

Pecyn Dogfennau Cyhoeddus

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG

Ty Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Kim Houghton
(Rhif Ffôn: 01443 864267 E-bost: houghtk@caerphilly.gov.uk)

Dyddiad: Dydd Mercher, 8 Awst 2018

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Cynllunio** yn cael ei gynnal yn **Siambwr y Cyngor - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mercher, 15fed Awst, 2018** am **5.00 pm** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny. Bydd cyfieithu ar y pryd yn cael ei ddarparu ar gais.

Mae pob cyfarfod Pwyllgor yn agored i'r Wasg a'r Cyhoedd. Gofynnir i arsylwyr a chyfranogwyr ymddwyn gyda pharch ac ystyriaeth at eraill. Sylwer y bydd methu â gwneud hynny yn golygu y gofynnir i chi adael y cyfarfodydd ac efallai y cewch eich hebrwng o'r safle.

Yr eiddoch yn gywir,

Christina Harrhy
PRIF WEITHREDWR DROS DRO

AGENDA

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

A greener place Man gwyrddach

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



Atgoffi'r Cynghorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cynghorwyr a Swyddogion.

I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Cynhaliwyd Pwllgor Cynllunio ar 18 Gorffennaf 2018. 1 - 10

I dderbyn ac ystyried yr adroddiad(au) canlynol:-

Ceisiadau Cynllunio O dan Ddeddf Cynllunio Gwlad a Thref - Ardal y Gogledd: -

- 4 17/0973/FULL - Fferm Gelliargwellt Uchaf, Heol Gelligaer, Gelligaer, CF82 8FY. 11 - 24
- 5 18/0084/RET - Fferm Gelliargwellt Uchaf, Heol Gelligaer, Gelligaer, CF82 8FY. 25 - 34
- 6 18/0655/NCC - 87 Heol Bedwellte, Cefn Fforest, Coed Duon, NP12 3HB. 35 - 42
- 7 18/0580/NCC - Tir yng Nghyf. Grid 314499 200312, Wrth ymyl 128 - 134 Stryd Llancaeo, Bargod. 43 - 54
- 8 18/582/OUT - Tir yng Nghyf. Grid 314499 200312, Wrth ymyl 128 - 134 Stryd Llancaeo, Bargod. 55 - 62
- 9 17/0864/FULL - Durisol UK, Uned 4, Parcfordd, Ystâd Ddiwydiannol Pen-y-fan, NP11 3EF. 63 - 84
- 10 18/0429/FULL - Tir yng Nghyf. Grid 319863 198707, Lôn Trem Hyfryd y De, Croespenmaen. 85 - 96
- 11 18/0451/FULL - Safle'r cyn Fyngalo Lyndaryn , Heol-y-clogwyn, Coed Duon. 97 - 104

Ceisiadau Cynllunio dan Ddeddf Cynllunio Gwlad a Thref - Ardal y De:-

- 12 16 Coedlan Trem-y-bryn, Tredomen, Hengoed, CF82 7DB. 105 - 112

I dderbyn a nodi yr eitem(au) gwybodaeth ganlynol: -

- 13 Ceisiadau a benderfynwyd gan bwerau dirprwyedig. 113 - 128
- 14 Ceisiadau sydd allan o amser/heb ddelio â hwy o fewn 8 wythnos i ddyddiad y cofrestrriad. 129 - 134
- 15 Ceisiadau yn aros i Gytundeb Adran 106 i gael ei gwblhau. 135 - 138
- 16 Apeliadau yn weddill ac wedi eu penderfynu. 139 - 142

Cylchrediad:

Cynghorwyr M.A. Adams (Cadeirydd), Mrs E.M. Aldworth, C. Andrews, A. Angel, J. Bevan, W. David (Is Gadeirydd), 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 a T.J. Williams

A Swyddogion Priodol

Gadewir y dudalen hon yn wag yn fwriadol



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 18TH JULY 2018 AT 5:00PM

PRESENT:

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

Councillors:

C. Andrews, M. Davies, R.W. Gough, B. Miles, J. Ridgewell, J. Taylor, A. Whitcombe, R. Whiting and T.J. Williams.

Together with:

T. Stephens (Development Control Manager), Lisa Lane (Solicitor), C. Powell (Principal Planner), Chris Boardman (Principal Planner), Ruth Amundson (Principal Planner), A. Pyne (Senior Planner), L. Rowley (Senior Planner), M. Noakes (Senior Engineer, Highway Planning), C. Campbell (Manager, Transport Engineering), M. Godfrey (Senior Environmental Health Officer), and K. Houghton (Senior Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs E.M. Aldworth, A. Angel, J. Bevan, J.E. Fussell, A.G. Higgs, Mrs G.D. Oliver, J. Simmonds,

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start of the meeting as follows: Councillors R. Whiting (Agenda Item No. 9 – 18/0409/FULL), M. Davies (Agenda Item No. 7 – 18/0429/FULL) and Mr M. Noakes (Agenda Item No. 10 - 18/0374/FULL). Details are minuted with the respective items.

3. MINUTES – 20TH JUNE 2018

Councillor J. Taylor requested a correction to the minutes. He is noted as present in the minute however his apologies were given for the meeting.

It was moved and seconded that, subject to the aforementioned correction, the minutes of the meeting held on the 20th June 2018 be agreed as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that subject to the aforementioned correction the minutes of the Planning Committee held on 20th June 2018 (minute nos. 1-16) be approved and signed as a correct record.

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

4. PREFACE ITEM CODE NO. 17/1033/FULL - LAND AT GRID REF 317269 196829 CORONATION ROAD, EAST LANE, BLACKWOOD

The Principal Planning Officer informed the Committee that an amendment was required to Condition 2 in order to ensure that the development is carried out only as approved by the Local Planning Authority.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's original report, along with the aforementioned amended Condition 2, be approved and by a show of hands and in noting, there was 1 against and 0 abstentions, this was agreed by the majority present.

RESOLVED that :-

- (i) Subject to the conditions contained within the Officer's original report and the amendment to Condition 2, this application be granted.

Amended Condition 2:

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

Drawing Number: S.7544-200, One way system proposals to existing lane at rear of Coronation Road/Gordon Road (excluding proposed 1m footway shown) received 07.02.2018;

Site Location Plan received 30.11.2017;

Drawing: 2000-041, Proposed Elevations (2 person 1 bed flat) received 30.11.2017;

Drawing: 2000-042 Rev. A, Proposed Floor plans (Plots 3-5) received 15.06.2018;

Drawing: 2000-043, Proposed Floor plans (Plots 6&7) received 30.11.2017;

Drawing: 2000-044 Rev. A, Proposed Elevation (Plots 3-5) received 15.06.2018;

Drawing: 2000-045, Proposed Elevation (Plots 6&7) received 30.11.2017;

Drawing: 2000-050, Proposed Site Plan received 30.11.2017.

Reason:

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

- (ii) The applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: Policies CW2, CW3 and CW11.

5. CODE NO. 18/0318/RET - 2 LABURNUM HOUSES, ST DAVID'S AVENUE, WOODFIELD SIDE, PONTLANFRAITH

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

6. CODE NO. 18/0393/FULL – 20 FFLORENS ROAD, TROWEN, NP11 3ED

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 within the Officer's report this application be granted.
- (ii) The applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of this permission: CW2.
- (iii) The applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

- (iv) The applicant be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February.

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

- (v) 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.

7. CODE NO. 18/0429/FULL – LAND AT GRID REF 319863 198707 PLEASANT VIEW, SOUTH LANE, CROESPENMAEN

Councillor M. Davies declared an interest in that a family member lives on South Lane. As he was unable to take part in this item, the Committee was inquorate and therefore unable to make a decision on this application. The application was deferred without discussion to the next meeting of the Planning Committee.

RESOLVED that the application be deferred to the next meeting of the Planning Committee.

8. CODE NO. 18/0408/LA – LAND AT GRID REF 311486 207255 THE LAWNS INDUSTRIAL ESTATE, RHYMNEY

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 within the Officer's report this application be granted.
- (ii) The applicant be advised of the attached (to the agenda report) comments of Dwr Cymru/Welsh Water, Glamorgan Gwent Archaeological Trust, The Coal Authority, and Senior Engineer (Land Drainage).
- (iii) The applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: Policies CW2 and CW3.

9. CODE NO. 18/0409/FULL – LAND AT GRID REF 324887 190651 HOLLY ROAD, TY SIGN, RISCA

Councillor R Whiting declared an Interest in that he was a former trustee of Channel View Community Centre and he left the Chamber while the application was discussed.

Mr S Ransome spoke in objection and Mr G. Tamswell in support of the application.

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 and in noting there was 1 against and 0 abstentions this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report this application be granted.
- (ii) The applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3, CW7 and CW8.
- (iii) The applicant be advised of the attached comments of Dwr Cymru/Welsh Water.
- (iv) The applicant be advised of the attached comments of The Council's Tree Officer.

- (v) The applicant be advised of the attached the comments of Senior Engineer (Land Drainage).

10. CODE NO. 18/0374/FULL – PONTLLANFRAITH YOUTH CENTRE AND CYBER CAFÉ, SIR IVOR ROAD, POLLANFRAITH, NP12 2JH

Mr M. Noakes declared an Interest in that he is friends with the applicant and he left the Chamber while the application was discussed.

The Committee received an update in relation to the application and due to the information provided the Development Control Manager sought approval to be given powers to determine the application under delegated powers. By a show of hands this was unanimously agreed.

RESOLVED that the Development Control Manager be given powers to determine the application under delegated powers.

11. CODE NO. 17/0973/FULL – GELLIARGWELT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, CF82 8FY

Ms H. Weyman spoke in objection and Mr J. Ayoubkhani (the applicant's agent) spoke in support of the application.

It was noted that a site visit took place on Monday 16th July 2018.

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 and in noting there was 5 against and 1 abstention, the motion was declared lost.

A further motion was then moved and seconded that the application be deferred for a further report for reasons for refusal based on inadequate peat mitigation measures, inadequate noise and dust mitigation measures considering the distance of the bund from operations and this application being too much of a deviation from the original planning consent. By a show of hands and in noting, there was 1 against and 3 abstentions, this was agreed by the majority present.

RESOLVED that the application be deferred for a further report for reasons for refusal based on inadequate peat mitigation measures, inadequate noise and dust mitigation measures considering the distance of the bund from operations and this application being too much of a deviation from the original planning consent.

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

12. PREFACE ITEM CODE NO. 18/0123/FULL – LAND AT GRID REF 321036 188882, RHYD Y GWERN LANE, SOUTH CLOS, TREFEDDYG, MACHEN

The Senior Planning Officer informed the Committee of Welsh Government's decision to dis-apply paragraph 6.2 of TAN 1 and provided updated information on the housing land supply.

Following consideration of the application it was moved and seconded that the application be refused and by a show of hands and in noting there was 1 against and 0 abstentions this was agreed by the majority present.

RESOLVED that for the reasons as set out in the Officer's preface report this application was refused.

13. CODE NO. 18/0168/FULL – 37 HILLSIDE TERRACE, BEDWAS, CF83 8AJ

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 within the Officer's report this application be granted.
- (ii) The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and SP6.
- (iii) The applicant be advised of the attached comments of the Council's Ecologist.
- (iv) The applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

14. CODE NO. 18/0073/RET – UNIT 1, NANT COUR, GLENVIEW TERRACE, LLANDBRADACH, CF83 3RX

It was noted that a site visit took place on Monday 16th July 2018.

Following consideration of the application and the additional conditions outlined by the Principal Planning Officer 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 within the Officer's report and the following additional conditions, this application be granted.

Additional Condition 4:

Within one month of the date of this consent arrangements for the storage, collection and disposal of commercial waste and tyres shall be submitted for the written approval of the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved scheme.

Reason:

In the interest of public health.

Additional Condition 5:

Within one month of the date of this consent a scheme showing traffic management measures, which shall include an 'in and out' access system, shall be submitted for the written approval of the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved scheme.

Reason:

In the interest of highway safety.

Additional Condition 6:

The use hereby granted shall be for a limited period being the period of 24 months from the date of this consent.

Reason:

In order to fully assess the impact of the development in the interests of public health and highway safety.

Additional Condition 7:

The development shall at all times be operated in accordance with the site layout plan AL(90)01 Rev C and no tyre fitting or associated activities shall be carried out on any part of the site other than on that identified for that purpose.

Reason:

In the interests of residential amenity.

- (ii) The applicant is advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.
- (iii) The applicant is 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

15. CODE NO. 18/0324/RET – LAND AT GRID REF 310215 195221 PONTPRIDD ROAD, NELSON.

It was noted that a site visit took place on Monday 16th July 2018.

Following consideration of the application and the three additional conditions outlined by the Principal Planning Officer 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 within the Officer's report and the following additional conditions this application be granted;

Additional Condition 8:

Notwithstanding the submitted plans, a scheme shall be submitted to and agreed in writing with the Local Planning Authority which sets back the existing gates a minimum of 12m from the back edge of the footway, to enable horseboxes and towed horse trailers to stand clear of the highway on entering the site. The gates shall be set back in accordance with the agreed scheme within 3 calendar months from the date of this consent.

Reason:

In the interests of highway safety.

Additional Condition 9:

Notwithstanding the submitted plans, details shall be submitted to and approved in writing with the Local Planning Authority which identifies a parking and turning area within the curtilage of the site, to enable all visiting vehicles to

both enter and leave the site in a forward gear. Such provision shall be completed in accordance with the agreed details, in materials to be agreed with the Local Planning Authority, within 3 calendar months from the date of this consent, and shall be maintained thereafter free of obstruction for the parking and turning of motor vehicles only.

Reason:

In the interests of highway safety.

Additional Condition 10:

The first 10m of the proposed access shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc is not carried on to the public highway.

Reason:

In the interests of highway safety.

- (ii) The applicant be advised of the attached comments of Natural Resources Wales
- (iii) The applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP6, CW15, CW2, CW3, CW4.
- (iv) The applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

16-19. 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 19.53pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 15th August 2018, they were signed by the Chair.

CHAIR

Members' Site Visit

PLANNING APPLICATION REFERENCE: 18/0073/RET

PROPOSED DEVELOPMENT: Retain the change of use from B1/B2/B8 use to car sales and tyre sales

LOCATION: Unit 1, Nant Court, Glenview Terrace, Llanbradach

DATE OF SITE VISIT: 16 July 2018

MEMBERS PRESENT: Michael Adams, Wynne David, Rob Gough, Colin Mann

The following matters were discussed

- The use of the forecourt as a workspace
- The impact of the use of the units at the rear on the use of the application site
- Would either car sales or tyres be more feasible than both uses?
- Visitors park in the road
- Introduction of residents' parking
- Additional conditions re: marking out of loading bay and forecourt circulation, no outside working, temporary consent (two years)
- Are there any conditions on the buildings at the rear that should be enforced?
- Introduce an in/out arrangement, and link the back site to the front.

Officers will consider these matters, discuss with the applicant where appropriate, and report further at Planning Committee.

Gadewir y dudalen hon yn wag yn fwriadol

PREFACE ITEM

APPLICATION NO. 17/0973/FULL

APPLICANT(S) NAME: Bryn Aggregates Ltd

PROPOSAL: Retain and formation of a repositioned approved earth bund, landscaping and associated works

LOCATION: Gelliargwelt Farm Gelligaer Road Gelligaer CF82 8FY

This application was reported to Planning Committee on 18 July 2018 with a recommendation for approval subject to conditions and a legal agreement. A copy of the report is attached as Appendix. Committee resolved that the application be deferred for a further report with reasons for refusal based on inadequate peat mitigation measures, and inadequate noise and dust mitigation measures given the distance between the quarry and the bund and the deviation from the original approved location.

For the reasons outlined in the officer's report, it remains the recommendation that the application be approved. The application is supported by an updated noise assessment (Hunter Acoustics October 2017). With the bund formed in the revised location, noise levels are predicted to increase marginally at receptors to the east and south but would remain within the parameters set by Minerals Technical Advice Note 1 Aggregates (MTAN1), paragraph 88, which states that daytime working noise levels should not exceed background noise levels by +10 dB(A) where background noise is less than 45 dB(A).

In terms of noise associated with bund construction, modelling indicates that worst case scenarios fall well below the 67 dB(A) threshold for temporary works of less than eight weeks duration a year in MTAN1 and below the World Health Organisation daytime garden noise criterion of 55 dB(A). The noise modelling has been assessed and found to be sound. For these reasons it is not considered that a reason for refusal based on noise would be successful at an appeal.

In terms of dust, an air quality impact assessment (carried out by Airshed) provided with the application indicates that baseline levels of PM10 and PM2.5 are predicted to be within acceptable levels at all sensitive receptors. Those terms refer to particulate matter (PM) 10 micrometres or less in diameter, and 2.5 micrometres or less in diameter respectively.

Cont'd.....

The report has been assessed and found to be sound. Measures can be required by condition to minimise dust emissions beyond the boundary of the site. Therefore it is not considered that a reason for refusal based on dust emissions would be successful at appeal.

Based on the information provided the application demonstrates that the proposed bund is acceptable in landscape terms and that noise and dust would not increase to an unacceptable degree as a result of the repositioning of the bund. The distance of the bund from the quarry and the deviation from the original scheme are not, therefore, sound reasons for refusal as no harm has been demonstrated to result from the proposed amendments.

The peat resource is scarce within the county borough but the Waun Rhydd site of importance for nature conservation (SINC) has become degraded through the application of fertiliser and its management for agriculture (which the applicant as landowner is entitled to do). The designation of an area as a SINC does not in itself confer any statutory protection on that land, but it does allow its particular qualities to be material considerations in the determination of a planning application. That can in some cases justify a refusal of permission, but in other cases it can be used as a positive tool. The proposals offer the opportunity to establish a hydrological regime that ensures the SINC is maintained in a state that will enhance the features of interest and that it is managed for nature conservation instead of agriculture.

