation falls within Use Class C2, which as a group includes other uses such as: residential schools and colleges, convalescent and nursing homes, which are uses that are generally accepted as compatible within a predominantly residential neighbourhood but may not be appropriate on this site. Therefore it is appropriate to restrict the grant of any permission to the proposed use and not to any other within the overall use class. This may be addressed by attaching a condition to any consent.

In terms of highway safety, the Transportation Engineering Manager raises no objection to the proposed development subject to a condition to ensure the proposed car parking area is provided in accordance with the submitted plans.

Comments from Consultees: No objection is raised by consultees subject to conditions and advice.

Comments from public:

1. Development will result in anti-social issues - The proposed scheme relates to providing support for young people and children, with 24/7 staffing of the development. There is no reason to assume such a use will result in anti-social issues.

Cont'd....

Application No. 17/1072/COU Continued

2. Neighbour consultation process undertaken by Local Planning Authority is flawed and more neighbouring properties should have been consulted as part of the planning application - The application consultation was carried out in accordance with the Local Planning Authority's consultation procedure, including advertising the application by way of site notice adjacent to the site.
3. Noise disturbance from proposed use - It is not considered that the use, i.e. a residential use with associated office facilities, would cause unacceptable levels of noise.
4. Request that site be developed for 4 properties in line with previous planning permission on the site - The current application must be considered on its individual planning merits.
5. Lack of supervision of tenants during the day - Llamau will operate the scheme, and have the relevant experience to appropriately manage would-be occupiers.
6. Other similar schemes in the area have regular drug and crime activity associated with them - No evidence has been submitted to support this claim.
7. Devaluation of nearby properties - There is no evidence to support this, however this is not a planning consideration.
8. Position of proposed smoking shelter, bike store and bin store will result in increased noise/air pollution - If use of these areas did lead to unacceptable levels of noise disturbance, the scheme operator would be required to resolve such matters. Furthermore, powers exist under environmental health legislation to control such noise nuisances.

Other material considerations: The proposed lobby on the north elevation of the building is considered to be acceptable in terms of its siting, massing and design.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont'd....

Application No. 17/1072/COU Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents:
Drawing No. (SK)200C, Proposed ground floor plan, received 14.12.2017;
Drawing No. (SK)201A, Proposed first floor plan, received 14.12.2017;
Drawing No. (SK)202B, Proposed elevations, received 14.12.2017;
Drawing No. (SK)203A, Proposed elevations, received 14.12.2017;
Drawing No. (SK)302A, Proposed site layout, received 14.12.2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
REASON: In the interests of the visual amenities of the area.
- 04) The premises shall be used for the use applied for and subject of this consent and for no other purpose (including any other purpose in Class C2 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 the amenity of the area.
- 05) Notwithstanding the submitted plans, prior to the commencement of any works on site, details shall be submitted to the Local Planning Authority providing further details of the proposed smoking shelter, bike store and bin store. The development shall be carried out in accordance with these agreed details.
REASON: In the interests of the visual and residential amenity of the area.
- 06) The development hereby approved shall be carried out in accordance with the recommendations made in Section 5; of the bat survey report dated September 2007; prepared by Wildwood Ecology; unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection to protected species.

Cont'd....

Application No. 17/1072/COU Continued

- 07) Prior to the commencement of the use hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the existing property at Park Villas, Park Road, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with 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).
- 08) Prior to the commencement of the use hereby approved, details of the provision of nesting sites for bird species (House martin) in the existing property at Park Villas, Park Road, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use 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).

Advisory Note(s)

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

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

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

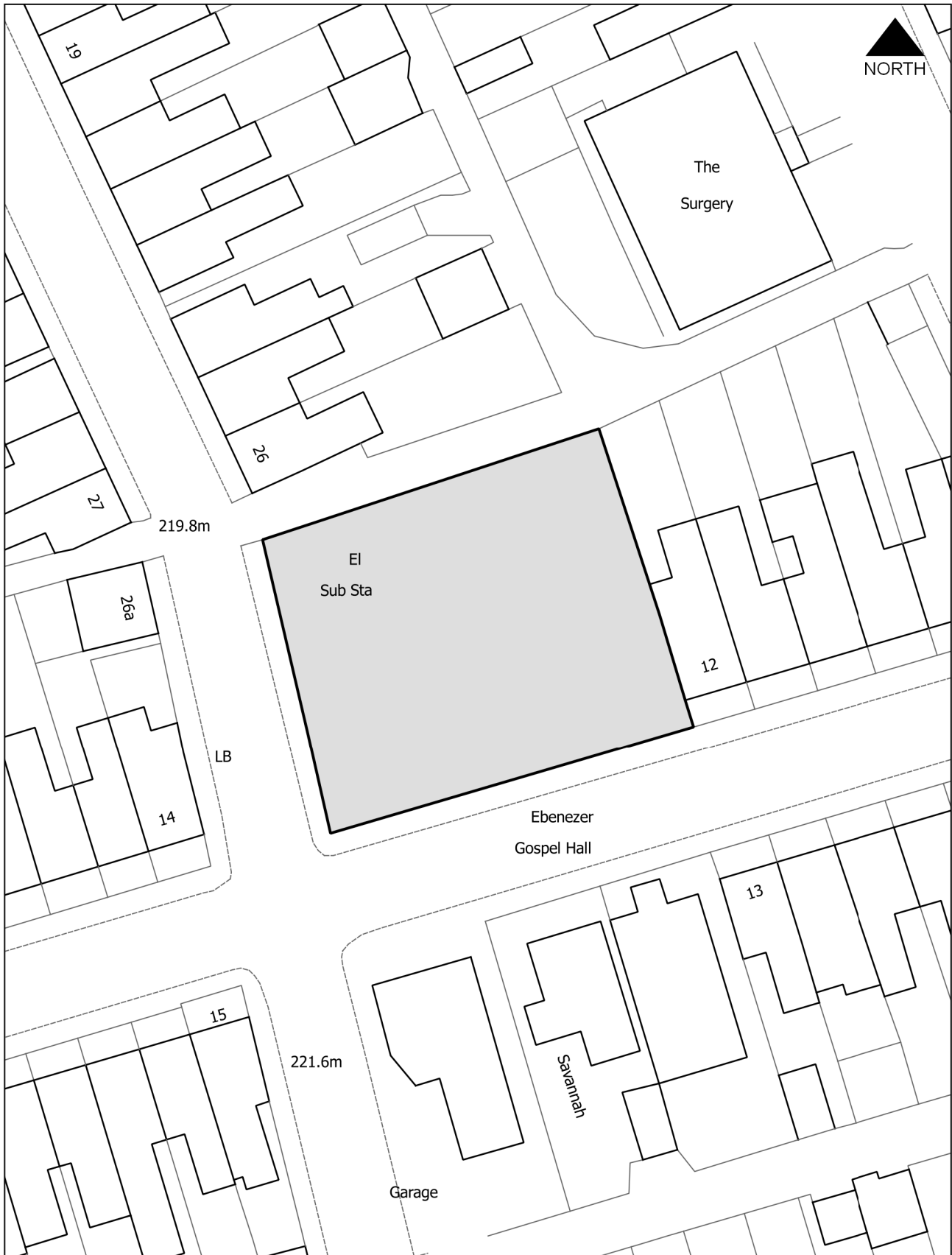
Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily 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

Cont'd....

Application No. 17/1072/COU Continued

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).



Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0473/FULL 09.06.2017	McCarthy And Stone Retirement Lifestyles Ltd Mr Mantell (RMD) First Floor Blackbrook Gate 1 Blackbrook Park Avenue Taunton TA1 2PX	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 Former Caerphilly Police Station Mountain Road Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Mountain Road and to the south of Bron Rhiw Fach.

Site description: The application site is located on the slopes of Caerphilly Mountain towards the southern edge of Caerphilly town centre. The site is 200 yards from the Caerphilly train station which serves as a bus interchange as well. The site occupies a prominent and elevated position on Mountain Road, a well regarded location, approximately a quarter of a mile to the south of the town centre.

The site occupies an area of 3,981m² / 0.98 acres and it was once occupied by a Police Station, now demolished. It is accessed from Mountain Road via Bronrhiw Fach. The site is bound to the west by a residential building, now converted into an office complex, and a grassed parcel of land beyond which lies Mountain Road. To the north and the east the site is enclosed by residential properties. To the south the site is bound by the vacant site of the former Magistrate's Court.

The Police Station buildings were recently demolished and the site is now cleared ready for development. The site appears secluded from the main street frontages onto Mountain Road (50m to the east). It is cut into the slopes of Caerphilly Mountain and is levelled, however it is bound to the north and the east by a 4 meter drop separating the

Cont'd....

Application No. 17/0473/FULL Continued

site from the neighbouring residential buildings below and to the south by retaining walls holding the upper slopes.

The application site sits within a primarily residential area with Mountain Road acting as the main distributor from which all residential settlements are accessed. The immediate area is lined mainly with a variety of semi-detached two storey houses and bungalows. The wider area, as described below, mainly by terraced properties.

A quarter of a mile south of the site the residential area ends and opens up to the fields and woodlands of Caerphilly Mountain. 200 yards to the north the train lines and the parallel King Edward Avenue separate the site's immediate area from the town centre. From here Mountain Road changes its name into Cardiff Road and assumes a more commercial character with shops lining both side of the street all the way to the town centre frontage onto the castle.

The slope of Mountain Road is traversed via the slope from south to north with the main site section having been levelled as part of the previous site use. Due to the level changes, the main site section has a retaining wall to the south, and a steep offsite slope to the north down to the residential properties of Bronrhiw Fach.

Development: This application is seeking full planning permission for an age restricted retirement living scheme and associated facilities. The proposed development includes:

- Age restricted retirement living scheme (gross external area of 1048m²);
- 43 apartments (26 one bed, 17 double bed);
- 31 total car parking spaces;
- Refuse store and buggy store;
- Entrance Lobby and resident lounge;
- Landscaped gardens and other associated facilities.

The proposed building is a largely a large rectangular building with a mixture of two, three and four storey roof heights to reduce its massing. It has been set back into the site from Mountain Road and back from the slope at the northern end of the site in order to reduce its massing in the wider context. The four storey element of the building would also be towards its centre with the height then reducing down to the outer elements closer to the boundary of the site.

The building will be serviced by a car park, which is accessed via Bronrhiw Fach. One access point is proposed, allowing the entry and exit from the car park. It has been carefully considered to ensure that the correct visibility splays are achieved for vehicles arriving and leaving the site. It is 6 m wide, to easily allow the flow of the cars minimising disruption to the present and future traffic flow along Bronrhiw Fach.

Cont'd....

Application No. 17/0473/FULL Continued

The building's main entrance is located on the ground floor fronting the main access from Bronrhiw Fach. The refuse store and motility scooter/bicycle store are both located adjacent to the main car parking area. Residents will enter the building direct via the main entrance. Secondary access points are available, coming off the two staircases and the corridors. The scheme proposes communal gardens to the frontage and rear.

Dimensions: The building has overall measurements of 62m by 22m by 14.2m high.

Materials: A mixture of face brickwork, render and timber cladding with a tiled roof.

Ancillary development, e.g. parking: Parking is provided for 31 vehicles together with the aforementioned electrical buggy store.

PLANNING HISTORY 2005 TO PRESENT

SPA/17/0012 - Erect 43 unit retirement apartment scheme in part 2, part 3 and part 4 storey building with associated communal facilities and car parking - Planning permission required.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints) and CW18 (Locational Constraints: Housing for People in Need of Care).

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.

Cont'd....

Application No. 17/0473/FULL Continued

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."

Paragraph 9.1.1 states that The Welsh Government's approach, set out in the National Housing Strategy, is to:-

- Provide more housing of the right Type and offer more choice.
- Improve housing related services and support, particularly for vulnerable people and people from minority groups.

Paragraph 9.1.4 stipulates Local Planning Authorities should ensure that development plan policies are based on an up-to-date assessment of the full range of housing requirements across the plan area over the plan period." This includes both private and public sector needs to produce Local Housing Market Assessments (LHMA). Para 2.2 also seeks to ensure that the level of housing provision to be proposed over a plan period must be considered in the context of viability and deliverability.

Paragraph 9.2.3 states that when Local Authorities determine an appropriate 5-year supply of land for housing "There must be sufficient sites suitable for the full range of housing types.

Chapter 4 explains that: The goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations. For decision making it means 'approving development proposals that accord with the development plan without delay.'

The PPW goes on to emphasise that Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development and sets out a criteria by which such proposals should be considered.

The PPW requires the planning system to deliver sustainable development; in Para 4.2.1 it is stated that "The planning system is necessary and central to achieving sustainable development in Wales." In Para 4.4.3 it is stated that: "Planning policies, decisions and proposals should:

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of

Cont'd....

Application No. 17/0473/FULL Continued

suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites.

- Contribute to the protection and, where possible, the improvement of people's health and wellbeing.
- Locate developments so as to minimise the demand for travel, especially by private car.
- Ensure that all local communities - both urban and rural - have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.

National Planning Guidance contained in Technical Advice Notes 1 - Joint Housing Land Availability Studies, 2 - Planning and Affordable Housing and 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? Yes but a Site Investigation submitted with the application has adequately proven that the site would not be affected by previous mine workings.

CONSULTATION

Head Of Public Protection - No objection subject to conditions.

CADW - No objection.

The Coal Authority - No objection.

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

Head Of Public Services - No objection subject to the provision of suitable refuse bin storage areas and adequate access for refuse vehicles.

Transportation Engineering Manager - No objection subject to conditions.

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

Cont'd....

Application No. 17/0473/FULL Continued

Police Architectural Liaison Officer - No objection.

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

Countryside And Landscape Services - No objection subject to conditions.

ADVERTISEMENT

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

Response: One letter of objection and three letters of support were received.

Summary of observations: 1. The objector argues that the proposed building is too large and that staggering the heights only accentuates this.

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? The application was supported by a Preliminary Ecological Appraisal, but raised no significant concerns at this stage.

Is this development Community Infrastructure Levy liable? Yes. Based on a total floor area of 3113.24 square metres a CIL amount of £124,526.60 is payable.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This is an unallocated brownfield site in the Caerphilly LDP, located within the settlement boundary (Policies SP5 and SP3). The proposal meets the criteria and the principle of development is therefore considered acceptable in this urban location.

Retirement Housing, because of its nature and concept, is invariably located within reasonable walking distance of shops and other essential services and close to public transport facilities. This site is well situated for retirement housing in this respect, being

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Application No. 17/0473/FULL Continued

situated close to the main centre of Caerphilly with its wide range of shops, services and facilities and is therefore in compliance with policy CW18.

The site is not located within a conservation area and there are no locational planning constraints on the site, in accordance with policy SP3 and CW18. The existing site is partly screened by mature trees and its location set back from the main street. Detailed consideration has been given to the impact of the building upon the amenities of neighbouring occupiers with set backs from boundaries and reduction in the built form. Eg 2 storey development closest to 16—22 Bronrhiw Avenue. With regards to development facing Bronrhiw Fach, the current embankment and screening would need to be maintained in order to prevent overlooking, however given the elevations of the Police Station and distance (28—30m) any additional impact would be negligible. Minimal overlooking would also occur to any neighbouring properties. The adjacent building fronting Mountain Road has only secondary windows looking towards the application site and the net effect of the new building is likewise negligible. Accordingly, the proposed development would have no adverse impact on visual amenity into and out of the site, yet maintaining the character of the surrounding built environment. The proposed amenity space serving the retirement apartments, with high quality landscaped gardens is positioned centrally within the plot to tie in with the southerly views and moreover, the important healthy existing trees along the perimeter of the site are to be retained to maintain a level of security and privacy for future occupants. Car parking is provided at the front of the plot to limit the amount of hard standing on the site. Much of the site would not be visible from the public realm and so the impact on the character of the area would be negligible. Adequate distances have been maintained from the proposed building to neighbouring properties in to safeguard existing and future residential amenity.

Regard has been paid to LDP Policies CW10 and CW2, which requires proposals to accord to the objectives of good design. The proposal offers a single block of accommodation that is broken down into different elements, working with the elevated and cut in position on the hillside. The proposal successfully addresses each of the criteria contained within the policy and delivers a high quality design with a mixture of high quality materials.

The proposal offers 43 apartments spread over two to four storeys. The design picks up on the local material palette but in a more contemporary form. The building does not have a traditional street frontage but one where glimpses are achieved between the main frontage buildings along Mountain Road and from neighbouring properties where glimpses of the site are achieved. Extended views and photomontages demonstrate how the building will fit comfortably within its context and wider extended views.

Cont'd....

Application No. 17/0473/FULL Continued

Specialised housing for the elderly, because of its very nature and concept, is invariably located within reasonable walking distance of shops and other essential services and close to public transport facilities. It can therefore be predicted that the level of car parking proposed, given the age of the intended residents, will adequately supply sufficient parking for the residents, house manager and visitors. In this instance, proposal provides for 31 car parking spaces at surface level in accordance with adopted standards.

This application is accompanied by a Transport Statement in accordance with policies CW3 and SP21. It concludes that the site is ideally located to maximise opportunities to travel by sustainable modes.

The proposed development will access the highway the existing vehicular access onto Bronrhiw Fach . The proposed development will be serviced from the internal car park, which refuse vehicles will be able to gain access and egress in forward gear. Cycle parking is to be provided in tandem with mobility scooter storage as it is unlikely that any one resident will require both a cycle and a mobility scooter. The Transport Statement demonstrates that the proposed development will not have a significant impact on the capacity or safety of the local road network.

However, it should also be noted that whilst the proposed development is near the Town Centre and main bus/rail interchange the location is likely to be difficult for elderly residents to access these facilities due to the steep gradient of Mountain Road.

