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**Date: 11th April 2018**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 18th April, 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.

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meetings and you may be escorted from the premises.

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.         |  |

A greener place Man gwyrddach

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



Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- |   |   |       |
|---|---|-------|
| 3 | Planning Committee held on 21st March 2018. | 1 - 6 |
|---|---|-------|

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

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

- |    |  |         |
|----|--|---------|
| 4  | Preface Item 18/0036/COU - 15 Woodbine Road, Blackwood.                                      | 7 - 14  |
| 5  | 17/1000/RET - Land at Grid Ref: 316824 201370 (Former Video Shop), Abernant Road, Markham.   | 15 - 22 |
| 6  | 18/0216/FULL - 1 Springfield Cottages, Cwmares Crescent, Springfield, Pontllanfraith.        | 23 - 28 |
| 7  | 18/0084/RET – Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.                           | 29 - 38 |
| 8  | 18/0085/NCC – Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.                           | 39 - 50 |
| 9  | 18/0087/NCC – Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.                           | 51 - 62 |
| 10 | 18/0157/COU – Cosyloft House, Cardiff Road, Bargoed.   | 63 - 72 |
| 11 | 17/0864/FULL – Durisol UK, Unit 4, Parkway, Pen-y-fan Industrial Estate, Pen-y-fan, Newport. | 73 - 88 |

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

- |    |  |         |
|----|--|---------|
| 12 | 18/0190/NCC – Domino's Pizza, Unit 2, Piccadilly Square, Caerphilly. | 89 - 96 |
|----|--|---------|

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

- |    |   |           |
|----|---|-----------|
| 13 | Applications determined by delegated powers.  | 97 - 112  |
| 14 | Applications which are out of time/not dealt with within 8 weeks of date of registration. | 113 - 116 |
| 15 | Applications awaiting completion of a Section 106 Agreement.                              | 117 - 120 |
| 16 | Appeals outstanding and decided.  | 121 - 122 |

**Circulation:**

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

And Appropriate Officers

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## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 21ST MARCH 2018 AT 5:00PM

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#### PRESENT:

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

#### Councillors:

Mrs E.M. Aldworth, C. Andrews, J. Bevan, M. Davies, J.E. Fussell, R.W. Gough, A. Hussey, B. Miles, Mrs G.D. Oliver, J. Simmonds, J. Taylor, A. Whitcombe, R. Whiting and T.J. Williams.

#### Together with:

T. Stephens (Interim Head of Planning), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), E. Rowley (Senior Planner), A. Pyne (Senior Planner) and C. Forbes-Thompson (Interim Head of Democratic Services).

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A. Angel, A.G. Higgs and J. Ridgewell.

#### 2. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: Councillors M. Adams and C. Andrews (Agenda Item No. 4 – 17/1072/COU) details are minuted with the respective item.

#### 3. MINUTES – 21ST FEBRUARY 2018

Councillor C. Andrews as a point of clarification wished it noted that she had declared an interest on Agenda item No 8 – 17/1072/COU, that was not recorded under minute number 2 (Declarations of Interest) but was noted under minute number 8 on page 6.

It was moved and seconded that subject to the aforementioned correction the minutes of the meeting held on the 21<sup>st</sup> February 2018 be agreed as a correct record and by a show of hands this was unanimously agreed:

RESOLVED that the minutes of the Planning Committee held on 21st February 2018 (minute nos. 1-15) be approved and signed as a correct record.

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

**4. PREFACE ITEM CODE NO. 17/1072/COU – PARK VILLAS, PARK ROAD, BARGOED, CF81 8SP.**

Councillor M. Adams declared an interest in that he had previous contact the contact with the provider organisation (LLamau) and left the Chamber when the application was discussed. Councillor C. Andrews declared an interest in that having been asked to represent residents in objection to the application she had a closed mind and left the Chamber when the application was discussed.

Following consideration of the Preface Report and the Officer's Original Report it was moved and seconded that the recommendation contained therein be approved and by a show of hands and in noting there were none against and 5 abstentions this was agreed by the majority present.

RESOLVED that: -

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

Additional Condition (9)

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 written satisfaction of the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason

In the interests of highway safety

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

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

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

- (iv) 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).

**5. CODE NO. 17/1056/LA – LAND AT GRID REF 317543 196321, BLACKWOOD ROAD, PONTLLANFRAITH, BLACKWOOD.**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's Report this application be granted;
- (ii) the applicant be advised that the following policy(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, CW5 and CW6;
- (iii) the applicant be advised of the comments of Natural Resources below:  
  
The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.
- (iv) the applicant be advised that 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;
- (v) the applicant 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);
- (vi) 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>.

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](http://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](http://www.gov.uk/government/organisations/the-coal-authority).

**6. CODE NO. 18/0036/COU – 15 WOODBINE ROAD, BLACKWOOD, NP12 1QF**

Following consideration of amendments to parking and access arrangements and the possible impact on a neighbouring property it was moved and seconded that the application be deferred to allow further consultation, and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred to allow further consultation to take place.

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

**7. CODE NO. 17/0644/NCC – STONERITE LTD, UNIT A 6 GREENWAY, BEDWAS HOUSE INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY, CF83 8DW.**

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



RESOLVED that: -

- (i) subject to the conditions contained within the Officer's Report this application be approved;
- (ii) 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](http://www.gov.uk/government/organisations/the-coal-authority).

- (iii) the applicant be advised that 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 SP6.

## 8. ITEMS FOR INFORMATION

The following items were received and noted: -

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

The meeting closed at 17.45pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 18th April 2018, they were signed by the Chair.

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CHAIR

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# Agenda Item 4

## **PREFACE ITEM**

APPLICATION NO. 18/0036/COU

APPLICANT(S) NAME: Mr & Mrs Fletcher

PROPOSAL: Change the use of the existing offices (B1) to residential property

LOCATION: 15 Woodbine Road, Blackwood

The above planning application for the change the use of the existing offices (B1) to a single residential dwelling was reported to Planning Committee on 21<sup>st</sup> March 2018 with a recommendation for approval subject to conditions. A copy of the previous report is attached as an Appendix.

At the meeting, it was considered that further public consultation was required on the basis that an alternative access to the site, i.e. off the lane that serves Tuckers Villas was proposed, as opposed to direct access off Woodbine Road.

On this basis 14 neighbouring properties were consulted on the amended proposal. This consultation period ends on 11<sup>th</sup> April 2018, i.e. after the date of this report, and therefore any further comments will be verbally reported to Planning Committee.

However, to date two letters/emails objecting to the proposed access off Tuckers Villas lane, and a petition signed by 24 residents have been received. The issues raised in these objection (including comments made on the petition) include:

- Difficulty in accessing No. 15 Woodbine Road from the lane;
- Congestion on the lane;
- Poor visibility;
- Danger to pedestrians using the lane;
- No visitor parking currently;
- Lane serving Tuckers Villas is privately owned and not adopted highway;
- Difficulty reversing out of site onto the lane given its narrow width.

The lane is publicly maintained, and a vehicular access onto it would not need planning permission.

RECOMMENDATION – That planning permission be GRANTED subject to the conditions contained in the original report.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0036/COU 15.01.2018	Mrs S Fletcher 20 Parc Bryn Pontllanfraith Blackwood NP12 2RA	Convert existing commercial property into a residential dwelling 15 Woodbine Road Blackwood NP12 1QF

**APPLICATION TYPE:** Change of Use

SITE AND DEVELOPMENT

Location: The application property is located on Woodbine Road, Blackwood.

Site description: Two storey detached property.

Development: It is proposed to change the use of the property from former offices (B1 use) to a single residential dwelling.

Ancillary development, e.g. parking: It is proposed to re-open the existing vehicular access on the north-west corner of the site, to facilitate off-street parking. This will also involve removing the existing portakabin type building in this corner of the site.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways).

NATIONAL POLICY: Planning Policy Wales.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

Cont'd....

Application No. 18/0036/COU Continued

COAL MINING LEGACY

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

CONSULTATION

Ecologist - No objection. Requests biodiversity enhancement by way of Condition.

Principal Valuer - No comments.

Transportation Engineering Manager - Is concerned about the use of the existing access onto Woodbine Road.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No comments.

Dwr Cymru - Provides advice to the developer.

ADVERTISEMENT

Extent of advertisement: Seven neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: None.

Summary of observations: Not applicable.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Cont'd....

Application No. 18/0036/COU Continued

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? A change of use application that facilitates the creation of a new residential dwelling is CIL liable. However, as the application building has been used for its lawful use for a period of 6 continuous months in the past 36 months (the former use ceasing in December 2016), the proposal is CIL exempt.

ANALYSIS

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

A - There is no unacceptable impact on the amenity of adjacent properties or land;

B - The proposal would not result in over-development of the site and / or its surroundings;

C - The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;

D - Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

It is considered that the proposal, i.e. creating a single dwellinghouse, is compatible with all of the criteria above, particularly given the limited scale of the proposal and its location in a primarily residential area.

Policy CW3 relates to highway safety and states that development proposals must have regard for the safe, effective, and efficient use of the transportation network. The application proposes to re-open the vehicular access to the site in the north-west corner of the curtilage. Such an access arrangement would result in cars either reversing onto or off Woodbine Road as they enter or leave the site. Such vehicle manoeuvres are not considered acceptable in this location, as they are considered to be detrimental to highway safety. For this reason, a condition will be attached to the planning permission restricting vehicular access onto Woodbine Road. A more appropriate position to access the site is along the western boundary of the site, i.e. off the lane that serves Tuckers Villas.

Comments from consultees: The Transportation Engineer Manager raises concerns regarding the position of the proposed vehicular access onto Woodbine Road.

The Head of Public Protection raises no objection to the proposal.

Cont'd....

Application No. 18/0036/COU Continued

The Council's Ecologist raises no objection and request biodiversity enhancement measures. That would be proportionate to the scale and nature of the scheme.

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.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Notwithstanding the submitted plans, or the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, there shall be no direct vehicular access to or from the site to or from Woodbine Road.  
REASON: In the interests of highway safety.
- 03) Notwithstanding the approved plans before the dwelling hereby approved is first occupied, access and car parking provision shall be provided within the curtilage of the site in accordance with a scheme to be agreed in writing with the Local Planning Authority and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety.
- 04) The development shall be carried out in accordance with the following approved plans and documents:  
Site Location Plan, received 15.01.2018;  
Proposed floor plans, received 15.01.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd....

Application No. 18/0036/COU Continued

Advisory Note(s)

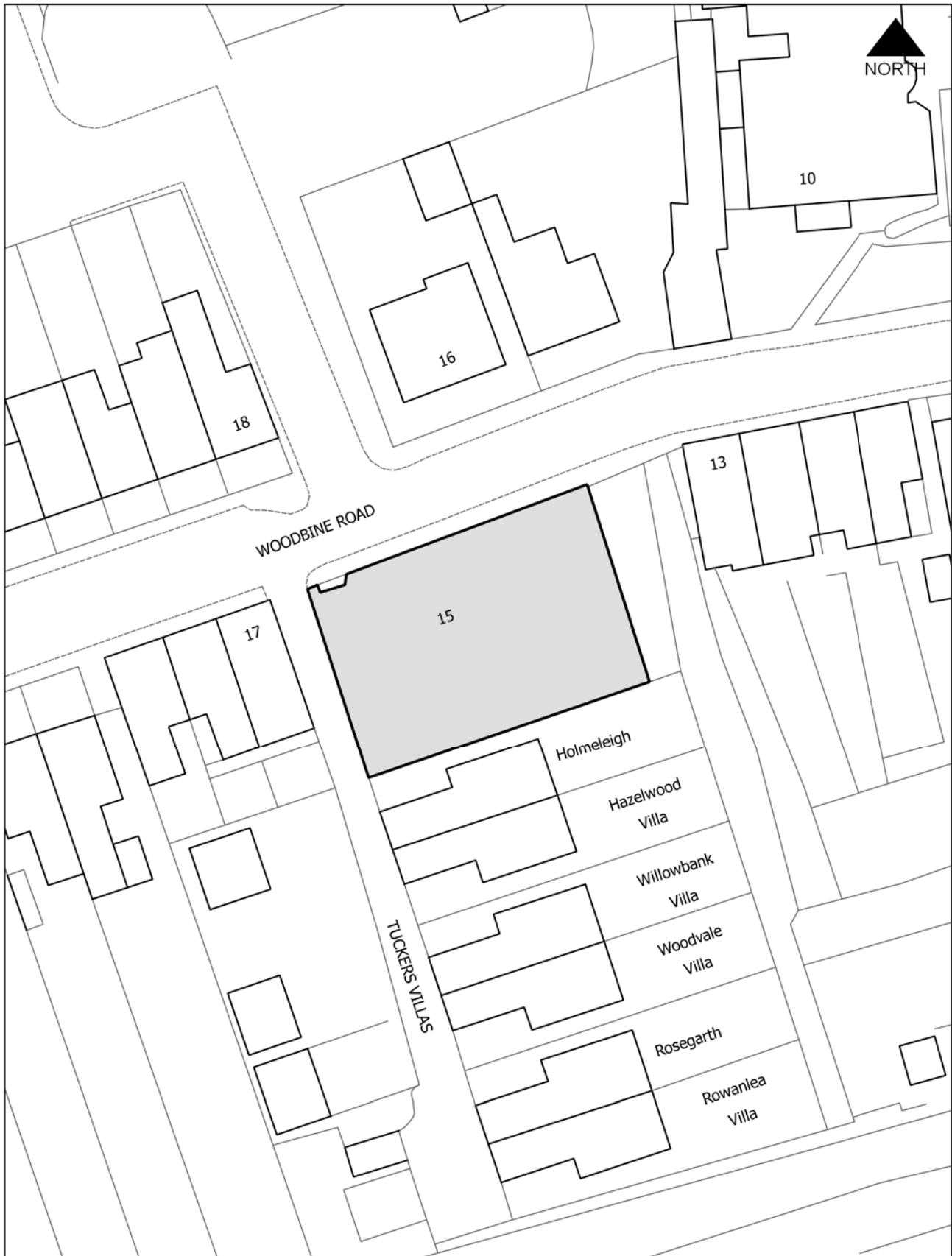
Please find attached the comments of Dwr Cymru/Welsh Water and The Council's Ecologist that are brought to the applicant's attention.

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

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

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





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# Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1000/RET 05.01.2018	Mr F Taylor 3 Torrens Drive Lakeside Cardiff CF23 6DQ	Retain building comprising lower storey apartment, ground floor retail (chemist) and first floor storage/utilities Land At Grid Ref 316824 201370 (Former Video Shop) Abernant Road Markham NP12 0PR

**APPLICATION TYPE:** Retain Development Already Carried Out

## SITE AND DEVELOPMENT

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

Site description: Vacant plot of land formerly occupied by a video shop.

Development: It is proposed to erect a two/three storey split level building comprising a one-bedroom flat at basement level, a shop at ground floor level (Chemist), and storage associated with the ground floor retail element at first floor level.

Dimensions: The building has a footprint measuring 5.85m in width, 14.6m in depth, with a height of 7.0m to ridge level when viewed from Abernant Road.

Materials: Painted smooth render, grey roof tiles/slates, and white upvc doors/windows.

Ancillary development, e.g. parking: Two parking spaces are proposed to serve the development.

## PLANNING HISTORY 2005 TO PRESENT

07/0781/FULL - Demolish video shop and rebuild new commercial unit - Granted 15.10.07.

Cont....

Application No. 17/1000/RET Continued

## POLICY

### LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW15 (General Locational Constraints), and advice contained in Supplementary Planning Guidance LDP5: Car Parking Standards (January 2017).

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

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

### CONSULTATION

Minerals Officer - No comments.

Transportation Engineering Manager - Raise objection on the basis that according to the adopted car parking standards, 3 off-street parking spaces are required to serve the proposal and only 2 spaces are proposed. However on the basis of the extant 2007 planning permission, this objection is not considered to warrant a refusal of planning permission.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection subject to land drainage condition.

Dwr Cymru - Provides advice that will be forwarded to the applicant.

Ecologist - No objection subject to conditions relating to bat and bird enhancement.

Cont....

Application No. 17/1000/RET Continued

### ADVERTISEMENT

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

Response: Eight objections have been received at the time of report.

### Summary of observations:

- Increased on-street parking pressure would be detrimental to highway and pedestrian safety;
- Proposal would result in the chemist dispensary at Markham Medical centre closing;
- Loss of jobs at Markham medical centre dispensary;
- Elderly residents will have to walk from the medical centre to proposed chemist.

### 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? No. Conditions will be attached to any permission in the interests of biodiversity enhancement.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The A1 retail element of CIL liable at a rate of £100 per square metre. The residential element is also CIL liable but as it is located in the Lower Viability CIL zone, the residential element would be chargeable at a rate of £0 per square metre.

### ANALYSIS

Policies: The application site is located within the defined settlement boundary and therefore the principle is in favour of development providing material planning considerations do not indicate otherwise. In this instance, those considerations are the design of the proposed building and its impact on the visual amenity of the surrounding area; the impact of the proposal on the amenity of existing neighbouring properties; and the impact of the proposal on highway safety.

Cont....

## Application No. 17/1000/RET Continued

In terms of the impact on visual amenity and the existing street scene, the proposed building is considered to be acceptable in terms of its massing, siting, design, fenestration, and proposed materials. The building is very similar to the existing dwelling that bounds the application site to the north-west, and it is therefore considered that the development will integrate well within the existing street scene.

In terms of the potential impact on the development on the existing properties to the north-west, i.e. the three self-contained flats in the property known as Devon House, it is acknowledged that by virtue of its proposed massing and siting, the proposed development will result in a loss of daylight and outlook to the south-east facing windows that serve the flats at ground floor and first floor level. However, based on the approved plans (Planning Permission 07/1495/COU) as the rooms affected are also served by west facing windows, this impact would not warrant a refusal of planning permission.

Comments from consultees: The Transportation Engineering Manager raises objection to the proposed development on the basis that the development generates the requirement for 3 off-street car parking spaces in accordance with the Adopted Car Parking Standards. However, on the basis of the extant planning permission at the site (07/0781/FULL - Demolish video shop and rebuild new commercial unit), it is not considered reasonable to refuse the proposal on this basis. The development will provide 2 tandem off-street parking spaces, compared to the 1 space required in accordance with planning permission 07/0781/FULL.

No objection is raised by other consultees subject to relevant conditions and advice.

### Comments from public:

1. Increase on-street parking pressure would be detrimental to highway and pedestrian safety - This issue has been addressed above. Notwithstanding the objection of the Highways Department it is not considered that the proposed development would result in more on-street parking than extant planning permission 07/0781/FULL. For this reason it is not considered reasonable to refuse the application on this ground.
2. Proposal would result in the chemist dispensary at Markham Medical centre closing - Competition is not a material planning consideration.
3. Loss of jobs at Markham medical centre dispensary - The proposed development would create jobs. Again, competition is not a material planning consideration.
4. Elderly residents will have to walk from the medical centre to proposed chemist - This would not warrant a refusal of planning permission. The proposed development is located within the established retail core of Markham with its associated public transport links.

Cont....

Other material considerations: Planning consent 07/0781/FULL granted permission to demolish the former video shop onsite and erect a 2/3 storey split level commercial property, albeit with no residential element. As the former video shop was demolished within 5 years of the date of this former permission, it is considered that the permission remains extant and can be completed at any time. The current proposal differs from this previous proposal in that there is no existing building onsite, and a 1-bedroom residential element is proposed. Furthermore 2 off-street tandem parking spaces are proposed. This existing permission is a material planning consideration. It is considered that the current proposal represents a good opportunity to secure 2 off-street parking spaces as opposed to the 1 parking space required under the 2007 planning permission.

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:  
Site Location Plan, received 17.11.2017;  
PP/200, Proposed front and rear elevation, received 17.11.2017;  
PP/400, Proposed side elevation (left), received 17.11.2017;  
PP/100/B, Proposed floor plans, received 27.02.2018;  
PP/300/B, Proposed side elevation (right), received 27.02.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont....

Application No. 17/1000/RET Continued

- 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 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 existing property at land at Abernant Road, Markham, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new building hereby approved is first utilised.  
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).
- 05) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow or House martin) in the existing property at land at Abernant Road, Markham, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new building hereby approved is first utilised.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 06) 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.
- 07) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in permanent materials 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.