The recommendation is still to approve the proposed development because:

- The proposed bund offers landscape benefits in terms of a more natural profile and it is capable of being managed for agriculture
- The technical responses indicate that noise and dust would not increase significantly as a result of the revised location and noise would be within the limits set out in national guidance
- Any impacts during construction can be managed by appropriate planning conditions, including a dust mitigation scheme
- When complete the bund would screen the quarry and minimise noise and dust arising from the quarrying operations
- Any harm to the peat resource is offset by the opportunity to enhance Waun Rhydd SINC

Cont'd.....

Preface 17/0973/FULL Continued

However, if Committee is still minded to refuse permission reasons for refusal based on the harm to the peat resource, and noise and dust are set out below.

RECOMMENDATION: That planning permission is GRANTED subject to the conditions contained in the original report and to a legal agreement to secure a financial guarantee.

However, if Members are minded to refuse the application, the following reasons are suggested:

1. The application fails to demonstrate adequately that the proposed development would not lead to further degradation of the features of interest in the Waun Rhydd site of importance for nature conservation (SINC) due to the impact of the proposed bund on the hydrology of the area. The development would therefore be contrary to policy CW4 in the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.
2. Construction of the bund would adversely affect to an unacceptable degree residential properties in Penybryn and Gelligaer due to noise and dust emissions, contrary to policy CW2 in the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

<i>Code No. and Date Received</i>	<i>Name and Address of Applicant</i>	<i>Description and Location of Proposed Development</i>
17/0973/FULL 13.11.2017	Bryn Aggregates Ltd C/o Barton Willmore Mr J Ayoubkhani Greyfrairs House Greyfrairs Road Cardiff CF10 3AL	Retain and formation of a repositioned approved earth bund, landscaping and associated works Gelliargwelt Farm Gelligaer Road Gelligaer CF82 8FY

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located adjacent to Bryn quarry, approximately 225 metres south-west of Gelligaer and 515 metres north-west of Penybryn. Parc Penallta lies to the south-east and Nelson 1.75 kilometres to the south-west of the site. Bryn quarry is a small sandstone quarry within Gelliargwelt Uchaf farm, a dairy unit with land between Nelson, Gelligaer and Trelewis. The farm also contains a number of waste-related buildings and uses, including a materials recycling and recovery facility and an anaerobic digestion facility.

Site description: The site comprises former agricultural land on the edge of the quarry. The site is within the Mynydd Eglwysilian Special Landscape Area and the farmhouse and bee boles within the cluster of agricultural buildings to the west is a grade II listed building. Waun Rhydd Site of Importance for Nature Conservation adjoins the site boundary to the north.

Development: The application is partially retrospective and formation of the proposed bund has commenced. The application proposes a perimeter bund approximately 200 metres from the edge of the quarry. The extant permission for the site (12/0570) included a bund but sited immediately adjacent to the quarry bowl. The applicant states that when construction commenced on the bund in that location, it could not continue due to unforeseen instability. Boreholes carried out to inform the quarry extension and associated development missed an area of peat, which was not stable enough to take the loading of the approved bund.

The proposed bund runs in a north-west south-east direction then turns 90 degrees to run north-east to run north-east to south west and is located further to the north of the quarry than the approved location because of the prevailing ground conditions. No change is proposed to the mineral working approved in 2012.

Cont....

Application 17/0973/FULL - Continued

The purpose of the bund is to mitigate the visual impact of the quarry and to lessen the impacts of dust and noise on the residential areas of Penybryn and Gelligaer. It is designed so that the outer, gentler slope can be used for agriculture.

Dimensions: The site area extends to 18.8 hectares but this includes land between the quarry and the bund, which is the subject of a separate application (17/0971) for variation of the restoration scheme. The bund would rise from 219m AOD to a maximum height of 225m AOD. The maximum height above existing ground level would be 6.6 metres.

Materials: Not applicable.

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

PLANNING HISTORY 2005 TO PRESENT

12/0570/FULL - Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works - Granted 13.08.13.

17/0971/NCC - Vary condition 18 of planning permission reference 12/0570/FULL to enable the variation of the approved restoration scheme to reflect the repositioned earth bund and landscaping. - Not yet determined.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside settlement boundaries identified in the adopted Local Development Plan.

Policies: The following policies in the Caerphilly County Borough Local Development Plan adopted November 2010 are relevant to the determination of this application: SP5, CW15 Locational Constraints, SP6 Place Making, SP8 Mineral Safeguarding, CW2 Amenity, CW3 Highways, CW4 Natural Heritage Protection, CW5 Water Environment, CW22 Mineral Safeguarding, CW23 Buffer Zones.

NATIONAL POLICY National policy is contained in Planning Policy Wales Edition 9 November 2016.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont....

Application 17/0973/FULL - Continued

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within the coalfield but no built development is proposed.

CONSULTATION

Transportation Engineering Manager - No objection is raised.

Head Of Public Protection - Having reviewed the noise assessment and the air quality assessment submitted with the application, Head of Public Protection raises no objection subject to the implementation of a dust mitigation scheme during construction and conditions restricting hours of operation for the bund construction as well as a condition setting environmental noise limits at sensitive properties.

Countryside And Landscape Services - No objection is raised subject to the works being carried out in accordance with the landscape mitigation and planting strategy plan submitted with the application. Conditions should also be attached to require prior approval of certain details and to ensure a five-year maintenance plan and a ten-year landscape management plan are implemented.

Senior Engineer (Land Drainage) - Advice is provided for the developer and a condition is recommended to ensure that the development is served by an appropriate means of drainage.

Rights Of Way Officer - Two footpaths cross the site. The applicant should be reminded by means of an informative that access to the footpaths should be maintained and safety of users maintained at all times.

Natural Resources Wales - NRW made comments on the proposal at the pre-application consultation. That remains current and no further comments are made.

The pre-application advice dated 2 November 2017 raised no objection. Recommendation was made in respect of monitoring ditches and lagoons during construction to prevent sediment and suspended solids reaching surface waters and advice was given to the applicant on pollution control measures.

CADW - Cadw considers that the proposed development will not cause damage to the setting of any scheduled monuments and, therefore, raise no objections.

Ecologist - The comments are contained and addressed in the Analysis section of this report.

Cont....

Application 17/0973/FULL - Continued

Landscape Architect - No objection in principle subject to conditions to secure successful restoration and to secure compliance with the landscape mitigation and planting strategy submitted with the application.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by site notices posted near the site and by letters to 144 properties in Penybryn and Gellgaer which face onto the site.

Response: Three letters of objection have been received together with a petition containing 69 signatures.

Summary of observations: The following issues are raised: Noise, dust, smell, the quarry is getting bigger and moving towards Penybryn and Gelligaer, Deposit of stone dust on perimeter of quarry, the retrospective nature of the application, measures are needed to improve road condition and to prevent out of hours vehicles, loss of wildlife, distance between quarry and bund, impact on SLA.

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 proposal is unlikely to have a significant impact on crime or disorder in the local area.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A survey was carried out and although it is unlikely to be a significant issue in this case, the standard WAG species licence condition will be imposed and an advisory note will be sent to the applicant as precautionary measures.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No, mineral working and ancillary development not creating floorspace is exempt.

Cont....

Application 17/0973/FULL - Continued

ANALYSIS

Policies: The application has been assessed in the context of national policy and the policies in the adopted local development plan. The main issues are as follows:

The principle of the development in the countryside (SP5, CW15)

The proposed development is associated with mineral working, which has to take place where the mineral resource is found. For that reason mineral working is one of the development types that may be permitted within the countryside. While the proposal itself is not for mineral extraction, the bund is necessary to enable the continuation of mineral extraction at the quarry.

Landscape and visual impact (SP6, CW4)

The site is within the Mynydd Eglwysilian SLA. A Landscape and Visual Impact assessment has been carried out by the applicant and assessed by the Council's Landscape Architect, who raises no objection subject to the imposition of conditions to secure compliance with the submitted landscape mitigation and planting strategy and measures to secure successful restoration. The impact of the proposed bund on the character and appearance of the surrounding special landscape area are not significantly greater than the impact associated with the approved bund and can be addressed by conditions.

Impact on ecology and nature conservation (CW4)

The site is adjacent to the Waun Rhydd Site of Importance for Nature Conservation designated for its marshy grassland indicator species, semi-improved acid grassland and scrub. Policy CW4 states that development proposals in close proximity to SINC's will be permitted where they conserve and if appropriate enhance the distinctive and characteristic features of the SINC or where the need for the development outweighs the ecological importance of the site and where the harm is minimised by mitigation measures and offset by compensation measures to ensure that there is no reduction in the overall value of the site.

The proposals involve the removal of a significant quantity of peat, which is a scarce resource within the county borough. The applicant has estimated that of the 315,000 cubic metres of peat within the application site boundary 146,000m³ would be lost due to compaction beneath the bund and through the removal of peat on the approved alignment of the bund. However, two peat cells would be created within the proposed bund, together with another area to the north east of the application site amounting to 27,000m³ of peat in mitigation. The net loss would, therefore, be 119,000m³.

Peat is a mineral resource that is relatively rare in the county borough, and is a finite natural resource. It provides an important function in both water catchment management, acting as a sponge during periods of high rainfall, helping to reduce downstream flooding, and also acts as a carbon sink.

Cont....

Application 17/0973/FULL - Continued

With regards to ecological interests associated with the application, the peat in the vicinity of the proposed bund has been agriculturally improved through the regular application of fertilizers resulting in the sward now comprising of relatively few grass species, and is currently of low ecological value. However, it should be noted that due to the very wet nature of the site this would quickly revert to a more diverse sward if a less intensive management regime were to be introduced. As this area forms part of a relatively intensively farmed land, the likelihood of reversion to a less intensive regime, is unlikely unless agricultural policies change following Brexit.

Noise impact (CW2)

A noise impact assessment has been prepared by the applicant and assessed by the Head of Public Protection. No objection is raised subject to the imposition of conditions setting noise limits for the construction phase and day-time noise limits at residential properties.

Dust and air quality (CW2)

An air quality impact assessment has been carried out by the applicant and assessed by the Head of Public Protection. No objection is raised subject to a dust mitigation scheme being implemented throughout the construction phase of the development.

Impact on water environment (CW5)

The application site is within an area liable to surface and groundwater flooding and is within 20 metres of a watercourse. Natural Resources Wales raises no objection in principle. The council's land drainage engineer recommends that a condition be attached to any consent granted to require the submission of a scheme of land and surface water drainage.

Mineral site buffer zone (SP8, CW23)

Policy CW23 aims to prevent conflict between mineral working and sensitive development. The application site is within the buffer zone for Bryn Quarry and the bund encroaches on sensitive residential development in Gelligaer and Penybryn. Determination of the application should have regard to the effect of the proposed development on the residential areas.

Mineral safeguarding area (CW22)

Within mineral safeguarding areas permanent development that would sterilise the mineral resource will be resisted. The site is within an area of sandstone resource and coal resources. The sandstone resource is important nationally as the sandstones of the Coal Measures have qualities which make them suitable for skid resistant road surfacing. Such resources are limited in extent across the UK, although they are extensive within the south Wales coalfield. The proposed development would facilitate the extraction of sandstone at the adjacent quarry in accordance with a permission granted in 2012 and it does not, therefore, conflict with policy CW22.

Cont....

Application 17/0973/FULL - Continued

Coal has been worked in the local area in the past but there is no indication that any remaining resource is commercially viable. The resource lies to the south of the farm buildings and waste development, some 400 metres from the application site.

Comments from consultees: The comments are summarised above and addressed in the analysis section of this report.

Comments from public: The comments are summarised above and are addressed in the report above.

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.

CONCLUSION

The principle of the quarry and associated development has been established by permission reference 12/0570. The current application seeks to construct a bund in a revised form to the north of the approved site. The footprint of the proposed bund is larger but it is approximately the same height. The bund would have a steeper inner face and a gentler outer face to facilitate its use for agriculture.

It is unfortunate that the application is partly retrospective. The applicant claims this was due to the need to react to the unexpected instability of the ground immediately adjacent to the quarry due to the peat resource, which made the ground unsafe for construction vehicles and would have reduced the stability of the landform. Delaying the bund construction work while the issue was resolved could have had repercussions for production at the quarry. The application falls to be determined on the planning merits of the case and any unauthorised work is carried out at the applicant's own risk.

The bund would screen the quarry from the residential areas in Penybryn and Gelligaer and would assist in minimising noise and dust impact at residential properties near the site. The effects of the bund, including the effect on the Mynydd Eglwysilian SLA and the Waun Rhydd SINC, are not significantly greater than those associated with the approved bund and the impacts can be addressed by the imposition of suitable conditions.

The proposal would result in the loss of a substantial area of degraded peat resource. To compensate for the loss, the applicant proposes management of the remaining areas to prevent further degradation. This can be secured by condition.

Cont....

Application 17/0973/FULL - Continued

On balance the harm caused by the loss of the peat resource does not outweigh the benefits offered by the proposal in terms of a more natural landform, mitigation of the effects of quarrying and in enabling the quarry to continue to supply High Specification Aggregate which is limited in occurrence across the UK.

However, a legal agreement is required in order to secure the proposed peat mitigation measures, to secure monitoring of water levels within the SINC and to set trigger levels for further mitigation to protect the characteristic features of the SINC. This may include financial measures, for example a bond, to ensure that the peat mitigation measures can be completed if, for some reason, the operator fails to comply.

RECOMMENDATION (A) that the application is DEFERRED to allow the applicants to enter into a Section 106 Agreement on the basis set out in the report. On completion of the Agreement (B) that Permission be GRANTED.

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details except where modified by the conditions that follow:
 - Application dated 13 November 2017;
 - Planning Statement dated November 2017;
 - Drawing Number AJA.2229.01 Landscape mitigation and planting strategy received 13 November 2017;
 - Drawing number BAL-NSB-2916-012revA Proposed bund and restoration received 13 November 2018;
 - Drawing Number BAL-NSB-2016-003revG Proposed bund sections 13 November 2018;
 - Drawing Number BAL-NSB-2016-009revA Proposed bund phase 1 received 13 November 2018;
 - Drawing Number BAL-NSB-2016-010revA Proposed bund phase 2 received 13 November 2018;
 - Drawing Number BAL-NSB-2016-011revA Proposed bund phase 3 13 November 2018;
 - Drawing Number BAL-NSB-2016-013revA Site location plan received 13 November 2018;
 - Drawing Number BAL-NSB-2016-002revQ Proposed bund received 24 May 2018;
 - Drawing Number BAL-NSB-2016-016 Peat for habitat creation received 24 May 2018;
 - Letter dated 24 May 2018 - Peat quantities appraisal.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont....

Application 17/0973/FULL - Continued

- 02) Within three months of the date of this permission an aftercare scheme detailing and timetabling the tasks associated with the 5-year maintenance and defects plan and schedule of maintenance operations shall be submitted for the approval of the Local Planning Authority. The scheme shall include a written detailed medium and long term landscape management plan, covering a 15 year period plus, to ensure the scheme becomes successfully matured, including areas of peat translocation and to ensure that the proposed landscaping successfully mitigates the adverse effects. The scheme shall be implemented as approved.
REASON: To ensure appropriate standards of aftercare.
- 03) A scheme of land and surface water drainage within the site shall be submitted to and approved by the Local Planning Authority within two months of the date of this permission. Thereafter the development shall be carried out in accordance with the approved details.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) A detailed planting plan and written specification (following the Landscape and Mitigation and Planting Strategy, drawing number AJA.2229.01rev3), shall be submitted for the approval of the Local Planning Authority within three months of the date of this permission. The plan shall include details of:
Ground preparation, planting numbers, wildflower and grass seed mixes and sowing rates;
Location and type of stockproof fencing to protect proposed woodland, wildflower grassland and hedgerows;
Detailed timetable highlighting the phasing of all operations during the construction period of the earth bund, including a timetable for seeding, peat excavation and planting.
Once approved, the plan shall be implemented in full throughout the proposed operations.
REASON: To protect the amenity of the local area.
- 05) Construction work on the bund shall not take place except between the hours of:
Monday to Friday 08:00-18:00;
Saturday 09:00 - 13:00.
No operations shall be carried out on the bund on Sundays or bank holidays.
REASON: To Protect the amenity of local residents.