The topography and layout of the town means that the development is up-hill from the main supermarket, banks, post office, and library etc. Whilst there is the ability to travel to the bus/rail interchange, the gradient and distance from the proposed development is still likely to be difficult for residents and therefore extremely likely to deter residents from walking. This may undermine the aims of the Travel Plan to encourage walking for residents of development. Therefore there needs to be consideration given to improving the proximity of suitable public transport. There is an opportunity to improve the existing bus service to Bronrhiw Fach and this type of development is more suited to a demand responsive service using a 16 seat minibus. The Council currently operates such a service (under the connect2 brand) whereby the bus is booked by residents and offers greater flexibility. Passengers can use their concessionary travel pass as they would on any other bus.

Based on experience elsewhere with similar developments a service three times each week offering a trip to/from a local supermarket or town centre would be appropriate for this development. There are opportunities to offer trips to social venues too. The cost of providing such a service would be approximately £40 per day. It is unlikely that the service would ever cover its costs but the ability to offer a service as soon as the

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Application No. 17/0473/FULL Continued

development is occupied strengthens the long term viability. It is considered that this should be secured by a Section 106 Agreement contribution at a total cost of £31,200 for a 5 year service. As the site is located adjacent to a similar scheme at the adjacent Former Magistrates Courts site it would be reasonable to require a 50% contribution towards this.

It is also worth noting that the highway infrastructure within the area does not offer a step free route from the town centre to the development and as such suitable highway improvements in the form of pedestrian crossing points, with tactile paving, to the Bronrhiw Fach and King Edward Ave road junctions will be required. These works can be dealt with by condition should permission be granted.

In accordance with policy SP6 those trees on site that are of good health and significant amenity value are to be retained as they serve an important visual amenity function and add to the visual amenity of the area. A sympathetic landscaping scheme has been devised that incorporates and supplements the existing vegetation wherever appropriate, including a number of new trees that will be planted to replace any trees removed to accommodate the development in accordance with policy CW10, CW2 and SP6.

The application is supported by an Extended Phase I Habitat Survey and this has concluded that the ecological impacts of the proposal can be adequately mitigated by the imposition of suitable conditions. Therefore the proposal complies with Policy CW4 of the LDP.

Policies SP5 and SP3 support housing development within urban areas where the site has been previously developed.

The Council's Affordable Housing policy is CW11, which seeks to negotiate the inclusion of an appropriate element of affordable housing on housing developments of 10 or more dwellings. This Policy is supported by Supplementary Planning Guidance LDP1 Affordable Housing Obligations. The SPG states that:-

In accordance with Policy CW11, the Council will normally seek the following proportions of affordable housing on sites that accommodate 5 or more units or that exceed 0.15 Ha in gross site area:

- 40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley);
- 25% in the Northern Connections Corridor (excluding Newbridge); and
- 10% in the Rest of Caerphilly County Borough (including Aber Valley and Newbridge but excluding the Heads of the Valleys Regeneration Area).

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5.3 It is expected that the area-specific targets for affordable housing as set out in Policy CW11 will be provided. However, in exceptional circumstances, for example, where there are significant abnormal costs required to bring sites forward for development, the provision of affordable housing at the levels identified may result in the development of a site becoming unviable.

5.4 Where the viability of providing affordable housing is considered to be an issue, developers will be required to provide the local authority with a Viability Assessment to consider whether the provision of affordable housing is viable.

The SPG also states that the preferred method for delivery would be for on site provision of the units. However, unlike traditional residential housing, retirement housing of this nature would not be feasible for on site affordable housing provision. There is a significant element of communal facilities within the building with a house manager and relevant service charge. The creation of separate affordable units within a communal market retirement housing block cannot be secured effectively. On site provision of affordable housing is not physically possible due to the size of the site and amount of available land to create separate units or a separate block. In that regard it is considered that the best way of providing a contribution towards affordable housing would be through a commuted sum towards the provision of affordable housing in the locality.

Turning to the issue of viability a Viability Assessment was submitted by the applicants and this was independently assessed by The District Valuer in accordance with the SPG. After a number of discussions and re-iterations of this information were considered, the outcome of that assessment was that there was a residual value for the site (the difference between build costs/expenditure and revenues/sales) of £561,186. Further discussion then took place in respect of the acceptable land value for the site whereby an increase of the land value by £75,000 was agreed thereby reducing the residual value to £486,186.

The applicant's valuer has suggested that the sales values used by the District Valuer are significantly higher than those that they expect and as such they claim that the residual value for the land is £49,198. However in the interests of commercial expediency they have offered a S106 contribution of £100,000 which would contribute towards affordable housing and the improved bus service referred to above. It is considered that this is significant shortfall from the contribution that the District Valuer has calculated and would not meet the Council's aims in terms of providing adequate affordable housing for the area. The District Valuer is confident that the sales values they have used are an accurate representation of that which the developer can expect for this site given its proximity to Cardiff and good public transport links. In that regard it

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Application No. 17/0473/FULL Continued

is considered that the offer from the developer does not comply with Policy CW11 of the LDP and advice contained in SPG LDP2 Planning and Affordable Housing.

Whilst the proposal would contribute towards the Council housing needs shortage, this would not outweigh the significant shortfall in affordable housing referred to above.

Comments from Consultees: No objections raised.

Comments from public: The objection raised in respect of the visual impact of the development is addressed above.

Other material considerations: None.

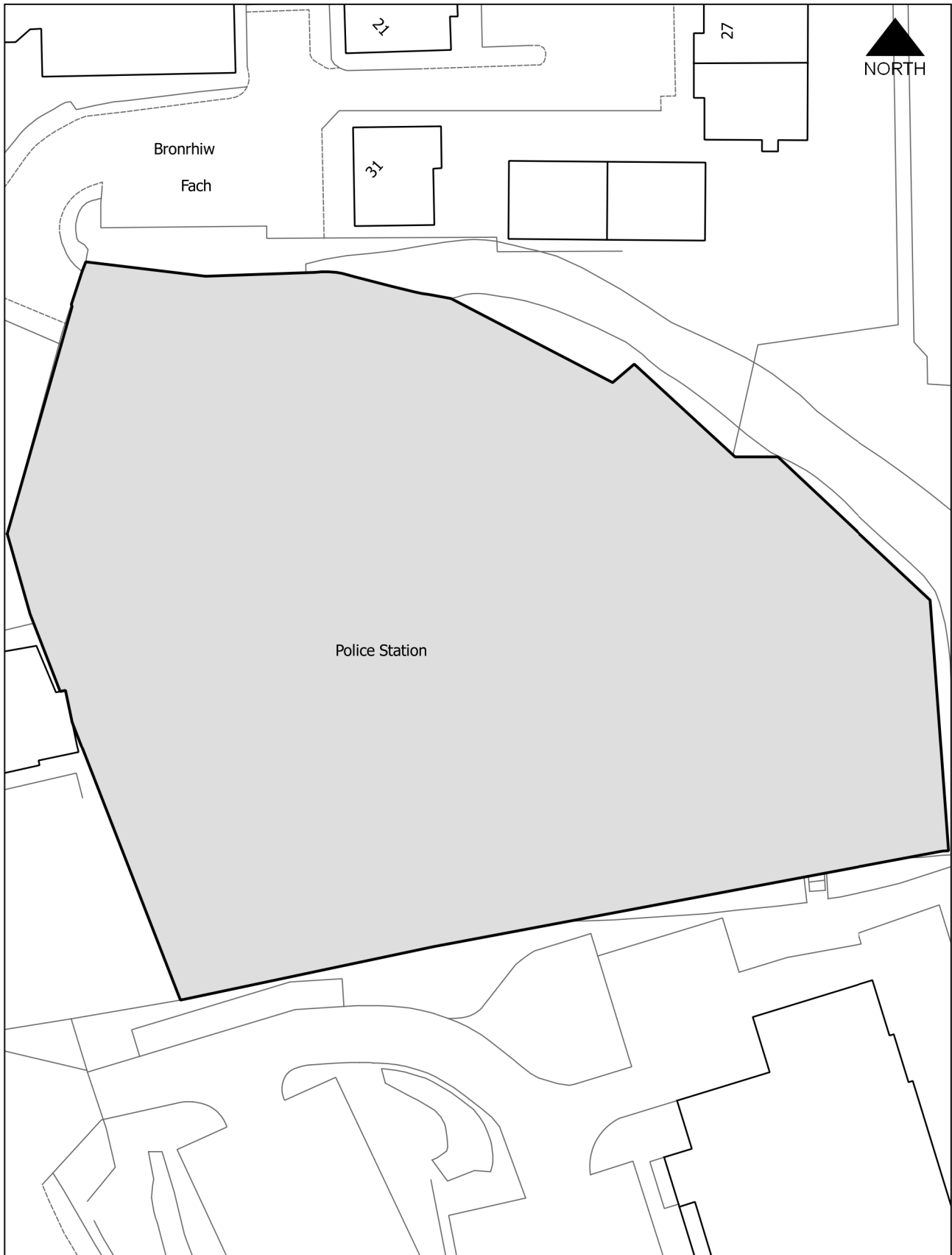
In conclusion it is considered that in the absence of an adequate level of affordable housing, the proposal would be contrary to Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 Adopted 2010 and guidance contained in Supplementary Planning Guidance LDP2 Planning and Affordable Housing.

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 REFUSED

The reason(s) for the Council's decision is/are

- 01) In the absence of an adequate financial contribution towards the provision of affordable housing off site, the proposal would be contrary to Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and guidance contained in the Local Planning Authority's Adopted Supplementary Planning Guidance LDP2 Planning and Affordable Housing.



Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0966/FULL 09.11.2017	United Welsh Housing Association Mr Matthews C/o Asbri Planning Ltd Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Construct 14 dwellings and associated works The De-Winton De Winton Terrace Llanbradach Caerphilly CF83 3JY

APPLICATION TYPE: Full Application.

SITE AND DEVELOPMENT

Location: The application site is located on the western side of De Winton Terrace and to the south of Thomas Street.

Site description: The application site is the site of the De Winton Public House. The public house is a large two storey Victorian property with dormers in the roof space. It is a largely rectangular building with rendered walls and a slate roof. The building is sited to the front of the site with access directly onto De Winton Terrace and there is a large car park area to the rear. Access to the car park is derived off an entrance to the northern side of the building. The site slopes relatively steeply up from De Winton Terrace to the rear of the site.

The site is in a mainly residential area with dwellings on all sides but approximately 100m to the north of the site is the village centre with a mixture of shops and other services.

Planting consent has been granted for the demolition of the public house under application reference number 16/0279/NOTD.

Development: The application seeks full planning consent for the erection of fourteen dwellings on the site with eight houses and six flats. The submitted layout sees two separate blocks comprising five houses and two flats fronting onto De Winton Terrace with a new private drive in the middle of the frontage providing access to a further four houses. There would be no frontage parking on De Winton Terrace with the parking for these dwellings being provided to the rear off the private drive. A further four flats are proposed in the westernmost part of the site and these will be accessed via the lane to the south of the site that also serves as access to Richmond Close.

Cont'd....

Application No. 17/0966/FULL Continued

The house types comprise of one four bed dwelling, four two bed dwellings, three number three bed dwellings and six one bed flats. All of the houses have living rooms, kitchens, bathrooms, dining rooms and separate w.c.'s with the flats not having any dining rooms or separate w.c.'s. The houses are traditional two storey dwellings with apex roofs and lean to porches to the front whilst the flats are walk up units that are designed to have the appearance of two storey link houses. The four bed house has a single storey extension to the side that accommodates the living room.

Dimensions: The site has maximum dimensions of 55m wide by 67m deep. The flats and two bed properties will be 8.1m high with the three and four bed dwellings being 8.5m high.

Materials: Face brickwork with tiled roofs.

Ancillary development, e.g. parking: A minimum of 1 parking space is to be provided for each dwelling.

PLANNING HISTORY 2005 TO PRESENT

16/0279/NOTD - Demolish former hotel and public house - Details Approved 12.04.16.

16/0646/FULL - Construct 14 No. dwellings and associated works - Withdrawn 24.10.17.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7(Planning Obligations), SP14(Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints) and H19 (Allocated Housing Sites).

Guidance Note 1 to the Adopted Supplementary Planning Guidance LDP 7 for householder development advises that the purpose of the planning system is to safeguard the existing qualities of buildings and streets and that extensions and alterations should be designed to complement the character of your street or area.

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Application No. 17/0966/FULL Continued

Guidance Note 2 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on extensions and conservatories.

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: Planning Policy Wales is the principal planning policy document, produced by the Welsh Government. PPW provides land use planning policy and should be taken into account when preparing development plans and in determining planning applications and appeals. The main thrust of PPW is to promote sustainable development by ensuring that the planning system provides for an adequate and continuous supply of land available and suitable for development. It dictates that available land must meet society's needs in a way that is consistent with overall sustainability principles.

PPW identifies the overall basis on which the planning system is to operate. It confirms at paragraph 4.4.3 that in order to achieve a prosperous Wales decisions and proposals should;

"Promote resource-efficient and climate change resilient settlement patterns that minimise land-take (and especially extensions to the area of impermeable surfaces) and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites".

Paragraph 4.7.4 of the Planning for Sustainability chapter states that:

"Higher density development, including residential development, should be encouraged near public transport nodes or near corridors well served by public transport (or with the potential to be so served)."

Section 4.9 of PPW states that previously developed land should be developed, wherever possible, in preference to greenfield sites, particularly those of high agricultural or ecological value. 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.

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Application No. 17/0966/FULL Continued

Paragraph 5.1.3 confirms that;

New development on previously developed land provides opportunities to restore and enhance the natural heritage through land rehabilitation, landscape management and the creation of new or improved habitats.

Paragraph 9.2.6 notes that;

Maximising the use of suitable previously developed land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites. In particular, local authorities should consider the contribution to the overall provision of land for housing that can be made by reclaimable or reclaimed urban land and by disused or underused buildings.

Paragraph 9.2.12 relates to higher density development and reads as follows:

Higher densities should be encouraged on easily accessible sites, where appropriate, but these will need to be carefully designed to ensure a high quality environment. In particular, local planning authorities should adopt a flexible approach to car parking standards.

Paragraph 9.3 states that:

New housing developments should be well integrated with and connected to the existing pattern of settlements.

National Planning Guidance contained in Technical Advice Notes 1 - Joint Housing Land Availability Studies, 2 - Planning and Affordable Housing and 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 mining area.

CONSULTATION

Countryside And Landscape Services - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

Cont'd....

Application No. 17/0966/FULL Continued

Head Of Public Protection - No objection subject to conditions.

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

Head Of Public Services - No objection subject to the provision of adequate bin storage areas.

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

Police Architectural Liaison Officer - No objection.

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

CCBC Housing Enabling Officer - The developer is required to provide 40% of the development as affordable units.

CCBC - 21st Century Schools - No objection.

Natural Resources Wales - No objection.

CADW - No objection.

ADVERTISEMENT

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

Response: None.

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

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

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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? Yes. The proposed buildings have a total floor area of 1017.665 square metres. The existing building has a total floor area of 735 square metres making a net floor area of 282.665 square metres. At £40 per square metre a CIL amount of £11,306.60 is payable. It will be open to the developer to claim a social housing exemption.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The site is unallocated land within the settlement boundary, meaning its development is appropriate subject to accordance with all relevant development management considerations. Development of this site would accord with Policy SP3 which confirms that utilising previously developed land within settlement limits would accord with the Authorities sustainable development principles. The development of the site would assist in meeting the target housing provision as set out in policy SP14, and the affordable housing provision sought by policy SP15.

The site lies amongst an area of predominantly residential land uses. In accordance with paragraph 9.2.3 of PPW, the proposed development can be defined as sensitive infilling between existing housing and represents a viable 'windfall' site for housing which can contribute to a major housing land shortfall in Caerphilly County Borough (currently 2.1 years as agreed in the April 2017 Joint Housing Land Availability Study).

The site is which is classified as previously developed land from a sustainable planning policy perspective, lies in an inherently sustainable location given its proximity to local services, local bus services and Llanbradach train station. Is it considered that the principle of redeveloping the site for residential development is acceptable.

The residential vernacular in proximity to the site comprises principally of two storey terraced houses, characteristically found in valley communities, though there are examples of semi-detached properties along Plas Cae Llwyd to the west. The units proposed on site comprise a mixture of short terraces and semi-detached properties both of which are two storeys in height which reflects the predominant existing scale. The development would be a suitable addition to the local area in both a scale and massing context.

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Application No. 17/0966/FULL Continued

The site would complement and enhance the existing vernacular through use of similar materials, including red brick. The proposed elevations are simple in form, comprising pitched roofs, brick detailed window surrounds and small porches. Accordingly, it is considered that the architectural approach is to be commended as an appropriate design solution to an infill site, complementing the local vernacular. In summary, it is considered that the design solution for the site meets the aspirations of LDP policies SP6 and CW2.

The proposed layout has been carefully considered to ensure that the amenity of adjacent existing residents is not unduly harmed. Plots one to six front De Winton Terrace along the sites eastern boundary and presents a front to front relationships over a highway with the existing properties which is considered to be acceptable in planning policy terms.

Plots seven to ten are well contained within the site, will present a side to side relationship with existing properties along Thomas Street and Richmond Close and will essentially form a continuation of the existing street. As such it is not considered that the amenity of existing or prospective residents will be compromised in this respect.

Plots eleven to fourteen, located to the west of the site, will presents a front to side relationship with existing properties along Richmond Close, and a back to side relationship with properties located along Thomas street. Both end of terrace properties comprise back gable ends and as such it is not considered that the proposed development will unduly affect the amenity of existing or prospective neighbours.

The principle access point into the proposed development will be obtained via De Winton Terrace to the east. A second access is proposed via the unnamed road which runs along the sites southern periphery. The access has been revised following comment received during the public consultation exercise and extensive discussions with Caerphilly Highway Officers throughout the design process. The principle of accessing the site from this location has been agreed and as such is considered acceptable.