Cont....



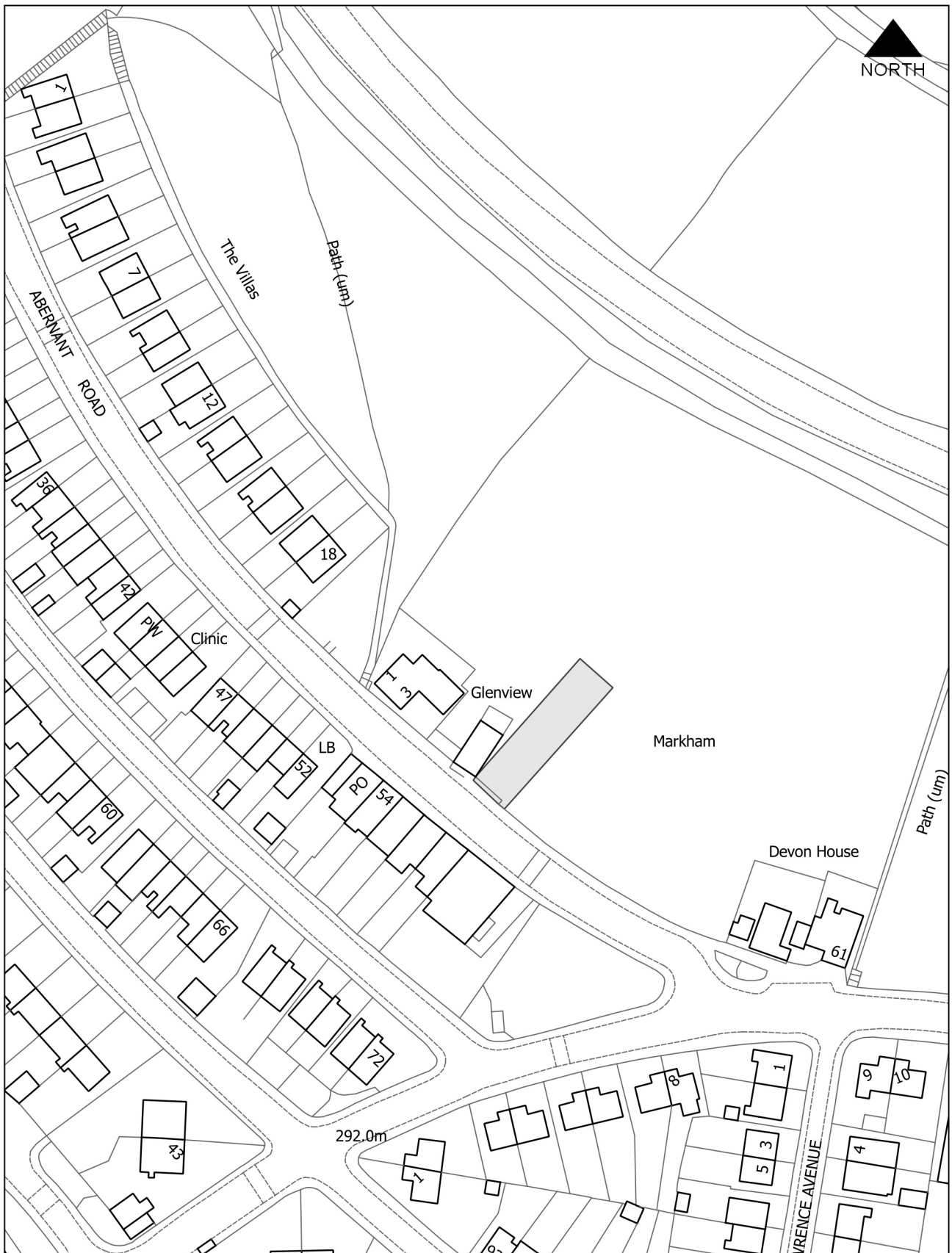
Application No. 17/1000/RET Continued

Advisory Note(s)

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

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: Policy CW2, CW3, CW4, CW5.

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# Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0216/FULL 06.03.2018	Mr & Mrs Temby 1 Springfield Cottages Cwmalsie Crescent Springfield Pontllanfraith Blackwood NP12 2LW	Erect extension and alterations to property 1 Springfield Cottages Cwmalsie Crescent Springfield Pontllanfraith Blackwood NP12 2LW

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is located at Springfield Cottages, on the eastern side of Cwmalsie Crescent, Pontllanfraith.

House type: End of terrace cottage with a garden to the front, side and rear.

Development: Full planning permission is sought to raise the ridge and eaves height at the rear of the property.

Dimensions: The overall height of the eaves will increase to 3.7 metres in height and the ridge will be raised to 7.5 metres. The resultant amendments will provide an enlarged bedroom at first floor level.

Materials: Spar render and concrete roof tiles to match existing dwelling.

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

## PLANNING HISTORY 2005 TO PRESENT

None.

## POLICY

## LOCAL DEVELOPMENT PLAN

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

Cont....

Application No. 18/0216/FULL Continued

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

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

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

### 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

None required.

### ADVERTISEMENT

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

Response: No comments received at the time of writing the report, should any further comments be received, these will be reported verbally to Members at Planning Committee.

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

Cont....

Application No. 18/0216/FULL Continued

### EU HABITATS DIRECTIVE

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

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

### ANALYSIS

Policies: This proposal is reported to Planning Committee because the applicant is related to a member of this Council. The application has been considered in accordance with National Plan Guidance, Local Plan Policies and Supplementary Planning Guidance. In design terms, the proposed extension is considered to be acceptable in terms of its fenestration, roof design and materials. Therefore the main issue in the determination of this planning application is whether the proposed development would have an overbearing impact on the adjoining property.

In terms of its impact on the neighbouring property (No. 2 Springfield Cottages), it is not considered that there would be any undue overbearing impact as a result of the proposal and there would be no detrimental impact in terms of amenity. As such the proposal accords with Policy CW2 of Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010.) and is considered to be acceptable in planning terms.

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.

Cont....

Application No. 18/0216/FULL Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No. 2 As Proposed received on 06.03.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.

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

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

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.

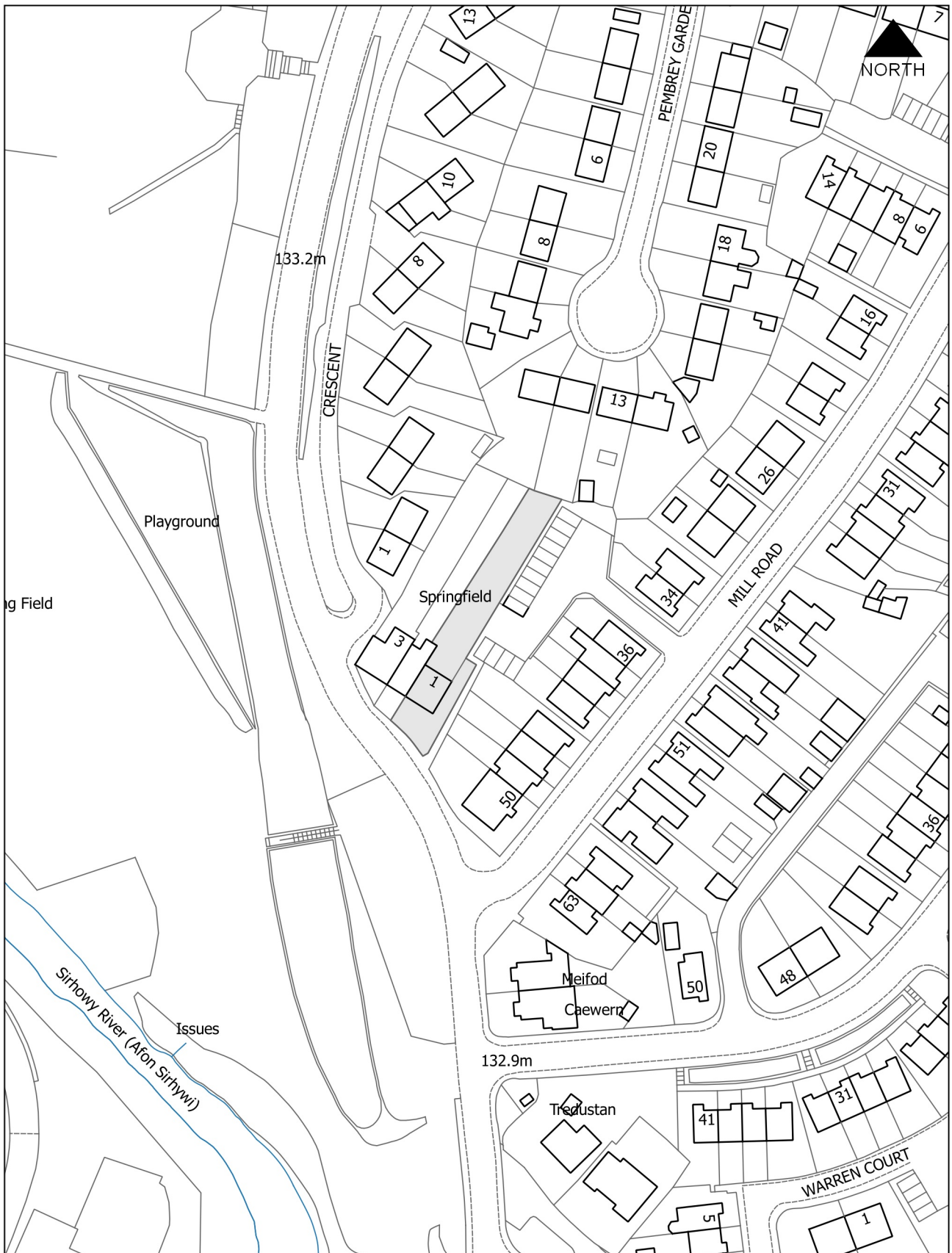
Cont....

Application No. 18/0216/FULL Continued

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).

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# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0084/RET 31.01.2018	Bryn Recycling Ltd C/o Barton Willmore Mr J Ayoubkhani Greyfriars House Greyfriars Road Cardiff CF10 3AL	Retain extension to material recycling facility to include biomass boiler and chimney flue Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

**APPLICATION TYPE:** Retain Development Already Carried Out

## SITE AND DEVELOPMENT

Location: The site is located at Gelliargwellt Uchaf, approximately 1.2 kilometres south-west of Gelligaer.

Site description: The site comprises a working dairy farm with land between Gelligaer, Trelewis and Nelson. Diversification has taken place over the last 30 years and the farm now contains an anaerobic digestion facility, small quarry, and materials recovery and transfer facility (MRF). The application site is within the MRF.

Development: The proposed development is an extension to the smaller of two recycling buildings at the MRF to house a biomass burner.

Dimensions: Width 13.8m, length 33.3m, height 9.2m. The height of the flue is 14m above ground level.

Materials: Profile sheet cladding.

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

## PLANNING HISTORY 2005 TO PRESENT

P/05/0944 - Construct building to enclose existing waste sorting area within waste transfer station - Granted 19.08.2005.

P/05/1038 - Vary Conditions (4), (8) and (16) of Consent Ref. P/01/0234 - Granted 06.10.05.

Cont....

Application No. 18/0084/RET Continued

P/05/1103 - Vary Condition (4) opening hours, Condition (3) operation of shredder and Condition (5) height of windrows on Planning Application P/03/1555 - Granted 13.10.02.

07/1082/FULL - Erect building to enclose existing materials, recycling facility and retain and complete associated earthworks and hardstanding - Refused 24.04.09.

08/0675/NCC - Delete Condition 16 of planning permission ref. P/01/0234 to operate waste transfer station on a permanent basis - Refused 24.04.09.

09/0228/NCC - Delete Condition 16 and amend Condition 15 of previous consent 07/0063/NCC in respect of hours to receive waste, hours of operation and type of materials to be received - Granted 25.03.2010.

09/0968/FULL - Erect building to incorporate anaerobic digestion facility with associated engineering and landscaping works - Withdrawn 02.11.10.

10/0429/RET - Retain and complete earthworks - Granted 04.11.10.

11/0224/FULL - Erect building and tanks to incorporate anaerobic digestion facility with associated plant, engineering and landscaping works - Refused 08.12.2011 Allowed on appeal 12/0020/REF 28.03.2013.

11/0226/FULL - Provide permanent operation of materials recycling facility and erection of new building - Refused 07.12.2011. Allowed on Appeal 28.03.2013.

11/0227/NCC - Delete condition 13 of planning permission ref 10/0429/RET to remove requirement to reduce height of bund to 1 metre above the adjoining ground level - Granted 08.12.2011.

14/0226/FULL - Provide materials recycling facility (revision to approved material recycling facility reference 11/0226/FULL) - Granted 14.07.14.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside settlement boundaries and is within a Special Landscape Area.

Policies: The following policies in the Caerphilly County Borough Local Development Plan up to 2021 are relevant to the determination of this application: SP6 Place Making, CW2 Amenity, CW4 Natural heritage protection, CW15 Locational constraints.

Cont....

Application No. 18/0084/RET Continued

NATIONAL POLICY Planning Policy Wales November 2016, TAN 21: Waste 2014.

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes. The proposed development falls within schedule 2 of the EIA Regs - Installations for the disposal of waste and it involves incineration.

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within a Development High Risk Area and the Coal Authority has been consulted.

### CONSULTATION

The Coal Authority - The Coal Authority raises concern because the site is within the Development High Risk Area where there are hazards and features that need to be considered in the determination of the application.

The application is supported by a Coal Mining Risk Assessment that was prepared for a previous development on the site and recommending that intrusive site investigations be carried out. However, there is no evidence that those works were carried out.

Objection is raised and the CA requests that the applicant demonstrates how coal mining legacy issues have been taken into account in the development.

Ecologist - The Council's Ecologist requests that provision is made for nesting birds through the provision of artificial nest boxes as a biodiversity enhancement.

Landscape Architect - The development site is located within the Mynydd Eglwysilan Special Landscape Area (SLA) NH1.3. This non-statutory designation seeks to protect this local area due to the distinctive landscape, historical, cultural, biodiversity and geological features and characteristics within the County Borough. As the current LDP states; 'The policy is not designed to preclude development. However, development proposals should not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA.'

Cont....

Application No. 18/0084/RET Continued

Whilst it is generally agreed that the footprint and height of the building will eventually be adequately screened by existing planted boundary bunds, once planting has matured. However, there are concerns over the visual impact the 14m high chimney flue has, due to its height and finish. Having visited viewpoints, approximately 1km from the site, officers note that primarily to the SE, SW and south of the site that it is clear that the chimney flue is visible above existing planting and unlikely to become screened. This is further exacerbated by the construction material, which appears to be a stainless steel finish, which catches the light and therefore stands out against the dark backdrop of existing woodland and vegetation located to the north and west.

Therefore it is recommended that the finish to the flue is conditioned and that a dark brown or black flue is used. This is in the interests of visual amenity and will assist to blend the chimney flue in with the SLA and sites woodland backdrop.

Head Of Public Protection - No objections received.

Transportation Engineering Manager - No objection is raised.

Senior Engineer (Land Drainage) - The site is situated within an area susceptible to groundwater and surface water flooding. It is requested that the applicant provide a drainage strategy document to consider the viability of the intended method of surface water drainage. Should the Local Planning Authority be minded to grant permission, it is recommended as a minimum the following or similarly worded conditions be appended to any permission:

Condition: 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.

It is also recommended the Planning Authority provide the applicant a copy of the document "Requirements Relating to Drainage & Flood Risk Management".

Gelligaer Community Council - No comment.

#### ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of notices posted at five locations in Gelligaer, Nelson and Penybryn and letters to one neighbouring property.

Cont....

Application No. 18/0084/RET Continued

Response: One letter of objection has been received.

Summary of observations: The grounds for objection are the retrospective nature of the application, smoke emissions, the nature of the fuel - only clean wood should be burnt.

#### 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?  
The proposed development is unlikely to have a significant effect on crime and disorder in the local area.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No.

#### ANALYSIS

Policies: Decisions on planning applications must be made in accordance with the development plan unless there are material planning considerations that indicate otherwise. Such considerations may include current circumstances, policies in an emerging development plan and policies of the Welsh government and the UK government. The main considerations in this case are as follows.

#### The principle of the development:

The proposed development would be within an established waste management facility and is considered to be acceptable in principle.

#### Impact on the amenity of local residents and on the local area:

Policy CW2 states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land and that the use is compatible with surrounding land uses. The proposal should not result in over-development of the site and should not compromise the viability of existing neighbouring land uses.

Cont....

Application No. 18/0084/RET Continued

The development comprises a small extension to a waste management building to house a biomass burner with a flue projecting 14m above ground level. The biomass burner would use 3,120 tonnes a year of materials received at the MRF but overall throughput to the MRF would not increase. The heat generated would be used to heat a drying floor within the building.

The biomass fuel and the boiler is contained within a building and the site is within an operational waste management facility. In this context it is not considered that there would be significant additional adverse impacts arising as a result of the biomass boiler, which would be regulated by a permit as well as by planning conditions. The nearest residential areas are located at a distance of 700 metres from the site.

Impact on natural heritage:

The site is within NH1.3 Mynydd Eglwysilian Special Landscape Area, which was designated for its open upland and lowland landscape providing a landscape setting and context for settlements in the County Borough. Development control issues include the desirability of preserving geological, and archaeological features, restricting urban spread and minimising landscape degradation.

Policy CW4 states that development proposals will be permitted where they conserve the distinctive or characteristic features of the SLA. The proposed development would not extend the waste management site. The 14m high flue has been designed to be Industrial Emissions Directive compliant. The chimney has an impact on the landscape, particularly due to its location at the edge of the plateau landform on which the MRF facility sits and due to its reflective materials. However, the landscaping scheme implemented around the site is maturing and softens views into the site and the flue is slim and seen in the context of other tall buildings within the site. A matt dark finish as suggested by the council's landscape architect would help to mitigate the visual impact of the chimney. This can be secured by condition.

Design and appearance:

Policy SP6 B requires new development to demonstrate a high standard of design that reinforces attractive qualities of local distinctiveness.

The extension is similar in form and materials to the existing industrial shed style building and is acceptable in terms of scale and design.

Cont....

Application No. 18/0084/RET Continued

Energy/sustainability:

*Energy Wales: A low carbon transition* sets out the Welsh Government's ambition of achieving a sustainable, low carbon economy for Wales. While energy policy is not a fully devolved matter, WG aims to meet the country's energy needs increasingly through renewable and low carbon sources and to deploy a range of technologies, including biomass. The proposed development would contribute to those aims, albeit in a small way.

The applicant states that the development could increase recycling rates by up to 5% by increasing the efficiency of the current operations at the site. This is in accord with guidance in TAN21: Waste in that it is making a contribution to diverting waste from landfill and managing waste more sustainably.

Comments from Consultees: The objection raised by the Coal Authority has been discussed with the applicant. The applicant intends to provide information to show that the concerns have been addressed. From a planning point of view, there is the extension to the existing building and therefore there are no objections in principle from a ground stability point of view.

The Council's Ecologist asks for a condition to secure artificial nest boxes as a biodiversity enhancement. While this is desirable, in view of the scale of the development, it is considered that such a condition would not meet the test in Welsh Government Circular WGC 016/2014 in that it is not essential in planning terms to enable the development to proceed. The circular states " In considering whether a planning condition is necessary, local planning authorities should ask themselves whether planning permission would have to be refused if a condition were not imposed, or if it would be expedient to enforce against a breach of the condition."

The Council's Landscape Architect has requested a dark, matt finish be applied to the chimney. This can be secured by condition.

Head of Public Protection has requested more information from the applicant, which has been requested but not received. The proposed development is the subject of a permit application and emissions are properly controlled through that process.

Comments from public: Although the application is retrospective it should be assessed taking into account the same material planning considerations as for an application for new development. If the result of that assessment is that permission is refused, the Council can take action to secure the removal of the unauthorised development. It is not illegal to carry out building work without planning permission but the deterrent is that an applicant may face abortive costs if the development is found to be unacceptable in planning terms.

Cont....