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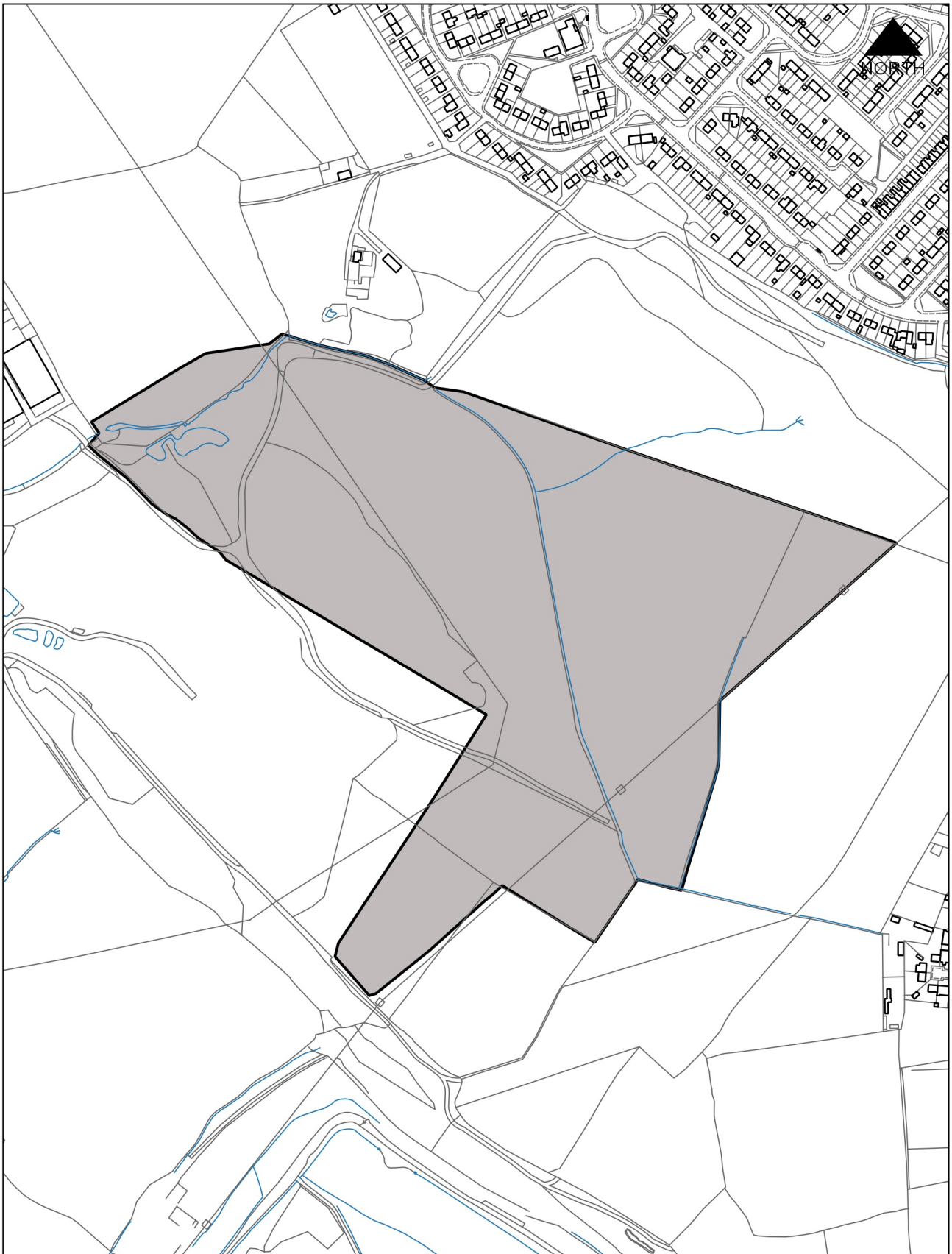
Application 17/0973/FULL - Continued

- 06) Within one month of the date of this permission a scheme and programme of measures for the suppression of dust, shall be submitted for the approval of the Mineral Planning Authority. The scheme shall include:
- (a) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site;
 - (b) The fitting of drilling rigs with efficient dust control measures;
 - (c) Dust suppression on haul roads, including speed limits;
 - (d) The provision of dust collection and storage facilities;
 - (e) Provision for monitoring and review of the scheme;
- Such scheme shall be implemented and complied with at all times during the construction of the bund.
- REASON: To protect the amenities of the locality from the effects of any dust arising from the development.

Advisory Note(s)

Please find attached the comments of Natural Resources Wales, Rights of Way Officer and Senior Engineer (Land Drainage) that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP5, CW15, SP6, SP8, CW2, CW4, CW%, CW22 and CW23.



Eitem Ar Yr Agenda 5

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'd.....

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'd....

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'd....

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. Following receipt of a Chimney Height Assessment (Environmental Visage, June 2018).

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'd....

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'd....

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'd....

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 received the information supplied by the applicant, and has raised no objection. 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'd....

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.

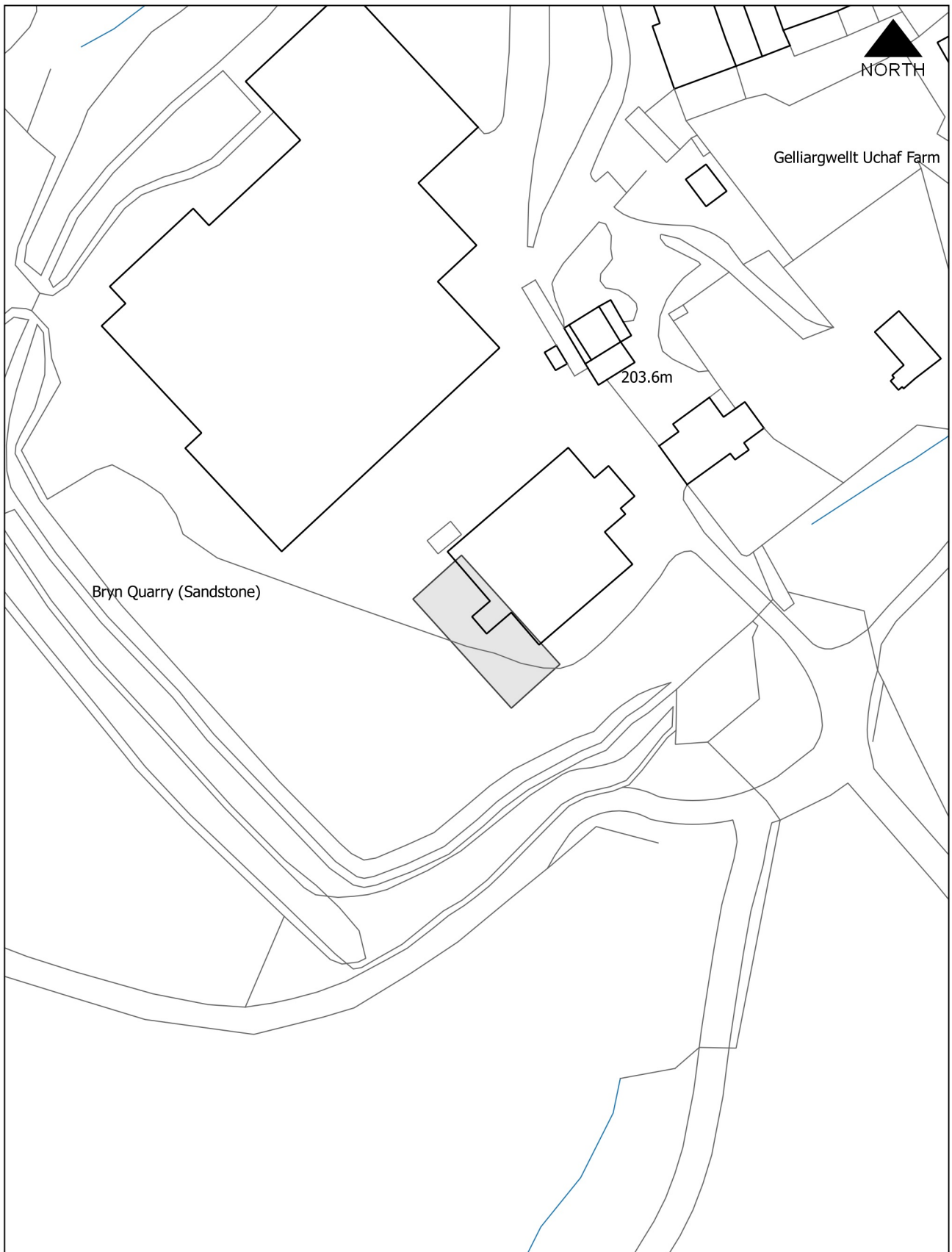
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Application No. 18/0084/RET Continued

- 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 agreed scheme shall be implemented within 6 months of the date of their agreement.
- 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.



Eitem Ar Yr Agenda 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0655/NCC 24.07.2018	Mrs J Haggerty 87 Bedwellty Road Cefn Fforest Blackwood NP12 3HB	Vary condition 02 of planning permission 17/0308/FULL (Erect two-storey extension to the rear of the property) to increase size of extension 87 Bedwellty Road Cefn Fforest Blackwood NP12 3HB

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application property is located on the western side of Bedwellty Road, Cefn Fforest.

House type: Two storey semi-detached property with a garden to the front and rear.

Development: Full planning permission is sought to erect a two storey extension at the rear of the property. The extension will provide an enlarged kitchen/diner at ground floor and an enlarged bedroom and bathroom at first floor.

Dimensions: The proposed two storey extension measures 4.9 metres in width by 3.8 metres in depth with a height of 5.0 metres to the eaves and 6.6 metres to ridge height. The application is reported to Planning Committee because the agent is related to a member of staff in Planning.

Materials: To match existing.

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

PLANNING HISTORY 2005 TO PRESENT

17/0308/FULL - Erect two-storey extension to the rear of the property - Granted 16.06.17.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Cont'd.....

Application No 18/0655/NCC 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 LDP 7: Householder Developments (January 2017).

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

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

COAL MINING LEGACY

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

CONSULTATION

None.

ADVERTISEMENT

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

Response: No representations were received at the time of writing the report, any subsequent representations will be reported to Members verbally.

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

Cont'd.....

Application No 18/0655/NCC 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: The application seeks to vary Condition (02) of application no. 17/0308/FULL to amend the depth of the two storey extension as approved on 16.06.2017. As with any application for the amendment of a scheme the main consideration is whether there has been any material change since the original planning consent in 2017.

The suitability of a two storey extension to the rear elevation of 87 Bedwellty Road, Cefn Road remains unchanged in policy terms. However, consideration needs to be given as to whether the increase in depth of the two storey extension is acceptable in terms of its design and whether there would be any detrimental impact to the occupiers of the adjoining dwelling (no. 85 Bedwellty Road).

In design terms, the proposed two storey extension is considered to be acceptable in terms of its fenestration, roof design and materials. In terms of the impact that the development would have upon the neighbouring dwellings, advice contained in Supplementary Planning Guidance LDP7: Householder Development is of relevance. In particular, Guidance Note 2 of Supplementary Planning Guidance LDP7: Householder Development (2017) states:

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

Cont'd.....

Application No 18/0655/NCC Continued

In terms of the proposed 1.05 metres increase in depth at ground floor to what was previously approved, this remains commensurate with what can be built under permitted development and therefore accords with the above guidance. Furthermore the extension would be screened by the existing single storey kitchen/bathroom extension at the application property. It should also be noted that the adjoining property (no. 85 Bedwellty Road) also benefits from a single storey adjacent to the common boundary and measures approximately 5.5 metres in depth. As such it is not considered that there will be any adverse impact to the adjoining occupier.

In terms of the first floor element, this would also reflect the dimensions at ground floor, whereby the resulting extension would measure 3.8 metres in depth from the rear wall of the dwelling. It is acknowledged that there would be some slight interference with the theoretical 45 degree rule and there is also a first floor habitable room window near the common boundary. However, given that the neighbouring property of no. 85 also benefits from a single storey rear extension and having regard to the orientation of the existing pair of semi-detached dwellings, it is considered that the overall increase in depth of the extension at first floor level would have an impact no different to the existing situation or what was previously approved. As such it is not considered that there would be a significant adverse impact upon the amenity of the neighbouring property.

In terms of the impact that the development will have on the character of the surrounding area, it is considered that the proposed two storey extension will integrate well with the host dwelling and street scene subject to a condition imposed to any permission ensuring matching materials are used in the external surfaces of the development. In conclusion the proposed two storey extension accords with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Comments from consultees: None.

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'd.....

Application No 18/0655/NCC Continued

Living Decision Document:

Condition 02 of consent 17/0308/FULL has been varied by consent 18/0655/NCC dated 16.08.2018 granted by Caerphilly County Borough Council in respect of revised elevations and floor plans received on 24.07.2018.

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 on 24.07.2018;
Proposed Elevations received on 24.07.2018;
Proposed Ground Floor and First Floor Plan received on 24.07.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
REASON: In the interests of the visual amenities of the area.

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.

Cont'd.....

Application No 18/0655/NCC Continued

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).



Gadewir y dudalen hon yn wag yn fwriadol

Eitem Ar Yr Agenda 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0580/NCC 15.06.2018	Mr M Pullen 4 Glyn Terrace Fochriw Bargoed CF81 9JP	Vary condition 01 of planning consent 12/0376/FULL (Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings) to extend the time to implement the development by a further 5 years Land At Grid Ref 314499 200312 Adjacent To 128 - 134 Llancayo Street Bargoed

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application site is located at the north-western end of Llancayo Street, Bargoed.

Site description: The rectangular shaped area of vacant land is situated on the valley side and located at the north-west end of Llancayo Street. The site is bounded along its south-west, upper boundary by a single track lane, serving the rears of terraced dwellings located along Llancayo Street and also providing access to Graig Farm situated to the north west of the site. The site is bounded to the north east, (the lower section of the site) by a shared access lane leading off Llancayo Street and serving detached residential bungalows. An end of terrace property is located to the south east of the site. There is a level difference of some 27 metres between the top and bottom of the site which slopes upwards from Llancayo Street.

The site is covered in bracken and birch scrub with a small area of young birch woodland within the centre of the site and a small area of acid grassland/rock outcrop on the upper slope. The site is also bordered by Nant Bargoed Rhymney Site of Interest for Nature Conservation (SINC) along part of the northern site boundary.

Vehicular access to the site is proposed off Llancayo Street via an existing single track road. The internal site road would lead off the track and would be cut into the slope of the land to gain access to the dwellings that are located towards the upper levels of the site.

Cont'd.....

Application No 18/0850/NCC Continued

Development: Planning permission is sought to vary Condition 1 of Planning Permission 12/0376/FULL to allow a further 5 years to commence the approved development. The 2012 full planning permission was for the construction of one 4-bedroom and one 3-bedroom dwelling including outbuildings adjacent to 128- 134 Llancayo Street, Bargoed. The development includes 4 attached stables to the 4-bedroom dwelling and an enclosed courtyard. The three bedroom dwelling also has a courtyard to the front of the site. The development also includes off street parking provision on hardstandings adjacent to each property.

The application is reported to Planning Committee because the applicant is employed by the Council.

Dimensions: The split level, 4 bedroom dwelling has a maximum footprint of 13.2m x 14.2m x 7.9m high ridged roof, with attached stables having a maximum footprint of 10m x 7.2m x 2.5m high with a flat roof. The internal layout of the dwelling comprises 2 bedrooms, a snug, wet room and utility room on the ground floor and a kitchen/diner, living room, 2 bedrooms, one with en-suite and a bathroom on the first floor. The attached stable block comprises 4 stables. The design of the dwelling includes 4 cantilevered balconies on the north and east elevations.

The split level, three bedroom, dormer style, dwelling has a maximum footprint of 8.6m x 8.4m x 7.5m high with a ridged roof. The internal layout of the dwelling comprises 2 bedrooms, one with en-suite and a bathroom on the first floor and an open plan kitchen, diner, living room, bedroom and cloakroom on the ground floor.

Materials: Walls would be finished in a mixture of cedar boarding, slate hanging and random natural stone slips. Roof would be finished in a mixture of standing seam and single ply membrane (hidden roof). Windows and doors would be an aluminium/timber composite. Boundary treatments would be dry stone walling or close board fencing.

Ancillary development, e.g. parking: Six off-street parking spaces.

PLANNING HISTORY 2005 TO PRESENT

P/04/1647 - Erect residential development. Refused 24.06.2005.

12/0376/FULL - Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings. Granted 06.09.2013.

Cont'd.....

Application No 18/0580/NCC Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 (Car Parking Standards), LDP6 (Building Better Places to Live), LDP8 (Protection of Open Space).

NATIONAL POLICY Planning Policy Wales (9th Edition), 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

Rights Of Way Officer - Provides advice to the developer regarding Footpath 52 that passes the application site.

Ecologist - The same ecology condition should be attached to the permission as the 2012 permission.

Landscape Architect - A tree survey should be submitted in support of the application.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Cont'd.....

Application No 18/0580/NCC Continued

Minerals Officer - No objections.

CADW - No objection.

Dwr Cymru - Provides advice to the developer.

Gwent Wildlife Trust - No comments.

ADVERTISEMENT

Extent of advertisement: Seven neighbouring properties were consulted 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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? New residential development is CIL liable. However, as the application site is located in the Lower Viability CIL zone, the chargeable amount for the development would be £0.

ANALYSIS

Policies: The application seeks to vary Condition 1 of Planning Permission 12/0376/FULL, to extend the period of time to commence the development, i.e. 'Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings at land adjacent to 128 - 134 Llancayo Street, Bargoed', by a further 5 years.

The application site remains within the settlement boundary, and the Adopted Caerphilly Local Development Plan remains as the primary local planning policy document, and therefore the primary planning considerations remain the same.

Cont'd.....

The site is constrained in development terms as it is served by a private drive linking it to the adopted highway, i.e. Llancayo Street. As three existing properties are served off this private drive, no more than two dwellings would be allowed on the application site based on current generally accepted standards for private drives. There are no other highway concerns subject to conditions.

Policy CW2 (Amenity) of the Local Plan states that

"Development proposals must have regard to all relevant material planning considerations in order to satisfy the following requirements:

A - there is no unacceptable impact on the amenity of adjacent properties;

B - the proposal would not result in overdevelopment 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."

There is residential development to the north east and south east of the site with open land to the south west and north west. The proposed two dwellings are compatible with those land uses and therefore complies with C and D above.

The density of the development is very low, would not result in over development of the site, and therefore meets the requirements of B above.

It is considered that the development would not result in an unacceptable impact on the amenity of the residential properties adjoining the application site and that the requirements of A above are met. The impact on amenity is dealt with further in the section below on comments from the public.

Policy SP6 of the local plan states

"Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through:

A. An appropriate mix of uses that reflect the role and function of settlements.

B. A high standard of design that reinforces attractive qualities of local distinctiveness.

C. Design in accordance with best practice in terms of designing out crime.

D. A location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all.

E. The incorporation of resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate the use of sustainable drainage systems.