This application seeks consent for 14 dwellings, comprising six 1-bed flats, four 2-bed units, three 3-bed units and a single 4-bed unit. Such development would require 25 car parking spaces. A full Sustainability appraisal has been completed which confirms that a reduction of 2 parking spaces per unit is acceptable providing that at least one space per dwelling is provided. It is proposed to provide 2 spaces per dwelling, i.e. all 2, 3 and 4 bedroom properties and a single parking space for the proposed 1-bed flats. There is sufficient room within the curtilage of the proposed properties to allow for cycle parking provision, each property benefits from the provision of a timber shed, providing the rear of each property to allow for the safe storage of cycles.

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Application No. 17/0966/FULL Continued

The site is well served by public transport, with the closest bus stops and Llanbradach rail station within 60m to the north and west of the site respectively. Given the sites sustainability credentials, it is considered that the likely traffic generated by fourteen dwellings would have minimal impact on the local highways.

Comments from Consultees: No objections raised.

Comments from public: None.

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.

In line with Policy CW11 of the Local Development Plan developments of this type in the Caerphilly Basin area are required to provide 40% of the units as affordable housing. The developer has agreed to the provision of affordable housing in this scheme and as such it is recommended that the application be deferred to enable the completion of a Section 106 Agreement in respect of the provision of 40% affordable housing. The agreement is necessary to make the scheme policy compliant, it relates to the development which is housing, and it is reasonable and proportionate to the scale of the scheme.

RECOMMENDATION that (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

1. 40% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

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Application No. 17/0966/FULL Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents: 1924 - 010, 1924 - 001, 1924 - 002, 1924 - 003, 1924 - 005, 1924 - 007, 1924 - 042 Rev C, 1924 - 043, 1547 - 100 Rev A, Design and Access Statement, Culvert Position and Soakaway Tests by PHG, Drainage Strategy by PHG, Extended Phase One Survey by Richard Watkins, Supplementary Bat Report by Dawn to Dusk Ecology, Bat Report by Richard Watkins, Situation Report by Richard Watkins, Reptile Method Statement by Richard Watkins and Knotweed Treatment Method Statement by Complete Weed Control.
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 Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.
The scheme shall include:
(i) control of noise,
(ii) control of dust, smell and other effluvia,
(iii) control of surface water run off,
(iv) site security arrangements including hoardings,
(v) proposed method of piling for foundations,
(vi) construction and demolition working hours,
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenity of the area.
- 05) 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 43 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.

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Application No. 17/0966/FULL Continued

- 06) No obstruction or planting above 600mm in height above the adjacent footway shall be placed or allowed to grow in the required 18m forward visibility splay on the road bend adjacent to Plots 11 to 14.
REASON: In the interests of highway safety.
- 07) 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.
- 08) The proposed access and turning facility to serve the development shall be constructed in permanent materials as agreed with the Local Planning Authority which shall be maintained free of obstruction so that vehicles can both enter and leave the site in a forward gear at all times.
REASON: In the interests of highway safety.
- 09) No surface water run off shall discharge into the highway or into the highway surface water drainage system.
REASON: In the interests of highway safety.
- 10) The site boundary alongside and fronting Plots 11 to 14 on Woodland Flats shall be set back and a 1.25m wide footway provided, which shall be constructed in permanent materials to be firstly agreed in writing with the Local Planning Authority. The footway shall extend across the vehicle access to Plots 11 to 14 and shall also provide suitable pedestrian crossing points linking into the existing pedestrian footway network, in a scheme to be firstly agreed in writing with the Local Planning Authority and completed in accordance with the agreed details prior to beneficial occupation of the development.
REASON: In the interests of highway safety.
- 11) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

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Application No. 17/0966/FULL Continued

- 12) No ground works or materials storage are to occur within the areas identified as "Off Limit Areas" during the core hibernation period for reptiles (November to March inclusive), identified within the 'Updated Reptile Situation Report' undertaken by 'Dawn to Dusk Ecology Ltd' unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 13) No vegetation clearance or building works shall take place within the application site until all contractors have received a toolbox talk from a competent ecologist, and a competent ecologist has undertaken a further destructive search outside of the hibernation period for reptiles. The results of this destructive search shall be submitted to the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 14) If works are ongoing to the building during the winter months then the "Off Limit Areas" identified within the 'Updated Reptile Situation Report' undertaken by 'Dawn to Dusk Ecology Ltd' shall be fenced off with suitable reptile fencing to exclude any contractors. All contractors shall be briefed about the protected and off limit areas.
REASON: To ensure adequate protection to protected species.
- 15) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and/or replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted within 12 months of the completion of the development.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 16) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.
REASON: To ensure adequate protection to protected species.

Cont'd....

Application No. 17/0966/FULL Continued

- 17) 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 The De-Winton, Llanbradach, 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).
- 18) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Starling, Swift or House martin) in the new properties at The De-Winton, Llanbradach, 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).
- 19) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.

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 advice from Dwr Cymru/Welsh Water, Wales and West Utilities, The Council's Head of Public Services, The Senior Engineer (Land Drainage) and The Council's Ecologist.

You will be required to enter into a formal highway agreement with the Highway Authority in order to undertake the road works on the public highway.



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Agenda Item 11

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1027/FULL 29.11.2017	Linc Cymru C/o GVA One Kingsway Cardiff CF10 3AN	Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure Caerphilly Magistrates Court Mountain Road Caerphilly CF83 1HG

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated on the eastern side of Mountain Road.

Site description: The application site extends to a total of some 0.49 hectares (1.2 acres) and is occupied by the former Magistrates' Court building and its surrounding curtilage, which includes a car park and some landscaped areas. The Magistrates' Court building is a two storey flat roof building on the eastern part of the site with surface level car parking provided to the east of the building. The site slopes down from west to east, with a number of retaining walls throughout which create a series of plateaus that tier down the natural slope of the site. The site is well screened by vegetation and mature trees along its boundaries.

The site is located some 175m to the south of Caerphilly Town Centre and Caerphilly train and bus station. The site is located in close proximity to a range of public amenities, including a number of local stores, public houses and restaurants, which are all within 400m walking distance. The town is accessed via the B4263 (Mountain Road),

Cont'd....

Application No. 17/1027/FULL Continued

off which the site is located. The site benefits from a singular pedestrian / vehicular access point onto Mountain Road to the northwest.

The immediate character of the area is predominantly residential in nature, although an office building and the former Police Station are located to the immediate north and Caerphilly Golf Club to the west, beyond which lies St Martin's School.

The existing building on the site is not listed and the site does not fall within a conservation area. There are no listed buildings or scheduled ancient monuments adjacent to the site.

Development: The proposal is to demolish the existing court building and redevelop the site for residential purposes. The proposed residential scheme would comprise 100% affordable housing (Use Class C3). The proposed scheme would comprise a mixture of 34 no. apartments (14 no. 2-beds and 20 no. 1- beds) and 4 no. terraced houses. The apartments will be for tenants over 55 years of age with the units being offered on the basis of shared ownership. The terraced housing will be general needs family housing.

The proposed apartment building would be positioned in a similar location to the existing court building at the rear of the site, set on the lower plateau, at a lower level than the two properties lying immediately south of the site (Nos. 5 and 7 Mountain Road). The building would be four storeys, with access to the building provided via two separate entrances at ground floor level.

The terrace of 4 no. 3-bed houses would be positioned at the front of the site and would be two storeys, fronting onto Mountain Road. Residents will have access to private raised terraces, with steps down to private gardens at the rear of the properties. Access to the properties would be provided via main entrances facing Mountain Road, although a shared path would be provided leading from the parking spaces adjacent to the main vehicular entrance to the site rather than directly from the pavement along Mountain Road. Rear access would also be provided via the private gardens.

In terms of the design of the apartments, the buildings would be built to 'The Passivhaus Standard', which is one of the fastest growing energy performance standards in the world. The Passivhaus Standard is a leading fabric-first approach to low energy buildings, which delivers very high levels of energy efficiency through effective building design. The high-quality building design offers the opportunity to make a positive impact on the visual appearance of the local area.

In terms of access, vehicular access to the site would be gained from Mountain Road, utilising the existing vehicular access point to the northwest of the site. Sufficient

Cont'd....

Application No. 17/1027/FULL Continued

visibility is achievable in either direction along Mountain Road and a footpath already exists along either side of the site's frontage onto the highway. Pedestrian access would also be gained from the site's frontage along Mountain Road.

The existing access and egress point would serve the car park for the site, which is proposed to accommodate surface-level parking for 3 no. cars, as well as sufficient space for bin storage. The main parking area will be set at a lower level to Mountain Road.

Dimensions: The apartments have overall measurements of 37.4 wide by 26.8m by 13.1m high. The dwellings have overall measurements of 23.6m wide by 10m deep by high to the ridge.

Materials: Brickwork with standing seam metal roofs with integrated photo voltaic laminate.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

P/06/0291 - Extend existing magistrates court building to provide a new courtroom and change the use of part of the curtilage of the site for car parking - Granted 21.04.06.

06/0786/FULL - Erect new crib retaining wall to support parking (required by condition (2) of planning consent P/06/0291) - Granted 17.01.07.

07/1063/FULL - Replacement of existing front boundary fence and new vehicular access gate and new parking layout - Granted 30.10.07.

08/0601/FULL - Provide roof access safety ladders and safety barrier - Granted 15.07.08.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations),

Cont'd....

Application No. 17/1027/FULL Continued

SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints) and H19 Allocated Housing Sites).

Supplementary Planning Guidance LDP 1 gives advice on Affordable Housing Obligations.

Supplementary Planning Guidance LDP 4 gives advice on Trees and Development.

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: PPW (Edition 9) sets out the land use planning policies of the Welsh Government (WG). This contains guidance for the preparation of Local Authority's development plans, development management, and sets out the WG commitment to creating sustainable developments.

Chapter 4 of PPW has been updated to include reference to the statutory purpose for the planning system introduced by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015, particularly regarding the use of the well-being goals in the Act in the absence of locally set well-being objectives.

Chapter 4 acknowledges that the land use planning system is central for achieving sustainable development in Wales. It recognises the importance of creating sustainable communities where people can live, work and play and encourages opportunities for land to occupy both commercial and residential uses to derive benefit from co-location. This chapter identifies a number of key objectives for policies and proposals to achieve. These include:

The re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;

The location of development in places which minimise the demand for travel, especially by private car;

Cont'd....

Application No. 17/1027/FULL Continued

Ensuring that all local communities - both urban and rural - have sufficient good quality housing for their needs, in safe neighbourhoods;

- Promoting access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare;
- Fostering improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity;
- Fostering social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone;
- Protecting and improving the natural environment, and the historic environment and cultural heritage resource; and
- Contributing to the protection and, where possible, the improvement of people's health and well-being as a core component of sustainable development.

Chapter 8 of PPW acknowledges that the land use planning system can help to achieve the WG's objective for sustainable transport and, amongst other matters, sets out a hierarchy that supports development primarily accessible by walking and cycling, followed by public transport and then the private car.

Chapter 9 of PPW deals with housing and emphasises the need to provide housing of a good quality that will contribute to the development of sustainable communities. It stipulates that the local authorities must make provision for a 5-year supply of land for housing.

National Planning Guidance contained in Technical Advice Notes 1 Joint Housing Land Availability Studies, 2 Planning and Affordable Housing and 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? Yes.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Cont'd....

Application No. 17/1027/FULL Continued

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

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

Police Architectural Liaison Officer - No objection.

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

CCBC Housing Enabling Officer - Whilst the application proposes the provision of 100% affordable housing, in order to be Policy compliant 40% of the units will need to be secured by an Agreement under Section 106 of the Town and Country planning Act 1990.

CCBC - 21st Century Schools - No objection.

CADW - No objection.

Head Of Public Protection - No objection subject to conditions.

Countryside And Landscape Services - No objection subject to the imposition of conditions.

ADVERTISEMENT

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

Response: One letter of objection was received.

Summary of observations: 1. Traffic impacts on Mountain Road.
2. The apartments will be out of keeping with the character of the area.
3. Lack of policing in the area.

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.

Cont'd....

Application No. 17/1027/FULL Continued

Is this development Community Infrastructure Levy liable? Yes. The proposed buildings have a total floor area of 2801.11 square metres. The existing building on site has a total floor area of 1616 square metres meaning that there would be a net increase in floor area of 1185.11 square metres. At a rate of £40 per square metre a CIL amount of £47,404.40 is payable. The developers will be able to claim a social housing exemption.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. In planning policy terms, the policy framework is supportive of the site's redevelopment for residential purposes given the site's location within the settlement boundary of Caerphilly, its brownfield status, and because the site is sustainably located offering easy access to rail and bus services, as well as other public amenities. The location of the proposed residential scheme would accord with the development strategy set out by LDP Policies SP3 and SP5.

Given the current shortfall in housing supply, the site also offers an appropriate and acceptable windfall site that will contribute towards achieving the Council's housing targets detailed in LDP Policies SP14 and SP15. The residential development of the site will facilitate in achieving the wider aims of the plan, exploiting the use of brownfield land and providing much needed affordable housing to sustain a growing, balanced community.

The location of the development within an existing community, nearby to existing community facilities and local shops and services in the town centre, is intended to ensure that all of the residents are integrated within the wider community, thus ensuring that the scheme contributes to a balanced and sustainable community. This accords with the specific requirements of LDP Policy CW11, which support the provision of 100% affordable housing sites in sustainable locations where schemes will not undermine the aim of delivering mixed communities.

The nature of the proposed use is considered appropriate to the character of the surrounding area, which is predominately residential. The proposed development has been designed in a way which reflects the difference in levels throughout the site ranging between 2-4 storeys and would be set at a lower level than Mountain Road, thereby respecting building heights in the surrounding context.

In terms of the design of the apartments, the buildings would be built to 'The Passivhaus Standard', which delivers very high levels of energy efficiency through effective building design. The high-quality building design offers the opportunity to make a positive impact on the visual appearance of the local area.

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Application No. 17/1027/FULL Continued

In terms of residential amenity, the proposed layout would not result in harm to the amenity of neighbouring occupiers or the occupiers of the proposed units given the separation distances and the levels on the site. The apartment building will occupy a similar footprint to the court building, which remains in situ and represents the fall-back position for the site in planning terms. The proposals represent a more sympathetic use to the operation of the Courts and will reduce the level of noise, disturbance and general traffic movements experienced by the site until very recently. The terrace will occupy frontage position, being slightly set down from Mountain Road and set away from the boundaries with neighbouring dwellings. As such, the proposals will not result in demonstrable harm to residential amenity.

Amenity areas for the occupants of the apartments would be provided within the confines of the site, surrounding the apartment building. The occupiers of the terraced houses will be provided with sufficient amenity space to the rear of each respective property.

The site is screened by vegetation and mature trees along its boundaries, which will act to soften the redevelopment proposals. Significant vegetation and tree cover is being retained as part of the proposals, with only a small number of 'U' category trees being removed for arboricultural reasons to avoid undue loss of screening to the neighbouring properties.

In terms of access, vehicular access to the site would be gained from Mountain Road onto which there is an existing point of access in the form of a priority T-junction which serves the Magistrates' Court. Sufficient visibility is achievable in either direction along Mountain Road and a footpath already exists along either side of the site's frontage onto the highway. It is proposed to reuse this access and egress point to serve the car park for the site, which will accommodate 34 no. parking spaces. The main parking area will be set at a lower level to Mountain Road and, for that reason, would not be overly prominent in the surrounding area.

The site is considered to be in a sustainable location, located some 175m to the south of Caerphilly town centre and Caerphilly train and bus station, and in walking distance to a range of public amenities, including a number of local stores, public houses and restaurants. In this respect, the location of the site would afford future residents with the potential to travel by non-car travel modes.

It is noted that the rear apartment block will be for tenants over 55 years of age with the units being offered for shared ownership, whilst front terrace of 4 no. units will provide general needs family housing. SPG LDP 5 on Car Parking Standards makes specific requirements for 'self-contained elderly persons dwellings (not wardened)', which

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Application No. 17/1027/FULL Continued

amount to 1 space per 2-4 units, plus 1 space per 4 units for visitors. Based on the provision of 34 no. apartments (14 no. 2-beds and 20 no. 1-beds) this equates to 26 spaces at the higher-end and 17 spaces at the lower-end (both figures rounded and inclusive of visitor spaces). The front terrace parking requirement is 1 space per bedroom (max 3) with 1 space per 5 units for visitors. This, therefore, generates a further 12 spaces. The total requirement would be 29 spaces at the lower-end or 38 spaces at the higher-end, whilst the layout shows 34 no. spaces in total.

Planning Policy Wales (PPW) and Technical Advice Note 18: Transport (2007) both support lower levels of parking provision. In particular, PPW, Edition 9 states at paragraph 8.4.2 that "local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past" and that "minimum parking standards are no longer appropriate." With this in mind, and considering the location of the site in close proximity to the town centre and within walking distance to the railway station, bus station, local schools, post office and community medical practices, we consider the scheme to be sustainable.

The former use of the premises as a Magistrates' Court represents the fall-back position for the site in planning terms. Therefore this use forms the baseline scenario against which all development impacts must be considered. The proposals would result in a reduction in vehicle traffic movements on the highway network when compared to the extant use, and this would provide corresponding benefits in respect of highway safety and capacity. Nevertheless, a Transport Statement has been commissioned and is submitted in support of the application in order to justify the use of the access onto Mountain Road and the associated traffic movements. The Transport Statement establishes that the highways impacts of the proposal are acceptable having regard for the issues discussed above and subject to the imposition of suitably worded conditions. The proposal therefore complies with Policy CW3 of the LDP.

Comments from Consultees: No objections received.