Application No. 18/0084/RET Continued

The planning and pollution control regimes are complementary but separate processes. Planning control focuses on whether the development is an acceptable use of the land and on regulating the location of the development to minimise adverse effects on neighbouring land uses and the environment. The pollution control regime is concerned with the regulation of the proposed operations and processes in their day-to-day operation so that waste is managed without endangering human health or causing environmental harm.

Therefore, the operation of the biomass burner, including emissions, will be controlled through the permit for the site and in determining planning applications, advice in Technical Advice Note 21: Waste states that it is reasonable to assume that other regulatory regimes will operate effectively and planning authorities should not duplicate controls more appropriately imposed as part of the permit.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....



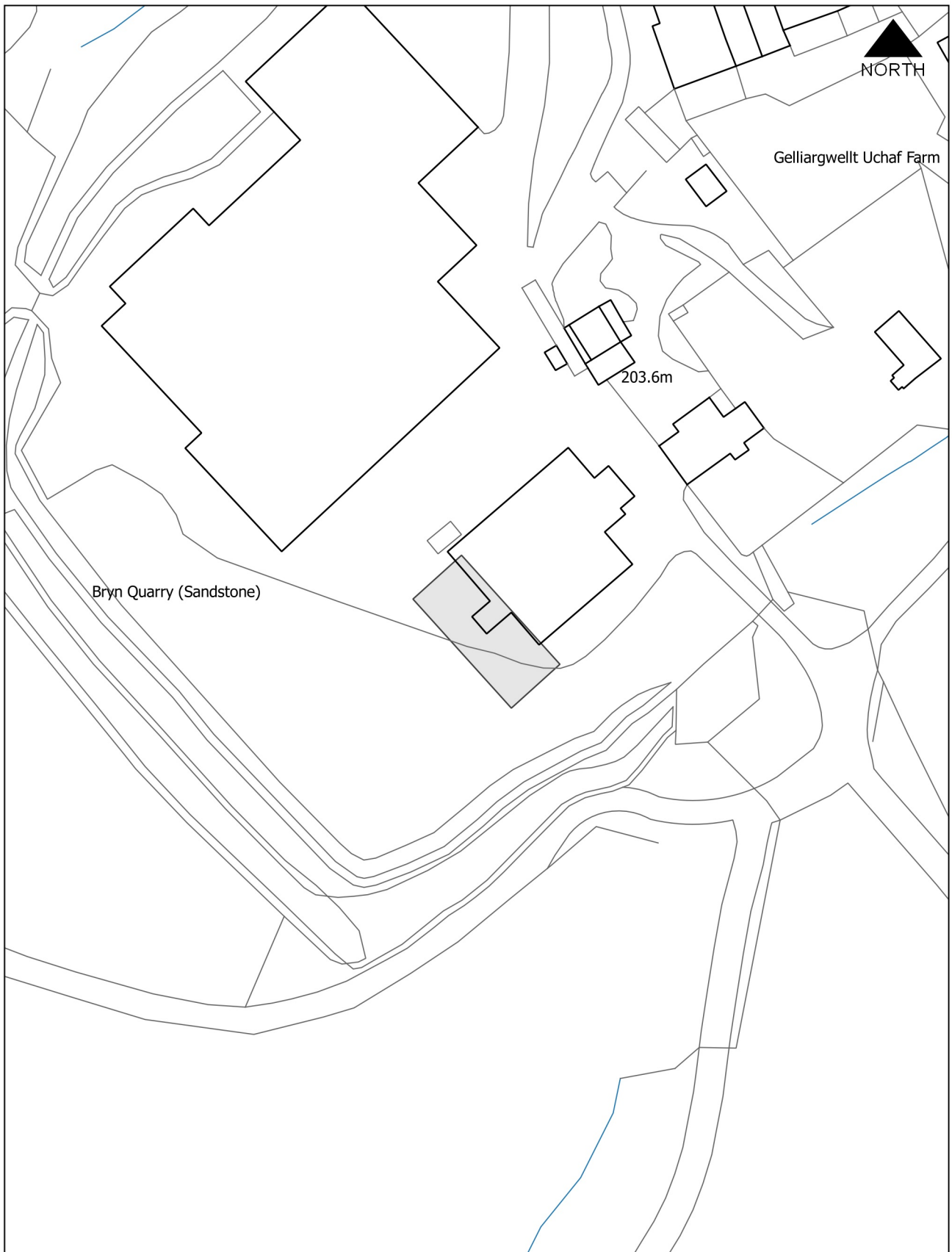
Application No. 18/0084/RET Continued

- 02) The development shall be carried out, except where modified by the conditions below, in accordance with the following documents
- a) The planning application and supporting statement received on 25 January 2018.
  - b) Submitted plans and documents:
    - Drawing boiler ash conveyor received 25 January 2018.
    - Drawing number BRL-MRF-2018-001 Proposed site layout received 25 January 2018.
    - Drawing number BRL-MRF-2018-003 Site location plan received 25 January 2018.
    - Drawing number BRL-MRF-2018-002 Elevations received 25 January 2018.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Within two months of the date of this permission 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 scheme shall be implemented in full for the duration of the development.
- REASON: To ensure that the development is served by an appropriate means of drainage.
- 04) Notwithstanding the submitted details, the flue shall be finished in a dark, matt finish, details of which shall be submitted for the approval of the Local Planning Authority within two months from the date of this permission. The agreed finish shall be applied within 3 months of the date of that agreement and thereafter shall be maintained for the duration of the development.
- 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: SP6 Place Making, CW2 Amenity, CW4 Natural heritage protection, CW15 Locational constraints.

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# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0085/NCC 25.01.2018	Bryn Power Ltd C/o Agent Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed	Vary condition 8 of planning consent 15/0488/RET (Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility) to enable the continuation of restricted Saturday and Bank Holiday hours (which have been operated under for the past three years) Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

**APPLICATION TYPE:** Development without complying with conds

## SITE AND DEVELOPMENT

Location: The site is located at Gelliargwellt Uchaf, a working dairy farm with land between Trelewis, Nelson and Gelligaer. The farmhouse is located approximately 1.2 kilometres north west of Gelligaer.

Cont....

Application No. 18/0085/NCC Continued

Site description: The application site is located at the anaerobic digestion facility to the north-west of the farm house. It comprises a collection of tanks and buildings on a hard-surfaced area, surrounded by a landscaped bund. A covered lagoon is located at the base of the bund.

Development: The application is for a variation to the permission in respect of the hours permitted for the receipt of material.

Condition 8 of planning permission reference 15/0488/RET states:

"No delivery of waste to the site and export of digestate from the site shall take place outside the hours of:  
07.30 hours to 18.00 hours Monday to Friday.  
07.30 hours to 13.00 hours Saturday.

No deliveries or exports shall take place on Saturday after 13.00 hours or on Sundays or Bank Holidays except as indicated below:

The site may receive waste from a Local Authority or its contractors between the following hours until 28 February 2018:

13.00 hours to 16.00 hours on Saturday.  
07.30 to 13.00 hours on Bank or Public Holidays.

REASON: To protect the amenities of local residents."

Consent is now sought to operate the weekend hours on a permanent basis.

#### PLANNING HISTORY 2005 TO PRESENT

09/0968/FULL - Erect building to incorporate anaerobic digestion facility with associated engineering and landscaping works - Refused 02.11.10.

10/0429/RET - Retain and complete earthworks - Granted 04.11.10.

11/0224/FULL - Erect building and tanks to incorporate anaerobic digestion facility with associated plant, engineering and landscaping works - Refused 08.12.11. Approved on Appeal.

13/0393/FULL - Erect nutrient storage lagoon to supply storage capacity for compliance with SSAFO Regulations - Granted 20.02.14.

Cont....

Application No. 18/0085/NCC Continued

14/0422/NCC - Vary condition 6 of planning permission P/04/1912 to extend the hours of operation on Saturdays until 16:00 and on Bank Holidays from 07.30 to 13.00 - Granted 12.02.15.

15/0031/FULL - Install 250kWp roof mounted solar PV system to be sited on a total of 4 existing shed roofs - Granted 27.05.15.

15/0488/RET - Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility - Granted 10.12.15.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside settlement boundaries.

Policies: The following policies in the Caerphilly County Borough Local Development Plan up to 2021 adopted November 2010 are relevant to the determination of this application: SP6 Place Making, CW2 Amenity, CW4 Natural Heritage Protection, CW15 Locational Constraints.

NATIONAL POLICY Planning Policy Wales November 2016, TAN 21: Waste 2014.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within the coalfield in a high risk area. This was taken into account in the original consent for the development. No new built development is proposed.

### CONSULTATION

Head Of Public Protection - No objections.

Cont....

Application No. 18/0085/NCC Continued

Transportation Engineering Manager - No objection.

Senior Engineer (Land Drainage) - No comment.

Ecologist - Requests that provision is made for artificial nest sites for birds via a condition.

Landscape Architect - No objection.

Dwr Cymru - No comment.

Rhondda Cynon Taf Council - No objection.

Merthyr Tydfil County Borough Council - No objection.

Nelson Community Council - Objection due to possible increased traffic flows to and from the site in combination with the proposed hours in application reference 18/0087/NCC.

Glam/Gwent Archaeological Trust - No objection on the basis that there will be no archaeological impact from the proposed change in hours.

Blaenau Gwent County Borough Council - No objection.

Rights Of Way Officer - There are five Public Rights of Way: FP166, FP262, FP261, FP180, FP160 in the Parish of Gelligaer in the area of the proposed. These are shown on the attached extract of the Definitive Map (18-0085-NCC-PROW.pdf) and the attached plan which incorporates past public path orders (18-0085-NCC-OS-PROW.pdf).

The proposed development has no direct affect upon the public rights of way.

Public Health Wales - No comments on the basis that the existing environmental control measures remain in place.

The Coal Authority - No comments to make.

CADW - No comments.

Gelligaer Community Council - No comment.

Cont....

Application No. 18/0085/NCC Continued

### ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of a site notice, press notice and letters to 50 neighbouring properties.

Response: One letter of objection has been received.

Summary of observations: The grounds for objection relate to a potential increase in quantity of waste and potential increase in traffic.

### 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?

The proposed change to the hours of operation is unlikely to have a significant effect on crime and disorder in the local area.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL) No.

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: Planning applications must be determined in accordance with the policies in the development plan unless material considerations indicate otherwise. The relevant policies in this case are SP6, CW2, CW4 and CW15. The main considerations are the impact of the proposed hours on the amenity of neighbouring land and properties and any impact on the special landscape area. No change is proposed to the built development on the site.

Permission was granted on appeal in March 2013 for an anaerobic digestion facility (ADF) subject to conditions limiting hours of operation. The hours permitted for the delivery of waste to the site and the export of digestate from the site were:

Monday to Friday 07.30 to 18.00.

Saturday 07.30 to 13.00 .

No deliveries on Sundays, Bank Holidays or Public Holidays.

Cont....

Application No. 18/0085/NCC Continued

Applications were later made to vary the layout of the facility and to use part of an existing in-vessel composting facility for waste reception, instead of constructing a separate waste reception building shown on the approved plans for the ADF.

Applications were also made to vary the approved hours for deliveries. This was to allow the receipt of waste from civic amenity sites and from municipal kerbside collections that operated outside the approved ADF hours. Permission was granted in December 2015 (15/0488/RET) on a temporary basis until the end of February 2018 for the receipt of waste solely from a local waste authority or its contractors between the additional hours of 13.00 and 16.00 hours on Saturdays and 07.30 to 13.00 hours on Sundays and Bank/Public Holidays.

The current application seeks to retain those additional hours on a permanent basis, subject to the same terms. No change is proposed to throughput of waste at the ADF or to the physical nature of the built structures at the site.

Principle of the development.

Policy CW15 C iv states that outside the settlement limits defined in the adopted LDP new development will only be permitted where it is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere. The issue of whether the ADF could reasonably be located on an allocated or protected industrial site within the county borough was considered at the appeal into refusal of the proposals in 2013. The inspector allowed the appeal and concluded that reasonable, practical alternative sites did not exist, taking into account the operational interrelationships between the various waste and farming activities at the farm, which represented a sustainable approach to waste management. The principle of the ADF development has, therefore, been established.

National policy.

National waste planning policy is generally supportive of proposals to drive waste up the waste hierarchy and to divert it from landfill. While the proposal does not propose additional waste management capacity it seeks to accommodate changes to municipal food waste collections that have arisen since the ADF was first approved. In addition, it seeks to accommodate the receipt of green waste from civic amenity sites where there is a need to empty containers on some weekends and bank holidays, particularly through the summer months, when the civic amenity sites are most used. The longer opening hours support sustainable waste management objectives by allowing people to recycle more waste and to treat more waste sustainably through the ADF and IVCF.

Cont....



Application No. 18/0085/NCC Continued

#### Amenity.

The main consideration in the determination of this application is the degree to which the proposed additional hours would affect the amenity of local residents. Permission was granted on a temporary basis in 2015 to assess the impact of the additional hours. Complaints have been received during the last three years generally about the activities at the farm and quarry. Those that could relate to the ADF include concerns about odour and increased traffic movements.

Policy CW2 states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land and that the use is compatible with surrounding land uses. The proposal should not result in over-development of the site and should not compromise the viability of existing neighbouring land uses.

No increase in throughput is proposed so the effect of the extension of hours would mean that existing traffic movements would be spread over seven days instead of 5.5 days in the weeks when the additional hours were used. The site has direct access to the main road network in the county borough and the Transportation Engineering Manager has raised no objection.

The additional hours amount to an additional three hours on Saturday afternoons throughout the year and an additional 5.5 hours on up to eight Bank Holidays a year. The applicant has estimated that 14 HGV trips would take place on a typical Bank Holiday. During the additional hours waste could be received at the facility but not shredded or treated or loaded into the tanks.

An environmental noise assessment was carried out in 2014 which indicated that the additional noise impact would be negligible. Head of Public Protection has raised no objection to the proposal.

#### Natural Heritage Protection.

The site is within NH1.3 Mynyddislwyn Special Landscape Area. Policy CW4 states that development proposals will be permitted where they conserve and where appropriate enhance the distinctive or characteristic features of the SLA. No additional built development is proposed and no intensification of activities at the site in terms of throughput is proposed. The proposed hours would lead to limited additional activity at the site during weekends and holidays when the footpaths and public areas around the site may be used for recreation and enjoyment of the countryside. This needs to be balanced against the benefits of the proposal in terms of managing waste more sustainably.

Cont....

Application No. 18/0085/NCC Continued

**Conclusion.**

The proposed variation to the hours for delivery of food waste to the ADF would facilitate the sustainable treatment of waste in line with national policy and policies in the adopted LDP. The additional impact on the amenity of local residents and on the SLA is not considered to be significant and no objection has been raised by the Transportation Engineering Manager or Head of Public Protection.

Comments from Consultees: The comments from consultees are addressed in the report.

The Council's Ecologist asks for a condition to secure artificial nest boxes as a biodiversity enhancement. While this is desirable, in view of the scale of the development, it is considered that such a condition would not meet the test in Welsh Government Circular WGC 016/2014 in that it is not essential in planning terms to enable the development to proceed. The circular states " In considering whether a planning condition is necessary, local planning authorities should ask themselves whether planning permission would have to be refused if a condition were not imposed, or if it would be expedient to enforce against a breach of the condition."

Comments from public: The comments relate to potential increase in traffic and in waste. However, no increase in the quantity of waste handled at the site or the vehicle movements generated is proposed in this application.

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

**RECOMMENDATION that Permission be GRANTED**

This permission is subject to the following condition(s)

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

Cont....

Application No. 18/0085/NCC Continued

- 02) The development shall be carried out, except where modified by the conditions below, in accordance with the following documents:  
a) The planning application and supporting statement received on 25 January 2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The site shall be used as an anaerobic digestion facility and in-vessel composting facility and for no other purpose whatsoever.  
REASON: To adequately control the development of the site.
- 04) The sorting, screening and shredding of waste material on the site shall take place solely within the IVC/AD waste reception building  
REASON: In the interests of the amenity of the area.
- 05) The waste types deposited, stored and treated at the site shall be limited to wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing.  
REASON: Waste materials other than those specified raise environmental and amenity issues that would require consideration afresh.
- 06) Any material not included within the description in Condition 5 above received at the site or any material otherwise unsuitable for treatment shall be stored in impervious covered containers and removed from the site within 24 hours of its receipt.  
REASON: To safeguard the amenity interests of the area.
- 07) No waste material shall be stored outside the buildings and the tanks.  
REASON: To safeguard the amenity interests of the area.
- 08) No delivery of waste to the site and export of digestate from the site shall take place outside the hours of:  
07.30 hours to 18.00 hours Monday to Friday.  
07.30 to 13.00 hours Saturday.  
No deliveries or exports shall take place on Saturday after 13.00 hours or on Sundays or Bank and Public Holidays except as indicated below:  
The site may receive waste from a local authority or its contractors between the following hours:  
13.00 hours to 16.00 hours Saturday.  
07.30 hours to 13.00 hours on Bank or Public Holidays.  
REASON: To safeguard the amenity of local residents.

Cont....

Application No. 18/0085/NCC Continued

- 09) No operations shall take place at the site other than in full accordance with the mitigation measures set out in the JPCE dust management scheme document reference BQAD-2013-DMS.  
REASON: In the interests of safeguarding the amenity of local residents.
- 10) Between the hours of 07.00 and 19.00 the noise levels arising from the development shall not exceed 46 dB (LAeq) (1 hour) free field at any of the noise sensitive properties identified on the plan 3781/SP1 - Noise Sensitive Properties in the Hunter Acoustics report dated 20 July 2015.  
REASON: In the interests of safeguarding residential amenity.
- 11) Between the hours of 19.00 and 07.00 the noise levels arising from the development shall not exceed 33 dB (LAeq) (1 hour) free field at any of the noise sensitive properties identified on the plan 3781/SP1 - Noise Sensitive Properties in the Hunter Acoustics report dated 20 July 2015.  
REASON: In the interests of safeguarding residential amenity.
- 12) Within two months of the date of this permission details of the construction of the slurry pipeline shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: To ensure satisfactory drainage.
- 13) A scheme indicating the facilities and or methods to be put in place to ensure mud, debris or other deleterious material is not carried onto any part of the public highway and any remedial measures to be put in place to clear the highway of such material shall be submitted for the approval of the Local Planning Authority within two months of the date of this permission. Once approved, the scheme shall be implemented in full throughout the duration of the development.  
REASON: In the interests of highway safety and the amenity of local residents.
- 14) Within two months of the date of this permission a scheme for the management of surface water shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first use of the development and the development shall thereafter be operated in accordance with the approved scheme.  
REASON: To ensure satisfactory surface water management for the development.