F. The efficient use of land, including higher densities where development is close to key transport nodes.

G. The incorporation and enhancement of existing natural heritage features.”

With regard to Criterion A above, the development of this site for two houses reflects the role and function of this area of Bargoed, which is predominantly residential and within the settlement boundary.

Criterion B of Policy SP6 considers design. In this respect, when considering the local context, the proposed houses are contemporary and do not reflect the traditional design of terraced housing along the northern side of Llancayo Street or the more contemporary style of 20th century, semi-detached houses, along the southern side of Llancayo Street. However, the proposed design of the houses has been determined by the semi-rural character and topography of the site, together with its orientation. In this respect the proposed dwellings are split level, cut into the valley side in order to reduce the visual impact of the development on the steep valley side. The use of natural materials in the external finishes of the dwellings together with the retained and proposed landscaping will ensure that the dwellings do not result in a prominent development on this valley side. The amount of development is low density and the footprint of each house has been kept to a minimum in order to reduce the impact on this parcel of land and surrounding properties. Hard landscaping has been kept to a minimum in order to retain the rural character of this valley side and in order to prevent excessive surface water run-off to the land below.

Criterion C of Policy SP6 considers the issue of designing out crime and in this respect the applicant has indicated that the development will reflect 'Secure By Design' aims and principles.

The sustainable principles of the site are good, given the proximity of local facilities to the site as well as good public transport. Vehicle and pedestrian access to the site already exists but will be developed in order to facilitate the development. Individual access will be provided in respect of each dwelling. Off-street parking provision and turning facility is provided in respect of each dwelling. In terms of design it is considered that access to each dwelling for both able and disabled persons have been considered and are incorporated into the design of each new dwelling. In this respect it is considered that the proposed development meets the requirements of Criterion D of Policy SP6.

With regard to Criterion E of Policy SP6, each dwelling will be constructed in accordance with modern Building Regulations which encompass energy efficient building methods and materials technology.

Cont'd.....

Application no 18/0580/NCC Continued

The development of this land for two residential dwellings makes the most efficient use of the land in a sustainable location and thus meets the requirements of criterion F of Policy SP6 above.

With regard to Criterion G of Policy SP6, the development of the site has been considered in the context of its rural setting on the prominent valley side. Hard landscaping has been kept to a minimum and existing landscaping will be maintained or enhanced as appropriate. It is also considered appropriate to attach a condition to any consent removing permitted development rights in respect of any extensions, outbuildings or means of enclosure of the site in order to retain as much as possible of the semi-rural landscape.

As the site is within settlement limits, an Open Space Assessment (OSA) in line with policy CW7 and the accompanying SPG LDP8: Protection of Open Space has been undertaken. The OSA highlights that there is still sufficient recreational amenity and visual amenity space in the area, should the site be developed. Furthermore, the site itself is not easily accessible and would not be useable in terms of recreational amenity. Therefore, there are no concerns arising from the perspective of policy CW7.

Comments from Consultees: No objection subject to conditions.

Comments from public: None.

Other material considerations: Renewals of planning permission should usually be granted unless there has been a material change in planning circumstances in the relation to the proposal. There has been no change that would affect the acceptability of this scheme in principle. However, elsewhere on this agenda, a planning application is reported for two houses on a smaller part of this site also accessed off Llancayo Street (reference 18/0582/OUT). The layouts of the schemes are such that if both permissions were granted, both could be implemented which would result in a poor relationship between the resulting four houses, and more than five houses served off a private drive. The recommendation below is therefore subject to the applicant entering in to a section 106 agreement to only implement one of the consents.

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

Cont'd.....

Application no 18/0580/NCC Continued

Recommendation that (A) the decision is deferred to allow the applicant to enter into a Section 106 Agreement to implement only one consent as set out in the above report. On completion of the Agreement (B) that Planning Permission is Granted 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 05.03.2013 (in connection with planning permission 12/0376/FULL);
House Type A Lower Ground Floor Plan received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type A Ground Floor Plan received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type A Elevations received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type B Sections received 15.05.2018 (in connection with planning permission 12/0376/FULL);
House Type B Floor Plans received 15.05.2018 (in connection with planning permission 12/0376/FULL);
Proposed Site Plan received 09.07.2013 (in connection with planning permission 12/0376/FULL).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification, access to the two dwellings and the stables hereby granted consent shall at all times be from Llancayo Street only. No vehicular access, including construction traffic delivering materials during the construction of any part of the development, shall be gained from the lane which lies to the south-west of the site.
REASON: In the interests of 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.

Cont'd.....

Application no 18/0580/NCC Continued

- 05) The proposed private driveway shall have a minimum gradient not exceeding 12.5% (1 in 8) and shall include a suitable turning facility the details of which shall have first been agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety.
- 06) The proposed private driveway shall be not less than 4.1m wide.
REASON: In the interests of highway safety.
- 07) Use of the stables shall be limited to being ancillary and incidental to the dwellings hereby approved and for no commercial purposes.
REASON: To maintain effective control over the stables and also in the interest of highway safety.
- 08) Prior to the first use of the stables hereby approved a scheme for the storage of foodstuffs, and the storage and disposal of waste and manure shall be implemented in accordance with details that shall be agreed in writing with the Local Planning Authority.
REASON: To prevent pollution.
- 09) Before any soils or hardcore are brought on to site a scheme for its importation and testing for contamination, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 10) Unless otherwise agreed in writing with the Local Planning Authority, prior to vegetation clearance works being undertaken in connection with the construction of the properties and associated access works, details of the timing of the habitat manipulation and reptile mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be strictly complied with.
REASON: To ensure that reptiles and nesting birds are protected.
- 11) Unless otherwise agreed in writing with the Local Planning Authority works related to the clearance of vegetation and reptile mitigation measures shall be undertaken in accordance with Section 5 of the Merlin Biosurveys Reptile Survey 2012.
REASON: To ensure that reptiles and nesting birds are protected.

Cont'd.....

Application no 18/0580/NCC Continued

- 12) 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 into the new buildings and nesting provision for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented before the new dwellings and stables hereby approved are first occupied.
REASON: To provide additional roosting for bats and nesting provision for birds as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 13) 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.
- 14) Notwithstanding the submitted details, prior to the commencement of any works on-site, engineering details of the design and materials to be used in the construction of the private internal site access driveway, including any retaining walls, together with any associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the internal site access driveway shall be constructed in accordance with the approved details prior to the commencement of works in association with the construction of the two dwellings hereby approved.
REASON: In the interests of the visual amenity of the area.
- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of amenity.
- 16) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.

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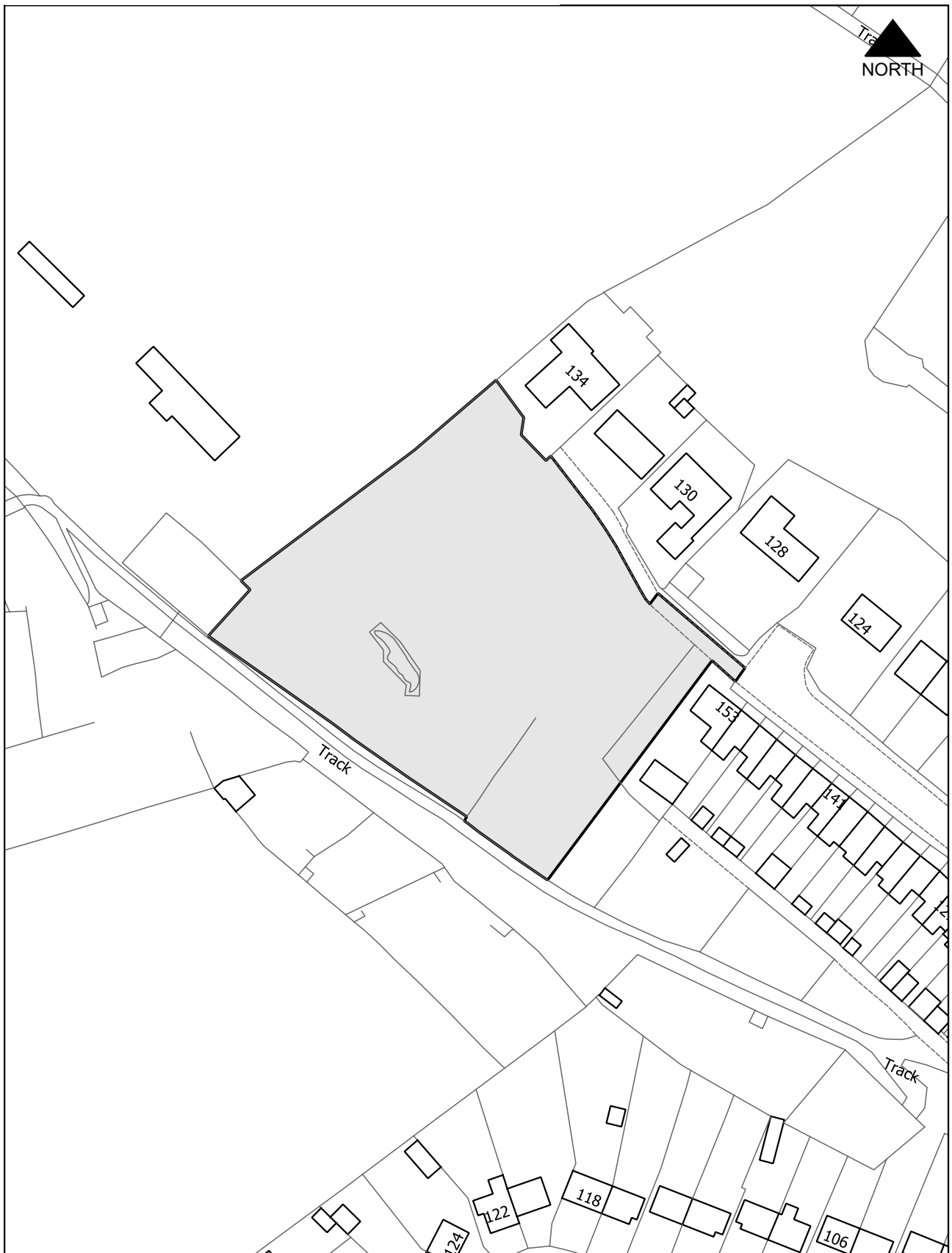
Application no 18/0580/NCC Continued

- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 18) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.
- 19) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area.
- 20) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area.

Advisory Note(s)

Please find attached the comments of Welsh Water, The Senior Engineer (Land Drainage), CADW 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.



Eitem Ar Yr Agenda 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0582/OUT 03.07.2018	Mr M Pullen 4 Glyn Terrace Fochriw Bargoed CF81 9JP	Erect residential development of two dwellings Land At Grid Ref 314499 200312 Adjacent To 128 - 134 Llancayo Street Bargoed

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is located at the north-western end of Llancayo Street, Bargoed.

Site description: The rectangular shaped area of vacant land is situated on the valley side and located at the north-west end of Llancayo Street. The site is bounded along its south-west, upper boundary by a single track lane, serving the rears of terraced dwellings located along Llancayo Street and also providing access to Graig Farm situated to the north west of the site. The site is bounded to the north east, (the lower section of the site) by a shared access lane leading off Llancayo Street and serving detached residential bungalows. An end of terrace property is located to the south east of the site. There is a level difference of some 27 metres between the top and bottom of the site which slopes upwards from Llancayo Street.

Development: Outline planning permission is sought for the residential development of two detached dwellings in the south-east corner of the parcel of land. The access point to the site is in the south-east corner of the site, off a short section of lane that connects with Llancayo Street. All matters are reserved for subsequent approval. The application is reported to Planning Committee because the applicant is employed by the Council.

Dimensions: Upper and lower limits for height, width and length of each building: Width: 7.0 - 11.0 metres; Depth: 6.0 - 10.0 metres; Height: 7.0 - 13.0 metres.

Materials: Not specified.

Cont'd.....

Application No 18/0582/OUT Continued

Ancillary development, e.g. parking: No information provided. To be controlled at reserved matter stage.

PLANNING HISTORY 2005 TO PRESENT

P/04/1647 - Erect residential development. Refused 24.06.2005.

12/0376/FULL - Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings. Granted 06.09.2013.

18/0580/NCC - Vary condition 01 of planning consent 12/0376/FULL (Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings) to extend the time to implement the development by a further 5 years. Pending.

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 (Car Parking Standards), LDP6 (Building Better Places to Live), LDP8 (Protection of Open Space).

NATIONAL POLICY Planning Policy Wales (9th Edition), 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

Landscape Architect - Requests a tree survey given the presence of numerous trees on site.

Cont'd.....

Application No 18/0582/OUT Continued

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - Provides advice to the developer.

Ecologist - The same conditions should be attached to any permission as were attached to the previous consent of the site in the interests of biodiversity.

ADVERTISEMENT

Extent of advertisement: Seven neighbouring properties were consulted 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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? New residential development is CIL liable. However, this will be calculated at reserved matters stage. The site is located in the Lower Viability CIL zone where the chargeable rate is currently £0.

Cont'd.....

ANALYSIS

Policies: The application site is located within the settlement boundary and therefore the principle of residential development is considered to be acceptable subject to all material planning considerations. The site also benefits from an extant planning permission for two detached dwellings (Ref: 12/0376/FULL). The proposed development differs from the previous permission on the site in that the current application proposes two detached dwellings in the south-east corner of the site at a significantly lower level on the slope than those approved in 2012.

The site is constrained in development terms as it is served by a private drive linking it to the adopted highway, i.e. Llancayo Street. As three existing properties are served off this private drive, no more than two dwellings would be allowed on the application site based on current generally accepted standards for private drives.

In terms of the proposed development it is considered that the dwellings have been appropriately sited on the application site so they are well related to the existing urban form. The dwellings are of an appropriate scale and layout, and subject to detailed design at reserved matters stage should sit comfortably within the existing landscape. Access to the proposed dwellings will be via a new access drive that cuts across the front of the dwellings. Given the challenging levels onsite this access will likely require significant retaining works. However, with good design and suitable landscaping, there is no reason this element should have a detrimental impact in visual amenity terms. Furthermore, it is not considered that the proposed dwellings will detract from existing levels of residential amenity by virtue of any overbearing or overlooking impact. For these reasons the development accords with Policy CW2 of the adopted Caerphilly Local Development Plan.

As the site is within settlement limits, an Open Space Assessment (OSA) in line with policy CW7 and the accompanying SPG LDP8: Protection of Open Space has been undertaken. The OSA highlights that there is still sufficient recreational amenity and visual amenity space in the area, should the site be developed. Furthermore, the site itself is not easily accessible and would not be useable in terms of recreational amenity. Therefore, there are no concerns arising from the perspective of policy CW7.

The Transportation Engineering Manager raises no objection to the proposed development subject to conditions, and therefore the proposal is considered to comply with the requirements of Policy CW3 (Highway Safety). For the reasons outlined above, the proposed development is considered to be acceptable in planning terms subject to conditions.

Cont'd.....

Application No 18/0582/OUT Continued

Comments from consultees: No objection subject to conditions and advice. With regard to the landscape comments, the trees are not protected by a Tree Preservation Order, appear to be relatively immature and of low value, and the proposed dwellings are to be sited away from the more heavily wooded section of the site, and therefore a tree survey is not considered necessary in this instance.

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) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont'd.....

Application No 18/0582/OUT Continued

- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development shall be carried out in accordance with the following approved plans and documents:
Proposed Site Plan received 27.06.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) 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.
- 07) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification, access to the two dwellings hereby granted consent shall at all times be from Llancayo Street only. No vehicular access, including construction traffic delivering materials during the construction of any part of the development, shall be gained from the lane which lies to the south-west of the site.
REASON: In the interests of highway safety.
- 09) The proposed private driveway shall have a minimum gradient not exceeding 12.5% (1 in 8) and shall include a suitable turning facility the details of which shall have first been agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety.
- 10) The proposed private driveway shall be not less than 4.1m wide.
REASON: In the interests of highway safety.

Cont'd.....