Comments from public: Each of the issues raised is addressed below:-

1. The highways impacts of the development are adequately addressed above. Whilst the residential use of the site would inevitably increase traffic in the area over and above that which is present at the moment, the fall back position has to be considered and in that regard it is not felt that the proposal would be unacceptable in terms of highways impacts.
2. The design and appearance of the proposal is also addressed above. Whilst the proposed buildings will have modern elements within their design, this is not considered to be unacceptable in itself. The existing building on site is of a fairly modern and utilitarian design with a flat roof and it is considered that the block of apartments is a marked improvement on the appearance of that building. It should also be noted that

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Application No. 17/1027/FULL Continued

the apartment block is set well back from Mountain Road and would be partly screened by the terrace of houses and in that regard it would not be seen as part of any street scene. In that regard it is not considered that the proposal would be out of keeping with the character of the area.

3. The reference to a lack of policing in the area appears to be a reference to a perceived increase in anti social behaviour as a result of the introduction of social housing. Firstly it should be noted that the level of policing in the area is not a material planning consideration. Secondly, there is no proven link between the provision of social housing and an increase in anti social behaviour. Moreover, it is a central policy of the Welsh Government and the Local planning Authority to provide social housing. In that regard it is not considered that this would justify the refusal of this application.

Other material considerations: In line with Policy CW11 of the Local Development Plan developments of this type in the Caerphilly Basin area are required to provide 40% of the units as affordable housing. The developer has agreed to the provision of affordable housing in this scheme and as such it is recommended that the application be deferred to enable the completion of a Section 106 Agreement in respect of the provision of 40% affordable housing. The agreement is necessary to make the scheme policy compliant, it relates to the development which is housing, and it is reasonable and proportionate to the scale of the scheme.

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

RECOMMENDATION that (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

1. 40% provision of Affordable Housing.
2. A contribution of £15,600 towards enhancing transport provision for the elderly residents of the development and in particular the provision of a demand responsive minibus service three days a week.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions.

RECOMMENDATION that Permission be GRANTED

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Application No. 17/1027/FULL Continued

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: Site Location Plan, inclusive of red edge boundary, at a scale of 1:1250 (Drawing Reference GVA/SLP/01A),
 - Existing Site Layout Plan, at a scale of 1:200 @ A1 (Dwg Reference 17/433/101),
 - Proposed Site Layout Plan, at a scale of 1:200 @ A1 Reference 17/433/102 Rev B),
 - Proposed Site Section, at a various scales @ A1 (Dwg Reference 17/433/105),
 - Proposed Site Section, at a various scales @ A1 (Dwg Reference 17/433/106),
 - Proposed Ground Floor Plan (Block A), at a scale 1:50 @ A1 (Dwg Reference 17/433/110),
 - Proposed First Floor Plan (Block A), at a scale 1:50 @ A1 (Dwg Reference 17/433/111),
 - Proposed Second Floor Plan (Block A), at a scale 1:50 @ A1 (Dwg Reference 17/433/112),
 - Proposed Third Floor Plan (Block A), at a scale 1:50 @ A1 (Dwg Reference 17/433/113),
 - Proposed Roof Plan (Block A), at a scale 1:50 @ A1 (Dwg Reference 17/433/114 Rev A),
 - Proposed Ground Floor Plan (Block B), at a scale of 1:50 @ A1 (Dwg Reference 17/433/115),
 - Proposed First Floor Plan (Block B), at a scale of 1:50 @ A1 (Dwg Reference 17/433/116),
 - Proposed Roof Plan (Block B), at a scale of 1:50 @ A1 (Dwg Reference 17/433/117 Rev A),
 - Proposed Elevations (Block A), at a scale of 1:100 @ A1 (Dwg Reference 17/433/120 Rev A),
 - Proposed Elevations (Block B), at a scale of 1:100 @ A1 (Dwg Reference 17/433/121 Rev A),
 - Proposed Bin Store, at a scale of 1:50 @ A3 (Dwg Reference 17/433/122),
 - Visualisations, (Blocks A & B) (Dwg Reference 17433/300),
 - Swept Path Analysis, at a scale of 1:100 @ A1 (Dwg Reference 17196.OS.101.01),
 - Swept Path Analysis, at a scale of 1:100 @ A1 (Dwg Reference 17196.OS.101.02),

Cont'd....

Application No. 17/1027/FULL Continued

- Planning Statement (GVA),
- Design and Access Statement (Childs & Sulzmann Architects),
- Pre-Application Consultation Report (GVA),
- Site Investigation Report, inclusive of Coal Mining Risk Assessment (Intégral Géotechnique (Wales) Limited) (Ref: 11991/LW/17/SI/REvB),
- Site Investigation Letter Report - Phase 3 Supplementary Site Investigation (Intégral Géotechnique (Wales) Limited),
- Site Investigation Letter Report - Gas Monitoring (Intégral Géotechnique (Wales) Limited),
- Topographical Survey (Zenith Land Surveys Limited),
- Preliminary Ecological Appraisal (David Clements Ecology),
- Detailed Landscape Proposals (TDA.2350.01),
- Pre-Development Tree Survey & Assessment (Treescene),
- Tree Constraints Plan (Treescene),
- Demolition Tree Protection Plan (Treescene),
- Arboricultural Impact Assessment (Treescene),
- Arboricultural Impact Assessment Plan (Treescene),
- Drainage Strategy (Smart Associates),
- Transport Statement (Calibro),
- Landscape Specification and Management Plan (TDA)
- Detailed Landscape Proposals, at a scale of 1:200 @ A1 (Dwg Reference TDA.2350.01),
- Stone Clad Entrance Walls, at a scale of 1:25 @ A3 (Dwg Reference TDA.2350.02),
- Air Quality Assessment (Air Quality Consultants),
- Stitch Drilling Investigation (Integral Geotechnique),
- Eco Habitats For Bats (Ibstock),
- Bug Box (Bird Brick Houses),
- Standard Swift Box (Bird Brick Houses),
- Sparrow Terrace (Bird Brick Houses),
- Standard Bird Box (Bird Brick Houses), and
- Bat Box (Bird Brick Houses).

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.

Cont'd....

Application No. 17/1027/FULL Continued

- 04) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.
- 05) 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.
- 06) The development hereby approved shall be carried out in accordance with the recommendations made in Section 6 of the Bat Survey Report dated June 2017; prepared by Dave Clements Ecology; unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection and mitigation for protected species.
- 07) Prior to the installation of any lighting 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.
- 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*

Cont'd....

Application No. 17/1027/FULL Continued

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) Subsequent to the demolition of the existing buildings on site and prior to the commencement of any other works on site, a scheme of groundwater sampling and ground gas monitoring 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 unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of public health.
- 10) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 11) 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.
- 12) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.
The scheme shall include:
(i) control of noise,
(ii) control of dust, smell and other effluvia,
(iii) control of surface water run off,
(iv) site security arrangements including hoardings,
(v) proposed method of piling for foundations,
(vi) construction and demolition working hours,
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.

Cont'd....

Application No. 17/1027/FULL Continued

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

- 13) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 14) 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 43 metres in a southerly direction and 2.4 metres x site frontage in a northerly direction. 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.
- 15) 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.
- 16) The footway infrastructure on Mountain Road shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on site. The improvements shall be in the form of the provision of pedestrian crossing points to the Bronrhiw Fach and King Edward Avenue road junctions to include the installation of tactile paving. The improvements shall be completed in accordance with the agreed details prior to beneficial occupation first commencing.
REASON: In the interests of highway safety.

Advisory Note(s)

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



Agenda Item 12

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1076/FULL 15.12.2017	Hometown Developments Ltd Primrose House 7 Wards Lane Mountain Road Caerphilly CF83 1HG	Construct two dwellings and associated external works Land Rear Of Royal Oak Inn Church Street Bedwas Caerphilly CF83 8EA

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the western side of Church Road and to the north of St Christopher's Close.

Site description: The application site is the rear garden of the former Public House known as the Royal Oak. This is a flat rectangular site enclosed by a wall and mature hedgerow. The site is accessed off St Christopher's Close with an existing gateway providing access to the rear of the former public house. The site is in a mixed use area with dwellings to the north and west, a Co Operative foodstore to the south and a large green area to the east. The foodstore has a car to the front.

Development: The application seeks full planning consent for the erection of two detached dwellings. The dwellings would have a lounge, w.c., kitchen and family room on the ground floor with three bedrooms and a bathroom on the first floor and a master bedroom with en-suite and dressing room in the roof space. Dormers are proposed to the front and rear roof planes.

Dimensions: The site has overall measurements of 31m wide by 15m deep. The dwellings both measure 9.5m wide by 6.4m deep by 8.5m high.

Materials: Not specified.

Ancillary development, e.g. parking: Two parking spaces are proposed per dwelling.

PLANNING HISTORY 2005 TO PRESENT

None.

Cont'd....

Application No. 17/1076/FULL Continued

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints).

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."

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

Rights Of Way Officer - No objection.

Cont'd....

Application No. 17/1076/FULL Continued

CADW - No objection.

Head Of Public Protection - No objection subject to conditions.

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

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

Countryside And Landscape Services - No objection subject to conditions.

Transportation Engineering Manager - No objection subject to conditions.

Bedwas, Trethomas & Machen Community Council - Raises objection in respect of access, parking and school access.

ADVERTISEMENT

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

Response: None.

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? Yes. Based on a total floor area of 275.06 square metres a CIL amount of £11,002.40 is payable.

Cont'd....

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 the erection of two dwellings on a brownfield site within the settlement of Bedwas and as such the principle of development is considered to be acceptable as the development complies with Policies SP3 and SP5 of the Local Development Plan.

The design of the proposed dwellings is considered to be acceptable given the urban context of the site and it is not considered that there would be any detrimental impact on the amenity or privacy of neighbouring dwellings as a result of the proposal. In that regard it is considered that the proposal complies with Policies SP6 and CW2 of the Local Development Plan.

With regard to the objection raised by the Community Council in respect of access, parking and school access issues, it should be noted that the Transportation Engineering Services Manager has raised no objection to the application. The application shows two parking spaces within the curtilage of the site and this is in accordance with Supplementary Planning Guidance LDP 5 Car Parking Standards. The SPG allows for a reduction in the number of spaces required on any site where the site is located in a sustainable location. As the site is situated within the centre of Bedwas with access to a number of services nearby it is considered to be a very sustainable location and as such a reduction of one space per dwelling has been allowed.

With regard to access to the site, it is noted that a number of parents use St Christopher's Drive to park when either access the nearby foodstore, the school in St Marys Street or both. However, it is not considered that this periodic high level of on street parking would justify the refusal of this application. The access to the site off St Christopher's drive is considered to be acceptable in highway safety terms and as stated above, adequate off street parking is proposed within the application site. In that regard it is considered that the proposal complies with Policy CW3 of the Local Development Plan.

Comments from Consultees: No other objections raised.

Comments from public: None.

Cont'd....

Application No. 17/1076/FULL Continued

Other material considerations: It should also be noted that the proposal would make a small contribution to the Council's Housing needs and as such the proposal complies with Policy SP14 of the Local Development Plan.

In conclusion it is considered that the proposal is 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: 2292-PA-01, 2296-PA-02, 2292-PA-03, 2292-PA-04A, 2292-PA-05, 2292-PA-06, 2292-PA-07, 2292-PA-08, 2292-PA-09, 2292-PA-10, 2292-PA-11 and 2292-PA-12.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The site boundary fronting St Christopher's Close shall be set back and a 1.5m wide footway provided along the frontage which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to beneficial occupation of the development. No works whatsoever shall commence on site until after full engineering details of the footway layout with sections, street-lighting and surface water drainage etc. have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.

Cont'd....

Application No. 17/1076/FULL Continued

- 04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 05) The proposed parking areas shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried onto the public highway.
REASON: In the interests of highway safety.
- 06) 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.
- 07) 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.
- 08) Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority for a glazing system which is to be fitted to all windows of habitable rooms facing the Co-op service yard . The glazing system shall be capable of achieving an internal LAeq level of 30 dB(A) measured over an 8 hour period (2300 - 0700) in bedrooms and 35 dB(A) in all other habitable rooms measured over 16hour LAeq (0700 - 2300). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.
REASON: To protect the residential amenity from noise from the service yard of the adjacent food store.
- 09) 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.

Cont'd....

Application No. 17/1076/FULL Continued

- 10) 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.
- 11) 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 commencement 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.
- 12) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
 - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
 - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping).

Cont'd....

Application No. 17/1076/FULL Continued

The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,

g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),

h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),

i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,

j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,

l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,

m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.) on site,

n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,

o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),

p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity.

Advisory Note(s)

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

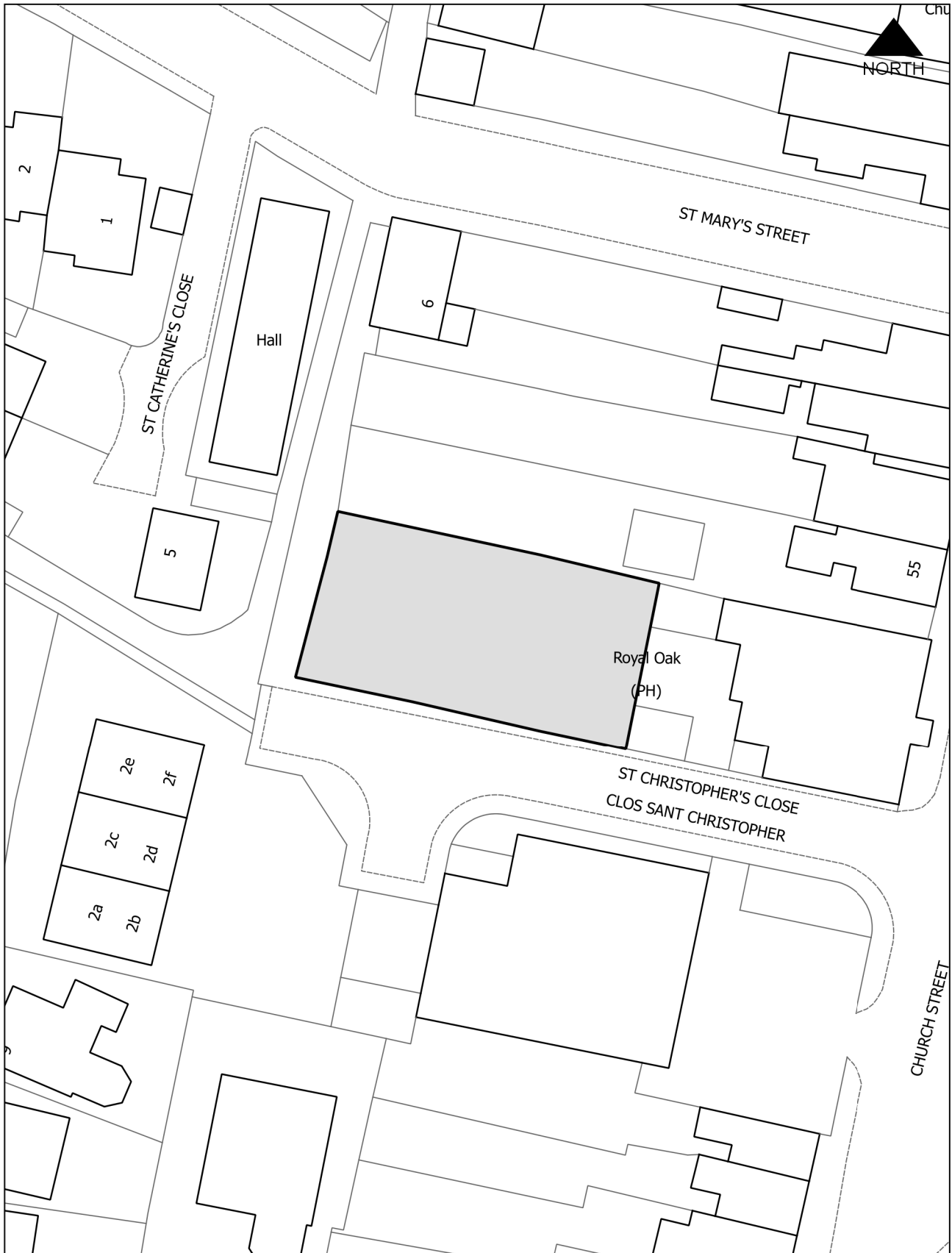
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Application No. 17/1076/FULL Continued

Please find attached the comments of the Senior Engineer (Land Drainage) and Dwr Cymru / Welsh Water.

Rainwater run-off should not discharge into the highway surface-water drainage system.

The applicant is reminded that it is an offence to obstruct a public right of way. The 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.



Agenda Item 13

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0936/FULL 10.11.2017	Apollo Capital Projects Mr R James 11 Cathedral Road Cardiff CF11 9HA	Demolish existing church hall and erect of a new GP Surgery including associated car parking, cycle parking and bin store Former Church Hall Church Street Llanbradach Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Former Church Hall, Church Street, Llanbradach, Caerphilly.

Site description: The application site is the western half of a large rectangular land parcel comprising primarily of the former Church Hall building and an area of scrubland to the east. The Church Hall building was originally within the ground of All Saints Church which was demolished in the 1990s. The Church Hall building is a stone and brick structure which has ceased to be used and its condition is deteriorating with evidence of missing roof tiles and broken window panes. The application site is located within the Llanbradach Conservation Area bordered by Pencerrig Street to the south, and Church Street to the west. To the north-east is a lane which provides access behind terrace properties on Church Street with the curtilage of number 2 Church Street beyond.

Development: Full planning permission is sought in respect of the demolition of the existing Church Hall building and the erection of a new General Practitioners Surgery with 21 space car park (incorporating 3 disabled spaces), ambulance/delivery bay, bin store, bike rack and soft landscaping. The Surgery would incorporate GP Consulting Rooms, treatment rooms, waiting areas, associated administration and office/meeting space and welfare facilities.

A separate Conservation Area consent application in respect of the demolition of the Church Hall building has been submitted (reference 17/0937/CON) and is reported elsewhere on this agenda.