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Application No. 18/0085/NCC Continued

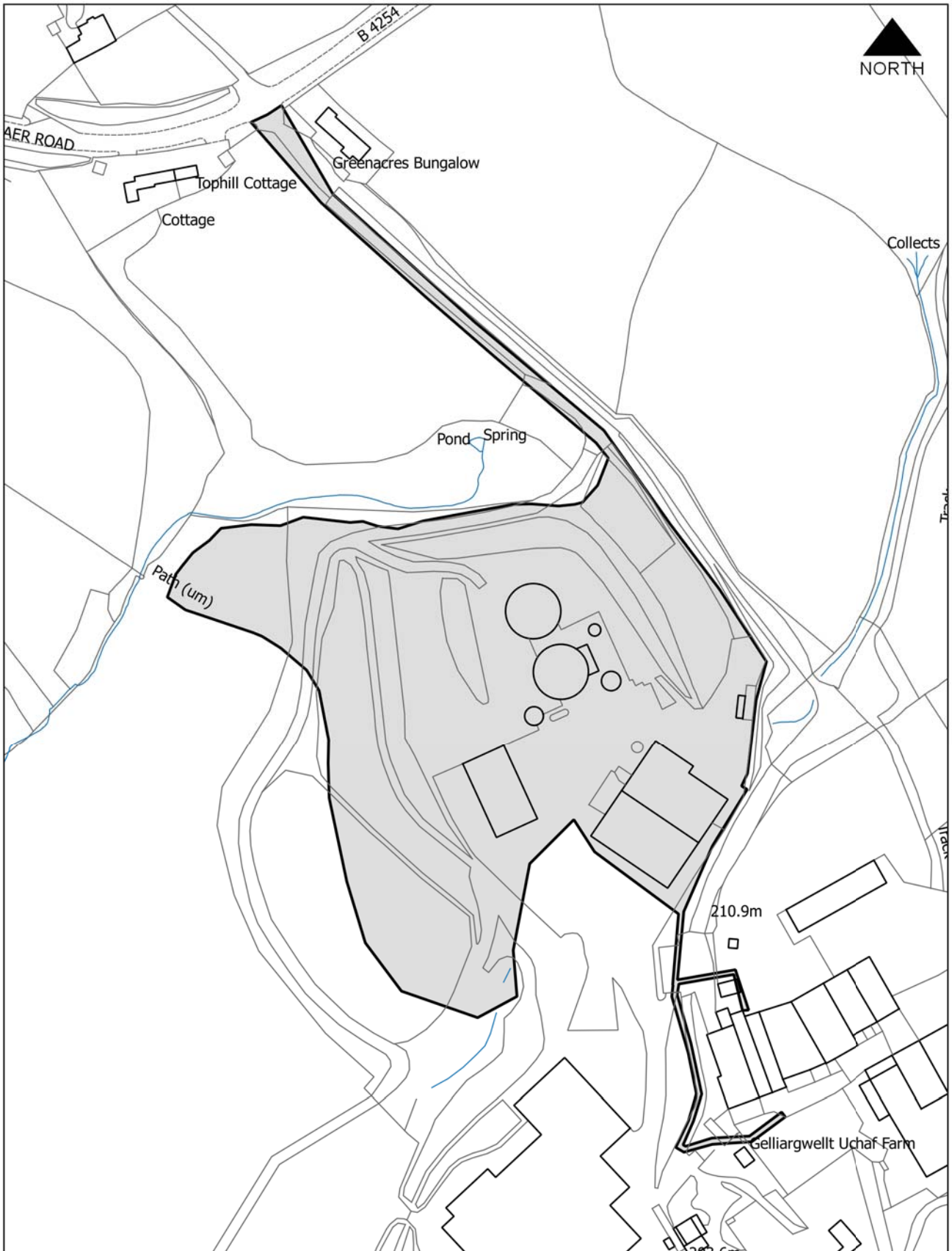
- 15) Trees, shrubs and hedges planted in accordance with the approved planting scheme shall be maintained and any plants which, within five years, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.  
REASON: In the interests of the amenity of the local area.
- 16) The AD facility hereby approved shall not be operated other than in accordance with the odour management strategy approved in April 2016 under reference 16/0069/COND which includes inter alia:-
- a closed door management strategy within the waste reception building. Fast closing doors shall be installed and interlocked so that both doors cannot open at the same time,
  - the building shall be completely sealed and smoke and pressure tests shall be carried out prior to its use to ensure adequate containment,
  - the facility shall be operated in a manner that prevents the build-up of debris in gullies, drainage channels and under equipment,
  - all odours generated within the building shall be captured and treated in the odour treatment system and the building shall be maintained under negative pressure to prevent the fugitive release of odours. This system shall be monitored by means of static pressure sensors,
  - the anaerobic digester plant shall incorporate a two stage chemical scrubber with secondary treatment using a covered bio-filter with a stack, -the bio-filtration system shall be maintained to ensure adequate and equal air distribution, material shall only be transferred between the anaerobic digester facility and the in vessel composting facility using enclosed containers or conveyors,
  - the buildings shall have adequate arrangements to prevent birds and small mammals from entering the reception area.
- Thereafter, the development shall be operated in accordance with the approved management scheme.  
REASON: In the interests of residential amenity in the local area.

Advisory Note(s)

Please find attached the comments of Rights of Way Officer that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP6, CW2, CW4, CW15.

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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0087/NCC 31.01.2018	Bryn Compost Ltd C/o Barton Willmore Mr J Ayoubkhani Greyfriars House Greyfriars Road Cardiff CF10 3AL	Remove condition 12 of planning consent 14/0422/NCC (Vary condition 6 of planning permission P/04/1912 to extend the hours of operation on Saturdays until 16:00 and on Bank Holidays from 07.30 to 13.00) to enable the continuation of restricted Saturday and Bank Holiday hours Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

**APPLICATION TYPE:** Development without complying with conds

## SITE AND DEVELOPMENT

Location: The site is located at Gelliargwellt Uchaf, a working dairy farm with land between Trelewis, Gelligaer and Nelson. The farmhouse is located approximately 1.2 kilometres south-west of Gelligaer.

Site description: The application site is the in-vessel composting facility adjacent to the anaerobic digestion facility to the north-west of the farm house.

Development: The application seeks to vary condition 6 of planning permission reference 14/0422/NCC to enable the continuation of restricted Saturday and Bank Holiday hours which have been operated for the last three years.

Condition 12 states:

"The hours of operation hereby approved shall apply for a temporary period only, expiring on 28 February 2018 after which the hours of operation shall revert to those granted permission by Caerphilly County Borough Council consent number P/04/1912"  
REASON: To allow the impact of extended hours of operation to be assessed.

Cont....

Application No. 18/0087/NCC Continued

PLANNING HISTORY 2005 TO PRESENT

P/05/1103 - Vary Condition (4) opening hours, Condition (3) operation of shredder and Condition (5) height of windrows on Planning Application P/03/1555 - Granted 13.10.05.

09/0968/FULL - Erect building to incorporate anaerobic digestion facility with associated engineering and landscaping works - Refused 02.11.10.

10/0429/RET - Retain and complete earthworks - Granted 04.11.10.

11/0224/FULL - Erect building and tanks to incorporate anaerobic digestion facility with associated plant, engineering and landscaping works - Refused 08.12.11.

11/0227/NCC - Delete condition 13 of planning permission ref 10/0429/RET to remove requirement to reduce height of bund to 1 metre above the adjoining ground level - Granted 08.12.11.

13/0393/FULL - Erect nutrient storage lagoon to supply storage capacity for compliance with SSAFO Regulations - Granted 20.02.14.

14/0422/NCC - Vary condition 6 of planning permission P/04/1912 to extend the hours of operation on Saturdays until 16:00 and on Bank Holidays from 07.30 to 13.00 - Granted 12.02.15.

14/0488/FULL - Convert existing garage and workshop into ancillary living accommodation (including porch and garden room extension) and erect a detached double garage and hobby room - Granted 08.09.14.

15/0031/FULL - Install 250kWp roof mounted solar PV system to be sited on a total of 4 existing shed roofs - Granted 27.05.15.

15/0488/RET - Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility - Granted 10.12.15.

Cont....



Application No. 18/0087/NCC Continued

16/0069/COND - Discharge Condition 12 (external lighting), Condition 13 (wheel and road washing), Condition 14 (surface water drainage), Condition 15 (slurry pipeline), Condition 16 (landscaping), Condition 18 (construction method statement) and Condition 20 (odour management) of planning permission 15/0488/RET (Retain development previously approved under planning permission 11/0224/FULL for the construction of an anaerobic digestion facility with changes to construction details relating to the position of the digestate tanks, digestate lagoon, surplus gas flare, silage clamp and associated works and to change the use of the existing in vessel composting building to an anaerobic digestion reception building and an in vessel composting facility) - Decided 25.04.16.

18/0085/NCC - Vary condition 8 of planning consent 15/0488/RET to enable the continuation of restricted Saturday and Bank Holiday hours (which have been operated under for the past three years) - Not yet determined.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside settlement boundaries.

Policies: The following policies in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the determination of this application: CW2, CW4, CW15.

NATIONAL POLICY Planning Policy Wales November 2016, TAN 21 2014.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within the coalfield in a development high risk area. However, this application does not involve new built development.

### CONSULTATION

Gelligaer Community Council - Objection on the grounds of unreasonable hours.

Cont....

Application No. 18/0087/NCC Continued

Rights Of Way Officer - There are five Public Rights of Way: FP166, FP262, FP261, FP180, FP160 in the Parish of Gelligaer in the area of the proposed. These are shown on the attached extract of the Definitive Map (18-0087-NCC-PROW.pdf) and the attached plan which incorporates past public path orders (18-0087-NCC-OS-PROW.pdf).

The proposed has no direct affect upon the public rights of way but an advisory note should be attached to ensure footpaths are not obstructed.

Transportation Engineering Manager - No objection.

Head Of Public Protection - No adverse comments to make.

Ecologist - Requests the provision of biodiversity enhancements in the form of a condition requiring the provision of artificial nest boxes for breeding birds.

Landscape Architect - No comments to make in regard to this application.

CADW - No comments to make on the application.

The Coal Authority - No specific comments to make as the application proposes changes to hours of operation.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of notices posted in the local area, a press notice and letters to 67 neighbouring properties.

Response: One letter of objection has been received.

Summary of observations: The grounds for objection are increase in heavy traffic through Nelson, Trelewis, Gelligaer. Penybryn and Penallta. The applicant is not a responsible operator.

### 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?  
The proposed change to the hours of operation is unlikely to have a significant impact on crime and disorder in the local area.

Cont....

Application No. 18/0087/NCC Continued

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: Decisions on planning applications must have regard to the provisions of the development plan unless there are material planning considerations that indicate otherwise. Such considerations may include current circumstances, policies in an emerging development plan and policies of the Welsh government and the UK government.

National policy.

National waste planning policy is generally supportive of proposals to drive waste up the waste hierarchy and to divert it from landfill. While the proposal does not propose additional waste management capacity it seeks to accommodate changes to municipal food waste collections that have arisen since the IVCF was first approved. In addition, it seeks to accommodate the receipt of green waste from civic amenity sites where there is a need to empty containers on some weekends and bank holidays, particularly through the summer months, when the civic amenity sites are most used. The longer opening hours support sustainable waste management objectives by allowing people to recycle more waste and to treat more waste sustainably through the ADF and IVCF.

Principle of the development.

The site is an established waste management facility and the principle of the waste management use has been established by previous permissions for the in-vessel compost facility (IVCF) and the anaerobic digestion facility (ADF).

Amenity.

Policy CW2 states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land and that the use is compatible with surrounding land uses. The proposal should not result in over-development of the site and should not compromise the viability of existing neighbouring land uses.

Supporting information submitted with the application in 2014 indicated that the impacts in terms of traffic movements, noise, air quality, odour and noise indicated that the additional hours for receipt of waste only would not lead to an unacceptable impact on local amenity.

Cont....

## Application No. 18/0087/NCC Continued

The main source of noise is from vehicles entering and leaving the site since unloading takes place within the building and no processing of waste is permitted outside the core hours. Vehicle movements would not increase since no increase in throughput is proposed but they would be spread across 7 days instead of 5.5 days. Approximately 14 vehicle trips would take place on a typical Bank Holiday and the noise assessment found that the decibel increase on Gelligaer Road amounted to a maximum of 0.1 decibels.

The model used in the air quality assessment assumed continuous steady state emissions over a 24 hour day, 365 days a year. The predicted odour impacts, would not, therefore, be affected by the changes to waste reception. Head of Public Protection has not objected and conditions are proposed to control noise, dust and odour. In addition, the facility operates under the terms of a permit which regulates processes carried out at the site.

Since the additional hours were approved on a trial basis in 2015, complaints have been received about the activities at the site generally, including complaints about mud on the road, odour and traffic movements. These have been investigated and appropriate action taken. Other than the odour complaints, the complaints appear not to relate to the IVCF or ADF specifically.

### Highways and traffic.

No increase in throughput and therefore HGV movements is proposed. The Transportation Engineering Manager has raised no objection and the highway impact of the IVCF facility itself has previously been found to be acceptable. A condition is proposed to secure a scheme of measures to ensure the public highway is kept clean.

### Natural Heritage Protection.

The site is within NH1.3 Mynyddislwyn Special Landscape Area. Policy CW4 states that development proposals will be permitted where they conserve and where appropriate enhance the distinctive or characteristic features of the SLA. No additional built development is proposed and no intensification of activities at the site in terms of throughput is proposed. The proposed hours would lead to limited additional activity at the site during weekends and holidays when the footpaths and public areas around the site may be used for recreation and enjoyment of the countryside. This needs to be balanced against the benefits of the proposal in terms of managing waste more sustainably.

Cont....

## CONCLUSION

The proposal would support waste management objectives in national and local policy by allowing people to recycle more waste and to cater for changes in local authority waste collections. Civic amenity sites tend to be busiest at weekends and bank holidays and the ability to empty containers at those times supports waste management objectives.

This has to be balanced against the potential impact on the amenity of those living in, working in or visiting the local area. In this case the impact on amenity can be regulated satisfactorily through planning conditions and through the permit.

Comments from Consultees: Gelligaer Community Council objects on the grounds that the hours proposed are unreasonable. Nelson Community Council objects on the grounds of traffic and in-combination impacts.

The Council's Ecologist asks for a condition to secure artificial nest boxes as a biodiversity enhancement. While this is desirable, in view of the scale of the development, it is considered that such a condition would not meet the test in Welsh Government Circular WGC 016/2014 in that it is not essential in planning terms to enable the development to proceed. The circular states " In considering whether a planning condition is necessary, local planning authorities should ask themselves whether planning permission would have to be refused if a condition were not imposed, or if it would be expedient to enforce against a breach of the condition."

Comments from public: Comments include concerns about, an increase in heavy traffic through Nelson, Trelewis, Gelligaer. Penybryn and Penallta and the view is expressed that the applicant is not a responsible operator. The comments are addressed in the report as far as they relate to material planning considerations.

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

Cont....

Application No. 18/0087/NCC 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 hereby permitted shall be carried out only in accordance with the following plans and other submitted details:  
Application and supporting documents received on 26 January 2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Nothing other than botanical, catering and kitchen wastes shall be deposited and treated at the site for use in the composting process hereby approved.  
REASON: To define the extent of this consent and because other waste types may raise environmental and amenity issues that would require fresh consideration.
- 04) Operations authorised by this permission, including vehicles entering or leaving the site, shall be restricted to the following periods:  
07.30 to 18.00 Monday to Friday.  
07.30 to 13.00 Saturday.  
No operations shall take place on Sundays or Bank Holidays or Public Holidays other than as indicated below:  
The site may receive waste from local authority or its contractors between the following hours:  
13.00 to 16.00 Saturday and  
07.30 to 13.00 on Bank Holidays or Public Holidays.  
REASON: To protect the amenity interests of local residents.
- 05) No waste shall be stored or shredded outside the reception building and the vessels and waste shall not be stored within the reception building for longer than 24 hours. Any waste materials not suitable for the composting process shall be stored in a designated covered container prior to being removed from the site.  
REASON: To protect the amenity interests of local residents.

Cont....

Application No. 18/0087/NCC Continued

- 06) A scheme indicating the facilities or methods to be put in place to ensure mud, debris or other deleterious material is not carried onto any part of the public highway and any remedial measures to be put in place to clear the highway of such material shall be submitted for the approval of the Local Planning Authority within two months of the date of this permission. Once approved the scheme shall be implemented in full for the duration of the development.  
REASON: To safeguard the amenity of local residents and in the interests of highway safety.
- 07) The landscaping scheme approved in accordance with condition 12 of consent reference P/04/1912 shall be maintained for the duration of the development.  
REASON: In the interests of visual amenity.
- 08) The development shall be carried out in accordance with the approved noise monitoring scheme. Between the hours of 07.00 and 19.00 the noise levels arising from the development shall not exceed 55 dB (LAeq) (1 hour) free field at any noise sensitive property.  
REASON: To protect the amenity interests of local residents.
- 09) The development shall be carried out at all times in accordance with the approved dust suppression scheme.  
REASON: To protect the amenity interests of local residents.
- 10) Any facilities for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, in the case of multiple tanks, the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.  
REASON: To protect the amenity of local residents.
- 11) Within three months of the permanent cessation of composting operations a scheme detailing measures to be taken to restore the site to agricultural use shall be submitted for the approval of the Local Planning Authority. The scheme shall be implemented in full within twelve months of its approval.  
REASON: To ensure the satisfactory restoration of the site once operations are completed.

Cont....

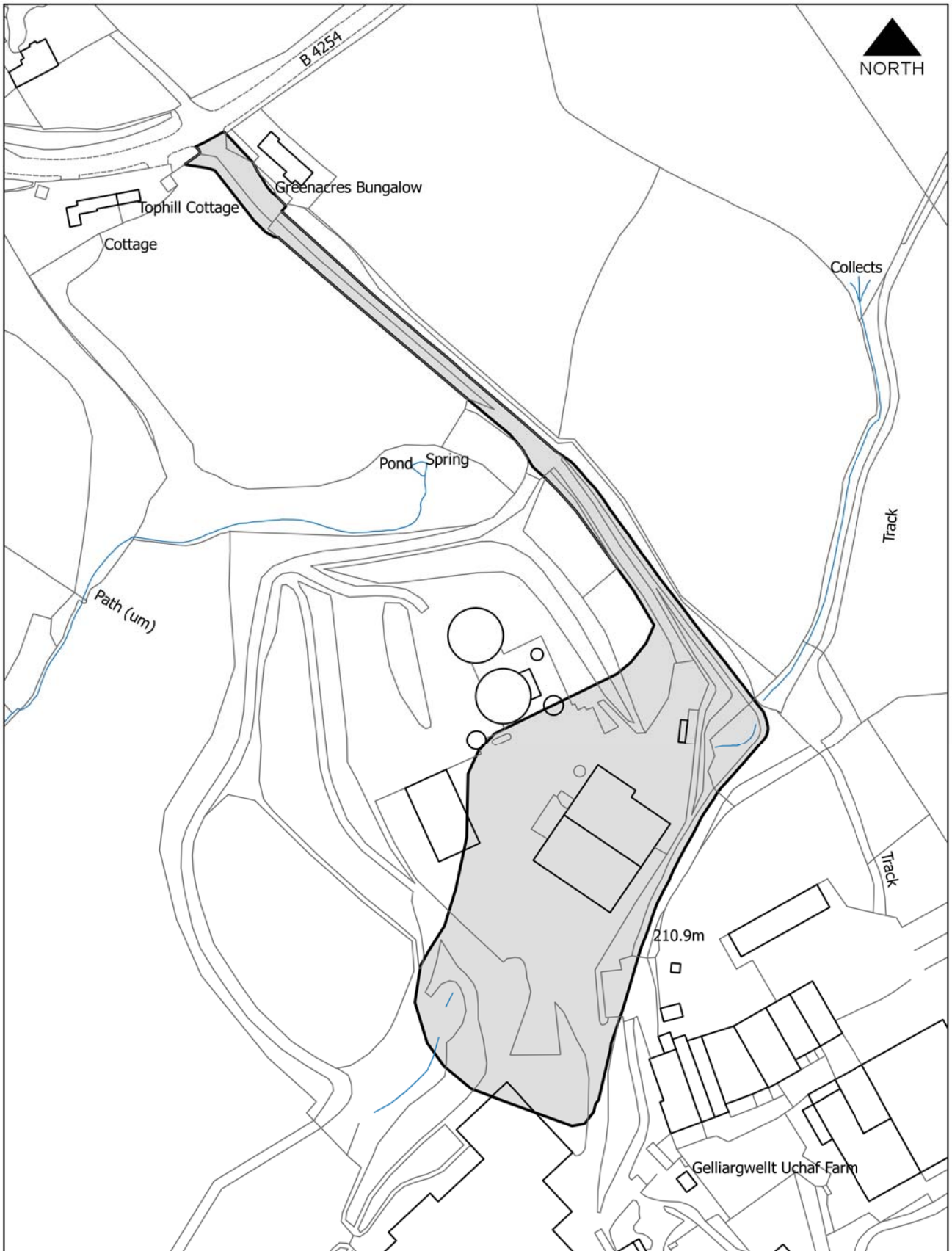
Application No. 18/0087/NCC Continued

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission:  
CW2, CW4, CW15.

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# Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0157/COU 06.03.2018	Mrs C Brewer Brewers Lodge Gordon Road Blackwood NP12 1DS	Change the use from residential to office at basement and ground floor level Cosyloft House Cardiff Road Bargoed CF81 8NY

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: The application property is located on the eastern side of Cardiff Road, next to the old Parc Hotel and Redz Bar. Opposite the site is the Royal Air Forces Gilfach-Fargoed Fawr Club.