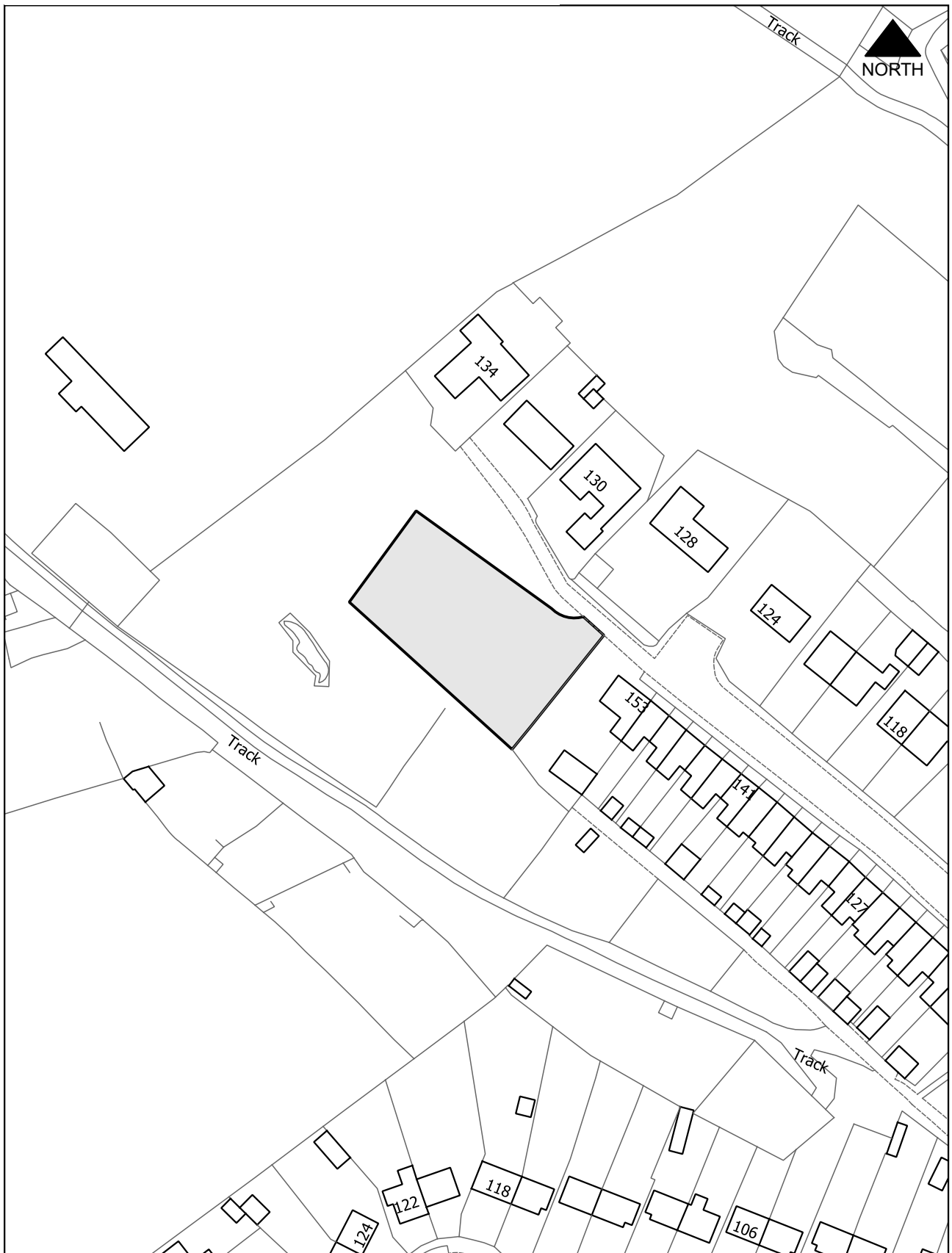
Application No 18/0582/OUT Continued

- 11) Unless otherwise agreed in writing with the Local Planning Authority, prior to vegetation clearance works being undertaken in connection with the construction of the properties and associated access works, details of the timing of the habitat manipulation and reptile mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be strictly complied with.
REASON: To ensure that reptiles and nesting birds are protected.
- 12) Unless otherwise agreed in writing with the Local Planning Authority works related to the clearance of vegetation and reptile mitigation measures shall be undertaken in accordance with Section 5 of the Merlin Biosurveys Reptile Survey 2012 submitted in connection with planning application 12/0376/FULL.
REASON: To ensure that reptiles and nesting birds are protected.
- 13) Notwithstanding the submitted details, prior to the commencement of any works on-site, engineering details of the design and materials to be used in the construction of the private internal site access driveway, including any retaining walls, together with any associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the internal site access driveway shall be constructed in accordance with the approved details prior to the commencement of works in association with the construction of the two dwellings hereby approved.
REASON: In the interests of the visual amenity of the area.

Advisory Note(s)

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

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



Eitem Ar Yr Agenda 9

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 assumed capacity of up to 1.75 MW. The submitted turbine type has a maximum overall tip height of 93m, hub height of 60m, 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.

PLANNING HISTORY 2005 TO PRESENT

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

Cont'd.....

Application No 17/0864/FULL Continued

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. Makes the following comments:

"I would agree with the assessments submitted with the application concluding that development within the site would have a small effect on the agricultural setting of the Grade II listed Gelli Farmhouse and attached farm range (21259), which lies some 425m to the northeast of the site. The effect of the proposed development would therefore, be of a very low level and concludes that the effects of the proposed development on heritage assets are such that they are not judged to constitute harm to the heritage significance of any identified assets."

Joint Radio Company Limited - No objection.

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

Cont'd.....

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.

Strategic & Development Plans - No objection.

Police Liaison - Transport - No comments.

Ministry Of Defence - No objection.

Dwr Cymru - Provides advice to the developer.

Natural Resources Wales - Raises concerns regarding protected species.

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

Joint Radio Company Limited - No objection.

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

Head Of Public Protection - No objection subject to conditions.

Landscape Architect - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Cont'd.....

Application No 17/0864/FULL Continued

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: 37 objection letters have been received as well as two separate petition signed by a total of 128 residents. A letter of objection was also received from the AM for the area.

A letter of support was received from the neighbouring factory owner stating

"In order to achieve our emissions reductions targets we need to take advantage of all opportunities to reduce our reliance on burning of fossil fuels which leads to reduction of associated GHG (greenhouse gas) emissions."

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.

Cont'd.....

Application No 17/0864/FULL Continued

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.

ANALYSIS

Policies: The application was originally reported to Planning Committee on the 18th April 2018 with a recommendation for refusal. However, the application was not heard at the April Planning Committee, and subsequently amended plans have been submitted reducing the overall height of the proposed turbine from 113 metres to tip height down to 93 metres to tip height. This significant reduction in the overall height of the proposed turbine warranted reconsideration. The reason for the reduced overall height was to address Officer's concerns that the scheme as original proposed would be detrimental to residential amenity by virtue of the overall height of the proposed turbine.

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 on the updated Landscape and Visual Impact Assessment that was submitted in connection with the amended scheme:

Cont'd.....

“In light of the reduction in height of the proposed wind turbine from 113m to 93m, I have reviewed the revised Landscape and Visual Impact Assessment (LVIA) submitted and accompanying montages and would like to make the following observations.

Landscape and visual sensitivity in relation to the three existing very large scale turbines

Initially I had concerns over the scale of the proposed (large) 93m high turbine's height in relation to existing (very large) turbines. As outlined in the SPG Caerphilly County Borough Smaller Scale Wind Turbine Development Landscape Sensitivity and Capacity Study, Final Report November 2015 Part 2, within which the application site falls into LANDSCAPE UNIT 5: Greater Blackwood, the capacity study highlights the importance that the proposed turbine's scale in relation to the existing turbine cluster located on the Oakdale plateau, within which this new turbine would be viewed as part of this existing group.

Having studied the revised LVIA and all revised montages submitted, notably Viewpoint 1 - Pen y fan Pond Country Park and Viewpoint 2 - The Hollies, Oakdale, I concur with the LVIA that the reduced height turbine although lower in overall height, will not be significantly smaller in scale and therefore would be seen as an acceptable, reasonable balanced extension. The turbine would be seen as (providing that the turbine blades remain similar in size to the existing Pen y fan turbine) to be just within the limit of being in proportion to the existing (very large) turbines. It is worth also worth noting that the scale is assisted by the proposed turbine being located topographically higher than the existing nearest Pen y fan turbine.

Visual Assessment - Level of Effects

Having assessed the visual impact on the nearby 8 viewpoints including the sensitive residential receptors, I would take issue with the LVIA's revised generally low assessment of the visual impact on the viewpoints and communities as whole and notably at the following locations:

Trinant & Pentwyn (Trinant Terrace, Pentwyn Terrace and Philip Street)

Impact on sensitive residential receptors

Having studied the revised LVIA and accompanying montages, in relation to the reduced height turbine of 93m, and having been to site to visit notably Viewpoint 7 located adjacent to 16 Pentwyn Terrace and the additional Viewpoint 8 located adjacent to 33 Pentwyn Terrace, along with other publically accessible areas within the settlement of Pentwyn and Trinant that afford views of the proposed Parkway Turbine, it is apparent that my concerns related to the unacceptable adverse visual impact that the previously proposed 113m height turbine had on the sensitive visual receptors will be reduced as a result of the amended turbine height.

Cont'd.....

Application No 17/0864/FULL Continued

As a result the proposed turbine should appear less dominant and the overbearing visual nature will be reduced by the lower turbine height (as illustrated in the cumulative photomontage at viewpoint 7 and 8). In addition, existing buildings and vegetation when in leaf should assist to screen and filter views of the 93m high turbine and limiting views primarily to upper floors. I also acknowledge that views would be filtered and reduced by deciduous vegetation to an extent, landform and building orientation. I accept that that the majority of ground level views to the turbine would be either screened or filtered by buildings and small number of trees in the local area. However, there would still remain potential for visibility from first floor windows of properties that are orientated facing to the west, to the turbine blades, above the intermediate skyline. In addition, filtering and screening afforded by the deciduous trees and woodland will be subject to seasonal variation, as when not in leaf, during the winter months, trees will no longer provide screening and at best only filter views with a result in increased visibility and adverse visual impact during the late autumn through to the spring.

Therefore, as residential properties located on Trinant Terrace, Pentwyn Terrace and Philip Street are likely to experience views, all be it restricted of the turbine, I would take issue with the overall assessed by the LVIA as minor-neutral level of visual effect on the community, which given the fact that the turbine upper elements and blades will be visible particularly in the winter months when trees are not in leaf, a more accurately assessed would result in a moderate adverse visual effect.

Viewpoint 7 located adjacent to 16 at Pentwyn Terrace

I concur with the LVIA's revised assessment that the level of visual effect will be major - moderate adverse from Viewpoint 7 and representative of the upper part of the community and an acceptable visual effect, taking into account the buildings' orientation, season filtering and screening views, reduced height of turbine and uninterrupted views mainly being limited to upper floors.

Viewpoint 8 located adjacent to 33 Pentwyn Terrace

I however, do not concur with the LVIA's assessment that the level of visual effect will be minor for this location and would assess this as minor-moderate adverse for properties afforded seasonal screening and filtering but major - moderate adverse for properties that would not benefit from woodland screening. I would however, not see this as significant visual effect, taking into account the small number of residential properties likely to experience adverse effects, as any uninterrupted views likely being limited to upper floors.

Cont'd.....

Conclusion Residential Visual Impact

Overall I conclude that the proposed 93m turbine would have a reduced adverse visual effect on the residential area of Trinant and Pentwyn and that the majority of adverse impact is primarily limited to upper floor windows. Despite the relative close visibility from residential visual receptors represented by Viewpoints 1, and 2, 7 and 8 that they would not be considered to experience visual effects of a significant adverse nature overall. However, some localised significant visual impact may still be experienced but these will generally be limited and not significant enough to sustain a substantial objection to this revised turbine height.

Cumulative Assessment

In relation to cumulative assessment the Landscape and Visual assessment submitted as part of this application assesses the cumulative effect of the proposed revised to 93m high turbine. The assessment covers operational turbines and those under construction in the base line and effects section, further assessment has been undertaken with reference to turbines with a hub height of greater than 50m, which were either constructed, approved or within the planning system at the date of the application Figure 6.11. Cumulative Wind Sites Location Plan (15km) illustrates this. In addition, Cumulative wireframes and cumulative montages have been produced and referenced to the eight photo-viewpoints in the report. The LVIA concludes that overall the addition of the Parkway turbine, in conjunction with other cumulative developments, is considered to result in an indiscernible additional cumulative change to the cumulative view, with which I concur.

Special Landscape Areas

With regard to Caerphilly County Boroughs Special Landscape Areas, this development is still visible from this distinctive rural landscape, which the council policy is to protect from inappropriate development and encroachment. In this particular case the proposed turbine although visible from within visually highly sensitive Special Landscape Areas, the closest being Viewpoint 4 Gelligaer Common the change in the view was assessed by the LVIA at minor adverse, as the change is not seen as significant due to the distance of over 5km, and also due to the presence of the three existing very large turbines on the Oakdale plateau. Although reduced to 93m in height the proposed turbine would still be seen as within scale, of a similar design and located within the existing baseline views, and therefore be seen as part of this cluster and not have an significant effect on the SLA."

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 not have an unacceptable impact on visual or residential amenity to a degree to warrant a refusal of planning permission.

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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.

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.

Cont'd.....

Application No 17/0864/FULL Continued

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."

Further to the submission of the amended scheme, the Council's Ecologist made the following comments.

"The proposed reduction in height of the turbine may potentially increase the likelihood of the end of the turbine blades being closer than 50m from the western and southern boundaries of the site. My previous comments and associated condition with regards to position of the turbine blade tips to be more than 50m from these two features remain valid."

This buffer requirement will be controlled by way of relevant Condition.

In relation to protected bird species, reptiles and mammals, the Council's Ecologist made the following comments.

"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. 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.

Cont'd.....

Application No 17/0864/FULL Continued

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 on the originally submitted scheme.

"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.

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.

Cont'd.....

Application No 17/0864/FULL Continued

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."

Further to the submission of the revised scheme, an updated noise assessment was submitted. In response to this assessment the Head of Public Protection raises no objection but would recommend all previously submitted comments still apply, but the condition stating noise levels is replaced to relate to the information contained in the updated Noise Assessment undertaken by Hayes McKenzie Acoustic Consultants.

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.

THE NEED FOR RENEWABLE ENERGY

Concerns have been raised by the area's 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'. Within both documents, the presumption is in favour of a low carbon transition to more renewable energy generation techniques.

Cont'd.....

Application No 17/0864/FULL Continued

The Welsh Government sees renewable energy as key to tackling climate change and increasing prosperity in Wales and is committed to using all possible levers it has to increasing the supply of renewable energy for the benefit of the next generation. The Welsh Government expects local planning authorities to take the initiative in delivering sustainable outcomes for the future.

The former Welsh Government's Minister for Natural Resources wrote to local authorities in Wales setting out his expectations of their role in the Welsh approach to energy creation. He wrote:

"Our vision for future energy generation is based on embracing Wales' abundant renewable energy resources which provide exciting and immediate opportunities. Wales is a green and clever land and we want to ensure, in accordance with the principles set out in the ground breaking Well-being of Future Generations Act, that we address the issue of climate change immediately through the effective deployment of renewable energy technologies."

In September 2017, the Cabinet Secretary for the Environment, Lesley Griffiths, announced new ambitious targets for energy generation in Wales. She outlined that electricity generation from renewables in Wales has trebled since 2010, and last year (2016) provided 32% of the electricity we use. She told Assembly Members she wanted Wales to generate 70 per cent of its electricity consumption from renewable energy by 2030, and that Wales must be able to compete in global low carbon markets, particularly now we face a future outside the EU. The ability to meet our needs from clean energy is the foundation for a prosperous low carbon economy.

As such, there is strong pressure to ensure that renewable energy generation is allowed, subject to all other material planning considerations being satisfied. For this application, it is considered that for the reasons outlined above, those material planning considerations are satisfied.

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.

Cont'd.....

Application No 17/0864/FULL Continued

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 raises 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.

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 - Each case is considered on its merits, and the analysis above concludes that in this case any adverse effects are not so significant as to justify a refusal of planning permission, or to outweigh the need for renewable energy.
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.

Cont'd.....

Application No 17/0864/FULL Continued

7. Inadequacy of submitted ecology report, i.e. 3-hour survey too short - The Council's Ecologist is satisfied with the ecology survey that has 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.
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.

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Other material considerations: In support of the application, the agent submitted information relating to the economic needs for the proposed wind turbine. This letter stated the following:

"The proposed wind turbine is located on land owned by Border Group, a commercial property owner whose tenants together employ some 1,000 people. The Border Group has helped local, national and international companies re-locate to the area bringing with them investment and large-scale employment opportunities. The Border Group are significant contributors to the local economy.

The potential to utilise renewable energy, is a major selling point in the process of attracting and retaining companies as tenants on the Pen-y-Fan Industrial Estate. Businesses are being pressured to reduce their carbon footprint and meet green credentials as they seek to address the causes of climate change, seek to reduce their energy costs and thus safeguard employment. Thermo Fisher, one of Border Group's tenants employing 214 people, are expected to benefit from the renewable energy supply. The company has a Carbon Disclosure Project aimed at reducing the reliance on fossil fuels. Whilst the initial 113m tip turbine proposed was expected to produce 2,733 MWh per annum; the revised 93m tip turbine is still expected to produce 2,567 MWh per annum, which only represents a reduction of 6% of the yield. The revised proposed turbine could therefore still provide 30% of Thermo Fishers electricity requirements.

If businesses are not able to meet their stated green credentials there is the risk they could re-locate to areas with the potential to utilise renewable energy. The proposed Parkway wind turbine will provide low carbon renewable energy, assisting in retaining businesses in the area and thus safeguard employment and investment in the locality.

The need to retain employment at the site is a material planning consideration, and the provision of renewable energy onsite will be beneficial in terms of companies satisfying their environmental targets and retaining such companies within the area."

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

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Application No 17/0864/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:
Noise Assessment prepared by Hayes McKenzie (Consultants in Acoustics) received 05.07.2018;
Drawing No. Figure 2.4A, Typical Wind Turbine Details, received 16.05.2018;
Drawing No. SRE1042/02/01, Location Plan, received 19.10.2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The level of noise from the wind turbine hereby approved shall not exceed the levels those stated in Table 8 of Report HM: 3095_R02_EXT2 submitted on 5th July 2018; when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 04) Should the wind turbine or turbines be identified as operating above the parameters specified in Condition 3 the applicant shall investigate and the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.
REASON: In the interest of the amenity of noise sensitive properties.

Cont'd.....

Application No 17/0864/FULL Continued

- 05) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 06) Following the commission of the wind turbines hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.
- 07) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 08.00 and 18.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interest of residential amenity.
- 08) In the event that the proposed turbine model for installation differs from the machine utilised in the noise information submitted, a revised noise impact assessment report shall be submitted, demonstrating that predicted noise levels indicate likely compliance with the noise condition levels stated in condition 3.
REASON: In the interest of residential amenity.

Cont'd.....