Cont'd....

Application No. 17/0936/FULL Continued

Dimensions: The Surgery has a 'T' shape footprint with the main linear portion measuring 28.5m deep by 11.7m wide and the eastern projection measuring 11.5m wide by 7.5m deep.

Materials: Walls: Light Grey Brick with Red detailing brick and re-use of existing pennant stone from the Church Hall building on the south-west facing end elevation.

Roof: Metal Seamed Cladding.

Ancillary development, e.g. parking: Demolition of outbuildings, proposed erection of a Bin Store, car parking and servicing area, boundary treatments.

PLANNING HISTORY 2005 TO PRESENT

08/1211/CON - Demolish existing gable to Church Street to create new entrance and demolish two out-buildings for proposed car park - Appeal dismissed 15.10.09.

08/1222/FULL - Convert existing All Saints Church Hall into four bed apartments and six bedsits - Appeal dismissed 15.10.09.

11/0901/CON - Demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park as part of the Conversion of All Saints Hall into six one bedroom apartments, six bedsits and external works - Granted 21.06.12.

11/0904/FULL - Convert All Saints Hall into six one bedroom apartments, six bedsits and external works and demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park - Granted 11.04.13.

17/0937/CON - Demolish existing church hall and erection of a new GP Surgery including associated car parking, cycle parking and bin store - NYD.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary and within the Llanbradach Conservation Area.

Policies: CW2 (Amenity), CW3 (Highways), CW6 (Trees, Woodland and Hedgerow Protection) SP6 (Place making) SP10 (Conservation of Natural Heritage), SP21 (Parking Standards).

Cont'd....

Application No. 17/0936/FULL Continued

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

The Objectives within paragraph 6.2 of PPW Edition 9 Nov 2016 - Chapter 6 the Historic Environment include preserving or enhancing the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous.

Paragraph 6.2.2 states that 'Local planning authorities and other public bodies have an important role in protecting and conserving the historic environment while helping it accommodate and remain responsive to present-day needs.'

Paragraph 6.5.22 When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area'.

Paragraph 6.5.23 Authorities should take into account the visual, historic and amenity contribution of trees in conservation areas. New planting or replanting may be appropriate where consistent with the character or appearance of the area. Special provisions apply for trees in conservation areas which are not the subject of Tree Preservation Orders.

TAN 24: the Historic Environment.

Paragraph 6.12 states 'Applications for consent to demolish must be made to the local planning authority. Applications for Conservation Area Consent will require a heritage impact statement, which should explain why demolition is desirable or necessary alongside a broader assessment of the impact of the proposals on the character or appearance of the area'.

Paragraph 6.13 There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (see 5.15 from TAN 24 below). In cases where it is considered a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given without acceptable and

Cont'd....

Application No. 17/0936/FULL Continued

detailed plans for the reuse of the site unless redevelopment is itself undesirable. The local planning authority is entitled to consider the broad principles of a proposed development, such as its scale, size and massing, when determining whether consent should be given for the demolition of an unlisted building in a conservation area.'

Paragraph 6.14 - It may be appropriate to impose a condition on the grant of consent for demolition so that it does not take place until full planning permission has been granted and a contract for carrying out the development work has been made.'

Trees in Conservation Areas (TAN 24) states:-

Paragraph 6.15 Local planning authorities have the power to protect trees and woodlands by making tree preservation orders. In addition, there is a special provision for trees in conservation areas which are not the subject of tree preservation orders. Anyone proposing to cut down, top or lop a tree in a conservation area is required to give the local planning authority six weeks notice, during which time the local planning authority can decide whether to protect that tree with a tree preservation order.'

Paragraph 6.16 - When considering whether to extend protection to trees in conservation areas, local planning authorities should always take into account the visual, historic and amenity contribution of trees. In some instances, new or re-plantings may be desirable where this would be consistent with the character or appearance of the area.'

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP4: Trees and Development.

Supplementary Planning Guidance note LDP 7 (Householder Development).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

Cont'd....

Application No. 17/0936/FULL Continued

CONSULTATION

Senior Arboricultural Officer (Trees) - Confirms that the submitted Tree Survey and Arboricultural report are acceptable. Recommends that Arboricultural Method Statement and Tree Protection Plan and monitoring scheme as well as Landscaping and mitigation plan are provided/conditioned.

Head Of Public Protection - No objection subject to planning conditions addressing contamination and method of demolition.

Senior Engineer (Land Drainage) - Offers no objection to the development but advises that the site is situated within an area susceptible to groundwater and surface water flooding. Notes the possible presence of a culvert within the site. Recommends a planning condition requiring full details of surface water and land drainage be attached to any permission.

Countryside And Landscape Services - Welcomes use of pennant stone and detailing associated with the original Church Hall on the proposed building. This makes a small but significant contribution to maintaining the quality of the conservation area in which the development is located.

Also welcome that existing mature trees, of category A to C, located in and adjacent to the S/W of the site are to be retaining and protected. Unfortunately, however, the layout does not take into account existing associated perimeter hedgerows, which also contribute significantly to the quality of the conservation area. I recommend that a landscape condition is used to ensure that perimeter hedgerows are retained and protected during development, in the interest of visual amenity and biodiversity.

Transportation Engineering Manager - No objections subject to planning conditions addressing detailed highways considerations.

Conservation & Design Officer - Raised an objection to the plans, however, following submission of amended details has removed the objection. Recommends that planning conditions be attached to require details of materials, boundary treatments and conservation rooflights.

Ecologist - A Bat Survey was undertaken in 2011 by Wildwood Ecology which confirmed there was nesting bird activity noted within the eave structures on the eastern elevation. Further discussions with the ecologist confirmed these were swifts which was also confirmed by discussions with a local resident who contacted us as they were

Cont'd....

Application No. 17/0936/FULL Continued

concerned about the swifts and the effect that the redevelopment would have on the swifts using the building. The report confirmed that the building was not a breeding site for bats. However the building had some potential for incidental use and a precautionary approach should be taken when undertaking restoration and refurbishment works.

An updated Bat Survey was undertaken in 2017 by Acer Ecology along with a Reptile Survey. The Bat Survey consisted of a daytime internal and external inspection, a preliminary roost assessment and a dusk emergence and dawn re-entry survey. When undertaking the internal inspection of the building the loft void was inaccessible due to health and safety considerations as the loft hatch was very high from the first floor and it was unknown if it was safe/stable. Also although the presence of bats were confirmed during the internal inspection only two activity surveys were undertaken, which were also undertaken outside of the maternity season.

The report confirmed the presence of Brown long eared bats, Lesser horseshoe bats and common pipistrelle. Brown long eared and Lesser horseshoe are species that would use the main roof void as a possible maternity roost. As this area wasn't surveyed and the activity surveys were undertaken late in the season, we cannot rule out the presence of a maternity roost for these species. Also lesser horseshoes like to light sample before they leave the roost so where the evidence was found in the subsidiary roof section on the eastern gable may have been where they light sample prior to leaving the main roost area which could be in the main roof space. The Bat Conservation Trust Good Practice Guidelines state that if the presence of bats are confirmed during the initial assessment then at least 3 activity surveys should be undertaken, and if the building has high roost suitability at least two of these surveys should be taken between May to August.

Therefore, in order to confirm the presence/absence of a maternity roost and to ensure that the demolition can be fully mitigated for, a full inspection of the main roof void will be required and at least another two activity surveys, should be undertaken on the building during the maternity season. This information is required prior to the determination. As the building is being proposed for demolition, this information is required in order to ensure that the bats are properly mitigated for on both a temporary and permanent basis.

Natural Resources Wales - Express significant concerns with the proposed development as submitted and the Local Planning Authority should only grant planning permission if the scheme can meet the following requirement:

European protected species - Further information and surveys to determine the status and importance of the roosts present, for each species present, and the full impacts of

Cont'd....

Application No. 17/0936/FULL Continued

the proposals; and site specific mitigation proposals appropriate to the species present and the scale of the impacts.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice, press notice and neighbour notification letters were sent to 18 nearby properties.

Response: One letter of support has been received in relation to this application. In addition three representations have been received in relation to the partner Conservation Area application (17/0937/CON).

Summary of observations: Representations received in relation to this planning application:

- I fully support the demolition of the existing building. As a neighbour the building is looking very unkempt and is encouraging people to misuse the building. To have a new building in place would be a refreshing change and will benefit the village in many ways.

Representations received in relation to the partner Conservation Area Consent application (17/0937/CON):

- The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.
- Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.
- The large waiting room windows look directly into houses on Tyn y Graig terrace and invade their privacy.
- Insufficient Parking Provision for staff and patients, highlights local issues with parking.
- Common Swifts are breeding within the existing Church Hall Building. Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

SECTION 17 CRIME AND DISORDER ACT

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

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

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Application No. 17/0936/FULL Continued

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species have been identified by a survey.

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

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

(ii) There is no satisfactory alternative.

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

The three tests were applied and answered as follows:

(i) The application relates to the provision of new healthcare facility within the community which is considered to be of overriding public interest.

(ii) The requirements of the Surgery use in terms of specifications in relation healthcare provision does not make renovation and conversation of the existing building a practical or financially viable solution.

(iii) The bat survey information submitted with the application has identified that the existing building supports bats and it is considered that with the additional information supplied in relation to demonstrating that a dedicated bat loft which exceeds best practice guidance in terms of size means that there is the ability to provide compensatory provision in the form of new roosting opportunities within the new building. It is therefore considered that with suitable planning conditions the conversation status of the species can be achieved.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Development type is not chargeable.

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ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues to be considered in the determination of this planning application are the loss of the existing church hall building, compatibility of the proposed use with neighbouring land uses, amenity, highway considerations and design particularly given the site is located within the Llanbradach Conservation Area. In this respect special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

The proposal will result in the demolition of the existing Church Hall and construction of a new General Practitioner's Building. A Conservation Area Consent application (17/0937/CON) for demolition of the Church Hall has been submitted in tandem with this application.

It is noted that Cadw guidance within the document "Managing Conservation Areas in Wales" acknowledges in section 8.2 (Targeting Buildings at Risk) that "Neglected and underused buildings damage the vitality and attractiveness of conservation areas" however it is noted that the guidance highlights wherever possible Local Planning Authorities should work with owners to encourage maintenance, repair and reuse. A proposal to convert the Church Hall building to apartments was approved (applications 11/0901/CON and 11/0904/FULL) however to date these have not been implemented and the Conservation Area Consent has lapsed and the planning permission (granted later due to a delay in relation to the signing of a legal agreement) is due to lapse in April 2018.

Notwithstanding the unimplemented permission, it is considered that the general likelihood of reuse of the Church Hall building is limited by the site circumstances, it was originally built to support the functioning of All Saints Church. The demolition of that Church some 25 years ago, has removed the primary use from the site. The remaining Church Hall building has been closed for a significant period of time, being visibly boarded up since at least 2009. Given the planning history which has approved a scheme which has not been implemented and the length of time the building has already stood vacant it is considered that there is a realistic prospect that the building could continue to be left vacant and as CADW guidance recognises, in its current state with the surrounding land is considered to have a negative impact on the character of the Conservation Area vitality and attractiveness. It is acknowledged that were the building to be restored that it could have the potential to enhance the Conservation Area, however there is not considered to be any degree of certainty that this will occur and the building condition could worsen over time leading to it having a negative effect on the Character of the Conservation Area. In this respect it is considered that

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Application No. 17/0936/FULL Continued

demolition of the building, in combination with a suitable form of replacement building, would result in the character of the Conservation Area being preserved.

This application, whilst leading to the loss of the Church Hall, would in its place provide a new medical facility for the community which in itself is a material planning consideration as providing such a facility was identified for this area of Llanbradach within the adopted Local Development Plan Policy CF1.22 (Community Facilities). The development would also contribute to Welsh Government's Well-being goals through providing a medical facility that would support the vision of a healthier Wales. By establishing a new GP Surgery within the community of Llanbradach it is considered that it will contribute to achieving a society in which people's physical and mental well-being is maximised. It is also considered that the development would contribute to Sustainable Development in Wales by improving social well-being in Wales thereby meeting a key shared UK principle of ensuring a strong, healthy and just society by improving quality of life within the community of Llanbradach.

In terms of the proposed development's impact on the amenity of occupiers of nearby residential properties, the Surgery would be separated from surrounding housing to the west by the intervening road Church Street and to the south by Pencerrig Street. To the north is a residential property (number 2 Church Street) which has an unfenestrated side elevation facing towards the proposed GP Surgery and the end elevation of the surgery has limited fenestration serving circulation areas only. The views from fenestration on the north west elevation (which includes a variety of different rooms including office, welfare area, storage and glazed waiting areas at both ground and first floors) would provide views across Church Street to properties including those known as 1-6 (inclusive) Tyn-Y-Graig Terrace, Church Street and the former All Saints Vicarage and its amenity space. Numbers 1-6 Tyn-Y-Graig Terrace, Church Street are orientated such that they angle further away from Church Street the further to the north along the row of dwellings. At the very southern end of the row where the dwellings are closest to the road they will face part of the car parking area of the Surgery. The former Vicarage which is now in residential use is angled in relation to the church building. In terms of separation distance between windows in existing dwellings and the new surgery it is considered that this will be broadly similar to properties further north on Church Street where terrace dwellings face each other across the street. It is considered that the proposed development would not result in unacceptable overlooking to any surrounding residential dwelling or their occupiers according with adopted Local Development Plan Policy CW2 (Amenity).

The development would be served by a new vehicle entrance from Pencerrig Street and would have a 23 space car park. A separate planning application (17/1042/FULL) for 11 residential apartments on an adjacent land parcel to the east has been submitted to the

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Application No. 17/0936/FULL Continued

Local Planning Authority and is still currently under consideration and would shared the vehicle access from Pencerrig Street (but retain its own separate car parking). The application site is close to existing bus stops located on High Street/Park View within 100m of the proposed Surgery and Llanbradach Railway Station is within 400m of the site. The Transportation Engineering Manager has considered the submitted layout and parking provision and is satisfied that with the submission of a revised Travel Plan secured through a planning condition that the application is acceptable and accords with Policy CW3 (Highways).

The proposed design of the Surgery has been subject to extensive discussions between the developer and the Local Planning Authority and following these negotiations alterations have been made to the external facade treatments. These changes includes the introduction of natural stone to the end elevation facing the junction of Pencerrig Street and Tyn-Y-Graig Road/Church Street. In addition red brick detailing has been introduced which echoes architectural detailing found on the existing Church Hall building. Whilst a planning condition is proposed to enable the Local Planning Authority to agree samples of all external facing materials it is anticipated that reuse of stone from the existing Church Hall building will occur, envisaged to be utilised on the aforementioned southern end gable of the new Surgery and to clad a proposed bin store within the site. It is considered that a balance has been struck between the aspirations of the applicant to provide a statement building providing a 21st Century Community facility utilising some use of modern materials such as metal clad roofing and the need to respect the Conservation Area with the incorporation of traditional elements including use of natural stone on the most prominent gable end and utilisation of brick detailing reminiscence of the church hall architecture.

Comments from consultees: The Senior Engineer's (Land Drainage) initial response did not object to the application but did question the possible presence of a culvert within the site. The applicant subsequently submitted a Drainage Technical Note in support of the application which detailed that investigatory works had been carried out on and off site including a CCTV survey which they state found the culvert outside of the application site. The Land Drainage Officer has been reconsulted and offered no further comments. It is considered that drainage matters can be addressed subject to a planning condition requiring full details of Land and Surface Water Drainage as recommended by the Land Drainage Officer.

The submitted Bat Survey information has been considered by the Council's Ecologist and Natural Resources Wales, both of whom have raised concerns in relation to the amount of surveying that has been undertaken within the Church Hall Building and that when undertaking the internal inspection of the building the loft void was inaccessible due to health and safety considerations as the loft hatch was very high from the first

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Application No. 17/0936/FULL Continued

floor and it was unknown if it was safe/stable. Dusk emergence and dawn re-entry surveys were undertaken on 24th August 2016 and 12th September 2016 respectively.

In respect of the first survey (Dusk Emergence) undertaken on 24th August 2016 (Start Time 19:46, Finish time 21:46) the following was observed by four surveyors:

Dusk Emergence:

- One common pipistrelle emerged from the ivy on the southern elevation;
- One common pipistrelle emerged from under the eaves where the eastern gable joins the main roof;
- One brown long-eared bat emerged from a broken window on the southern elevation; and
- One common pipistrelle emerged from under the eaves of the northern gable.

Foraging and Commuting:

Moderate levels of bat activity of five species (common pipistrelle, soprano pipistrelle, Myotis sp., brown long-eared and noctule) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats.

The grounds of the site were identified as an important foraging area for bats.

In respect of the second survey undertaken on the 12th September 2016 (Start time 05:14 Finish Time 06:59) the following was observed by four surveyors:

Dawn Re-entry:

- One common pipistrelle bats re-entered the building at the Main roof ridge, near to the chimney;
- One common pipistrelle bats re-entered the building at the main roof ridge on the south-west elevation; and
- One common pipistrelle bats re-entered the building at eaves of the northern gable end.

Foraging and Commuting:

Low levels of bat activity of three species (common pipistrelle, soprano pipistrelle and Myotis sp.) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats and no important foraging areas were identified.

The bat report includes specifications for provision of a new dedicated bat loft.

To mitigate/compensate for the loss of the existing bat roosts the developer proposes that a new dedicated bat loft will be created in the roof space at the eastern gable end of the new surgery building.

Cont'd....