House type: A detached dwelling that is single-storey to the front and two-storey to the rear.

Development: Full planning permission is sought to change the use from a C3 residential unit to a B1 office.

Dimensions: The internal and external dimensions of the building remain unchanged. The applicant has provided a breakdown of the different business areas, of which the overall floor areas are summarised below:

- Office - 34.53 sq m.
- Workshop- 28.24 sq m.
- Stores - 27.46 sq m.
- Meeting Room - 21.10 sq m.
- General facilities- 8.08 sq m.

Materials: There are no proposed changes to the external elevations.

Ancillary development, e.g. parking: The plans indicate that eight car parking spaces will be provided, six to the rear of the property.

## PLANNING HISTORY 2005 TO PRESENT

None.

Cont....

Application No. 18/0157/COU Continued

## POLICY

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

Site Allocation: The site is within the settlement boundary of Bargoed.

Policies: Policy SP6 (Place Making), Policy CW2 (Amenity), CW3 (Design Considerations - Highways) and guidance contained in Supplementary Planning Guidance LDP7: Householder Development.

Policy SP6 (Place Making) ensures that sustainable places are created and are of an appropriate mix of uses that reflect the role and function of settlements, is of a high standard of design that reinforces attractive qualities of local distinctiveness.

Policy 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.

Policy CW3 (Design Considerations - Highways), requires developments to ensure that the appropriate car parking design, layout and materials will not have a detrimental impact on the highway network.

NATIONAL POLICY Planning Policy Wales (9th Edition) and Technical Advice Note 23: (2014).

Planning Policy Wales states that 'the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development' (paragraph 7.1.3). Planning Policy Wales (PPW) defines economic development broadly so that it can include any form of development that generates wealth, jobs and income. In producing development plans or determining planning applications local planning authorities need to bear in mind that traditional business use, classes B1-B8, only account for part of the activity in the economy. It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations.

Cont....

Application No. 18/0157/COU Continued

Technical Advice Note 23 states that 'It is a central objective of the planning system to steer development to appropriate locations. Therefore, where a proposed development would cause unacceptable environmental or social harm, demand should be steered to an alternative location, unless the harm is outweighed by the additional benefit of development at the original site in question. Such alternative locations will not necessarily be in the same local authority area'. (paragraph 2.1.3).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is not considered to be an issue as no development is proposed on the site.

### CONSULTATION

Transportation Engineering Manager - No objection, subject to conditions relating to the workshop remaining ancillary, and that the area identified for parking and turning of vehicles is maintained in perpetuity.

Head Of Public Protection - No objection, subject to conditions limiting use, delivery times, the workshop being ancillary and operational hours.

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of site notice and letters to the nearby 14 properties.

Response: At the time of writing this report, a total of 7 objections were received. Any additional comments will be reported to Planning Committee.

### Summary of observations:

1. The area cannot cope with the additional highway demands of an additional business. There are already parking problems, traffic congestion and highway safety concerns caused by vehicles reversing out onto the main road and over pavements and cars parking on double yellow lines. Daily deliveries to the business will further compound these issues by causing vehicle obstructions, increased vehicle noise and pollution levels.

Cont....

Application No. 18/0157/COU Continued

2. Whilst the plans show parking to the rear, concerns are raised that the business use will promote additional on street parking by the workers, visitors and deliveries.
3. A business use (instead of residential) will detract from the area.
4. As there is no access from the rear lane, vehicles will constantly pass close to 'Brookland' on a daily basis. The fence separating both properties has been damaged in the past.
5. Vehicles will need to reverse in and around the area, causing additional congestion and highway safety issues.
6. Office workers will be noisy and will infringe on the privacy of the neighbouring property, especially with the veranda which has been built up on top of the garage.
7. Concerns about property devaluation.
8. Concerns that the business will be a taxi office.
9. Concerns that no information is provided as to the proposed business use.
10. Concerns that workers will visit the property at unsocial hours in a residential area.
11. Businesses should be located on industrial units where parking is more readily available, and not in residential areas.
12. Residents of The Oaks object that they were not consulted as immediate neighbours, however residents on Gilfach Street were. This is inappropriate given that there is no rear access to Cosyloft House and the premises in Gilfach Street are not affected.

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 B1 use is not CIL chargeable.

Cont....

Application No. 18/0157/COU Continued

## ANALYSIS

A request has been made by a Bargoed Ward Member for this application to be presented to Planning Committee.

Policies: This application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This application refers to the change of use of a detached building from a C3 residential use, to a B1 office use. No external alterations are proposed to the building.

Whilst this area of Bargoed is residential the application site is very close to other uses such as a workman's club (opposite), a C2 care home, a hall, a doctor's surgery (all to the south) with residential properties to the north and east. Whilst the property is now a residential unit, it used to be a workshop and a builder's yard and was converted by the applicant into a C3 residential property in 2002 (under application P/02/0105).

In order to consider whether or not the proposed use is acceptable, it is necessary to clarify what a B1 use class constitutes. A B1 use class (according to The Town and Country Planning (Use Classes) Order 1987) can include the following:

- (a) An office other than a use within class A2 (financial and professional services),
- (b) For research and development products or processes, or
- (c) For any industrial process appropriate in a residential area.

The premise of a B1 use is that it can be carried out in any residential area without the detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The applicant states that the building will be used for a 'scientific service based business' which encompasses the service and repair of laboratory instruments. The unit will be used for the coordination of engineers and the dispatch of replacement equipment to engineers across the UK.

Within the site, the proposal sees the conversion of habitable rooms into store rooms where small electronic, mechanical and computer parts will be held (such as circuit boards, power supplies, computer drives, printers, motherboards, springs, pumps, and brackets). The applicant indicates that customers and the public do not visit the site, and the vast majority of work is carried out at the customer premises (e.g. universities and hospitals). The applicant also states that the workshop will be used to repair and upgrade customer instruments that are surplus to requirements. In 2017, a total of 12 instruments were delivered to the workshop for repair.

Cont....

## Application No. 18/0157/COU Continued

Deliveries of the equipment requiring repairs are carried out by the engineers themselves, who have regular normal sized vehicles (e.g. family cars) and not larger commercial vans or lorries. The application use therefore falls into the B1 use classification.

Given the limited floor area of the proposed B1 business use, the fact that the office coordinates repairs offsite rather than onsite, the nature of the deliveries, the small number of office based staff (2), it is unlikely that the change of use would have a significant detrimental impact on the adjoining properties.

However, given that repairs and deliveries may be carried out on site, it is deemed necessary to restrict the hours that deliveries and repairs take place to ensure that the amenity of adjoining properties is maintained. As no external alterations are proposed, the unit will appear residential in its setting, thus would not detract from the area. With the addition of the proposed conditions, the application accords with policy CW2 (Amenity).

With regards to parking and access, the Council's Transportation Engineering Manager has raised no objection to the proposal, subject to conditions. It is requested that conditions are imposed stipulating that the warehouse remains ancillary to the unit, and that the area laid out for the parking of vehicles is maintained and kept clear. The application therefore accords with policy CW3 (Design Considerations - Highways).

The application is therefore recommended for approval, subject to conditions.

Comments from Consultees: Comments from the Transportation Engineering Manager and Head of Public Protection have been incorporated in the above report.

### Comments from public:

1. The area cannot cope with the additional highway demands of an additional business. There are already parking problems, traffic congestion and highway safety concerns caused by vehicles reversing out onto the main road and over pavements and cars parking on double yellow lines. Daily deliveries to the business will further compound these issues by causing vehicle obstructions, increased vehicle noise and pollution levels.  
- No concerns are raised by the Council's Transportation Engineering Manager.
2. Whilst the plans show parking to the rear, concerns are raised that the business use will promote additional on street parking by the workers, visitors and deliveries.  
- This concern has not been raised by the Council's Transportation Engineering Manager.

Cont....



Application No. 18/0157COU Continued

3. A business use (instead of residential) will detract from the area.
  - The unit will appear to be a residential unit, and given the imposition of the conditions, should not have a negative impact on the amenity of the adjoining properties and given that there are other non-residential uses nearby.
4. As there is no access from the rear lane, vehicles will constantly pass close to 'Brookland' on a daily basis. The fence separating both properties has been damaged in the past.
  - This concern has not been raised by the Council's Transportation Engineering Manager. Any damage caused would be a civil matter.
5. Vehicles will need to reverse in and around the area, causing additional congestion and highway safety issues.
  - This concern has not been raised by the Council's Transportation and Highways Engineer.
6. Office workers will be noisy and will infringe on the privacy of the neighbouring property, especially with the veranda which has been built up on top of the garage.
  - The property is currently a four bed dwelling, there is no particular reason to presume that office occupants would be noisier and arguably, subject to hours of operation the use may be quieter after working hours. In order to address any noise concern conditions will be imposed stipulating working hours for deliveries and other activity.
7. Concerns about property devaluation.
  - This is not a planning consideration.
8. Concerns that the business will be a taxi office.
  - The application is for a B1 office use. A taxi office is classified as Sui Generis, therefore planning permission would be needed to change the use from B1 to a taxi office.
9. Concerns that no information is provided as to the proposed business use.
  - This is addressed in the above report.
10. Concerns that workers will visit the property at unsocial hours in a residential area.
  - As only four workers will be operating from the unit, this will be similar to any residential noise. Furthermore, the conditions restricting delivery and repair times will ensure that excessive noise is not generated at unsocial hours.

Cont....

Application No. 18/0157/COU Continued

11. Businesses should be located on industrial units where parking is more readily available, and not in residential areas.  
- This decision is based on the application submitted. It is a proposed B1 use which by definition should be compatible with residential use.
12. Residents of The Oaks object that they were not consulted as immediate neighbours, however residents on Gilfach Street were. This is inappropriate given that there is no rear access to Cosyloft House and the premises in Gilfach Street are not affected.  
- The consultation for this site followed the standard procedures established by the Council, for this type of application. This sees immediate neighbours consulted only. Given the interest generated by this application, it was decided that a site notice should also be erected near the site to ensure sufficient coverage.

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 use hereby approved shall be for the service and repair of laboratory instruments such as "small electrical parts", "computer parts" and "small mechanical parts" with the only staff at any one time based at the premises subject of this consent there being 2 office staff and 2 engineers with no retail use or visits from customers at the application site, as set out in the description of the proposed use provided in emails dated 15 March 2018, 16 March 2018 and 4 April 2018 from the applicant to the Local Planning Authority.  
REASON: To effectively control the use hereby approved.

Cont....

Application No. 18/0157/COU Continued

- 03) The use of the workshop hereby approved shall be limited to that ancillary and incidental to the use hereby approved and for no other purpose.  
REASON: In the interests of residential amenity and highway safety.
- 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 use hereby approved including deliveries shall not take place outside of the following hours: 08.30 to 18:00 Monday to Fridays, Saturdays 10:00 to 18:00 and not at all on Sundays and Bank Holidays.  
REASONS: In the interest of residential amenity.
- 06) The development shall be carried out in accordance with the following approved plans and documents:  
- Drawing showing proposed ground floorplans received 06/03/2018;  
- Drawing showing proposed basement floorplan received 06/03/2018;  
- Plan showing proposed parking received 06/03/2018; and  
- Emails detailing business operations received 15/03/2017, 16/03/2017 and 20/03/2017;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: policies CW2 and CW3.

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# Agenda Item 11

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0864/FULL 06.11.2017	Sirius Renewable Energy Mr Davies 4245 Park Approach Thorpe Park Leeds LS15 8GB	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 Durisol UK Unit 4 Parkway Pen-y-fan Industrial Estate Pen-y-fan Newport NP11 3EF

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is within the curtilage of the industrial unit operated by Durisol, located on Parkway, Pen-y-Fan Industrial Estate.

Site description: Industrial unit curtilage. The proposed wind turbine would be located on land to the west of the existing unit.

Development: The application seeks full planning permission to construct a single wind turbine and associated infrastructure. The proposed wind turbine would have a rated output capacity of up to 2MW. Based on the submitted example turbine type, it would have a maximum overall tip height of 113m, hub height of 78m, and rotor diameter of 66m.

The associated infrastructure includes an external transformer kiosk building, a substation kiosk building, underground cabling and crane pad. The total land take for the development measures approximately 310 square metres.

Ancillary development, e.g. parking: None.

Cont....

Application No. 17/0864/FULL Continued

### PLANNING HISTORY 2005 TO PRESENT

06/0452/FULL - Erect new storage warehouse. Granted 08.12.2006.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies in the Pen-y-fan Employment Site (LDP Ref: 2.10) as well as the defined settlement boundary.

Policies: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints). The Local Planning Authority's guidance for smaller scale wind turbine developments.

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016), Technical Advice Note 8: Planning for Renewable Energy (July 2005) and Technical Advice Note 11: Noise (October 1997).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

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

### CONSULTATION

Conservation & Design Officer - No objection.

Joint Radio Company Limited - No objection.

Transportation Engineering Manager - No objection subject to a condition requiring a revised Traffic Management Plan.

Cont....

Application No. 17/0864/FULL Continued

Countryside And Landscape Services - Based on the submitted ecology surveys, no objection is raised subject to the imposition of conditions. However concerns that are set out late in this report are raised in respect of the landscape impacts of the scheme.  
Senior Arboricultural Officer (Trees) - No objection.

CADW - No objection.

Principal Valuer - No comments.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to a land drainage condition and advice being forwarded to the developer.

Police Liaison - Transport - No comments.

Civil Aviation Authority - No response.

Ministry Of Defence - No objection.

Dwr Cymru - Provides advice to the developer.

Natural Resources Wales - Raise concerns regarding protected species.

Glam/Gwent Archaeological Trust - No objection subject of advice being forwarded to the applicant.

Public Health Wales - State that it is the role of the Local Authority to comment on potential noise issues from development.

Blaenau Gwent County Borough Council - No response.

### ADVERTISEMENT

Extent of advertisement: 91 nearby residential properties and commercial premises were consulted by way of letter and a site notice was displayed on Parkway near the application site.

Response: 35 objection letters have been received as well as a petition signed by 94 residents. A letter of objection was also received from the AM for the area.

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Summary of observations:

- Proposal represents exceedance to visual saturation of skyline;
- Detrimental impact on visual amenity of nearby properties;
- Noise pollution;
- Inadequacy of submitted noise report;
- Danger that the sustainable energy argument overrides all other material planning considerations;
- Detrimental impact on views from Pen-y-fan Country Park;
- Inadequacy of submitted ecology report, i.e. 3-hour survey too short;
- Shadow flicker report does not take account of climate change and its potential to alter weather patterns;
- Devaluation of neighbouring land and property;
- Submitted LVIA aims to devalue the importance of SLAs and VILLs;
- Damage to landscape character;
- Structure out of keeping with surrounding area;
- Submitted reports do not take account of all properties located within 1km range of the proposed turbine;
- Existing noise issues from factories on Pen-y-fan Industrial Estate;
- Loss of trees.

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? No. Based on the submitted ecology surveys, conditions will be attached in the interests of biodiversity.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No.

Cont....



## ANALYSIS

Policies: Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the adopted development plan for an area, unless material considerations indicate otherwise. This application has been considered in accordance with national guidance and local plan policy. The main issues in this application are considered to be the effects of the proposed development on the character and appearance of the landscape and its consequences in these terms for impact on residential visual amenity, the effects on the adjacent Pen y Fan Pond Country Park, the effects on nature conservation interests, the effects on the amenity of properties in terms of noise and shadow flicker, and the effect on the highway network. These issues will be considered in turn below against the backdrop of the need to produce renewable energy in line with national targets.

### VISUAL IMPACT IN LANDSCAPE AND IMPACT ON RESIDENTIAL AMENITY.

In terms of the impact of the development on visual amenity and on the nearby Pen y Fan Pond Country Park, the Council's Landscape Architect has made the following comments:

"In relation to visual amenity the submitted landscape and visual assessment (LVIA) evaluation of the adverse effect upon residential amenity is in my professional opinion significantly lower that would be expected for this type of development. This is notable in the LVIA assessment of the visual effect on residential properties with 1km radius of the site, properties identified as R1 to R4 which, in my judgement, should be assessed as major / moderate adverse. In addition, the settlements of Trinant and Pentwyn which were assessed by the submitted LVIA as minor-neutral adverse should also be assessed as major adverse for properties that will experience direct views, and moderate adverse for the village as a whole."

"This is clearly illustrated by the additional information requesting for an additional Viewpoint 7, located on the footway adjacent to No.16 Trinant Terrace Pentwyn. In light of the additional cumulative photomontage submitted and having now assessed this first hand on site from this and other publically assessable points within the settlement, this photomontage clearly shows that there will be significant major adverse visual impact on residents that are afforded direct views. This is primarily due to the 113m height of the proposed Parkway turbine, but more importantly due to its close proximity to Trinant and Pentwyn at approximately 1km, as the proposed turbine will appear significantly higher than the existing Pen y fan turbine.

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Existing baseline views from the topographically higher northern and western fringes of the settlement contain view of existing detractors, along the skyline to the west, including Pen y fan turbine, pylons and overhead powerlines, however, the proposed Parkway turbine when viewed from Pentwyn Terrace, and other areas within the settlement afforded views, are likely to present a further cluttering of the landform to the west and contribute to further visual degradation of the skyline. The extent of adverse visual effect experienced will depend largely upon residential building location, orientation and taking into account screening from existing buildings and filtering of views from seasonal variation, as trees in leaf should assist to reduce the visual impact but not mitigate it in all cases. Therefore, residential properties orientated directly facing the turbine to the south west; experiencing direct views from ground floor windows and gardens will experience major adverse visual effects. The photomontage clearly illustrates that the village will as a whole will experience an increased moderate adverse visual impact from the proposed Parkway turbine."

"Pen y Fan Pond Country Park

With regard to the Landscape and Visual effects upon the highly sensitive Pen y Fan Pond Country Park (Viewpoint 1), it's important to assess the proposals in relation to the existing baseline landscape, and that the existing very large operational turbine cluster on the Oakdale Plateau which are clearly within view. Any proposed axillary buildings will be screened by existing vegetation and therefore, prevent any small scale elements being visible, therefore its predictable that the adverse effects on of the proposed turbine on the country park and those enjoying it will have a lower significant adverse impact due to the existing turbines and that the proposed turbine, of a similar visual appearance, design and scale, is likely to be viewed as part a group with the result being moderate adverse visual and landscape effects. This is illustrated by the cumulative photomontage from Viewpoint 1."

Further to these comments and a follow up site visit, the Landscape Architect provided the following comments:

"Having been to site to visit Viewpoint 7 located at Pentwyn Terrace, along with other publically accessible areas within the settlement of Pentwyn and Trinant that afford direct views of the proposed Parkway Turbine, it is apparent that the visual impact will be significantly greater than minor-neutral as stated in the LVIA, which the photomontage produced for Viewpoint 7 located adjacent to No.16 Trinant Terrace clearly illustrates, and therefore should be assessed as moderate adverse for the community as a whole."

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"More importantly however, having been to Pentwyn its apparent that there are a large number of residential properties located on Trinant Terrace, Pentwyn Terrace and Philip Street which are orientated facing the proposed turbine which will experience direct views of the proposed turbine and as a result experience significant adverse visual effects. This is primarily due to the 113m height of the proposed Parkway turbine combined with its close proximity to the settlement at approximately 1km, which will cause the proposed turbine to appear significantly higher (as illustrated in the cumulative photomontage at viewpoint 7) than the existing Pen y fan turbine. In addition, existing buildings and vegetation will do little to screen direct views of the 113m high turbine. Therefore, as there are a high number of residential properties orientated directly facing and with uninterrupted direct views of the turbine to the south west, from ground floor windows and gardens, which will experience significant and unacceptable major adverse visual effects this application, should be refused."

Policy CW2 of the Adopted Caerphilly Local Development Plan (Adopted November 2010) relates to amenity and states that developments proposals should not have an unacceptable impact on the amenity of adjacent properties or land. For the reasons outlined above, it is considered that the proposed development would have such an unacceptable impact on residential visual amenity, and is therefore contrary to Policy CW2.