Application No 17/0864/FULL Continued

- 09) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commissioning of the wind turbine hereby approved it shall have been fitted with a control system that automatically shuts down the turbines during times that shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority.
REASON: To control flicker in the interests of the amenity of nearby flicker-sensitive properties.
- 10) No vegetation clearance associated with the development shall be undertaken between the months of March and August unless otherwise agreed in writing with the Local Planning Authority.
REASON: To protect nesting birds.
- 11) Prior to commencement of development a pre commencement badger survey shall be undertaken by a suitably qualified ecologist. The details of the badger survey together with any necessary mitigation measures shall be submitted to the Local Planning Authority for approval. Mitigation measures shall be implemented in accordance with the approved details.
REASON: To safeguard protected species.
- 12) Prior to the commencement of development, details of the type, height and position of the wind turbine to include a distance between blade tips and the nearest tree, shall be provided to the local planning authority for approval. The development shall be carried out in accordance with the agreed details. If by virtue of the final siting position the turbine blade tips are located within 50 metres of the nearest tree that contains bat habitat, before the commissioning of the wind turbines hereby approved, details of bat activity surveys by a competent bat ecologist to monitor foraging and commuting bat activity around the turbines for a minimum of 2 years post-completion of the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed activity surveys shall be carried out unless otherwise agreed in writing by the Local Planning Authority and the results of the surveys shall be submitted to the Local Planning Authority annually along with details of any proposed identified mitigation measures arising from the survey results to be agreed in writing by the Local Planning Authority. The agreed mitigation measures shall thereafter be implemented.
REASON: To provide information on the level of bat activity in close proximity to the turbines and any interaction between foraging bats and the turbine blades, in the interests of biodiversity.

Cont'd.....

Application No 17/0864/FULL Continued

- 13) Notwithstanding the submitted details the development shall not commence until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate full consultation and approval with neighbouring Authorities which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by the South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the hauliers indemnity insurance for approval. The applicant will be required to apply to the Highway Authority for the necessary Temporary Traffic Regulation Order - Section 14 (1) of Road Traffic Regulations Act 1984. Any highway improvements required to the highway network shall also be provided for approval by the Local Planning Authority and be completed prior to delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 14) The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of 25 years from the date of commencement of the development hereby approved or within six months upon their becoming no longer operationally active in the generation of electricity, whichever is the earlier.
REASON: In order to define the extent of the permission hereby granted.
- 15) 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.
- 16) The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.
REASON: In the interests of visual amenity.
- 17) Notwithstanding the submitted plans details of anti collision lighting to be fitted to the turbine shall be submitted for the written approval of the Local Planning Authority prior to any works commencing on site, and thereafter installed in accordance with a timetable agreed as part of those details.
REASON: In the interests of health and safety.

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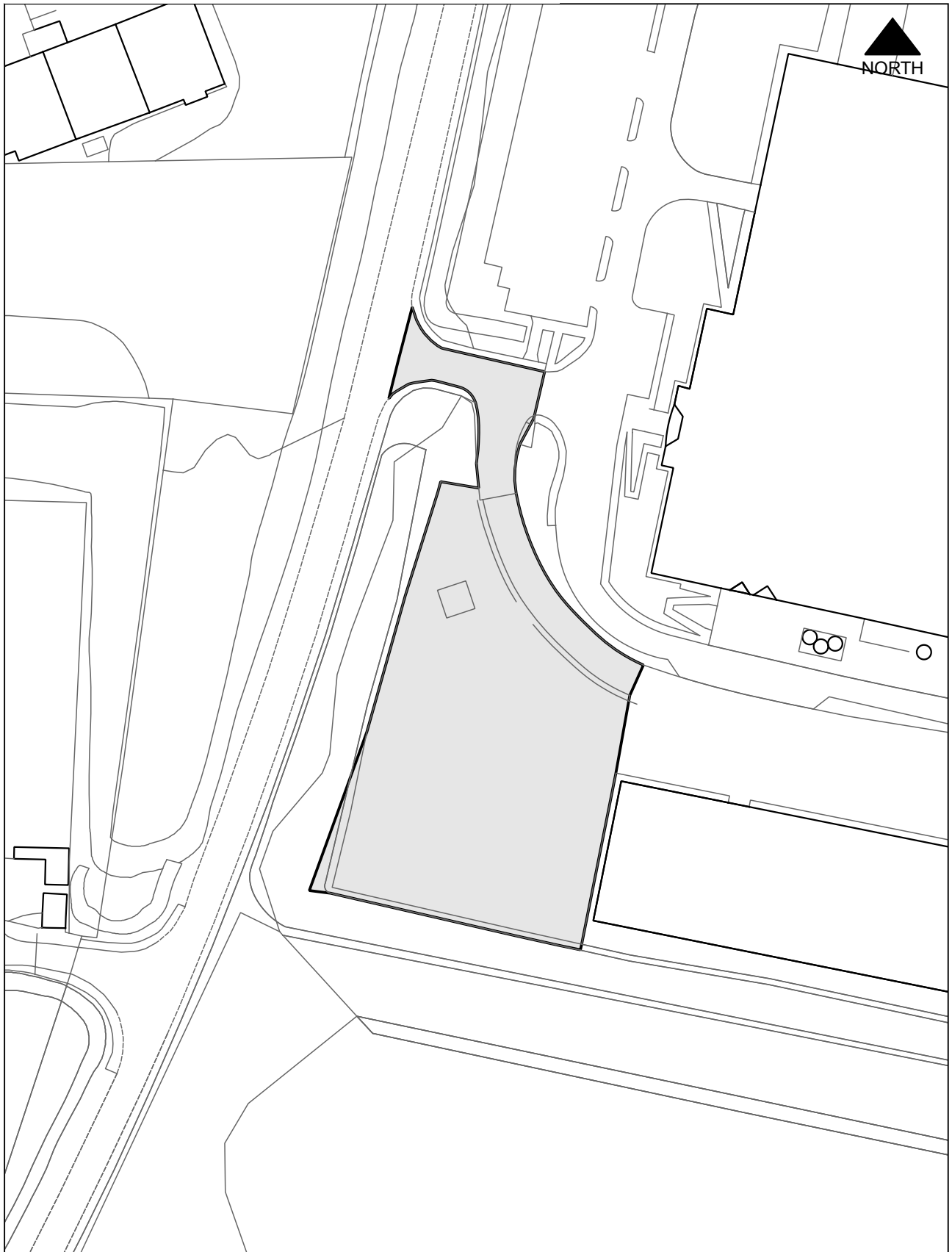
Application No 17/0864/FULL Continued

- 18) Prior to the construction of the sub-stations details of the external finishes shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed and maintained thereafter in accordance with the agreed finishes.
REASON: In the interest of visual amenity.
- 19) 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.
- 20) Prior to the commencement of the development hereby approved a landscape management plan shall be prepared and submitted to the Local Planning Authority for its agreement. The agreed plan shall be complied with during and after the completion of the development hereby approved.
REASON: To ensure adequate protection to protected species.

Advisory Note(s)

Please find attached the comments of CADW, Welsh Water, The Senior Engineer (Land Drainage), Countryside and Landscape Services, NRW, GGAT 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.



Eitem Ar Yr Agenda 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0429/FULL 14.05.2018	Mr S Howell 4 The Glade Wyllie Blackwood NP12 2HB	Improve existing road with additional parking spaces for residents of Pleasant View and erect four new build 4-bedroom detached dwellings Land At Grid Ref 319863 198707 Pleasant View South Lane Croespenmaen

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located to the rear of Pleasant View, Croespenmaen.

Site description: Vacant parcel of land accessed off the rear lane that serves the properties along Pleasant View.

Development: It is proposed to erect four detached dwellings.

Dimensions: Plots 1 - 3 are the same proposed house type that are split level with parking at basement level and measure 10.7 metres in width, 8.4 metres in depth, with a height of 11.5 metres to ridge level.
Plot 4 measures 10.9 metres in width, 12.4 metres in depth, with a height of 8.8 metres to ridge level.

Materials: Walls: Cedar cladding, fibre cement panels and brickwork;
Roof: Cambrian interlocking slates;
Doors and windows: Powder coated aluminium and hardwood.

Ancillary development, e.g. parking: Access widening and improved visibility, lane resurfacing and widening, and the provision of 17 off-street parking spaces to serve the existing dwellings that back onto the site.

PLANNING HISTORY 2005 TO PRESENT

17/0087/FULL - Improve existing road with additional parking spaces for residents of Pleasant View and erect four new build 4-bedroom detached dwellings. Refused
15.05.2017.

Cont'd....

Application No. 18/0429/FULL Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), CW5 (Protection of the Water Environment).

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? A Coal Mining Risk Assessment report was submitted with the planning application. Based on this report the Coal Authority raise no objection to the proposal subject to the imposition of a Condition requiring an intrusive site investigation to be undertaken to inform any potential remedial measures that may be necessary to facilitate the development.

CONSULTATION

Rights Of Way Officer - Raises objection based on the position of Plot 1 in relation to Bridleway 127. This issue is discussed elsewhere in the report.

Transportation Engineering Manager - No objection subject to conditions.

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

Dwr Cymru - Provides advice to the developer.

Head Of Public Protection - No objection subject to conditions.

Ecologist - No objection subject to conditions.

Cont'd....

Application No. 18/0429/FULL Continued

Landscape Architect - Provides advice regarding himalayan balsam on site, trees, site levels and hard/soft landscaping.

The Coal Authority - No objection subject to an intrusive site investigation being required by condition.

ADVERTISEMENT

Extent of advertisement: 32 neighbouring properties were consulted by way of letter and a site notice was displayed near the application site.

Response: Two objection letters were received.

Summary of observations:

- Loss of parking area for residents during construction works;
- Loss of existing trees;
- Impact on right of way;
- Inadequacy of lane serving the site;
- Damage to existing properties during works;
- Exhaust fumes from car parking to rear of existing properties;
- Parking pressure on proposed communal area from proposed houses.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, new residential dwellings in the Mid-Range Viability zone. The rate per square metre in this area is £25.

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ANALYSIS

Policies: The planning application site is located within the settlement boundary as defined in the Adopted Caerphilly County Borough Local Development Plan, and therefore the presumption is in favour of development providing material planning considerations do not indicate otherwise. In this instance those material planning considerations are the impact of the proposal on the visual amenity of the surrounding area; the impact on the residential amenity of nearby existing properties; and the impact on highway safety.

In terms of the impact on the visual amenity of the area, the existing area where Plots 1-3 will be sited is overgrown and the site of some form of quarrying in the past. Therefore there are significant levels differences from the front to the back of the site. It is considered that the proposed dwellings, that are split level incorporating an integral garage at basement level, represent a high quality development that will improve the visual amenity of this parcel of land. High specification materials are proposed that will be beneficial to the visual amenity of the area. Plot 4, which is sited further along the existing back lane, will also be constructed using high specification materials that will enhance the currently overgrown and unmanaged parcel of land off the back lane. For these reasons it is considered that the proposed dwelling are acceptable in visual terms and comply with the relevant criteria contained in Policy CW2 of the Adopted Caerphilly LDP.

In terms of the potential impact on the amenity of nearby residential properties, the nearest property to Plots 1-3, is No. 16 Pleasant View, which is located approximately 11 metres to the north of the proposed Plot 3. However, this existing property has no rear windows and therefore the development will not impinge on privacy. There is a west facing first floor window in No. 16 Pleasant View, but due to the angle between this window and those proposed at Plot 3, there will be no overlooking issues as a result of the development.

Plot 4 is located approximately 13 metres to the south of Nos. 5-8 Pleasant View. However, as plot 4 faces west, there are limited overlooking issues. A north facing first floor bedroom window is proposed serving bedroom 3, however, this room could also be served by a west facing clear window, and therefore a condition will be attached to the permission requiring the north facing window serving Bedroom 3 to be obscurely glazed. This obscure glazing will achieve the required level of privacy. Based on the above considerations, the development accords with Policy CW2 in terms of having an acceptable impact on the amenity of existing properties.

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Policy CW3 of the Adopted Local Development Plan relates to parking provision and highway safety. At present the lane to the rear of Pleasant View is narrow and of a poor standard. The proposed development includes upgrading the section of the lane from the access point up to Plot 4. As well as a new surface, the lane will be widened and a turning head to serve refuse vehicles in proposed. These works will significantly improve the quality of the lane for existing and proposed residents. The access to the lane off Kendon Hill is also to be widened and improved, with the necessary visibility splays being achieved. Again, this will be a significant improvement in highway safety terms. At present, residents of Pleasant View utilise left over spaces off the lane as parking areas. The proposed development proposes to formalise off-street parking for existing residents and provide 17 off-street parking spaces to serve the existing residents. This element represents another significant improvement in highway safety terms. For these reasons, the proposed development accords with Policy CW3 of the Adopted Caerphilly LDP.

Comments from consultees: No objection subject to conditions and advice.

The Rights of Way Officer raises objection on the basis that Plot 1 is sited on the line of Bridleway 127. However, the line of this right of way cut through a steep embankment and doesn't appear to have been capable of utilisation for a considerable period of time. With this in mind, the applicant is invited to enter into discussions with the Local Planning Authority to divert this right of way. The obvious solution appears to be formalising the public right of way from the site to the south at the point of the proposed turning head to serve the site. This appears to be the desire line from the housing development to the south and the bus stop on Kendon Hill at present. Further discussions will be undertaken between the time of this report and the Planning Committee.

Comments from public:

1. Loss of parking area for residents during construction works -There will inevitably be an element of disruption to existing residents during works. With this in mind a Construction Traffic Management Plan will be required by way of Condition to limit disruption as much as is practicable.
2. Loss of existing trees - The trees onsite are not protected by Tree Preservation Orders. It is considered that the scheme will lead to an improvement in terms of the visual amenity of this parcel of land. A condition will be attached to the permission requiring details of landscaping. There was a large tree to the west of the application site, and this large tree was removed between 2014 and 2017.
3. Impact on right of way - This issue has been addressed above in the Comments of consultees section.
4. Inadequacy of lane serving the site - The proposed development includes upgrading the standard of the lane both in terms of width and surfacing. Therefore the proposal is considered to represent an opportunity to significantly improve the standard of the lane.

Cont'd....

Application No. 18/0429/FULL Continued

5. Damage to existing properties during works - Any damage caused during works would be a private legal matter.
6. Exhaust fumes from car parking to rear of existing properties - Formal replacement parking provision is in line with the currently available parking areas.
7. Parking pressure on proposed communal area from proposed houses - Each of the proposed dwellings has car parking provision proposed in accordance with the adopted Car Parking Standards. Therefore this is not considered to be an issue.

Other material considerations: The proposal represents an excellent opportunity to provide 4 new dwellings within the settlement boundary which will contribute to the Council's housing land supply thereby reducing pressure on greenfield sites.

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

- 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: 161202/AR/PL/202, Location Plan & Site Plan - Proposed Layout, received 04.07.2018;
Drawing No: 161202/AR/PL/211, Plot 1 Floor Plans & Elevations - Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/212, Plot 2 Floor Plans & Elevations - Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/213, Plot 3 Floor Plans & Elevations - Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/214, Plot 4 Floor Plans & Elevations - Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/311 Revision P01, Site Sections 01 - Proposed, received 05.07.2018;
Drawing No: 161202/AR/PL/312, Site Section 02 - Proposed, received 10.05.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd....

Application No. 18/0429/FULL 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 construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual of the area.
- 05) 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.
- 06) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.
- 07) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.

Cont'd....

Application No. 18/0429/FULL Continued

- 09) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 10) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area.
- 11) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area.
- 12) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 13) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 45 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 14) The proposed vehicular driveway shall have a minimum length of 5.5 metres and a maximum gradient not exceeding 12.5% (1 in 8). The driveway shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority, shall be completed prior to occupation of the development hereby approved and maintained thereafter free of obstruction for the parking of motor vehicles only.
REASON: In the interests of highway safety.

Cont'd....

Application No. 18/0429/FULL Continued

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 16) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining walls on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining walls additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.
REASON: In the interests of highway safety.
- 17) Prior to any works commencing on site (including any demolition works) a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing with the Local Planning Authority. The TMP shall specify the size of vehicles which shall be used for both exporting materials and for the delivery of construction materials, along with the routes to be used for deliveries and exportation, and the management of all staff parking during the works. The TMP shall be implemented in accordance with the agreed details for the duration of the works.
REASON: In the interests of highway safety.
- 18) The demolition or site vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 19) No development or site/vegetation clearance shall take place until a detailed reptile Mitigation Strategy has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.
REASON: To ensure that reptiles are protected.

Cont'd....

Application No. 18/0429/FULL Continued

- 20) Prior to the commencement of works on site a Method Statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Himalayan Balsam on site. The treatment of Himalayan Balsam shall be carried out in accordance with the approved details.
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act". Himalayan Balsam (*Impatiens glandulifera*) is included within this schedule.
- 21) If any mature trees within the proposed site require felling or tree management work as part of the development hereby approved, a climbing inspection for bats shall be carried out before such works take place, and the results of the survey, together with details of any proposed mitigation measures shall be submitted for the approval of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved measures.
REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity.
- 22) 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 on the new property at Land at Grid Ref 319863 198707, Pleasant View, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 23) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, Starling or House martin) on the new property at Land at Grid Ref 319863 198707, Pleasant View, Croespenmaen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Cont'd....

Application No. 18/0429/FULL Continued

- 24) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.
REASON: In the interests of health and safety.
- 25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the north facing first floor window in Plot 4 shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.
- 26) Prior to its first occupation, the balcony to the rear of Plot 4 shall be fitted with a privacy screen to protect the amenity of the properties to the north of the site on Pleasant View. Details of the privacy screen shall have first been agreed in writing with the Local Planning Authority, and further to its installation, the screen shall be retained in place at all times.
REASON: In the interests of residential amenity.

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: CW2 and CW3.



Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0451/FULL 13.06.2018	Mr A Lane 3 Mersey Close The Bryn Pontllanfraith Blackwood NP12 2FZ	Erect two storey detached house Site Of Former Lyndaryn Bungalow Cliff Road Blackwood

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on Cliff Road, Blackwood.