Application No. 17/0936/FULL Continued

The applicant has provided an additional plan demonstrating that a dedicated bat loft can be provided within the new roof space of the proposed General Practitioners Surgery which accords with the specification outlined within the submitted Bat Survey. The Bat roost detail supplied by the applicant shows a dedicated Bat Loft with a footprint of 5 metres by 5 metres and an apex height of 3.1m. It is noted that this exceeds the Bat Mitigation guidelines contained within the Bat Conservation Trust's 'Bats and Buildings' which advises that an ideal roof void would have an apex height in excess of 2.8 m and a length and width of 5 m or more. In terms of the proposed bat loft there is also potential to enlarge the length of the bat loft should this be required.

Paragraph 6.3.7 of Technical Advice Note 5 states "It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 licence are likely to be satisfied."

It is considered that having demonstrated the feasibility of providing mitigation within the loftspace of the new surgery building in terms of a dedicated bat loft which would exceed the dimensions advocated as best practice in relevant guidance that as recorded earlier in this report that the three tests are likely to be satisfied and that with planning conditions the application can be approved.

A Reptile and Translocation report has also been submitted in support of the planning application. It is noted that the translocation exercise was undertaken between August and October 2017 and resulted in a total of 17 Slow Worms being removed from the site and relocated at an receptor site approximately 700metres to the south-west which had been agreed with the Council's Ecologist. The report recommends further precautionary measures be implemented and a planning condition is attached requiring adherence to the report recommendations.

In respect of the Landscape Architect's comments who requests that hedgerows on the site's periphery be retained it is noted that following discussions with the applicant this would not be feasible in terms of providing the development and associated parking. The existing hedgerow is of a low species type and a replacement boundary treatment of metal railings has been tendered for those site boundaries immediately adjacent to Church Street and Pencerrig Street. It is considered on balance that this will have an acceptable visual impact and the loss of the hedgerows does not warrant refusal of the application. The applicant has included soft landscaping on the submitted site layout plan and a planning condition for submission of a detailed Landscaping Scheme is included within the recommendation of this report.

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Application No. 17/0936/FULL Continued

In that the existing building is disused, and showing signs of dilapidation, the proposed development will enhance the character and appearance of the conservation area.

Comments from public:

Representations received in relation to this planning application:

- I fully support the demolition of the existing building. As a neighbour the building is looking very unkempt and is encouraging people to misuse the building. To have a new building in place would be a refreshing change and will benefit the village in many ways.

Representations received in relation to the partner Conservation Area Consent application (17/0937/CON):

- The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.
-Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.

The applicant has amended the design to incorporate reuse of reclaimed stone from the Church Hall into the Gable End which faces the junction of Pencerrig Street and Tyn-Y-Graig Terrace/Church Street. Introduction of areas of red brick reminiscent of the church hall detailing brick has also been incorporated in the new Surgery building. It is considered on balance that the proposed development will have an acceptable visual impact.

- The large waiting room windows look directly into houses on Tyn y Graig terrace and invade their privacy.

The properties on Tyn Y Graig Terrace front onto Church Street where views are possible from public footways towards the front fenestration of the dwellings. The proposed Surgery Building is located across the road from the dwellings and there will be a broadly similar separation distance to the situation in Grove Street to the south where dwellings directly face each other across a road. It is considered that there will not be unacceptable overlooking created by the development.

- Insufficient Parking Provision for staff and patients, highlights local issues with parking.

The Transportation Engineering Manager has considered the scale of the proposed development, parking and proximity to public transport and considers that with the

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Application No. 17/0936/FULL Continued

submission of a revised Travel Plan to be secured by a planning condition that the development is acceptable.

- Common Swifts are breeding within the existing Church Hall Building.

Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

It is proposed that Ecological Enhancement will be achieved through the imposition of planning conditions.

Other material considerations:

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents;
Roof Plan, drawing reference L(00)07 , received 30.01.18;
East and North Elevations, drawing reference L(1-)01 revision A, received 30.01.18;
West and South Elevations, drawing reference L(1-)02 revision A, received 30.01.18;
Proposed Site Plan, drawing reference L(0-)03 revision A, received 30.01.18;
Proposed Site Layout plan, drawing reference L(0-)04 revision A, received 30.01.18;
Proposed Bat Roost Location, drawing reference L(1-)06, received 30.01.18;

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Application No. 17/0936/FULL Continued

- Proposed Bin Store, drawing reference L(0-)06 received 30.01.18;
Proposed Boundary Types, drawing reference L(0-)07 received 30.01.18.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans, prior to the commencement of works details of rooflights shall be submitted for the written approval of the Local Planning Authority.
REASON: In the interests of the visual amenity of the area.
- 04) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished and the new development constructed, shall be submitted to and agreed in writing with the Local Planning Authority. The demolition and construction shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.
REASON: To ensure that the demolition and construction is carried out in an appropriate manner, in the interests of residential amenity.
- 05) 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.
- 06) 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.
- 07) 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.

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- 08) 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 development being brought into beneficial use 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.
- 09) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
 - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
 - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
 - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
 - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),

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Application No. 17/0936/FULL Continued

- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity.

- 10) The development shall be carried out in accordance with the recommendations of the Acer Ecology Reptile Survey and Translocation Report dated October 2017.

REASON: In the interests of the protected species.

- 11) Notwithstanding the submitted bat mitigation details shown on drawing no. L(1-)06, details of the type and form of a bat loft to be built into the development hereby approved shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the agreement of suitable bat mitigation measures in the interests of biodiversity.

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Application No. 17/0936/FULL Continued

- 12) Prior to any demolition or development occurring a detailed Bat survey shall be carried out and the results of the survey, together with any proposed remedial measures (including methodologies) shall be submitted for the written agreement of the Local Planning Authority. The measures shall be complied with as agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection for protected species.
- 13) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 14) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 15) Prior to the commencement of works on site details of measures to prevent the discharge of surface water/ land drainage onto the public highway 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.
- 16) Prior to any part of the Surgery being brought into beneficial use the proposed means of vehicle access shall be laid-out, constructed and maintained thereafter with vision splays of 2.4m x 25m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 17) The required access to Pencerrig Street shall be laid out in accordance with the submitted drawings and constructed in materials to be agreed in writing with the Local Planning Authority prior to beneficial occupation of the development.
REASON: In the interests of highway safety.

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Application No. 17/0936/FULL Continued

- 18) The building shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans to the satisfaction of the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON : To ensure that adequate parking facilities are provided within the curtilage of the site.
- 19) Prior to the surgery being brought into beneficial use the proposed parking area shall have been completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried on to the public highway.
REASON: In the interests of highway safety.
- 20) Notwithstanding the submitted details before any part of the Surgery hereby approved is brought into beneficial use, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.
REASON: To encourage the use of a variety of transport options.
- 21) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (Swifts) in the new Surgery, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first utilised.
REASON: To provide compensatory 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).

Advisory Note(s)

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

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered

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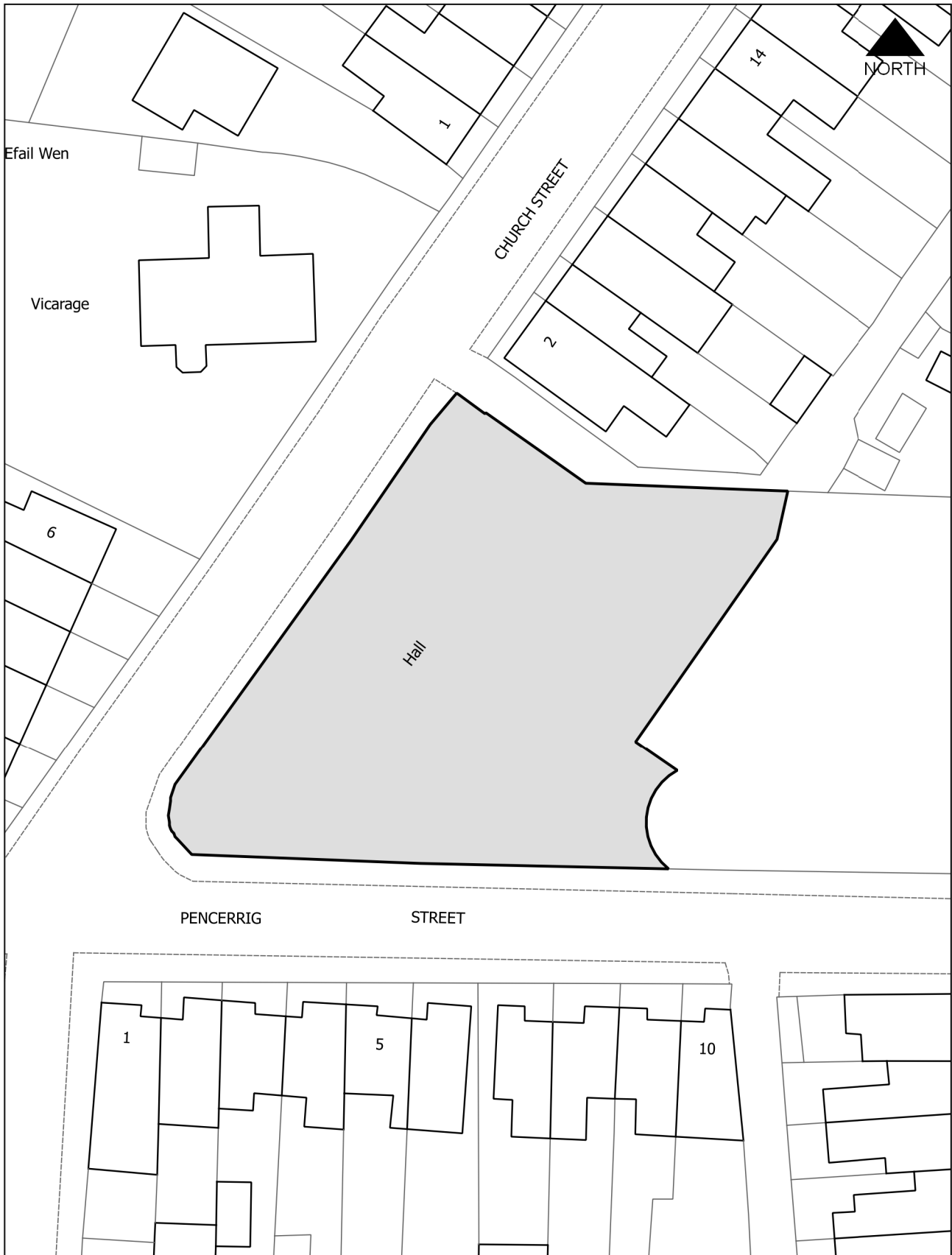
during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

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).

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



Agenda Item 14

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0937/CON 30.10.2017	Apollo Capital Projects Mr R James 11 Cathedral Road Cardiff CF11 9HA	Demolish existing church hall and erect a new GP Surgery including associated car parking, cycle parking and bin store Former Church Hall Church Street Llanbradach Caerphilly

APPLICATION TYPE: Conservation Area Consent

SITE AND DEVELOPMENT

Location: Former Church Hall, Church Street, Llanbradach, Caerphilly.

Site description: The application site is the western half of a large rectangular land parcel comprising primarily of the former Church Hall building and an area of scrubland to the east. The Church Hall building was originally within the ground of All Saints Church which was demolished in the 1990s. The Church Hall building is a stone and brick structure which has ceased to be used and its condition is deteriorating with evidence of missing roof tiles and broken window panes. The application site is located within the Llanbradach Conservation Area bordered by Pencerrig Street to the south, and Church Street to the west. To the north-east is a lane which provides access behind terrace properties on Church Street with the curtilage of number 2 Church Street Beyond.

Development: Conservation Area consent is required in respect of the demolition of the existing unlisted Church Hall building and associated outbuildings.

A separate detailed planning application in respect of the GP Surgery has been submitted (reference 17/0936/FULL) and is reported elsewhere on this agenda.

Dimensions: The Church Hall building footprint is approximately 26 metres long by 11 metres wide.

Materials: The Church Hall building is stone with brick detailing and a slate roof.

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Application No. 17/0937/CON Continued

PLANNING HISTORY 2005 TO PRESENT

08/1211/CON - Demolish existing gable to Church Street to create new entrance and demolish two out-buildings for proposed car park - Appeal dismissed 15.10.09.

08/1222/FULL - Convert existing All Saints Church Hall into four bed apartments and six bedsits - Appeal dismissed 15.10.09.

11/0901/CON - Demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park as part of the Conversion of All Saints Hall into six one bedroom apartments, six bedsits and external works - Granted 21.06.12.

11/0904/FULL - Convert All Saints Hall into six one bedroom apartments, six bedsits and external works and demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park - Granted 11.04.13.

17/0936/FULL - Demolish existing church hall and erection of a new GP Surgery including associated car parking, cycle parking and bin store - NYD.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary and within the Llanbradach Conservation Area.

Policies: CW2 (Amenity), CW3 (Highways), CW6 (Trees, Woodland and Hedgerow Protection) SP6 (Place making) SP10 (Conservation of Natural Heritage), SP21 (Parking Standards),

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design TAN 24: the Historic Environment.

The Objectives within paragraph 6.2 of PPW Edition 9 Nov 2016 - Chapter 6 the Historic Environment include preserving or enhancing the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous.

Paragraph 6.2.2 states that 'Local planning authorities and other public bodies have an important role in protecting and conserving the historic environment while helping it accommodate and remain responsive to present-day needs.'

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Application No. 17/0937/CON Continued

Paragraph 6.5.22 When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area'.

Paragraph 6.5.23 Authorities should take into account the visual, historic and amenity contribution of trees in conservation areas. New planting or replanting may be appropriate where consistent with the character or appearance of the area. Special provisions apply for trees in conservation areas which are not the subject of Tree Preservation Orders.

TAN 24: the Historic Environment.

Paragraph 6.12 states 'Applications for consent to demolish must be made to the local planning authority. Applications for Conservation Area Consent will require a heritage impact statement, which should explain why demolition is desirable or necessary alongside a broader assessment of the impact of the proposals on the character or appearance of the area.'

Paragraph 6.13 There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (see 5.15 from TAN 24 below). In cases where it is considered a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given without acceptable and detailed plans for the reuse of the site unless redevelopment is itself undesirable. The local planning authority is entitled to consider the broad principles of a proposed development, such as its scale, size and massing, when determining whether consent should be given for the demolition of an unlisted building in a conservation area.'

Paragraph 6.14 - It may be appropriate to impose a condition on the grant of consent for demolition so that it does not take place until full planning permission has been granted and a contract for carrying out the development work has been made.'

Trees in Conservation Areas (TAN 24) states:-

Paragraph 6.15 Local planning authorities have the power to protect trees and woodlands by making tree preservation orders. In addition, there is a special provision for trees in conservation areas which are not the subject of tree preservation orders.

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Application No. 17/0937/CON Continued

Anyone proposing to cut down, top or lop a tree in a conservation area is required to give the local planning authority six weeks notice, during which time the local planning authority can decide whether to protect that tree with a tree preservation order.'

Paragraph 6.16 - When considering whether to extend protection to trees in conservation areas, local planning authorities should always take into account the visual, historic and amenity contribution of trees. In some instances, new or re-plantings may be desirable where this would be consistent with the character or appearance of the area.'

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP4: Trees and Development.

Supplementary Planning Guidance note LDP 7 (Householder Development).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Conservation & Design Officer - Raised an objection to the plans, however, following submission of amended details has removed the objection.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice, press notice and neighbour notification letters were sent to 18 nearby properties.

Response: Three representations have been received to the application.

Summary of observations: - The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.

Cont'd....

Application No. 17/0937/CON Continued

-Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.

- The large waiting room windows look directly into houses on Tyn y Graig Terrace and invade their privacy.

- Insufficient Parking Provision for staff and patients, highlights local issues with parking.

- Common Swifts are breeding within the existing Church Hall Building. Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

SECTION 17 CRIME AND DISORDER ACT

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

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species have been identified by a survey

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

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

(ii) There is no satisfactory alternative.

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

The three tests were applied and answered as follows:

(i) The application relates to the provision of new healthcare facility within the community which is considered to be of overriding public interest.

(ii) The requirements of the Surgery use in terms of specifications in relation healthcare provision does not make renovation and conservation of the existing building a practical or financially viable solution.

Cont'd....

Application No. 17/0937/CON Continued

(iii) The bat survey information submitted with the application has identified that the existing building supports bats and it is considered that with the additional information supplied in relation to the related detail planning application (17/0936/FULL) demonstrates that a dedicated bat loft which exceeds best practice guidance in terms of size means that there is the ability to provide compensatory provision in the form of new roosting opportunities within the new building. It is therefore considered that with suitable planning conditions the conservation status of the species can be achieved.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not applicable.

ANALYSIS

Policies:

The proposal will result in the demolition of the entire existing Llanbradach Church Hall Building. A Heritage Impact Assessment has been submitted in support of the application.

It is noted that Cadw guidance within the document "Managing Conservation Areas in Wales" acknowledges in section 8.2 (Targeting Buildings at Risk) that "Neglected and underused buildings damage the vitality and attractiveness of conservation areas", however, it is noted that the guidance highlights wherever possible Local Planning Authorities should work with owners to encourage maintenance, repair and reuse.

In the context of the current proposal it is considered that the Church Hall site has some exceptional circumstances, namely that the Church Hall building supported the function of the All Saints Church, which having been demolished some 25 years ago, removed the primary use from the site. The remaining Church Hall building has been closed for a significant period of time, shown in photographs to being visibly boarded up since at least 2009.

The existing Church Hall building and vacant surrounding site is considered in its current state to have a negative impact on the character of the Conservation Area vitality and attractiveness. It is acknowledged that were the building to be restored that it could have the potential to enhance the Conservation Area, however there is not considered to be any degree of certainty that this will occur and the building condition could worsen over time leading to it having a negative effect on the Character of the Conservation Area. In this respect it is considered that demolition of the building, in combination with a suitable form of replacement building, would result in the character

Cont'd....

Application No. 17/0937/CON Continued

of the Conservation Area being preserved. The associated works to remove vegetation have been considered and on balance are considered acceptable.