## ECOLOGY

The following surveys were undertaken and supported the planning application:

1. An Extended Phase 1 Habitat survey undertaken on the 18th of October 2016;
2. A great crested newt survey of two ponds that lie within 500m of the turbine location undertaken on 4 occasions in May 2017, and an assessment of the terrestrial habitat within the application boundary;
3. A bat survey including a roost assessment of adjacent buildings and trees, and 6 transect surveys and static surveys undertaken in spring summer and autumn 2016 and 2017;
4. A single 3 hour bird reconnaissance survey undertaken in October 2017;
5. A reptile survey comprising 6 visits to suitable habitat on the periphery of the development;
6. A badger survey was undertaken in May 2017.

Based on these surveys the Council's Ecologist provided the following comments.

"The surveys identified that there were no habitats of ecological value within the planning application boundary. The western perimeter has a band of young scrub and trees and the southern perimeter has a perimeter of tall ruderal herbs and scattered scrub.

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The presence of ponds suitable to support great crested newts within 500m of the site, resulted in surveys being undertaken on two ponds, one to the east of the site and one to the west of the site. No evidence of great crested newts were recorded, although other amphibians were recorded within these ponds including palmate newt, common frog and common toad. The application site was considered not to support suitable terrestrial habitat for these species so the impact on great crested newts, or other amphibians is considered to be low.

A bat survey was undertaken which included walked surveys in spring summer and autumn in 2016 and 2017. The 2016 surveys centred on a previous location for the turbine, to the south of the current application site, but as part of the 2016 routes passed relatively close to the current turbine location, these are still relevant to this application. The surveys confirmed that bat usage of the adjacent vegetation to the west and south of the turbine was relatively low with only one survey (Autumn 2017) showing use of the adjacent vegetation by common pipistrelle and noctule bats. A much higher use of vegetation on the eastern edge of the industrial estate was demonstrated in all surveys undertaken, indicating a preference for using the vegetation away from the turbine location by all species of bats for foraging and commuting. Static bat detectors stationed at the wind turbine site and at a control site, adjacent to pond 1, east of the turbine showed a low use of the turbine site by bats and a significantly higher use of the control site. As there is some use of the adjacent vegetation by foraging bats guidance recommends that turbine blade tips are located more than 50m from hedgerows or trees. The precise height and location of the turbine has not been set out in the application, so a condition will be required to control its final position to ensure that the turbine blade tips are greater than 50m from the perimeter trees and shrubs. This will ensure that there is a minimum impact on commuting and foraging bats. Bats are a European protected species, and in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) Local Planning Authorities are required to consider whether three European tests should be applied to the planning application. In this instance it is unlikely that bats will be impacted by this proposal, and a derogation licence from Natural Resources Wales is unlikely to be required. In view of this the three European Tests do not need to be applied to this application.

A desk study was undertaken to determine the impact of the proposed turbine on birds which identified a total of 8 Schedule 1 species within 1 km of the application site. Of these species only honey buzzard and red kite have been identified as having the potential to be impacted by wind turbines and if these species are considered to be breeding close to the turbine a full assessment would be required in accordance with guidance (Natural England's Technical Information Note TIN069 - there is no equivalent guidance in Wales). Habitat immediately adjacent to the turbine is not considered to be suitable breeding habitat for these species, as a result a breeding bird survey has not been undertaken.

Cont....

Application No. 17/0864/FULL Continued

However one survey was undertaken to determine the use of the site by birds during October 2017 as a potential local flight path for birds on-route to Penyfan Pond. A total of 9 species of bird were recorded, none being identified as requiring further assessment in TIN069. The margins of the development site have some potential to support common nesting birds, so a condition should be proposed to minimise impact on these species. The impact of the proposed turbine is therefore unlikely to have a significant negative impact on birds.

The site was surveyed for the potential for reptiles on 7 separate occasions during May 2017. No evidence of reptiles were recorded and reptiles are not considered to be affected by the proposal.

A badger survey found no badger activity within the application site boundary, during a survey undertaken in May 2017, but evidence of badgers was found on the eastern periphery of the industrial estate, indicating that badgers could potentially forage within the application site. The hard surfaces of the application site are unlikely to be attractive to badgers, but the margins could be potentially used by badgers in the future. A condition should therefore be placed on any approval requiring a pre-commencement badger survey, to ensure that in the event that badgers have moved into the peripheral vegetation, measures can be put in place to minimise impact on this species.

On the basis of the studies undertaken and the comments of the Council's Ecologist, it is not considered that the proposal will have a detrimental impact on ecology subject to the imposition of relevant conditions.

#### NOISE AND SHADOW FLICKER

The letter of concern received from the area's Assembly Member also raised the issues of the impact of the proposal in terms of noise pollution and shadow flicker, and the adequacy of the submitted reports. In response to this the Head of Public Protection made the following comments:

"1. The application uses background noise measurements from the previous Oakdale wind turbine application, this is due to the fact that it wasn't possible to carry out a background noise survey due to the influence of the existing wind turbines in the area on the readings. Therefore the Oakdale measurements were used as they contained background measurements prior to turbines in the area, this is the recommended approach in guidance. This also will provide worst case scenario as will provide lower background levels to be used for comparison.

Cont....

Application No. 17/0864/FULL Continued

2. The report does state there will be exceedances but these would be very slight and again based on optimum weather conditions (temperature, humidity, wind speed, pressure etc.). Such low increases would not usually be detectable by the human ear. However this department has imposed noise levels which it believes will not have a negative impact on neighbouring properties.

3. The noise report has focused on residential properties in the area and has based its predictions on the locations of those. This is as recommended practice in guidance.

4. As the turbine is not present to monitor the applicant uses manufacturer data of the proposed turbine to predict noise levels. This will be done factoring in factors such as ground conditions, wind speed, temperature, atmospheric absorption and distance. Again this is recommended practice in guidance.

5. This planning application is assessed independently to any noise nuisance complaints in the area; Environmental Health previously investigated an allegation against an industrial unit, however, that investigation has now ended. There are no active noise investigation currently in this area.

6. With regard to shadow flicker again this is predicted using worst case scenario weather conditions when estimating the effects of shadow flicker. However shadow flicker can be controlled by preventing the turbines operating during times when shadow flicker may occur. This has been conditioned by Environmental Health which will require the proposed turbine not to operate if shadow flicker is proven."

## HIGHWAYS

The Transportation Engineering Manager raises no objection subject to a condition requiring a revised Traffic Management Plan (TMP). As three very large wind turbines have been erected on adjacent land, Highway safety in terms of the delivery of the turbine is not considered to be a significant issue for this application.

Concerns have been raised by the areas Assembly Member regarding the excessive weight being given to the need for renewable energy and that this may be outweighing all other material planning considerations, including the impact on visual amenity. The renewable energy targets set out in the EU Renewable Energy Directive, and the UK Renewable Energy Roadmap includes a target of 15% of energy to be generated from renewables by 2020. Welsh Government 'has made a commitment to tackling climate change, resolving that the Government and people of Wales will play the fullest possible part in reducing its carbon footprint' (para 4.5.1 Planning Policy Wales 9th Edition, 2016). Welsh Government has also endorsed the use of renewable energy in its Policy Statement 'Energy Wales: A Low Carbon Transition'.

Cont....

Application No. 17/0864/FULL Continued

Within both documents, the presumption is in favour of a low carbon transition to more renewable energy generation techniques. As such, there is still a need to ensure that renewable energy generation is allowed, subject to all other material planning considerations being satisfied.

Whilst it is accepted that considerable weight should be afforded to the provision of renewable energy, this must be carefully balanced against the "harm" it would cause to those in the vicinity of the proposal. In this instance, and for the reasons outlined by the Council's Landscape Architect above, a 113m to tip wind turbine in this location, is considered to cause a degree of harm that outweighs the need for renewable energy. The site is within an area identified within the Council's Supplementary Planning Guidance where large scale wind turbine development would be out of scale with the majority of the units. To the east of the site is an area that has greater sensitivity to larger scale development. The guidance defines the current proposal as very large scale.

Comments from Consultees: The Council's Landscape Architect raises objection to the proposal in light of the significant major adverse visual impact on residents afforded direct views (as shown on the additional information at Viewpoint 7 from Pentwyn Terrace Trinant) as well as in additional areas in the community which will also receive significant visual impact.

The Transportation Engineering Manager raises no objection subject to a condition requiring a revised Traffic Management Plan (TMP) to be submitted and agreed by the Local Planning Authority.

The Head of Public Protection confirms that the submitted noise assessment is satisfactory and raises no objection subject to conditions. In terms of potential shadow flicker, again, conditions are recommended to prevent such an impact occurring.

The Council's Ecologist is satisfied with the submitted ecological reports, and offers no objection subject to relevant conditions.

Natural Resources Wales raise concerns regarding the potential impact on protected species in the area, i.e. Bats. The Council's Ecologist is satisfied that, subject to conditions, this matter can be adequately controlled.

No objection is raised by other statutory consultees subject to conditions and advice.

Cont....

Comments from public:

1. Proposal represents exceedance to visual saturation of skyline - This has been addressed in the analysis section above.
2. Detrimental impact on visual amenity of nearby properties - This has been addressed in the analysis section above.
3. Noise pollution - This has been addressed in the analysis section above.
4. Inadequacy of submitted noise report - The Head of Public Protection considers the submitted noise report to be satisfactory.
5. Danger that the sustainable energy argument overrides all other material planning considerations - Whilst the need to provide renewable energy in accordance with national targets is a material planning consideration, in this instance, that need is not considered to outweigh the detrimental impact on the visual amenity of nearby residential properties.
6. Detrimental impact on views from Pen-y-fan Country Park - The Council's Landscape Architect considers the impact on Pen y Fan Pond Country Park to be a moderate adverse impact. However, when viewed as part of a group with the existing 3 very large turbines in the surrounding area, this impact, i.e. the Country Park alone, would not warrant a refusal of planning permission.
7. Inadequacy of submitted ecology report, i.e. 3-hour survey too short - The Council's Ecologist is satisfied with the ecology survey that have been undertaken. The three hour reconnaissance survey relates to a bird survey that was undertaken to provide additional information to supplement the information provided via the desk study. Additional bird surveys are usually only required on larger scale wind farms, or where the site lies adjacent to sensitive sites such as SSSI's and SPA's, or where there are known breeding bird records of species vulnerable to blade strike. This accords with guidance produced by Natural England (TIN069 Jan 2010).
8. Shadow flicker report does not take account of climate change and its potential to alter weather patterns - The Head of Public Protection is satisfied with the information that has been submitted in relation to shadow flicker.
9. Devaluation of neighbouring land and property - This is not a material planning consideration.

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Application No. 17/0864/FULL Continued

10. Submitted LVIA aims to devalue the importance of SLAs and VILLs - The Council's Landscape Architect considers that the impact on the nearest SLA (Gelligaer Common) to be minor adverse, and the proposal would be viewed as part of the existing group. Notwithstanding this, all applications for wind turbines will be considered on their own individual merits.

11. Damage to landscape character - This issue has been addressed above.

12. Structure out of keeping with surrounding area - The proposed structure is located on an employment site where other very large wind turbines are present. Therefore it is not considered that the development would be incongruous given previous permitted turbines in the locality.

13. Submitted reports do not take account of all properties located within 1km range of the proposed turbine - The impact of the proposal on the amenity of nearby properties has been carefully considered by the Local Planning Authority.

14. Existing noise issues from factories on Pen-y-fan Industrial Estate - Existing noise issues in relation to industrial units and processes are a matter for the Council's Environmental Health Department. This matter is addressed in point 5 of the Head of Public Protection's comments in the analysis section above.

15. Loss of trees - The development does not affect any trees.

Other material considerations: None.

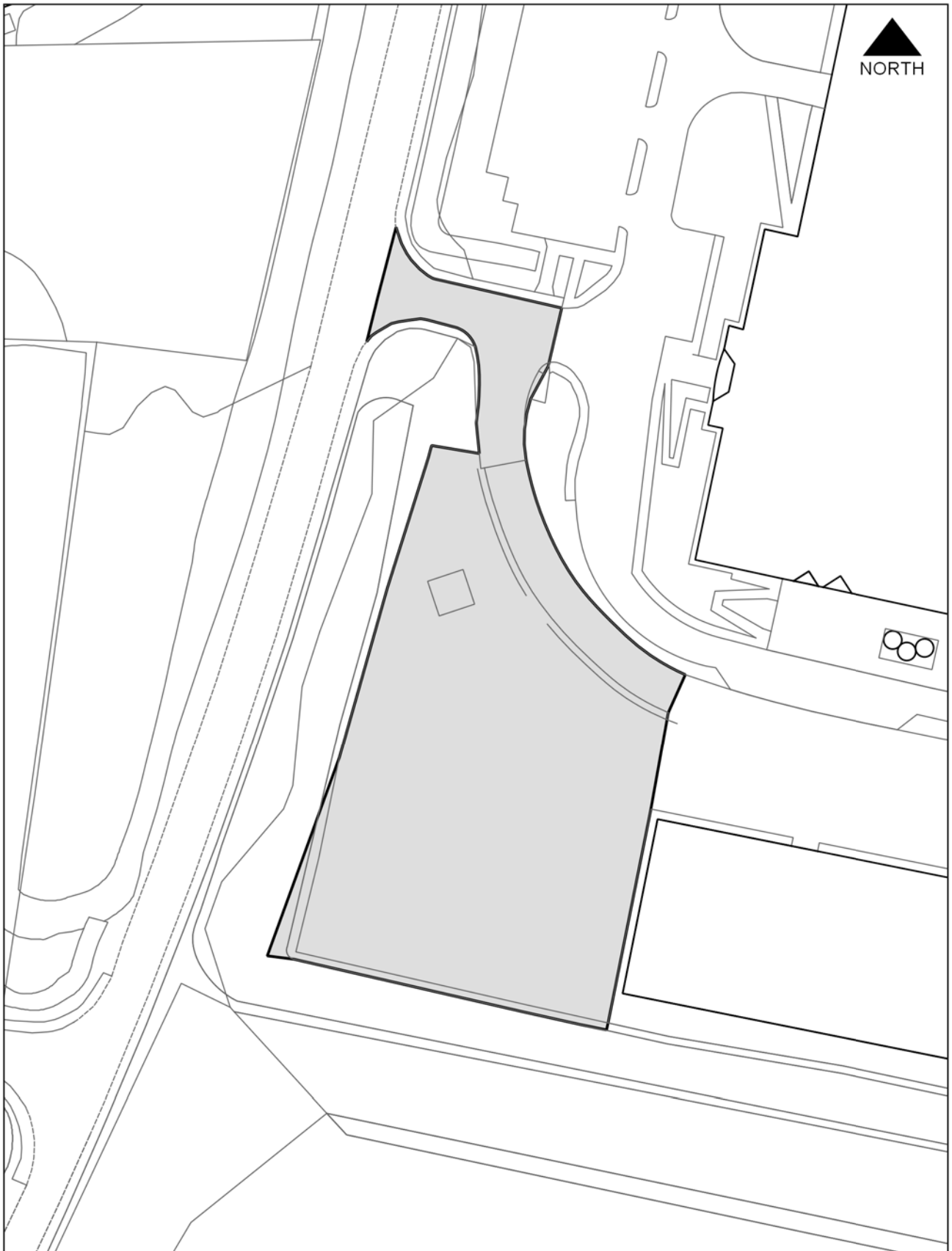
The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set 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 REFUSED**

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

- 01) By virtue of its proposed siting and overall height/rotor diameter, the proposed wind turbine would result in a majorly adverse impact on the nearby residential properties that have direct views of it, and a moderately adverse impact on the area surrounding these properties. Such a detrimental impact on visual amenity is contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
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# Agenda Item 12

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0190/NCC 08.03.2018	Domino's & GDK Franchise C/o RPS Planning & Development Miss N Lovell Park House Greyfriars Road Cardiff CF10 3AF	Vary condition 05 of planning consent P/01/0277 (Change use to Class A3 (Pizza Parlour)) to extend the opening hours Domino's Pizza Unit 2 Piccadilly Square Caerphilly CF83 1PB

**APPLICATION TYPE:** Development without complying with conds

## SITE AND DEVELOPMENT

Location: Domino's Pizza, Unit 2, Piccadilly Square, Caerphilly, CF83 1PB.

Site description: A commercial unit within a development of three commercial units which are located to the northern side of Piccadilly Square in Caerphilly. The unit fronts southwards onto a small car park serving the three units. There are business units immediately adjacent to the east and west of the Domino's Pizza Unit. To the rear of the application site is a small vehicular access lane with an end of terrace property (1 Heol Pontygwindy) beyond. To the north-west across the access lane are residential properties within St Catherine's Court. Beyond the adjacent business units to the west are a terrace of residential properties on Mill Road. On the opposite sides of Mill Road and Pontgwindy Road (which bound the southern and eastern sides of the car park) are a mixture of residential and business uses.

Development: The application seeks planning permission to vary a condition on the original planning consent (P/01/0277) for the unit in order to extend the permitted hours of operation.

The existing planning condition on permission P/01/0277 restricts hours to the following:  
Not to open to customers (or for cooking or deliveries) outside of the hours:  
08.00 - 23.00 Mondays to Saturdays and  
09.00 - 22.00 Sundays.

This application proposes to revise opening hours to:  
Not to open to customers (or for cooking or deliveries) outside of the hours:  
08.00 - 00.00 (midnight) Mondays to Thursdays.  
08:00 - 02:00 Friday and Saturdays.  
09.00 - 00.00 (midnight) Sundays.

Cont....

Application No. 18/0190/NCC Continued

Ancillary development, e.g. parking: The development is served by a small car park at the frontage.

#### PLANNING HISTORY 2005 TO PRESENT

14/0335/COU - Change the use to veterinary surgery with ancillary retail use. Granted 07.08.2014.

14/0390/ADV - Erect two part-illuminated fascia signs. Granted 20.08.2014.

15/0651/CLPU - Obtain a Lawful Development Certificate for the proposed use of part of the premises as a pet grooming facility. Withdrawn.

15/0784/NMA - Seek approval of a non-material amendment planning consent 14/0335/COU (Change the use to veterinary surgery with ancillary retail use) to allow a pet grooming facility to operate. Granted 13.01.2016.

#### 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 the town centre boundary.

Policies: CM1 (Principal Town Centre Boundaries), CW2 (Amenity), CW3 (Highways), SP6 (Place making) SP10 (Conservation of Natural Heritage).

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

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

#### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable.

Cont....

Application No. 18/0190/NCC Continued

### CONSULTATION

Transportation Engineering Manager - No objection

Head Of Public Protection - Recommend temporary consent to allow for a trial run.

CADW - Advises they wish to make no comment on the application.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 41 nearby properties/premises.

Response: At the time of writing this report the consultation period had yet to elapse however one objection has been received from a Ward Councillor. Any further representations received will be reported verbally to Members at Planning Committee.

### Summary of observations:

- The issue is with the delivery drivers who are speeding in and around the premises. They speed along Pontygwindy Road and Mill Road. If the hours are extended it will cause further disturbance to nearby residents.

### 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? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The development is not chargeable because no additional internal floorspace would be created.

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## ANALYSIS

### Policies:

The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the amenity of the area.

The business is located within the Principal Town Centre as defined within the Adopted Local Development Plan Policy CM1.5 (Principal Town Centre Boundaries). The proposal is to extend the opening hours of the Pizza business for collection and delivery by one hour on Mondays to Thursdays until midnight, by three hours on Fridays and Saturdays until 2.00 a.m. and by two hours on Sundays, until midnight.

In terms of the acceptability of the impact on amenity of the proposed extended opening hours the relevant Planning Policy within the Adopted Local Development Plan is Policy CW2 (Amenity). This Policy requires within restrictive criterion (A) that "There is no unacceptable impact on the amenity of adjacent properties or land". In this respect the frontage of the Pizza business is not immediately adjacent to residential properties but there are a number of residential properties in relatively close proximity to the business.

It is noted that a Local Member has raised concerns in relation to the application, stating that delivery drivers are speeding in and around the vicinity of the business premise. The Member considers that if the hours are extended it will cause further disturbance to nearby residents. At the time of writing this report no other representations have been received in relation to the application. The neighbour notification letter consultation period has elapsed, however the consultation period for the site notice is due to expire prior to Planning Committee and therefore further representations could be received which would be reported to Planning Committee.