In conclusion it is considered that conservation area consent be granted in respect the demolition of the Church Hall Building.

Comments from Consultees: The submitted Bat Survey information has been considered by the Council's Ecologist and Natural Resources Wales in relation to the partner planning application, both of whom have raised concerns in relation to the amount of surveying that has been undertaken within the Church Hall Building and that when undertaking the internal inspection of the building the loft void was inaccessible due to health and safety considerations as the loft hatch was very high from the first floor and it was unknown if it was safe/stable. Dusk emergence and dawn re-entry surveys were undertaken on 24th August 2016 and 12th September 2016 respectively.

In respect of the first survey (Dusk Emergence) undertaken on 24th August 2016 (Start Time 19:46, Finish time 21:46) the following was observed by four surveyors:

Dusk Emergence:

- One common pipistrelle emerged from the ivy on the southern elevation;
- One common pipistrelle emerged from under the eaves where the eastern gable joins the main roof;
- One brown long-eared bat emerged from a broken window on the southern elevation; and
- One common pipistrelle emerged from under the eaves of the northern gable.

Foraging and Commuting:

Moderate levels of bat activity of five species (common pipistrelle, soprano pipistrelle, Myotis sp., brown long-eared and noctule) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats.

The grounds of the site were identified as an important foraging area for bats.

In respect of the second survey undertaken on the 12th September 2016 (Start time 05:14 Finish Time 06:59) the following was observed by four surveyors:

Dawn Re-entry:

- One common pipistrelle bats re-entered the building at the Main roof ridge, near to the chimney;
- One common pipistrelle bats re-entered the building at the main roof ridge on the south-west elevation; and
- One common pipistrelle bats re-entered the building at eaves of the northern gable end.

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Application No. 17/0937/CON Continued

Foraging and Commuting:

Low levels of bat activity of three species (common pipistrelle, soprano pipistrelle and Myotis sp.) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats and no important foraging areas were identified.

The bat report includes specifications for provision of a new dedicated bat loft.

To mitigate/compensate for the loss of the existing bat roosts the developer proposes that a new dedicated bat loft will be created in the roof space at the eastern gable end of the new surgery building.

In terms of the related planning application the applicant has provided an additional plan demonstrating that a dedicated bat loft can be provided within the new roof space of the proposed General Practitioners Surgery which accords with the specification outlined within the submitted Bat Survey. The Bat roost detail supplied by the applicant shows a dedicated Bat Loft with a footprint of 5 metres by 5 metres and an apex height of 3.1m. It is noted that this exceeds the Bat Mitigation guidelines contained within the Bat Conservation Trust's 'Bats and Buildings' which advises that an ideal roof void would have an apex height in excess of 2.8 m and a length and width of 5 m or more. In terms of the proposed bat loft there is also potential to enlarge the length of the bat loft should this be required.

Paragraph 6.3.7 of Technical Advice Note 5 states "It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 licence are likely to be satisfied."

It is considered that having demonstrated the feasibility of providing mitigation within the loftspace of the new surgery building in terms of a dedicated bat loft which would exceed the dimensions advocated as best practice in relevant guidance that as recorded earlier in this report that the three tests are likely to be satisfied and that with planning conditions the application can be approved. In respect of this Conservation Area Consent application it is considered that it can be approved provided a condition is attached requiring further bat survey work to be undertaken and a contract for carrying out the development work subject of planning permission Ref. 17/0936/FULL has been made to ensure compensatory provision in terms of a new bat roost is provided.

A Reptile and Translocation report has also been submitted in support of the planning application. It is noted that the translocation exercise was undertaken between August

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Application No. 17/0937/CON Continued

and October 2017 and resulted in a total of 17 Slow Worms being removed from the site and relocated at an receptor site approximately 700metres to the south-west which had been agreed with the Council's Ecologist. The report recommends further precautionary measures be implemented and a planning condition is attached requiring adherence to the report recommendations.

Comments from public:

- The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.
- Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.

The loss of the existing building has been considered. In respect of the partner planning application the applicant has amended the design to incorporate reuse of reclaimed stone from the Church Hall into the related proposals for the new surgery Gable End which faces the junction of Pencerrig Street and Tyn-Y-Graig Terrace/Church Street. Introduction of areas of red brick reminiscent of the church hall detailing brick has also been incorporated in the new Surgery building.

- The large waiting room windows look directly into houses on Tyn y Graig terrace and invade their privacy.
Not relevant to the Conservation Area Consent application.
- Insufficient Parking Provision for staff and patients, highlights local issues with parking.
Not relevant to the Conservation Area Consent.
- Common Swifts are breeding within the existing Church Hall Building. Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

It is proposed that Ecological Enhancement will be achieved through the imposition of planning conditions.

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.

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Application No. 17/0937/CON Continued

In conclusion it is considered that conservation area consent be granted in respect the demolition of the Llanbradach Church Hall as identified in this application.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The works hereby permitted shall be begun before the expiry of five years from the date of this permission.
REASON: To comply with the provisions of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 02) Unless otherwise agreed in writing with the Local Planning Authority, demolition hereby granted by this consent shall not take place until a contract for carrying out the development work subject of planning permission Ref. 17/0936/FULL has been made.
REASON: To ensure continuity between demolition and re-development in the interests of visual amenity.
- 03) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished and the new development constructed, shall be submitted to and agreed in writing with the Local Planning Authority. The demolition and construction shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.
REASON: To ensure that the demolition and construction is carried out in an appropriate manner, in the interests of residential amenity.
- 04) Prior to any demolition occurring a detailed Bat survey shall be carried out and the results of the survey, together with any proposed remedial measures (including methodologies) shall be submitted for the written agreement of the Local Planning Authority. The measures shall be complied with as agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection for protected species.
- 05) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
 - a) a plan to a scale and level of accuracy appropriate to the proposal that shows

Cont'd....

Application No. 17/0937/CON Continued

- the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
- b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
 - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
 - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
 - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
 - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
 - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
 - k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
 - l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
 - m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,

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- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity.

- 06) The development shall be carried out in accordance with the recommendations of the Acer Ecology Reptile Survey and Translocation Report dated October 2017.

REASON: In the interests of the protected species.

Advisory Note(s)

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

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



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Agenda Item 15

APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
17/1010/COND 17.11.2017	Mrs L Perry C/o 60 Abernant Road Markham NP12 0PR	Discharge conditions 3 (site levels), 4 (external finishes), 5 (boundary treatments), 9 (land drainage scheme), 13 (parking area materials), 15 (reptile strategy), 16 (bats) and 17 (birds) of planning application 16/0884/FULL (Erect detached dwelling) Land Adjacent To 60 Abernant Road Markham Blackwood	Decided - Discharge of Conditions 12.01.2018
17/0679/RET 04.08.2017	Mr N Carter 10 Farraday Drive Penpedairheol Hengoed CF82 8BJ	Retain and complete temporary covered stand, temporary press office, temporary ticket office and temporary camera gantry positions Bargoed RFC Bargoed Park Park Drive Bargoed	Granted 15.01.2018
17/0996/FULL 20.11.2017	Mr G Jones 5 Oak Tree Rise Homeleigh Newbridge Newport NP11 4RH	Erect two storey rear extension 4 Penmaen Road Pontllanfraith Blackwood NP12 2DL	Refused 15.01.2018
17/1002/FULL 20.11.2017	Mr M Roberts 42 Bailey Street Deri Bargoed CF31 9HU	Construct two-storey rear extension and attic room 9 Glynmarch Street Deri Bargoed CF81 9HZ	Granted 15.01.2018
17/0729/FULL 21.08.2017	Starburst Ltd C/O DPP Planning Mr G Sutton Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Demolish existing dilapidated industrial building and erection of Class B1, B2, B8 development together with associated parking, servicing and landscaping Units 1- 4 Coopers Court Caerphilly Road Ystrad Mynach	Granted 16.01.2018

17/0778/FULL 07.09.2017	Mr A Apsey 41 Heol Trecastell Caerphilly CF83 1AE	Build a garage on existing plot Land North East Of Heol Trecastell (G7 - Garage) Caerphilly	Granted 16.01.2018
17/0994/CLPU 20.11.2017	Mrs Edminson 3 Pengam Street Glan-y-nant Blackwood NP12 3XH	Obtain a Lawful Development Certificate for a rear/side extension 3 Pengam Street Glan-y-nant Blackwood NP12 3XH	Refused 16.01.2018
17/1060/COND 07.12.2017	Grooming Marvellous Mrs L H Loftus 1 Oak Lane Royal Oak Machen Caerphilly CF83 8SQ	Discharge Condition 2 (acoustic insulation), Condition 3 (boundary enclosure) and Condition 4 (waste water disposal) of Planning Consent 17/0343/NCC (Vary condition 1 of planning consent 16/0001/COU to allow the change of the use of the garage to a dog grooming salon) 1 Oak Lane Royal Oak Machen Caerphilly	Decided - Discharge of Conditions 16.01.2018
17/0803/LA 15.09.2017	CCBC Building Consultancy Mr G Jones Penallta House Tredomen Park Ystrad Mynach Hengoed CF82 7PG	Remove existing steel framed open canopy structure and replace external eating area it covers with an infill building as a linking extension to the two adjacent existing dining halls Blackwood Comprehensive School Ty Isha Terrace Blackwood NP12 1ER	Granted 17.01.2018
17/0822/FULL 22.09.2017	Mr A Davies 6 Station Terrace Nelson Treharris CF46 6ED	Erect a two storey, 4-bed detached house with single storey rear extension and attic rooms in the loft Plot 2 Land At Grid Ref 311590 195097 Heol Fawr Nelson	Granted 17.01.2018
17/0895/FULL 17.10.2017	Mrs I Langley 12 Heol-Y-Dreflan Caerphilly CF83 3ES	Erect detached garage 12 Heol-Y-Dreflan Caerphilly CF83 3ES	Granted 17.01.2018
17/0953/FULL 02.11.2017	Mr L Constance 6 Rolls Avenue Penpedairheol Hengoed CF82 8HP	Erect box bay window on front of existing dwelling 6 Rolls Avenue Penpedairheol Hengoed CF82 8HP	Granted 17.01.2018

17/1004/FULL 21.11.2017	Mrs A Hughes Cefn Rhos Y Bedd Farm Old Pant Road Newbridge NP11 5DN	Erect detached garage and studio as an alternative to the garage approved under planning reference 17/0104/FULL Cefn Rhos Y Bedd Farm Old Pant Road Panside Newport	Granted 17.01.2018
17/0883/FULL 16.10.2017	Mr M Loveday 50 Priory Avenue Bridgend CF31 3LR	Develop an equine business and outdoor menage area of 40m x 30m Lili Wen Farm Cilfynydd Road To Pant-Du Road Llanfabon Pontypridd	Granted 18.01.2018
17/0900/FULL 17.10.2017	Mr P Spearman C/O Mr M Morgan 8 Commin Road Aberbargoed CF81 9BL	Erect detached 4 bedroom dwelling and garage Land Adjacent To Y Bethyn Gwerthonor Lane Gilfach Bargoed	Refused 18.01.2018
17/0940/COND 30.10.2017	Llechwen Hall Hotel C/o Boyer Mr A Muir Third Floor Park House Greyfriars Road Cardiff CF10 3AF	Discharge condition 5 (parking area) of planning consent 11/0519/FULL (Erect extension and alterations to hotel) Llechwen Hall Hotel Craig- Evan-Leyshon Common Road Nelson CF37 4HP	Decided - Discharge of Conditions 18.01.2018
17/0989/LA 16.11.2017	CCBC (Building Consultancy) Ms M Bower Unit 1 Woodfieldside Business Park Penmaen Road Blackwood NP12 2DG	Demolish 15 garages and construct 8 sectional garages Car Park And Garage Site Aster Close Ty Sign Risca	Granted 18.01.2018
17/0990/FULL 16.11.2017	Mr M Williams Unit C5 Block C Britannia Centre For Enterprise Britannia Blackwood NP12 3SP	Erect two-storey extension to industrial unit in the same profile as existing unit Unit C4 - C5 Britannia Centre For Enterprise Britannia Blackwood	Granted 18.01.2018
17/1005/CLPU 21.11.2017	Mr D Simmonds 33 Newport Road Bedwas Caerphilly CF83 8AA	Obtain a Lawful Development Certificate for a proposed loft conversion 33 Newport Road Bedwas Caerphilly CF83 8AA	Refused 18.01.2018

17/1020/CLPU 27.11.2017	Mr J Phelps 20 Pentwyn Isaf Caerphilly CF83 2NR	Obtain a Lawful Development Certificate for a proposed attic dormer 20 Pentwyn Isaf Caerphilly CF83 2NR	Granted 19.01.2018
18/0001/CLPU 02.01.2018	Mr & Mrs A Diggle 7 Britannia Terrace Britannia Blackwood NP12 3TE	Obtain a Lawful Development Certificate for proposed erection of a single storey rear extension 7 Britannia Terrace Britannia Blackwood NP12 3TE	Granted 19.01.2018
17/0925/FULL 25.10.2017	Mr B James 8 Maes Hir Penyrheol Caerphilly CF83 2PS	Erect two-storey rear extension 5 Cardiff Road Glan-y-nant Blackwood NP12 3XE	Granted 22.01.2018
17/0977/FULL 14.11.2017	Mr M Jones 29 Rhyd Y Gwern Close Badgers Wood Caerphilly CF83 3NN	Erect single detached dwelling Land South Of Glendale (Plot 3A The Paddock) Van Road	Granted 22.01.2018
17/0978/FULL 14.11.2017	Ms A Morgan 21 St Mary's Street Bedwas Caerphilly CF83 8EE	Erect single detached dwelling Land South Of Glendale (Plot 3B The Paddock) Van Road	Granted 22.01.2018
17/1018/FULL 26.11.2017	Mr & Mrs L Coleman 41 Maesycoed Terrace Tredomen Hengoed CF82 7BU	Erect two-storey extension to rear of dwelling 41 Maesycoed Terrace Tredomen Hengoed CF82 7BU	Granted 22.01.2018
17/1024/FULL 28.11.2017	Mrs C Anderson 17 Ffordd Erw Caerphilly CF83 1RY	Erect a single storey rear orangery with roof lantern 17 Ffordd Erw Caerphilly CF83 1RY	Granted 22.01.2018
17/0466/FULL 02.06.2017	Mr R Turner 16 Plasturtwyn Terrace Llanbradach Caerphilly CF83 3NW	Erect a detached dwelling Land At Colliery Road Llanbradach Caerphilly	Granted 23.01.2018

17/0714/COND 17.08.2017	Ffrind Developments Ltd Mitchell Meredith Orbit Bus Centre Rhydycar Business Park Merthyr Tydfil CF48 1DL	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)) Land At Grid Ref 315079 192127 (South Of Birchwood) Caerphilly Road Llanbradach	Decided - Discharge of Conditions 23.01.2018
17/0715/COND 17.08.2017	Ffrind Developments Mitchell Meredith Orbit Business Centre Rhydycar Business Park Merthyr Tydfil CF48 1DL	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) Land At Grid Ref 315079 192127 Caerphilly Road Llanbradach	Decided - Discharge of Conditions 23.01.2018
17/0963/FULL 08.11.2017	Mr D Williams 31 Llwyncelyn Terrace Nelson Treharris CF46 6HF	Erect domestic use garage Land Rear Of 31 Llwyncelyn Terrace Nelson Treharris CF46 6HF	Granted 23.01.2018
17/1003/NMA 20.11.2017	Mr R S Pettit C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Seek non material amendment to planning application 16/0623/FULL (to retain existing outhouse) 31 Thomasville Penyrheol Caerphilly CF83 2RE	Granted 23.01.2018
17/1026/TPO 28.11.2017	Treecare Consulting Mr J Pinder The Gables South Row Redwick Newport NP26 3DU	Carry out works to various trees (TPO Order No. 78/15/CCBC) Land At Ynys Field Recreation Ground River Terrace Pengam	Refused 23.01.2018

17/1040/FULL 01.12.2017	Mr & Mrs Hussey- Welsby 43 Church Street Bedwas Caerphilly CF83 8EA	Erect single-storey rear extension 43 Church Street Bedwas Caerphilly CF83 8EA	Granted 23.01.2018
16/1053/COU 07.12.2016	Churngold Construction Mr A Brown The Star Inn 138 Duckpool Road Newport NP19 8FH	Change the use from A3 with residential accommodation to shop, office and 4 No. flats including new vehicle access and parking The Rolling Mill Inn 88 Commercial Street Pontymister Risca	Granted 25.01.2018
17/0981/FULL 13.11.2017	Mr I Lewis 6 Maple Close The Bryn Pontllanfraith Blackwood NP12 2PH	Site a wooden cabin for recreational purposes and occasional members meetings Boot Road Allotment Main Road Maesycwmmmer Hengoed	Granted 25.01.2018
17/1009/LA 22.11.2017	CCBC Building Consultancy Ms M Bower Unit 1 Woodfieldside Business Park Penmaen Road Blackwood NP12 2DG	Demolish 14 garages and construct 10 pre-cast sectional garages on the existing slab Garage Site Gwerna Crescent Maesycwmmmer	Granted 25.01.2018
17/1041/FULL 01.12.2017	Shared Access C/o Pegasus Planning Group Ltd Mr M Pearson First Floor South Wing Equinox North Great Park Road Almondsbury Bristol BS32 4QL	Erect a 20m monopole supporting 2 No. telecommunications antennae and 2 No. dishes, together with the installation of 4 No. ground based equipment cabinets, to provide 2G, 3G and 4G mobile electronic communication services from the installation Abercarn Industrial Estate Bridge Street Abercarn	Granted 25.01.2018

17/0741/RM 23.08.2017	Mr G Elliot 26 Warren Drive Caerphilly CF83 1HQ	Seek approval of reserved matters regarding access, appearance, landscaping, layout and scale of planning consent 16/0622/OUT to construct a pair of semi-detached 2 bed dwellings with on-site parking facilities Land To The Rear Of 20 Church Street Bedwas Caerphilly	Granted 26.01.2018
17/0874/COND 11.10.2017	Mrs A Suri Ty Melyn 113A St Martin's Road Caerphilly CF83 1EH	Discharge condition 4 (surface water and land drainage) of planning appeal APP/K6920/A/13/2206256 dated 21st January 2014 (Erect rear and first floor extension to provide manager's residential accommodation) St Martin's Stores 115 St Martin's Road Caerphilly CF83 1EH	Decided - Discharge of Conditions 26.01.2018
17/0974/COU 13.11.2017	Mr J Fletcher 4 Trem Y Goron Pontllanfraith Blackwood NP12 2HX	Change the use from a class C3 two-storey residential property to a class A1 shop at ground floor with a class C3 one bedroom flat over Post House Commercial Buildings Oakdale Blackwood	Granted 26.01.2018
17/0988/FULL 16.11.2017	E M Morris Partnership Ty Canol Farm Mountain Road Abertridwr To Hendredenny Park Hendredenny Caerphilly CF83 2RL	Construct new access road Ty Canol Farm Mountain Road Abertridwr To Hendredenny Park Hendredenny Caerphilly	Refused 26.01.2018

17/1025/COND 28.11.2017	Rainbow Developments Mr S Cronk Unit 1 Prince Of Wales Ind Estate Abercarn NP11 5AR	Discharge conditions 06 (Dust), 07 (Materials) & 08 (Method Statement) of planning consent 17/0794/RM (Approve the matters of access, appearance, landscaping, layout and scale for the erection of four residential properties and associated works) Land At Grid Ref 313820 187076 Cae Nant Gledyr Caerphilly	Decided - Discharge of Conditions 26.01.2018
17/1048/OUT 02.12.2017	Messrs A & R Madden Hillcrest Old Tram Road Newbridge NP11 4FZ	Erect 2 No. detached dwellings with associated access and groundworks etc Land Adj To Hillcrest Old Tram Road Newbridge Newport	Granted 26.01.2018
17/1029/COND 29.11.2017	GHR Developments Limited C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Discharge Conditions 7 (Dust Suppression), 8 (Noise Suppression), 9 (Arbor Impact Assessment), 10 (Materials), 16 (Reptile Survey), 19 (Bats) and 20 (Birds) of planning consent 17/0527/FULL (Construct 4 detached dwellings and external works) Land Within The Curtilage Of Mountain House 41 Mountain Road Caerphilly	Decided - Discharge of Conditions 29.01.2018
17/1030/COU 29.11.2017	Dr R Ramnani 288 High Street Blackwood NP12 2BN	Change the use from surgery to a dwelling Bryn Surgery Bryn Road Cefn Fforest Blackwood	Granted 29.01.2018

17/0985/COND 15.11.2017	Mr G Mayo Bryn Meadows Golf Club And Country Hotel Mountain Road Maesycwmmmer To Machen Maesycwmmmer Hengoed CF82 7SN	Discharge conditions 05 (parking), 11 (ventilation), 12 (grease trap) & 13 (pedestrian and vehicle traffic control) of planning consent 17/0109/FULL (Erect a new 724 sq m single storey marquee to be used as a wedding venue and other leisure activities and new 267sq m maintenance shed to the North West) Bryn Meadows Golf Club And Country Hotel Mountain Road Maesycwmmmer To Machen Maesycwmmmer Hengoed	Decided - Discharge of Conditions 30.01.2018
17/0992/FULL 17.11.2017	Mr P Jennick 11 Lon-Y-Dderwen Nelson Treharris CF46 6HS	Remove existing conservatory and replace with single extension 11 Lon-Y-Dderwen Nelson Treharris CF46 6HS	Granted 30.01.2018
17/1053/NCC 05.12.2017	Mrs E Morris Pennar-Villa Tonypistyll Road New Bethel Mynyddislwyn Blackwood NP12 2AY	Vary condition 8 of planning consent 15/0727/FULL (Erect single-storey granny annexe) to relocate the siting of the annexe within the curtilage of the property Pennar-Villa Tonypistyll Road New Bethel Mynyddislwyn	Granted 30.01.2018
17/0982/FULL 15.11.2017	Mr G Burns 7 Hengoed Road Hengoed CF82 7NW	Erect single-storey garage to rear 7 Hengoed Road Hengoed CF82 7NW	Granted 31.01.2018
17/1054/FULL 06.12.2017	Mr & Mrs P Cobley The Conifers St Dinals Close Pengam Blackwood NP12 3TZ	Change the use of retail unit to form two residential apartments and erect detached garage Sweet Blu's 32 Commercial Street Nelson Treharris	Granted 31.01.2018
17/0771/COND 06.09.2017	Mr R Parfitt Highwinds New Bryngwyn Road Newbridge Newport NP11 4NF	Discharge conditions 07 (surface water drainage), 11 (road layout) and 14 (boundary treatment) of planning consent 15/0568/FULL (Construct four detached houses) Land At Former White Hart Inn Newbridge Road Pontllanfraith	Decided - Discharge of Conditions 01.02.2018

17/1044/COND 01.12.2017	Charter Housing Mr N Taylor Exchange House High Street Newport NP20 1AA	Discharge condition 3 (contamination) of planning consent 17/0489/FULL (Erect 34 no. residential dwellings and associated works) Former Gardd Y Craig 106 Commercial Street Pontymister Risca	Decided - Discharge of Conditions 01.02.2018
17/1052/FULL 06.12.2017	Mr & Mrs S Steele 9 Prince Street Wattsville Newport NP11 7QR	Erect two storey extension to rear and single storey extension to side of dwelling 9 Prince Street Wattsville Newport NP11 7QR	Granted 01.02.2018
18/0006/NOTF 04.01.2018	Natural Resources - Forestry Mr A Shinton Natural Resources Wales Office Resolven Neath SA11 4DR	Construct one new track to facilitate the felling of larch trees infected with phytophthora ramorum and for purposes of restocking the woodland Coed Cil-lonydd Woodland Blaengawney Farm Lane Hafodyrynys	Prior Approval Not Required 01.02.2018
17/0866/FULL 09.10.2017	Mr V Price 55 High Street Blackwood NP12 1BA	Install a new shop front Shop Unit 55 High Street Blackwood NP12 1BA	Granted 02.02.2018
17/0949/FULL 02.11.2017	Mr A Preece Jones Park House Park Place Crosskeys Newport NP11 7DB	Erect single-storey extension over existing and erect single- storey entrance porch 25 Whitethorne Street Crumlin Newport NP11 4PY	Granted 02.02.2018
17/1006/COND 22.11.2017	CCBC Ms D Walker Llancaiach Fawr Manor Gelligaer Road Nelson Treharris CF46 6ER	Discharge condition 07 (Bat Survey) and 08 (Drainage) of planning consent 12/0825/LA (Improve access for all in the manor house, including the construction of a new rear stair tower) Manor House Llancaiach Fawr Manor Gelligaer Road Nelson	Decided - Discharge of Conditions 02.02.2018
17/1059/FULL 08.12.2017	Mr & Mrs Starr Plas Y Dderwen Derwyn Las Bedwas Caerphilly CF83 8HS	Demolish existing conservatory and construct rear extension with proposed excavation of lower ground level Plas Y Dderwen Derwyn Las Bedwas Caerphilly	Granted 02.02.2018

17/1063/FULL 08.12.2017	Mrs A Hughes 20 McLaren Cottages Abertysswg Tredegar NP22 5BH	Construct detached garage 20 McLaren Cottages Abertysswg Tredegar NP22 5BH	Granted 02.02.2018
17/1073/FULL 14.12.2017	Mr L Jones 14 Pantycelyn Street Ystrad Mynach Hengoed CF82 7BL	Replace existing rear roof over single storey extension with a single mono-pitched roof, to include velux windows and alter existing windows at first floor to accommodate proposed roof 14 Pantycelyn Street Ystrad Mynach Hengoed CF82 7BL	Granted 02.02.2018
17/1077/FULL 14.12.2017	Mr C Clements 4 Gellideg Heights Maesycwmmmer Hengoed CF82 7RL	Construct a first floor and associated reconfiguration works to bungalow 4 Gellideg Heights Maesycwmmmer Hengoed CF82 7RL	Granted 02.02.2018
18/0012/NOTA 08.01.2018	Mr G Michalatos Pen-y-Parc Cefn Porth Road Cardiff CF14 0LE	Erect an extension to farm building Derwen Farm Twyn Sych Farm Lane Rudry	Prior Approval Not Required 02.02.2018
18/0023/NMA 11.01.2018	Callowgate Ltd Ms L Pugh P O Box 89 Porthcawl CF36 9BU	Seek approval of a non- material amendment to planning consent 17/0750/COU (Change of use from office B1 to leisure D2 for a Gym) to extend existing cladding over the rendered wall to ground level, to tidy up elevation Unit 4A And 5 (Unit 1-5) Trecenydd Business Park Trecenydd	Granted 02.02.2018
17/0997/RET 20.11.2017	Mr S Goss 9 Van Road Caerphilly CF83 1JZ	Retain outbuilding Sunningdale 244 Pontygwindy Road Caerphilly CF83 3HY	Granted 05.02.2018

17/0819/LBC 21.09.2017	Mr A Cole Van Mansion Gwern-y-Domen Farm Lane Caerphilly CF83 3RN	Carry out extensive repair and refurbishment (both external and internal), internal rearrangement and upgrade works for continued use as a dwelling and proposed use as a B&B facility Van Mansion Gwern-y-domen Farm Lane Caerphilly CF83 3RN	Granted 06.02.2018
17/1065/FULL 12.12.2017	Williams & Robertson Miss H Robertson Pantyrhyn Farm Oakdale To Twyn College Pentwyn-Mawr NP12 2AU	Erect a roundhouse agricultural livestock building Pantyrhyn Farm Oakdale To Twyn College Pentwyn-mawr Newport	Granted 07.02.2018
17/1067/FULL 13.12.2017	Miss J Meredith 17 Heol Graig Wen Penyrheol Caerphilly CF83 2JP	Erect single-storey side and rear extension 17 Heol Graig Wen Penyrheol Caerphilly CF83 2JP	Granted 07.02.2018
17/1090/COND 21.12.2017	Penyrheollas Solarfield Ltd Hamilton House 25 High Street Rickmansworth Hertfordshire WD3 1ET	Discharge condition 08 (archaeological work) of planning consent 15/0451/FULL (Install ground mounted photovoltaic solar arrays with transformer stations; internal access tracks; biodiversity enhancement; landscaping; stock fencing; security measures; access gate and ancillary infrastructure) Pen-Yr-Heol-Las Solar Park Manmoel Road Manmoel	Decided - Discharge of Conditions 07.02.2018
17/1071/FULL 14.12.2017	Mr M Parker Old Bakery Rear Of 53 Shingrig Road Nelson CF46 6DU	Carry out alterations to dwelling including two storey rear extension and ridge height increase of one metre 13 Lon Isaf Caerphilly CF83 1BT	Granted 08.02.2018
17/1074/FULL 14.12.2017	Mr C Duggan 119 Greenfield Street New Tredegar NP24 6LH	Erect detached garage 119 Greenfield Street New Tredegar NP24 6LH	Granted 08.02.2018

Agenda Item 16

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.
13/0799/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.
17/0257/FULL 22.03.17	Construct two-storey extension to provide additional living accommodation at The Gatehouse Gwern-y-domen Farm Lane Caerphilly	Awaiting additional information.

17/0258/LBC 21.03.17	Construct two-storey extension to provide additional living accommodation at The Gatehouse Gwern-y-domen Farm Lane Caerphilly	Awaiting additional information.
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.
17/0551/COU 29.06.17	Change the use of lower ground floor of previous fitness club to one bedroom flat at 17 High Street Llanbradach Caerphilly	Awaiting additional information.
17/0589/FULL 10.07.17	Erect single-storey side and rear extension at Avanate 6 Gellideg Lane Maesycwmmmer	Subject to further discussion and consideration.
17/0681/OUT 07.08.17	Erect residential development together with associated open space, landscaping and parking provision and seek approval of access and scale on Land At Grid Ref 316731 198680) Beaumaris Way Cefn Fforest	Subject to further discussion and consideration.
17/0738/COND 24.08.17	Discharge condition 09 (site investigation report) of planning application 14/0518/NCC (granted on appeal reference APP/K6920/A/15/3084354) (Vary Condition 01 of planning permission 09/0197/NCC (Remove condition (1) from planning application P/04/0219 to erect residential development) to extend the time limit within which development can commence for a further five years) on Land At Grid Ref 315319 197123 Glan-Yr-Afon Lane Fleur-de-lis	Subject to further discussion and consideration.
17/0746/FULL 30.08.17	Remove existing rear single storey lean-to and replace with a two storey rear extension at 192 Pandy Road Bedwas Caerphilly CF83 8EP	Awaiting amended design.

17/0804/OUT 18.09.17	Erect up to 350 homes including affordable housing, public open space, a local centre and community building, new vehicular, cycle and pedestrian accesses, associated engineering works and seek approval of access at Virginia Park Golf Club and Driving Range Virginia Park Caerphilly	Subject to further discussion and consideration.
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.
17/0809/FULL 18.09.17	Construct detached house with parking for two vehicles on Land At Grid Ref 317801 195546 (Adjacent To 2 Penllwyn Avenue) Pontllanfraith Blackwood	Awaiting additional information.
17/0864/FULL 09.10.17	Erect a wind turbine with a maximum overall tip height of 113m, 10m micro-siting, associated infrastructure including a transformer, hardstanding areas, a control building and cabling to operate for 25 years and subsequently decommission at Durisol UK Unit 4 Parkway Pen-y-fan Industrial Estate Pen-y-fan Newport	Subject to further discussion and consideration.

17/0880/RET 12.10.17	Retain various reprofiling earthworks to the south/south-east of property and change the use of land to residential curtilage at Green Meadow Cottage Darran Road Risca Newport NP11 6GY	Subject to further discussion and consideration.
17/0915/NCC 23.10.17	Vary condition 2 of planning consent 14/0518/NCC, (allowed on appeal) to amend the approved plans with revised house plans including changes to position of plots and facade treatment to be updated to current day designs and materials on Land At Grid Ref 315319 197123 Glan-Yr-Afon Lane Fleur-de-lis	Subject to discussion and consideration.
17/0918/COND 30.10.17	Discharge condition 03 (Highways) , 05 (Land Drainage) , 06 (Surface Water Drainage), 07 (Drainage Scheme), 10 (Remediation Strategy) 17 (Japanese knotweed) and 19 (Lighting Scheme) of planning consent 14/0518/NCC granted on appeal reference APP/K6920/A/15/3084354 (Vary Condition 01 of planning permission 09/0197/NCC (Remove condition (1) from planning application P/04/0219 to erect residential development) to extend the time limit within which development can commence for a further five years) on Land At Grid Ref 315319 197123 Glan-Yr-Afon Lane Fleur-de-lis	Awaiting additional information.
17/0954/FULL 03.11.17	Carry out additions to existing equestrian centre including indoor riding school, enlarged external menage, alternative access and associated landscaping at Smugglers Livery And Equestrian Centre Smugglers Run Pen-Deri Farm Lane Argoed	Awaiting additional information.
17/0969/NCC 09.11.17	Remove conditions 09 (Adopted Highway) & 13 (Public Highway Improvements) of planning consent 07/1153/OUT (Construct 14 No. 2 bedroom apartments) at Castle Manor Nantgarw Road Caerphilly	Subject to further discussion and information.
17/1097/LBC 16.11.17	Convert outhouse to internal shower room at 48 Garden Suburbs Pontywaun Newport	Awaiting additional information.

17/1019/COND 24.11.17	Discharge conditions 1 (full - time to commence dev), 2 (contamination), 3 (soil importation), 4 (remediation strategy), 5 (vision splays), 6 (engineering details) and 7 (reptiles) of planning consent 16/1059/FULL (Carry out infrastructure works to create new access drives and footways to serve future proposed individual residential developments) at Former Maerdy Car Sales Maerdy House Wellington Way Rhymney	Subject to further discussion and consideration.
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Agenda Item 17

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	Approved new plan. Change with title so amended draft and sent for approval. Chased.
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	Approved new plan. Change with title so amended draft and sent for approval. Chased.
16/0076/OUT 28.01.16	Erect residential development at Land To The North Of Meadowland Close Caerphilly	Applicant not responding.

16/0085/NCC 05.02.16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue Cefn Fforest Blackwood	Waiting for instructions from housing. No change.
16/0208/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.
16/0508/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. Amended plan submitted.
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. Amended plan submitted.
17/0113/FULL	Erect 5 No. detached 4-bedroom houses at Land To The South Of The Glade Wyllie Blackwood	Report incorrect. Planning getting rectified.
17/0270/OUT 27.03.17	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 on Land at Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood	Richard queried with planning the need for a Section 106 Agreement.
17/0616/COU 14.07.17	Convert former night club at second floor level to 7 No. flats (D2 to C3) at Pulsars Niteclub 3A Pentrebane Street Caerphilly	Queried title evidence. Solicitors checking with architects. Told Application Ongoing To Rectify Title.
17/0617/COU 14.07.17	Convert first and second floors to 6 No. 1 bedroom flats at 1 Pentrebane Street Caerphilly	Queried title evidence. Solicitors checking with architects. Told Application Ongoing To Rectify Title.

Agenda Item 18

OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
17/0011/REF 17/0218/FULL	Mr D T Jones Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly CF83 2TT	Erect 2 No. wind turbines 74m tip height at Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly	30/11/17

APPEALS DECIDED

APPEALS DECIDED APPEAL REF/ PLANNING APP NO.	PROPOSAL & LOCATION APPEAL	DECISION/ DATE	COMM/ DEL
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None