In relation to specific concerns expressed in relation to excess speed on the public highway, it is considered that this would be a matter for traffic enforcement/Police to enforce the existing speed limits applicable within the town centre and the adjacent areas of Caerphilly. It is highlighted that speed limits equally apply to any user of the highway, regardless of their purpose of journey or origin and where a fixed speed limit is in force, it requires adherence at all times of day and night, although it is appreciated that traffic volume would have a potential to naturally limit speeds at busy periods. In this respect any objection in relation to conduct of drivers on the public highway can only be given limited weight as a material planning consideration, as enforcement of existing speed limits within an area provide a mechanism for resolving these concerns.

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Application No. 18/0190/NCC Continued

It is however considered that in approving extended opening hours there could be some adverse impacts in terms of noise and amenity from the general operation and associated activity of the business, including collections by customers from the premise at times of night after most surrounding business uses would be closed. There is potential for increased loitering from people using the business, including those on their way home from other establishments within the town centre, who may utilise the additional food offer provided by the extended opening hours. In general terms it is not anticipated there would be a high degree of likelihood of a significant adverse impact through the additional opening hours and the unit is served by a small car park at the frontage and is well related to the town centre.

The Environmental Health Officer has recommended that a 'trial run' be considered for a period of one year with the extended opening hours, which would then revert back to the existing hours. The purpose of the trial run would be to allow for the impacts on residential amenity resulting from the additional opening hours to be assessed. This would then allow for any complaints received by the Environmental Health Department during the trial period to be logged and would inform their response to any future application for a permanent extension of opening hours for the business. It is considered that a trial run would be appropriate in this instance in order for the Local Planning Authority to assess the exact effect of the extended hours of the development on the amenity of the area.

Comments from Consultees: Addressed in the body of this report.

Comments from public: Addressed in the body of this report.

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.

The application is recommended for approval in relation to allowing a temporary permission limited to one year to provide a trial run of the extended opening hours.

**RECOMMENDATION that Permission be GRANTED**

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Application No. 18/0190/NCC Continued

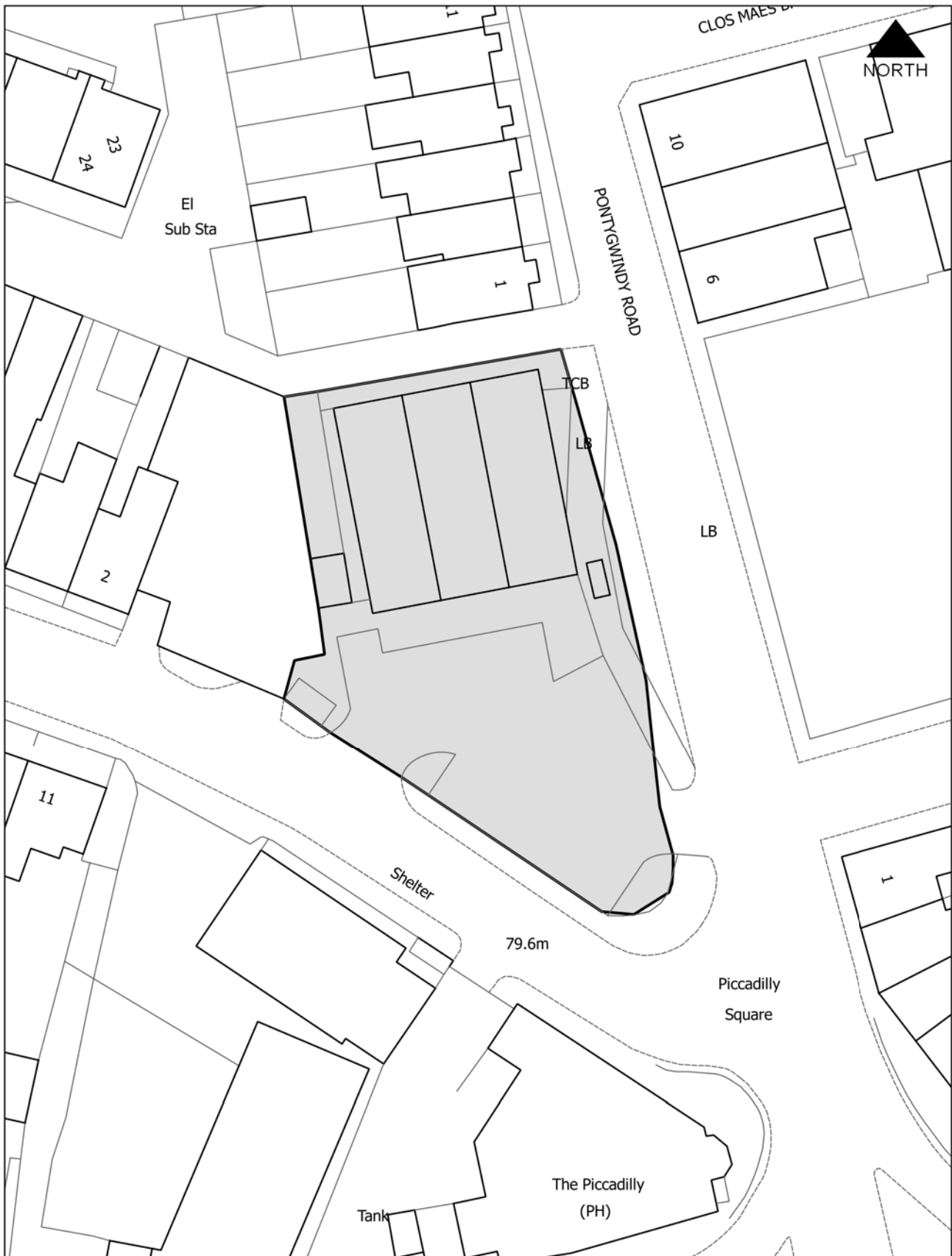
This permission is subject to the following condition(s)

- 01) There shall be no external storage of refuse.  
REASON: In the interest of visual and residential amenity.
- 02) The premises shall not be open to customers for the use hereby permitted outside of the following times 08:00 hours to 00:00 hours Monday to Thursday, from 08:00 hours to 02:00 hours Friday and Saturday and from 09:00 hours to 00:00 on Sundays. No customers shall be allowed on the premises outside of these hours. All deliveries and cooking of hot food shall cease outside of these hours.  
REASON: In the interests of neighbour amenity.
- 03) The hours of operation hereby permitted shall be discontinued on or before 30th April 2019, after which the hours of operation shall revert to those specified in condition (5) of the Local Planning Authority's planning permission P/01/0277.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
- 04) The car parking area as shown on drawing number (90)110A approved under planning permission P/01/0277 shall be maintained at all times free of any obstruction for vehicle parking use only.  
REASON: To ensure adequate off-street parking provision.

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.

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# Agenda Item 13

## APPLICATIONS DETERMINED BY DELEGATED POWERS

<b>APP NO. DATE REC'D</b>	<b>NAME AND ADDRESS OF APPLICANT(S)</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DECISION</b>
17/1088/RET 21.12.2017	Mr G Hall Ty Ein Teulu 4A Park Road Maesycwmmmer Hengoed CF82 7QA	Retain and complete works to replace existing flat steel corrugated roof with a 18.5 degree duo pitched roof covered with marley modern concrete roof tiles on existing garden outbuilding Ty Ein Teulu 4A Park Road Maesycwmmmer Hengoed	Granted 09.03.2018
18/0028/FULL 12.01.2018	Mr W Fearn 60 Denbigh Court Hendredenny Caerphilly CF83 2UN	Erect two storey side, single storey rear extension and front porch 60 Denbigh Court Hendredenny Caerphilly CF83 2UN	Granted 09.03.2018
18/0032/FULL 15.01.2018	Mr G Thomas 9 Brynheulog Street Penybryn Hengoed CF82 7GB	Erect a single storey rear extension and replacement of attached garage 9 Brynheulog Street Penybryn Hengoed CF82 7GB	Granted 09.03.2018
17/0950/COND 01.11.2017	Greene King PLC Westgate Brewery Bury St Edmunds IP33 1QT	Discharge condition 3 (materials) of planning consent 17/0661/FULL (Carry out full internal refurbishment comprising of various joinery and finish alterations along with new external scheme including new lighting and fencing) The Court House Cardiff Road Caerphilly CF83 1FN	Decided - Discharge of Conditions 12.03.2018
18/0027/LBC 12.01.2018	Mr & Mrs R Cleaver Gwaun-y-bara House Pentwyngwyn Road Rudry Caerphilly CF83 3DG	Erect single storey extension to side Gwaun-y-bara House Pentwyngwyn Road Rudry Caerphilly	Refused 12.03.2018
18/0035/FULL 15.01.2018	Mr C Fox 4 Newport Road Pontllanfraith Blackwood NP12 2JN	Construct loft conversion with dormer 4 Newport Road Pontllanfraith Blackwood NP12 2JN	Refused 12.03.2018

18/0042/FULL 16.01.2018	Mr N Moses 19 Sorrel Drive Penpedairheol Hengoed CF82 8LA	Erect single storey rear extension 19 Sorrel Drive Penpedairheol Hengoed CF82 8LA	Granted 12.03.2018
18/0116/FULL 01.02.2018	Warlow Estates Ltd 28 Holly Grove Lisvane Cardiff	Change the use from D1 (Psychotherapy, Counselling and Mindfulness) to B1 Samye Foundation Unit A 2-4 Cardiff Road Caerphilly	Granted 12.03.2018
18/0014/COU 08.01.2018	Twisted Chilli Tattoo Mr N Howell 20 Millbrook Road Springfield Pontllanfraith Blackwood NP12 1AL	Change the use from retail premises to a tattoo shop 257 High Street Blackwood NP12 1AW	Granted 13.03.2018
18/0029/FULL 15.01.2018	Mr D C Morris 8 New Street Pwllypant Caerphilly CF83 2NN	Install external vertical lift with associated works 8 New Street Pwllypant Caerphilly CF83 2NN	Granted 13.03.2018
18/0038/FULL 15.01.2018	Mr J Bater 6 Heol-Yr-Onen Caerphilly CF83 1AR	Erect two-storey rear extension and convert loft 6 Heol-Yr-Onen Caerphilly CF83 1AR	Refused 13.03.2018
18/0039/RM 15.01.2018	Mr G Bevan Ty Mynydd Monmouth View Llanbradach Caerphilly CF83 3LX	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale reserved under outline planning consent 17/0293/OUT (Erect detached dwelling) Ty Mynydd Monmouth View Llanbradach Caerphilly	Granted 13.03.2018
18/0040/FULL 16.01.2018	Mrs V Gratton-Smith 66 Skomer Island Way Caerphilly CF83 2AR	Convert garage into play room 66 Skomer Island Way Caerphilly CF83 2AR	Granted 13.03.2018
18/0044/FULL 16.01.2018	Abingdon Flooring C/O DPP Planning Mr G Sutton Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Erect extension to existing carpet manufacturing operation and provision of additional car parking Unit 1 Parkway Pen-y-fan Industrial Estate Pen-y-fan	Granted 13.03.2018

18/0054/COND 17.01.2018	Coedlas Developments Mr P Weedon Glendale Offices Van Road Caerphilly CF83 3RR	Discharge conditions 07 (contamination - scheme to treat) and 12 (bat roosts) of planning consent 16/0987/OUT (Construct eight self build detached dwellings) Land South Of Glendale Van Road Caerphilly	Decided - Discharge of Conditions 13.03.2018
18/0067/FULL 22.01.2018	Mr O Williams 88 Sir Stafford Close Caerphilly CF83 3BB	Erect porch to front of house 88 Sir Stafford Close Caerphilly CF83 3BB	Granted 13.03.2018
17/0975/FULL 10.11.2017	The Dog Spa Mr B Raymond 11 Cwm-nant-yr- odyn Springfield Pontllanfraith Blackwood NP12 2DU	Erect covered dog walking area and regularise use of dog grooming operation, use of boarding kennels and use of dog training The Dog Spa 11 Cwm-nant-yr- odyn Springfield Pontllanfraith	Granted 14.03.2018
17/1013/OUT 24.11.2017	Cascade Football Club Mr T Challenger 12 Swn-y-nant Penpedairheol Hengoed CF82 8HA	Erect two-storey club house with changing facilities on the ground floor for home and away teams, medical/physio room, plant room, stairs, lift, DDA toilet facilities, first floor facilities to include a bar/lounge, kitchen and W.C facilities including DDA compliant Cascade Youth Club Gelligaer Recreation Ground Gwaun-Fro Penpedairheol	Granted 14.03.2018
18/0026/FULL 12.01.2018	Mr & Mrs R Cleaver Gwaun-y-bara House Pentwyngwyn Road Rudry Caerphilly CF83 3DG	Erect single storey extension to side Gwaun-y-bara House Pentwyngwyn Road Rudry Caerphilly	Refused 14.03.2018

18/0060/COND 19.01.2018	Eriez Magnetics Europe Ltd Mr M Cooper Unit 17 Greenway Bedwas House Industrial Estate Bedwas CF83 8YG	Discharge conditions 04 (land and surface water drainage), 05 (breeding bird provision) and 06 (contamination - scheme to treat) of planning consent 17/0061/FULL (Erect extension to existing factory production area) Eriez Magnetics Europe Ltd Unit 17 Greenway Bedwas House Industrial Estate	Decided - Discharge of Conditions 14.03.2018
17/0744/COU 29.08.2017	Ms Morley C/o DPS Architecture Ltd Mr J Duggan Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Change the use to provide car parking provision of 20 spaces and to install gates and 3 storage containers Land At Grid Ref 316141 187583 Bedwas Road North UI Caerphilly	Refused 15.03.2018
18/0053/COND 17.01.2018	Mr D Davies Ty Cwm Newport Road Hollybush Blackwood NP12 0BN	Discharge conditions 08 (automatic shut down), 14 (land and surface water drainage), 15 (reinstatement of any walls and fences) and 16 (materials) of planning consent 17/0521/FULL (Install an 800kW wind turbine together with a switchroom, construct access track, lay electrical cabling and ancillary works) Cruglwyn Manmoel Road Manmoel	Decided - Discharge of Conditions 15.03.2018
18/0057/FULL 18.01.2018	Mr M Warren 68 Heol Fawr Nelson Treharris CF46 6NP	Replace roof structure over existing garage to include front and rear gables and incorporate storage area in roofspace 68 Heol Fawr Nelson Treharris CF46 6NP	Granted 15.03.2018
18/0059/FULL 18.01.2018	Mrs Price Tophill Cottage Gelligaer Road Gelligaer Hengoed CF82 8FY	Erect two storey side extension and alteration works Tophill Cottage Gelligaer Road Gelligaer Hengoed	Granted 15.03.2018



18/0075/FULL 24.01.2018	Mr & Mrs C Roden 39 North Road Newbridge Newport NP11 4AD	Erect two storey rear extension 8 Elidyr Road Treowen Newport NP11 3EE	Granted 15.03.2018
18/0092/COND 29.01.2018	Mr D Simons Tyn Lon Groesfaen Pontyclun CF72 8NS	Discharge conditions 03 (Land and Surface Water Drainage), 04 (Flood Emergency Plan), 05 (Demolition Method Statement) and 10 (Turning Area) of planning consent 17/0717/FULL (Demolish garages on southern boundary and removal of dairy cold rooms, provide new self catering holiday facility comprising five one bedroom apartments with communal games room and recreation room) Land To The Rear Of 45-49 Bedwas Road Caerphilly CF83 3AP	Decided - Discharge of Conditions 15.03.2018
18/0109/TPO 31.01.2018	Mr M Williams Brookfields Wesley Hill Machen Caerphilly CF83 8QL	Remove Oak tree (Tree Preservation Order 16/77/RVDC) Brookfields Wesley Hill Machen Caerphilly	Granted 15.03.2018
18/0022/FULL 12.01.2018	CTIL & Vodafone Ltd Vodafone House The Connection Newbury	Install 1 No. 600mm microwave dish and supporting steelwork on the existing telecommunications mast Vodafone Communication Mast (4013) 28 Pantglas Industrial Estate Bedwas Caerphilly	Granted 16.03.2018
18/0049/FULL 16.01.2018	Mr J Phillips The Glen New Road Pengam Blackwood NP12 3QZ	Demolish existing single garage and stores and replace with double garage, erect first floor side extension and single storey rear extensions The Glen New Road Pengam Blackwood	Granted 16.03.2018

18/0062/COND 19.01.2018	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant CF72 8YP	Discharge conditions 12 (bat provision) and 13 (bird nesting provision) of planning application 15/0567/OUT (APP/K6920/A/16/3160200 - Erect residential development of up to 175 units including open space provision, access and parking arrangements) Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale	Decided - Discharge of Conditions 16.03.2018
18/0066/FULL 22.01.2018	Mr C Butt 35 Meadow Way Caerphilly CF83 1TQ	Erect single storey rear extension 35 Meadow Way Caerphilly CF83 1TQ	Granted 16.03.2018
18/0117/FULL 01.02.2018	Ms S Morgan Glenview Cottage Castle Hill Gelligaer Hengoed CF82 8EF	Erect rear conservatory Glenview Cottage Castle Hill Gelligaer Hengoed	Granted 16.03.2018
18/0005/FULL 03.01.2018	Mr R Lewis 2 Prince Albert Cottages Victoria Road Fleur De Lis CF82 7RE	Erect detached house with integral garage Land To The Rear Of 50 Victoria Road Fleur De Lis Blackwood NP12 3UQ	Granted 19.03.2018
18/0031/RET 15.01.2018	RLS Property Rentals Mr R Burgess Fernleigh Rock Villas Edwardsville Treharris CF46 5ND	Retain the change of use from office space, ancillary to the adjacent A1 shop, to an independent A1 unit 9 Heol Penallta Gelligaer	Refused 19.03.2018
18/0033/FULL 15.01.2018	Mr J Purse The Brewery House 34 Church Road Risca Newport NP11 6FH	Reinstate facade to enclose proposed garages and roof terrace to serve No. 34 and 34A Church Road The Brewery House 34 Church Road Risca Newport	Granted 19.03.2018
18/0137/FULL 12.02.2018	Mr Edminson 3 Pengam Street Glan-y-nant Blackwood NP12 3XH	Erect rear single storey extension 3 Pengam Street Glan-y-nant Blackwood NP12 3XH	Granted 19.03.2018

18/0077/FULL 23.01.2018	Argoed Baptist Chapel High Street Argoed Blackwood NP12 0HG	Erect single storey accommodation to rear Argoed Baptist Chapel High Street Argoed Blackwood	Granted 20.03.2018
17/0257/FULL 22.03.2017	Mr M Najmi The Gatehouse Gwern-y-domen Farm Lane Caerphilly CF83 3RN	Construct two-storey extension to provide additional living accommodation The Gatehouse Gwern-y-domen Farm Lane Caerphilly CF83 3RN	Refused 21.03.2018
18/0052/CLPU 17.01.2018	Mr M Attwood 7 Princes Avenue Caerphilly CF83 1HR	Obtain a Lawful Development Certificate for proposed loft conversion with rear dormer and three velux windows to front roof 7 Princes Avenue Caerphilly CF83 1HR	Granted 21.03.2018
18/0076/CLPU 24.01.2018	Mr D Simmonds 33 Newport Road Bedwas Caerphilly CF83 8AA	Obtain a Lawful Development Certificate for a proposed rear dormer and loft conversion 33 Newport Road Bedwas Caerphilly CF83 8AA	Granted 21.03.2018
18/0118/FULL 31.01.2018	Mr A Young 5 Clos Cae Rhos Penpedairheol Hengoed CF82 7TJ	Construct a single storey extension to rear of property 5 Clos Cae Rhos Penpedairheol Hengoed CF82 7TJ	Granted 21.03.2018
18/0155/NMA 15.02.2018	Lightsource BP C/o GVA Mr M Southall One Kingsway Cardiff CF10 3AN	Seek approval of a non-material amendment to planning consent 14/0512/FULL (Install ground mounted photo voltaic solar arrays to provide circa 8.5MW generation capacity together with power inverter systems, transformer stations, internal access tracks, landscaping, deer fencing and associated access gate) to install a composting toilet and container on the site for use by site operatives Hill Farm Solar Park Penrhiwarwydd Farm Mynyddislwyn Mountain Road Mynyddislwyn	Granted 21.03.2018

18/0173/NMA 21.02.2018	Mr & Mrs L Hogg Llwyncelyn Draethen Caerphilly NP10 8GB	Seek approval of a non-material amendment to planning consent 07/1097/FULL (Erect domestic dwelling) to install new french doors on South elevation, replace door with window on East elevation, omit stacks and retain UPVC windows Plum Tree Cottage Yew Tree Cottage To The Row Draethen	Granted 21.03.2018
18/0174/NMA 21.02.2018	Mr & Mrs L Hogg Llwyncelyn Draethen Caerphilly NP10 8GB	Seek approval of a non-material amendment to planning consent 12/0437/FULL (Granted on appeal reference APP/K6920/A/14/2216654) (Demolish detached garage and construct single dwelling and external works) to re-locate door, omit stacks and retain UPVC windows Copper Beech Cottage Yew Tree Cottage To The Row Draethen	Granted 21.03.2018
17/0258/LBC 21.03.2017	Mr M Najmi The Gatehouse Gwern-y-domen Farm Lane Caerphilly CF83 3RN	Construct two-storey extension to provide additional living accommodation The Gatehouse Gwern-y-domen Farm Lane Caerphilly CF83 3RN	Refused 22.03.2018
18/0064/FULL 19.01.2018	Mr K Hansen 1 Cleveland Drive Trenwydd Park Risca Newport NP11 6RD	Erect single storey front extension to provide a family room 1 Cleveland Drive Trenwydd Park Risca Newport	Granted 22.03.2018
18/0078/COU 23.01.2018	South Wales Spine Centre Ltd Mrs K Neyer 103A High Street Blackwood NP12 1PN	Change the use from office (B1) to chiropractor (D1) Former O'Brien Construction (South Wales) Ltd Suite 3B Block B - Brydon House Van Court Caerphilly Business Park	Granted 22.03.2018

18/0203/NMA 28.02.2018	United Welsh Housing Association Mr A Roberts Y Borth 13 Beddau Way Caerphilly CF83 2AX	Seek approval of a non-material amendment to planning consent 15/0365/FULL (Erect residential development of 6 no. walk-up flats and associated works) for the variation of condition 10 (Approved Plans) to replace approved drawing refs SK 200B, SK 201D and SK 202C Land At Grid Ref 314374 194851 Penallta Road Ystrad Mynach	Granted 22.03.2018
17/0836/RET 25.09.2017	Mrs D Brierley Hen Dy Fferm Garth Lane Rudry Caerphilly CF83 3DR	Retain manege for non-commercial use (personal family use only) together with associated engineering operations Land Adjacent Hen Dy Fferm Garth Lane Rudry Caerphilly	Granted 23.03.2018
17/1070/FULL 14.12.2017	Mr S Wheeler Old Coach House Morlais Court Hendredenny Caerphilly CF83 2RL	Erect detached garage with associated boundary works Old Coach House Morlais Court Hendredenny Caerphilly	Granted 23.03.2018
18/0074/COND 24.01.2018	GILDEMEISTER energy solutions GmbH C/o Pegasus Planning Group Ltd Mr M Pearson First Floor South Wing Equinox North Great Park Road Almondsbury Bristol BS32 4QL	Discharge condition 23 (highway condition survey) of planning consent 17/0140/NCC (Vary Conditions 5 (landscaping), 7 (habitat management), 8 (biodiversity monitoring), 9 (scheme for the protection of the retained trees), and 17 (approved plans) of planning application 15/0433/FULL (Create 4.1MW solar farm)) Pearmat Ltd Pen-y-fan Solar Park Manmoel Road Manmoel	Decided - Discharge of Conditions 23.03.2018
18/0046/FULL 17.01.2018	Mrs K Dennes 16 Manor Road Pontllanfraith Blackwood NP12 2NW	Erect single storey rear extension to extend size of current kitchen, add a utility room and garden room with orangery roof 16 Manor Road Pontllanfraith Blackwood NP12 2NW	Granted 26.03.2018

18/0050/COND 17.01.2018	Mr S Goss 9 Van Road Caerphilly CF83 1JZ	Discharge condition 03 (method statement - demolition) of planning consent 17/0559/FULL (Demolish existing single storey dwelling and adjacent detached garage and replace with a new one and a half storey residential property with adjoining double garage and associated increased width to driveway and entrance and erection of gates) Sunningdale 244 Pontygwindy Road Caerphilly CF83 3HY	Decided - Discharge of Conditions 26.03.2018
18/0072/FULL 23.01.2018	Mrs W Plant 21 Pengam Street Glan-Y-Nant Blackwood NP12 3XJ	Erect a single storey rear extension 21 Pengam Street Glan-y-nant Blackwood NP12 3XJ	Refused 26.03.2018
18/0082/RET 24.01.2018	Mr J Lewis 9 Windsor Village Baglan Moors Port Talbot SA12 7EU	Retain the converted garage as a sitting/family room and provide replacement car parking space within the site 8 Pwll Yr Allt Tir-y-berth Hengoed CF82 8FR	Granted 26.03.2018
18/0113/FULL 01.02.2018	Mr G Glover 6 Mardy Crescent Caerphilly CF83 1PU	Erect single storey rear extension 6 Mardy Crescent Caerphilly CF83 1PU	Granted 26.03.2018
18/0210/NMA 01.03.2018	Mr J Brooks 1 Gladstone Road Crumlin Newport NP11 5EN	Seek approval of a non- material amendment to planning consent 17/0622/FULL (Erect single storey rear extension) to change materials and approved plans 1 Gladstone Road Crumlin Newport NP11 5EN	Granted 26.03.2018

17/1019/COND 24.11.2017	Mr J E Jones Maerdy House Wellington Way Rhymney Tredegar NP22 5PZ	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) Former Maerdy Car Sales Maerdy House Wellington Way Rhymney	Decided - Discharge of Conditions 27.03.2018
18/0091/FULL 28.01.2018	Mr W Jones 10 Clos Morgan Gruffydd Abertridwr Caerphilly CF83 4DB	Erect one detached dwelling infilling between existing properties 1 Yew Tree Cottages Commercial Road Cwmfelinfach	Granted 27.03.2018
18/0095/RET 30.01.2018	Mr S Smith 13 Pembroke Close Cefn Fforest Blackwood NP12 1JL	Retain means of enclosure to the rear and side boundaries consisting of a retaining block wall combined with a brick/timber element 13 Pembroke Close Cefn Fforest Blackwood NP12 1JL	Granted 27.03.2018
18/0101/COU 30.01.2018	Mrs A Standing 11 Grafton Drive Cross Inn Pontyclun CF72 8BH	Change the use from A1 (retail) to D1 (healthcare) to use as a chiropractic clinic Bridge Veterinary Group 20 Victoria Terrace Newbridge Newport	Granted 27.03.2018
17/0581/RET 07.07.2017	Edenstone Homes Ms C Price First Floor Building 102 Wales One Business Park Magor NP26 3DG	Retain and complete works to retaining walls and decking Land At Hillary Rise Pontywaun Newport NP11 7BL	Granted 28.03.2018

18/0112/COND 01.02.2018	Mr J Jones 16 Woodbine Road Blackwood NP12 1QJ	Discharge conditions 03 (slab level), 06 (materials) and 07 (land and surface water drainage) of planning consent 16/0865/FULL (Construct a two-storey dwelling) 36 Castle Street Fleur-de-lis Blackwood NP12 3UH	Decided - Discharge of Conditions 28.03.2018
18/0135/COU 08.02.2018	Mr S Kucukkaya 292 Malpas Road Newport NP20 6GQ	Change the use from grocery shop to pizza take away (A1 to A3) 7 Central Buildings Aberconway Place Oakdale Blackwood	Granted 28.03.2018
18/0167/FULL 19.02.2018	Mr R Saunders White Gates Park Street Cwmcarn Newport NP11 7EL	Replace conifer hedge with a concrete block spar faced wall White Gates Park Street Cwmcarn Newport	Granted 28.03.2018
17/1035/FULL 30.11.2017	Convatec Ms M Davies Unit 1 - 2 Heads Of The Valleys Industrial Estate Rhymney NP22 5RL	Replace existing process vent ductwork with new, to include filter and carbon absorber to facilitate the installation of the Regenerative Thermal Oxidiser (RTO) and increase the height of the flue as approved under 16/0492/FULL to 18m Convatec Ltd Unit 1 - 2 Heads Of The Valleys Industrial Estate Rhymney	Granted 29.03.2018
18/0030/FULL 15.01.2018	Mr M Watkins 72 Church Street Aberbargoed Bargoed CF81 9FF	Erect two storey extension to the rear of the property 72 Church Street Aberbargoed Bargoed CF81 9FF	Refused 29.03.2018



18/0069/CLEU 18.01.2018	Mr C Payne 17F Hall Street Blackwood NP12 1NY	Obtain a lawful development certificate for the existing use of the site for the processing and grading of inert materials, including brick, stone, builder's rubble, demolition material and colliery waste by mechanical means into materials suitable for sale and for the stockpiling of those materials prior to sale and leaving the site The Senghenydd Minerals Site Graig-yr-hufen Road Senghenydd Caerphilly	Refused 29.03.2018
18/0081/FULL 24.01.2018	Mr V Francis Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff CF3 6AA	Erect single storey extensions to side and rear Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff	Granted 29.03.2018
18/0104/FULL 30.01.2018	Mr P Spearman C/o Mr M Morgan 8 Commin Road Aberbargoed CF81 9BL	Erect detached four bedroom dwelling and garage Land Adjacent To Y Bwthyn Gwerthonor Lane Gilfach Bargoed	Granted 29.03.2018
18/0105/FULL 31.01.2018	Mr & Mrs G Jenkins 26A The Avenue Ystrad Mynach Hengoed CF82 8BA	Erect two storey side extension and single storey front extension 26A The Avenue Ystrad Mynach Hengoed CF82 8BA	Granted 29.03.2018
18/0119/FULL 02.02.2018	Miss L Pawluk 17 Clos Gwastir Caerphilly CF83 1TD	Construct attic conversion with 2 dormers 17 Clos Gwastir Caerphilly CF83 1TD	Granted 29.03.2018
18/0121/FULL 05.02.2018	Mr L Briggs Ty Canrif Halls Crossing Woodfieldside Pontllanfraith Blackwood NP12 0PF	Erect detached domestic garage with playroom Ty Canrif Halls Crossing Woodfieldside Pontllanfraith	Granted 29.03.2018
18/0128/COU 06.02.2018	Mr A Chamberlain Brynamllwg House Southend Terrace Pontlottyn Bargoed CF81 9RL	Change the use from general stores to fast food outlet Deans Stores Park View Bargoed CF81 8QN	Granted 29.03.2018

18/0180/NMA 23.02.2018	GHR Developments Limited C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Seek approval of a non-material amendment to planning consent 17/0527/FULL (Construct four detached dwellings and external works) to make various amendments to the plans Land Within The Curtilage Of Mountain House 41 Mountain Road Caerphilly	Refused 29.03.2018
18/0195/NMA 28.02.2018	United Welsh Housing Association C/o Asbri Planning Ltd Miss L Hallett Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Seek approval of a non-material amendment to condition 2 of planning consent 16/0665/FULL (Construct 19 residential units and associated works) to amend the list of approved plans to enable the development to meet Passivhaus Standard Land At Grid Ref 314050 188455 Heol Aneurin Penyrheol Caerphilly	Granted 03.04.2018
18/0096/FULL 30.01.2018	Ms S Viggers 7 Goodrich Street Caerphilly CF83 1JY	Erect first floor rear extension and change the roof over the existing utility room from mono-pitch to lean-to roof 7 Goodrich Street Caerphilly CF83 1JY	Granted 04.04.2018
18/0111/CLPU 31.01.2018	CMG Ms C Pritchard Suite 6 Tredomen Gateway Ystrad Mynach Hengoed CF82 7EH	Obtain a Lawful Development Certificate for the proposed use class C2 Craig-y-trwyn Nursing Home Llanarth Street Brynawel Wattsville	Granted 04.04.2018
18/0126/FULL 06.02.2018	Mr A Pegington 21 Cotswold Way Trenwydd Park Risca Newport NP11 6QT	Erect first floor rear extension, extend existing side dormer and insert dormer in the opposite side elevation 21 Cotswold Way Trenwydd Park Risca Newport	Granted 04.04.2018

18/0130/COND 07.02.2018	Mr M Jones 29 Rhyd-Y-Gwern Close Porset Caerphilly CF83 3NN	Discharge conditions 05 (trees - site supervision), 06 (contamination - scheme to treat), 09 (site control - dust suppression), 10 (site control - noise suppression), 11 (bat provision) and 12 (breeding bird provision) of planning consent 17/0977/FULL (Erect single detached dwelling) Land South Of Glendale (Plot 3A The Paddock) Van Road	Decided - Discharge of Conditions 04.04.2018
18/0133/COND 07.02.2018	Ms A Morgan 21 St Mary Street Bedwas Caerphilly CF83 8EE	Discharge conditions 05 (trees - site supervision), 06 (contamination - scheme to treat), 09 (site control - dust suppression), 10 (site control - noise suppression), 11 (bat provision) and 12 (breeding bird provision) of planning consent 17/0978/FULL (Erect single detached dwelling) Land South Of Glendale (Plot 3B The Paddock) Van Road	Decided - Discharge of Conditions 04.04.2018
18/0141/RET 08.02.2018	Cylla Allotment Association C/o Mr G Hughes 33 Springfield Terrace Nelson Treharris CF46 6NN	Retain and complete hardstanding for use as a car park for allotment holders Cylla Allotments The Walk Ystrad Mynach	Granted 04.04.2018
18/0144/COND 09.02.2018	Mr V Williams Bethania House Walter Street Abertysswg Tredgar NP22 5AQ	Discharge conditions 03 (slab level), 04 (materials) and 07 (land and surface water drainage) of planning consent 17/0161/FULL (Erect a four bedroom detached bungalow) Elim Tabernacle Warn's Terrace Abertysswg	Decided - Discharge of Conditions 04.04.2018
18/0108/FULL 31.01.2018	Mrs P Creed 34 Ynys Y Coed Oakdale Blackwood NP12 0EG	Construct a single storey garage 34 Ynys Y Coed Oakdale Blackwood NP12 0EG	Granted 05.04.2018

18/0136/FULL 08.02.2018	Mr Williams 28 Gwaun-Fro Penpedairheol Hengoed CF82 8BN	Convert garage into additional room with driveway increased to allow parking for up to 3 vehicles 28 Gwaun-Fro Penpedairheol Hengoed CF82 8BN	Granted 05.04.2018
18/0146/COU 12.02.2018	Gilfach Super Hand Car Wash Mr A Adam 13 Dynevor Terrace Nelson Treharris CF46 6PD	Provide car wash and valeting service Land Off St Cenydd Road Caerphilly	Refused 05.04.2018

# Agenda Item 14

## LIST OF PLANNING APPLICATIONS WHICH ARE NOT DEALT WITH IN TIME

APPLICATION NUMBER DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
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.
17/0411/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 Maescwmmmer	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 192 Pandy Road Bedwas 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.

17/1019/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) Former Maerdy Car Sales Maerdy House Wellington Way Rhymney	Subject to further discussion and consideration.
17/1033/FULL 01.12.17	Construct seven dwellings and associated works, including the creation of a one-way system to serve the development Land At Grid Ref 317269 196829 Coronation Road East Lane Blackwood	Subject to further discussion concerning access.
17/1038/FULL 01.12.17	Demolish existing church, construct seven dwellings and associated works St Marys Church St Mary's Road Pontllanfraith Blackwood	Subject to further discussion and consideration.
18/0071/COND 22.01.18	Discharge condition 11 (light mitigation strategy) of planning application 15/0567/OUT (granted on APP/K6920/A/16/3160200 - Erect residential development of up to 175 units including open space provision, access and parking arrangements) at Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale	Subject to further discussion and consideration in respect of the reserved matters application for the development of this site.
18/0090/FULL 26.01.18	Partly demolish existing building and change the use of the existing Class A3 (public house) and erect new extension to create two Class A1 (retail) units, servicing area, car parking and associated works at The New Forge Brynhoward Terrace Oakdale Blackwood	Awaiting further information about parking.
18/0103/FULL 30.01.18	Demolish existing two storey building and re-build with ground floor garage and first floor flat at 65 Bartlett Street Caerphilly	Awaiting bat survey.

18/0106/COND 31.01.18	Discharge condition 04 (Construction Method Statement) of planning application 15/0567/OUT (granted on appeal reference APP/K6920/A/16/3160200 - Erect residential development of up to 175 units including open space provision, access and parking arrangements) at Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood	Subject to further discussion and consideration in respect of the reserved matters application for the development of this site.
18/0107/COND 31.01.18	Discharge condition 17 (Affordable Housing) of planning application 15/0567/OUT (granted on appeal reference APP/K6920/A/16/3160200 - Residential development of up to 175 units including open space provision, access and parking arrangements) at Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood	Subject to further discussion and consideration in respect of the reserved matters application for the development of this site.
18/0120/LBCC	Remove altar rail, install W.C. and general renovation works at Capel Y Babel Pont Lawrence Rees Lane Cwmfelinfach	To be determined by Welsh Government.



# Agenda Item 15

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

<b>APPLICATION NUMBER &amp; DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Received draft agreements. Waiting for internal comments. 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. Still waiting 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. They were in discussions with Trustees solicitors. Chased again.
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. They were in discussions with Trustees solicitors. Chased again.
16/0076/OUT 28.01.16	Erect residential development at Land To The North Of Meadowland Close Caerphilly	Revised plan agreed. Legal to send out agreement for signature.

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	Draft Agreed. Waiting for signed documents to come through.
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. Still waiting for everything to be resolved from an application point of view. Not likely to proceed given new applications on list below.
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. Still waiting for everything to be resolved from an application point of view. Not likely to proceed given new applications on list below.
17/0088/OUT 03.02.17	Construct housing development of 17 properties at Land At Fair View Garage Pengam Road Pengam Blackwood	New matter.
17/0113/FULL 10.02.17	Erect 5 No. detached 4-bedroom houses at Land To The South Of The Glade Wyllie Blackwood	In discussions over terms of the draft with solicitors.
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.

17/0966/FULL 09.11.17	Construct 14 dwellings and associated works at The De-Winton De Winton Terrace Llanbradach Caerphilly	New matter. Sent initial letter. Requested title evidence.
17/1027/FULL 29.11.17	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 at Caerphilly Magistrates Court Mountain Road Caerphilly CF83 1HG	Draft received. Legal to review.
17/1042/FULL 04.12.17	Erect 10 No. apartments, car parking, landscaping and associated works at Land At Former All Saints Church Pencerrig Street Llanbradach	Sent comments on draft UU to UWHA and awaiting response.
17/1079/OUT 15.12.17	Erect detached self-build dwelling at Plot 4 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Instructions received. Sent draft Agreement.
17/1080/OUT 15.12.17	Erect detached self-build dwelling at Plot 5 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Instructions received. Sent draft Agreement.

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# Agenda Item 16

## OUTSTANDING APPEALS

<b>APPEAL REF/ PLANNING APP. NO.</b>	<b>APPELLANT</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DATE APPEAL REGISTERED</b>
18/0001/REF 17/0481/FULL	CTIL & Telefonica UK Ltd C/o Clarke Telecom Ms D Perry Unit E Madison Place Northampton Road Manchester M40 5AG	Install a 15m monopole supporting 3 No. antennas, 2 No. dishes, ground based equipment cabinets and ancillary development thereto at Land At Corner Of Central Avenue Ivy Place Oakdale Blackwood	14.03.2018
18/0002/REF 17/1031/FULL	Mr J Davies 6 William Street Fleur-de-lis Blackwood NP12 3UJ	Erect detached dwelling at Land Rear Of 6 William Street Fleur-de-lis Blackwood NP12 3UJ	22.03.2018

**APPEALS DECIDED**

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