Site description: Vacant parcel of land within settlement boundary.

Development: Erect 5 bedroom detached dwelling. The application is reported to Planning Committee because the applicant is related to an officer of the Council.

Dimensions: The proposed dwelling has a footprint that measures 20.8 metres in width, 14.7 metres in depth, with a overall height of 8.5 metres to ridge level.

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

Ancillary development, e.g. parking: Driveway along western boundary of the site and associated parking provision.

PLANNING HISTORY 2005 TO PRESENT

06/0864/FULL - Erect thirteen apartments - Granted 02.04.07.

13/0808/FULL - Erect 5 new build link houses with associated gardens, landscaping, access and car parking - Granted 21.03.14.

14/0756/NCC - Remove conditions 18 and 19 of planning consent 13/0808/FULL (Erect 5 new build link houses with associated gardens, landscaping, access and car parking) - Granted 17.07.15.

15/0767/FULL - Erect eight new-build link houses with associated gardens, landscaping, access and parking - Granted 03.11.15.

Cont'd.....

Application No 18/0451/FULL Continued

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

Policies:

SP2 (Development strategy in the Northern Connections corridor), SP6 (Place making), SP21 (Parking standards) CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), SP3 (Settlement Boundaries), CW11 (Affordable Housing), and Supplementary Planning Guidance LDP5 (Car Parking Standards), LDP6 (Building Better Places to live).

NATIONAL POLICY

Planning Policy Wales (9th Edition), TAN 12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. A coal mining risk assessment was submitted with the application. Based on the findings of this report, The Coal Authority raises no objection to the proposal subject to advice being forwarded to the applicant.

CONSULTATION

Principal Valuer - Provides advice regarding the extent of Council land ownership.

The Coal Authority - No objection based on submitted Coal Mining Risk Assessment.

Head Of Public Protection - No objection subject to conditions.

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

Transportation Engineering Manager - No objection subject to conditions.

Cont'd.....

Application No 18/0451/FULL Continued

Dwr Cymru - Provides advice to the developer regarding drainage.

ADVERTISEMENT

Extent of advertisement: Two 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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, new residential dwelling in the mid-range viability zone. The chargeable rate in the Blackwood area is £25 per square (plus indexation).

ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues to be considered in the determination of this planning application are considered to be the compatibility of the use with surrounding land uses, design, and amenity and highway implications.

The site has previously obtained consent for thirteen residential apartments in April 2007, which has now lapsed. A scheme for 5 linked houses was consented in March 2014, and more recently a scheme for 8 linked houses was approved in 2015. The proposal subject of this application is in respect of a single detached 5-bedroom dwelling with associated driveway, parking and garden area. As the application site is located within the settlement boundary, coupled with these previous planning permission for residential development, the principle of residential development on the site is acceptable.

Cont'd.....

Application No 18/0451/FULL Continued

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site is located in a sustainable location, to the east of the B4251 and to the west of the A4048, within the settlement area of Blackwood and offers the opportunity to provide housing, which will be close to residential areas and local facilities. The proposal is considered to be acceptable in terms of scale, use, density, and layout and adequate off-street parking and amenity can be provided. In consideration of policy SP6 the proposal is considered acceptable.

Policy CW2 sets out criteria relating to amenity. In this respect it is considered that the proposed development is compatible with the surrounding residential land uses and does not result in the over-development of the site. In terms of the impact of the development on neighbouring properties, the property primarily impacted by the development is Gorseland, which is located some 9.5metres to the south of the application site. However, it is not considered that the proposed development will result in the amenity or privacy of the occupiers of that property being adversely affected by the development subject to a condition requiring the first floor south facing windows in the proposed dwelling to be obscurely glazed.

Policy CW3 of the LDP considers highway implications and in this respect the Group Manager (Transportation and Highways) has raised no objection to the development subject to conditions.

The scheme is acceptable from a planning point of view because the application site is located within the Settlement Boundary, is bounded by existing residential development, have been appropriately designed so as not to overdevelop the site, or detrimentally impact on the amenity of neighbouring properties or land. No objection has been raised by statutory Consultees, and therefore it is considered that the proposed development is acceptable subject to conditions.

Comments from consultees: No objection subject to conditions and advice.

Comments from public: None.

Other material considerations: None.

Cont'd.....

Application No 18/0451/FULL Continued

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 15.05.2018;
Block Layout Plan received 15.05.2018;
Drawing No. 101, Proposed Ground Floor Plan, received 15.05.2018;
Drawing No. 102, Proposed First Floor Plan, received 15.05.2018;
Drawing No. 103, Proposed Front and Rear elevation, received 15.05.2018;
Drawing No. 104, Proposed Side Elevation A and B, received 15.05.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the risk of ground gas migration to the site due to the existence of a nearby former landfill facility. That scheme shall include a gas monitoring programme and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.

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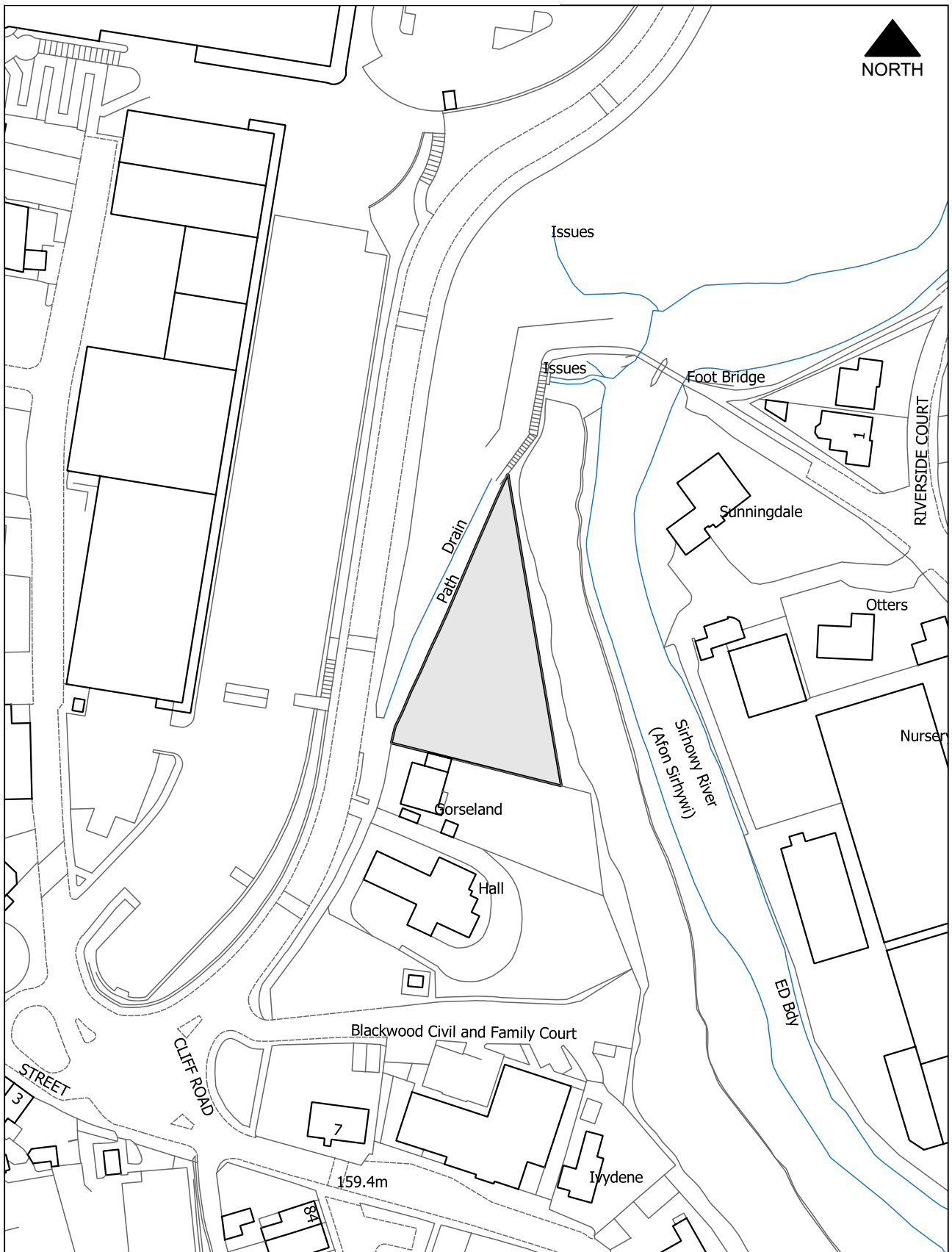
Application No 18/0451/FULL Continued

- 05) In accordance with condition 4, unless otherwise agreed in writing with the Local Planning Authority no building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 06) Notwithstanding the submitted plans, no work whatsoever shall commence until details have been submitted to and approved in writing by the Local Planning Authority which provide 3 off street parking spaces and a turning facility within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to beneficial occupation of the development and shall be maintained thereafter free of obstruction for the parking and turning of motor vehicles only.
REASON: In the interests of highway safety.
- 07) The proposed means of access shall be laid-out, constructed and maintained thereafter with vision splays of 2.4m x 43m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 08) Any gates shall be located and fitted so as not to open out over the highway.
REASON: In the interests of highway safety.
- 09) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the first occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.

Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, The Coal Authority, Transportation Engineering Manager, 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.



Gadewir y dudalen hon yn wag yn fwriadol

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0547/NCC 14.06.2018	Mrs N John 16 Bryn View Avenue Ystrad Mynach CF82 7DB	Vary condition 02 (time period for permitted use) and 03 (hours of operation) of planning consent 17/0184/COU (Change the use of existing garage at ground floor to mixed residential/B1 Business use) 16 Brynview Avenue Tredomen Hengoed CF82 7DB

APPLICATION TYPE: Development without complying with conds

SITE AND DEVELOPMENT

Location: The application site is located in the lane to the rear of Brynmynach Avenue and Brynview Avenue.

Site description: The application relates to the former integral garage of the detached domestic dwelling on the site. The garage was built as part of the parking provision for the dwelling and faces out towards the lane. It has now been converted in order to provide a parlour for a person carrying out clinical procedures such as botox and fillers to members of the public and planning consent for the retention of the use for a temporary period of 12 months was granted under application reference number 17/0184/COU.

The consent was also subject to a condition that controlled the operating hours to 09.30hrs to 17.00hrs Monday to Friday and 09.30hrs to 13.00hrs on Saturdays with no working on Sundays or Bank Holidays. The condition was imposed to protect the amenity of the area as the application site is located within a residential area.

Development: This application seeks to remove condition 2 to allow the use to continue beyond the permitted 12 months. Consent is also sought to vary condition 3 of the consent to change the operating hours to 09.00hrs to 21.00hrs Monday to Friday and 09.00hrs to 17.00hrs on Weekends and Bank Holidays. The applicant argues that the new operating hours would better allow her to compete with other providers of similar procedures in the wider Hengoed area.

Cont'd.....

Application No 18/0547/NCC Continued

PLANNING HISTORY 2005 TO PRESENT

P/06/0391 - Vary Cond. (2) of P/03/0143 to extend time limit for reserved matters by one year and Cond. (4.2) to read 'the provision of a turning head within the site' - Granted - 22.06.2006.

07/0161/RM - Erect detached dwelling with associated car parking and access improvement works - Granted 31.05.2017.

17/0184/COU - Change the use of existing garage at ground floor to mixed residential/B1 Business use - Granted 15.06.2017.

POLICY

Local Development Plan: Within settlement limits.

Policies

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

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

National Policy: Planning Policy Wales

Paragraph 4.11.9:-

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

7.2.4 Mixed use development should be promoted in and adjoining existing settlements, where appropriate. Policies and supplementary planning guidance should support mixed use developments, including flexible workplace/dwellings and commercial premises, where these are appropriate.

Cont'd.....

Application No 18/0547/NCC Continued

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

8.4.2 Car parking provision is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is in a low risk area but as this is a change of use application this is not an issue in any regard.

CONSULTATION

Transportation Engineering Manager - No objection is raised on the basis that the hours of operation do not increase and remain in line with those granted in 17/0184/COU.

Head Of Public Protection - Raises objection to the increased opening hours in respect of the impact on residential amenity.

Gelligaer Community Council - Raises objection to the application on highway grounds.

ADVERTISEMENT

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

Response: Four letters of objection were received.

Cont'd.....

Summary of observations:

1. The consent was granted on a 12 month basis due to the personal circumstances of the applicant. The use was only completed on the 1st January so has not been operational for 12 months. The impact of the business cannot be fully considered over such a short period and is considered to be unacceptable in a residential area.
2. The original consent stated that the hours of operation would only be for 41 hours per week. Approval of this application would increase this by 35 hours and this would be unacceptable in terms of residential amenity.
3. Whilst the applicant refers to the hours that her competitors are open, for business, none of them are open 7 days a week or late nights every weekday. The justification is also at odds with the applicant's suggestion when applying for the consent that the service would only be for a select client base and that a beauty salon was not proposed.
4. The justification for the numbers of parking spaces available during the day was that the applicant's husband would be in work between 09.00hrs and 17.00hrs. With the use being operational after 17.00hrs this would no longer be the case and as such there would be insufficient parking on site and an adverse impact on the access road.

SECTION 17 CRIME AND DISORDER ACT

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

None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application refers to the change of use of part of a residential property in a residential area to create a mixed use property encompassing a dwelling and a small business for the occupant of the dwelling. The application site is not allocated for any purpose in the local development plan and national planning policy set out in Planning Policy Wales at Paragraph 7.2.4 suggests that mixed use development should be encouraged in existing settlements. In that regard it is considered that the principle of a small business use in a residential area can be acceptable subject to compliance with normal development control criteria.

Cont'd.....

Application No 18/0547/NCC Continued

Therefore the main points to consider in the determination of this application are the objections raised by local residents as these focus on the impacts of the proposal on the amenity and highway safety of the area. Consequently these will be considered in turn below.

1. As stated above, national planning policy supports mixed use development in existing communities. Many small businesses co-exist with residential uses where the impact on the amenity of neighbouring dwellings is considered to be acceptable. It is for the Local Planning Authority to determine whether that is the case here. Whilst the use may have only been operational for a period of 6 months out of the 12 months afforded to the applicant under the 2017 consent, it is considered that sufficient time has elapsed to enable the Local Planning Authority to assess whether the impact of the development is acceptable in planning terms. During that period the Council has not received any complaints in respect of the use either to its Planning Department or to Environmental Health. The case officer has also not experienced any issues with regard to the use in his frequent visits to the area to view this and other issues. In that regard it is considered that the operation of the business in accordance with the conditions originally granted would be acceptable in planning terms and as such there would be no objection to granting a permanent consent.

2. Whilst it is considered that a permanent consent would be acceptable in planning terms, it is not considered that any increase in the operating hours would be acceptable. The condition controlling the hours of operation was attached to the consent in order to protect the amenity of local residents as the site is in a mainly residential area. It would not be unreasonable for the occupiers of the neighbouring dwellings to expect some relief from business activities in a residential area in the evenings and at weekends. To allow the operating hours requested by the applicant in this instance would offer very little relief to the residents who could possibly be subjected to the business use for 76 hours per week. It is considered that this would be unacceptable in planning terms and would be contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

3. The applicant attempts to justify the additional hours by arguing that she cannot compete with other providers of similar services in the wider area. Whilst it is accepted that a number of beauty parlours in the area do operate longer working hours, they are sited within retail areas where longer working hours would be more acceptable. Again it should be noted that the application site is within a residential area and as such the hours worked by competitors would not be acceptable in this location.

Cont'd.....

Application No 18/0547/NCC Continued

4. It is also considered that the increase in operating hours for the business would result in parking issues at the property. The justification for allowing the change of use with a reduced number of parking spaces was on the basis that the applicant's husband would be in work during the day and as such one parking space would not be used by a householder. If the business is operated during the evenings and weekends then it is likely that this space would be needed for the household and the business thereby causing a shortage of parking. This would be unacceptable in highway safety terms and is contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

In conclusion it is considered that the proposal to make the consent permanent is acceptable in planning terms subject to the imposition of conditions but the proposal to extend the operating hours is not. Therefore it is proposed that the application should be granted with the conditions attached to consent 17/0184/COU being attached to the new consent with the exception of condition 2. Also it would be prudent to restrict the use to the applicant only, with her being the sole operator on the premises.

Comments from Consultees: The concerns of Head of Public Protection and Gelligaer Community Council are addressed above.

Comments from public: These are addressed above.

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 use hereby permitted shall not be open to customers outside the following times 09.30hrs to 17.00 hrs Monday to Friday and 09.30 hrs to 13.00 hrs on Saturdays with no use on Sundays or Bank Holidays.
REASON: In the interests of residential amenity.

02) The business use hereby approved shall be operated on an appointment only basis with a minimum period of 15 minutes between each appointment. A log shall be kept of the appointments made and this shall be provided to the Local Planning Authority within 7 days of any request.
REASON: In order for the Local Planning Authority to retain control over the future use of the property in the interests of residential amenity.

Cont'd.....

Application No 18/0547/NCC Continued

- 03) The consent hereby granted shall enure for the benefit of the applicant only, and she shall be the sole operator of the business at the premises subject of this consent. There shall be no other persons employed at those premises in association with the business subject of this consent.
REASON: In the interests of residential amenity.
- 04) The development shall be carried out in accordance with the following approved plans and documents: Drawing No 203 submitted with planning application 17/0184/COU.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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: policies CW2 and CW3.



APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
18/0433/FULL 11.05.2018	Mrs D Cromie Bolwell-Williams Freestyle St Davids Lane Woodfieldside Blackwood NP12 0PJ	Extend decking at front elevation above existing garage Freestyle St Davids Lane Woodfieldside Pontllanfraith	Refused 06.07.2018
18/0434/COND 11.05.2018	TWT Logistics C/o Boyer Mr L Forse Third Floor Park House Greyfriars Road Cardiff CF10 3AF	Discharge condition 03 (Drainage scheme) of planning consent 17/0256/FULL (Erect a warehouse/light industrial building (Use classes B1 and B8)) XPO Transport Solutions UK Limited Unit A Distribution Way Dyffryn Business Park	Decided - Discharge of Conditions 06.07.2018
18/0436/FULL 11.05.2018	Mr R Aldridge 3 Bridge Street Risca Newport NP11 6DE	Erect single storey rear extension, structural alterations to existing two storey annex and all associated works 30 Bridge Street Risca Newport NP11 6DE	Granted 06.07.2018
17/1079/OUT 15.12.2017	Mr J Pope 8 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Erect detached self-build dwelling Plot 4 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane	Granted 09.07.2018
18/0396/FULL 01.05.2018	Mr A Kedwood 3 Birchwood Gardens Bedwas Caerphilly CF83 8UD	Erect single storey rear extension to existing dwelling and link garage and alteration to front porch 3 Birchwood Gardens Bedwas Caerphilly CF83 8UD	Refused 09.07.2018
18/0421/FULL 09.05.2018	Mrs N Watkins Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood NP12 0JH	Install chimney flue and storm cap to existing chimney breast within the living room to allow for a wood burner to be installed Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood	Refused 09.07.2018

18/0437/FULL 14.05.2018	Mr W O'Hare 12 Heathlands Ystrad Mynach Hengoed CF82 7AZ	Erect rear extension and carry out internal and external alterations 12 Heathlands Ystrad Mynach Hengoed CF82 7AZ	Granted 09.07.2018
18/0438/FULL 14.05.2018	Mr J Lewis 2 Glen View Terrace Pentwyn Bargoed CF81 9NL	Demolish existing rear extension and construct new two storey rear extension and single storey side extension 1 Glen View Terrace Pentwyn Bargoed CF81 9NL	Granted 09.07.2018
18/0446/FULL 14.05.2018	Mr & Mrs Walsh 21 Lansbury Close Energlyn Caerphilly CF83 2LW	Alter roof including raising height and changing from hip to gable and convert attic to bedroom and ensuite with rear dormer window 21 Lansbury Close Energlyn Caerphilly CF83 2LW	Granted 09.07.2018
18/0449/FULL 14.05.2018	Mr J Lewis 2 Glen View Terrace Pentwyn Bargoed CF81 9NL	Erect two storey rear extension 2 Glen View Terrace Pentwyn Bargoed CF81 9NL	Granted 09.07.2018
18/0450/FULL 14.05.2018	Mr R Munn 54 Brynfedw Bedwas Caerphilly CF83 8AP	Erect first floor rear extension to bedroom 54 Brynfedw Bedwas Caerphilly CF83 8AP	Refused 09.07.2018
18/0339/FULL 13.04.2018	Messrs M & I Jaura 48 Penylan Road Penylan Cardiff CF24 3PF	Carry out proposed extension to Cafe, new office building to rear, alterations to bin store, new ATM machine to shopfront and security shutters to serve new vehicular entrance 3 Station Terrace Caerphilly CF83 1HD	Refused 10.07.2018
18/0400/FULL 02.05.2018	Mr C Harris 1 Lon-Y-Ddraenen Caerphilly CF83 1DT	Erect single storey rear extension, two storey side extension and front porch 1 Lon-Y-Ddraenen Caerphilly CF83 1DT	Granted 10.07.2018

18/0448/COU 15.05.2018	Mr I Rosser Ty Camlas Maesderwen Road Pontymoile Pontypool NP4 5LF	Retain and complete the change of use of ground floor to a Post Office and Coffee Shop and install ATM 20 High Street Newbridge Newport NP11 4EZ	Granted 10.07.2018
17/1095/RM 22.12.2017	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant CF72 8YP	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale reserved under outline planning permission 15/0567/OUT (granted on appeal reference APP/K6920/A/16/3160200) for residential development of 155 dwellings Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale	Granted 11.07.2018
18/0456/ADV 15.05.2018	Euro Garages Mr I Umerji Beehive Trading Estate Haslingdon Road Blackburn Lancashire BB1 2EE	Retain internally illuminated Spar/Greggs signage to forecourt shop Chequered Flag Petrol Station Newport Road Trethomas Caerphilly	Granted 11.07.2018
17/1045/COND 01.12.2017	Charter Housing Mr N Taylor Exchange House High Street Newport NP20 1AA	Discharge Condition 6 (drainage), Condition 10 (site control - dust suppression) and Condition 11 (site control - noise suppression) of Planning Consent 17/0489/FULL (Erect 34 No. residential dwellings and associated works) Former Gardd Y Craig 106 Commercial Street Pontymister Risca	Decided - Discharge of Conditions 12.07.2018

17/1046/COND 04.12.2017	Charter Housing Mr N Taylor Exchange House High Street Newport NP20 1AA	Discharge conditions 7 (Landscaping), 9 (Refuse Collection), 18 (Reptile Method Statement), 20 (Replacement Hedgerow), 21 (Amended Bat Roost Provision), 22 (Amended Breeding Bird provision) of planning application 17/0489/FULL (Erect 34 no. residential dwellings and associated works) Former Gardd Y Craig 106 Commercial Street Pontymister Risca	Decided - Discharge of Conditions 12.07.2018
18/0225/COND 08.03.2018	Charter Housing Mr N Taylor Exchange House High Street Newport NP20 1AA	Discharge condition 24 (Affordable Housing) of planning consent 17/0489/FULL (Erect 34 No. residential dwellings and associated works) Affordable Housing Statement Former Gardd Y Craig 106 Commercial Street Pontymister Risca	Decided - Discharge of Conditions 12.07.2018
18/0404/FULL 02.05.2018	Mr K Evans Casa Bianca Tafwys Walk Caerphilly CF83 3FJ	Erect detached portal frame storage barn Land At Grid Ref 315956 184975 Cefn Carnau Lane Thornhill Caerphilly	Refused 12.07.2018
18/0461/FULL 17.05.2018	Pantside Association Of Residents And Tenants Mrs S Edmunds 12 Valley Meadow Close Newbridge NP11 5BU	Construct recreational facilities Pantside Playing Fields Tir-Y-Pwll Terrace Access Road Pantside	Granted 12.07.2018
18/0463/RM 17.05.2018	Mr M Pope 9 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Seek approval of the reserved matters regarding details of appearance, landscaping, layout and scale in relation to planning consent 17/1080/OUT (Erect detached self-build dwelling) Plot 5 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Granted 12.07.2018

18/0476/RET 23.05.2018	Cardiff Steel Erection Ltd 6 Roundabout Court Bedwas House Industrial Estate Caerphilly CF83 8FS	Retain and complete the change of use from A2 to A3 and first floor storage to residential use A & K Cash Registers 9 Church Street Bedwas Caerphilly	Granted 12.07.2018
18/0505/FULL 31.05.2018	Mr Farrelly 6 St David's Road Pengam Blackwood NP12 3RA	Replace and enlarge conservatory to rear of dwelling 6 St David's Road Pengam Blackwood NP12 3RA	Granted 12.07.2018
18/0510/FULL 04.06.2018	Mr & Mrs J. Meacham 33 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Erect single storey rear extension for use by a disabled person 33 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Granted 12.07.2018
18/0527/NOTD 08.06.2018	Newbridge Construction Ltd C/O Boyer Mr S Barry Third Floor Park House Greyfriars Road Cardiff CF10 3AF	Demolish former factory Land At Former Supac Ltd Gellideg Industrial Estate Gellideg Lane Maesycwmmmer	Prior Approval Not Required 12.07.2018
18/0300/LBC 03.04.2018	Mr & Mrs R Cleaver Gwaun-Y-Bara House Pentwynngwyn Road Rudry Caerphilly CF83 3DG	Erect single storey extension to side of existing house Gwaun-y-bara House Pentwynngwyn Road Rudry Caerphilly	Granted 13.07.2018
18/0331/FULL 11.04.2018	Mr P Buckley 103 High Street Crosskeys NP11 7FN	Erect first floor extension and ground floor extension to main dwelling and extension to existing detached garage 103 High Street Crosskeys Newport NP11 7FN	Granted 13.07.2018
18/0412/FULL 04.05.2018	Mr M Everett 43 Heol Ysgubor Caerphilly CF83 1SR	Erect two storey duo pitch roof extension to rear with single storey side annexe connection to converted garage 43 Heol Ysgubor Caerphilly CF83 1SR	Granted 13.07.2018

18/0468/FULL 21.05.2018	Mr & Mrs R Fleet 5 Marwyn Gardens Bargoed CF81 8PZ	Erect utility room and shower room extension to front of dwelling and increase dropped kerb width to existing driveway by approx 3m 5 Marwyn Gardens Bargoed CF81 8PZ	Granted 13.07.2018
18/0475/TPO 23.05.2018	Mrs L Davies 35 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Cut back overhanging branches on Oak tree by 2 metres (Tree Preservation Order 9/76/RVDC) 35 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Granted 16.07.2018
18/0508/RET 01.06.2018	Mr & Mrs W Garland 25 Heol Fawr Nelson Treharris CF46 6NP	Retain and carry out alteration, by reducing height of decking/patio area 25 Heol Fawr Nelson Treharris CF46 6NP	Refused 16.07.2018
18/0472/FULL 21.05.2018	Mr D J Stephenson 11 Islwyn Road Wattsville Crosskeys NP11 7QD	Demolish existing bathroom, kitchen and utility room to form new patio, erect new kitchen extension with bedroom above and balcony, internal and external alterations and proposed new garage 125 Newport Road Cwmcarn Newport NP11 7LZ	Granted 17.07.2018
18/0484/FULL 22.05.2018	Mr P Edwards 68 Brynmynach Avenue Tredomen Hengoed CF82 7BZ	Erect detached garage to rear of property 68 Brynmynach Avenue Tredomen Hengoed CF82 7BZ	Granted 17.07.2018
18/0477/FULL 23.05.2018	Mr Matthews 24 Twm Barlwm Close Trenwydd Park Risca Newport NP11 6RF	Erect a sun lounge conservatory to rear elevation 24 Twm Barlwm Close Trenwydd Park Risca Newport	Granted 17.07.2018

18/0071/COND 22.01.2018	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant CF72 8YP	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) Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale	Decided - Discharge of Conditions 18.07.2018
18/0106/COND 31.01.2018	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant CF72 8YP	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) Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood	Decided - Discharge of Conditions 18.07.2018
18/0194/COU 28.02.2018	Mr & Mrs Leader Horeb Welsh Baptist Chapel Castle Street Gelligaer CF82 8EB	Convert Grade II listed chapel into a residential property Horeb Baptist Chapel Castle Hill Gelligaer	Granted 18.07.2018

18/0338/COND 12.04.2018	Ixion Developments Ltd C/o GVA Mr M Southall One Kingsway Cardiff CF10 3AN	Discharge conditions 02 (Materials), 04 (Affordable Housing), 08 (Levels) and 09 (Noise) of planning consent 17/0230/FULL (Demolish Red Lion Inn and re-develop to provide 17 no. residential apartments together with associated vehicular and pedestrian accesses, car parking, amenity areas, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) Red Lion Inn High Street Blackwood NP12 1BB	Decided - Discharge of Conditions 18.07.2018
18/0366/TPO 23.04.2018	Mrs A Bartle Jasmine View Sunnybank Road Blackwood NP12 1HT	Carry out crown reduction by 2m and removal of deadwood on Beech tree at front of property (Tree Preservation Order 2/82/IBC) Jasmine View Sunnybank Road Blackwood NP12 1HT	Granted 18.07.2018
18/0410/LBC 04.05.2018	Mrs N Watkins Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood NP12 0JH	Reinstate entrance gates Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood	Granted 18.07.2018
18/0479/FULL 23.05.2018	Fochriw Pentecostal Mission Mr S Cross Guest Street Fochriw CF81 9NB	Erect single storey extension to create function room and community hall including change of use of land for the extension Fochriw Pentecostal Mission Land At Grid Ref 310277 205434 Guest Street Fochriw	Granted 19.07.2018

18/0500/COND 01.06.2018	Starburst Ltd C/O DPP Planning Ltd Miss S Thomas Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Discharge condition 5 (Contamination) of planning application 17/0729/FULL (Demolish existing dilapidated industrial building and erection of Class B1, B2, B8 development together with associated parking, servicing and landscaping) Unit 2-4 Coopers Court Caerphilly Road Ystrad Mynach	Decided - Discharge of Conditions 19.07.2018
18/0509/FULL 01.06.2018	Mr O Foster 19 Lansbury Close Energlyn Caerphilly CF83 2LW	Change rear flat roof to pitched (to match existing front) and carry out internal and external alterations 19 Lansbury Close Energlyn Caerphilly CF83 2LW	Granted 19.07.2018
18/0523/COND 06.06.2018	Mr M Roberts 42 Bailey Street Deri Bargoed CF81 9HU	Discharge conditions 04 (bat roost provision) and 05 (breeding bird provision) of planning consent 17/1002/FULL (Construct two- storey rear extension and attic room) 9 Glynmarch Street Deri Bargoed CF81 9HZ	Decided - Discharge of Conditions 19.07.2018
18/0537/COND 13.06.2018	Mr L Masterson 16 Elidyr Road Treowen Newport NP11 3EE	Discharge condition 05 (bat roost provision) of planning consent 17/1082/FULL (Erect two storey extension to rear of dwelling) 16 Elidyr Road Treowen Newport NP11 3EE	Decided - Discharge of Conditions 19.07.2018
18/0578/NMA 27.06.2018	Mr F Taylor 3 Torrens Drive Lakeside Cardiff CF23 6DQ	Seek approval of a non- material amendment to planning consent 07/0781/FULL (Demolish video shop and rebuild new commercial unit) to amend proposed shop front Ty Gras Abernant Road Markham Blackwood	Granted 19.07.2018

18/0008/COND 05.01.2018	Charter Housing Mr N Taylor Exchange House High Street Newport NP20 1AA	Discharge conditions 8 (Boundary Treatment), 13 (Construction - eng details) and 17 (Trees - Arbor Impact Assessment) of planning application 17/0489/FULL (Erect 34 no. residential dwellings and associated works) Former Gardd Y Craig 106 Commercial Street Pontymister Risca	Decided - Discharge of Conditions 20.07.2018
18/0294/RM 29.03.2018	Mr W Willetts 2 Kingsley Place Senghenydd Caerphilly CF83 4HD	Seek approval of the reserved matters regarding details of access, appearance, landscaping, layout and scale in relation to planning consent 16/0189/NCC (Vary conditions 3 and 4 of planning application 07/0673/NCC (residential development) to extend the period for the submission of reserved matters) Land At Grid Ref 311540 190782 Kingsley Place East Ul Senghenydd	Granted 20.07.2018
18/0428/FULL 09.05.2018	Miss A Neeson 35 Church Street Bedwas Caerphilly CF83 8EA	Erect three bedroom residential dwelling Land At Grid Ref 315517 194630 Tabor Road Maesycwmmmer Hengoed	Granted 20.07.2018
18/0435/RET 10.05.2018	A L Landscapes Mr A Layman 64 Cae Collen Blackwood NP12 1FF	Retain and complete the change of use of land to a storage compound, new vehicle access and provide storage building Land At Grid Ref 314525 203151 Fothergills Road East Ul Phillipstown	Refused 20.07.2018
18/0511/CLPU 04.06.2018	Mrs B Blake 12 Bronwydd Oakdale Blackwood NP12 0GX	Obtain a Lawful Development Certificate for proposed conversion of attached garage into habitable room with ensuite facilities 12 Bronwydd Oakdale Blackwood NP12 0GX	Granted 23.07.2018

18/0538/CLPU 13.06.2018	Mr & Mrs A Roberts 56 Coed Celyn Drive Abercarn Newport NP11 5AU	Obtain a Lawful Development Certificate for a proposed single storey extension to rear of dwelling 56 Coed Celyn Drive Abercarn Newport NP11 5AU	Granted 23.07.2018
18/0559/CLPU 20.06.2018	Mr G Summerhayes 36 Cherry Tree Close Bedwas Caerphilly CF83 8HB	Obtain a Lawful Development Certificate for proposed single storey rear extension 36 Cherry Tree Close Bedwas Caerphilly CF83 8HB	Granted 23.07.2018
18/0134/FULL 08.02.2018	Mr A Edwards 4 Pen-Y-Waun Cottages Bedwelty NP12 0BB	Erect 4 bedroom detached dwelling Land At Grid Ref 316548 200672 Adj To 1 Pen-Y-Waun Cottages Heol-Y-Bedw-Hirion Bedwelty	Refused 24.07.2018
18/0149/FULL 13.02.2018	Stanley J Nicholas Ltd Mr E Price The Paddocks Funeral Home New Road Pengam Blackwood NP12 3QZ	Erect office extension for funeral home and internal alterations The Paddocks Funeral Home New Road Pengam Blackwood	Granted 25.07.2018
18/0150/FULL 13.02.2018	Stanley J Nicholas Limited Mr E Price The Paddocks Funeral Home New Road Pengam Blackwood NP12 3QZ	Erect viewing rooms and cold room for funeral directors use The Paddocks Funeral Home New Road Pengam Blackwood	Granted 25.07.2018
18/0427/COU 09.05.2018	Extreme Performance, Falcon Fabrication & McBurneys C/o Mr P Dellanna Flat 1 Library Court Gordon Road Blackwood NP12 1FB	Raise levels of the land to increase the storage area Units C2 - C5 Britannia Centre For Enterprise Britannia Blackwood	Granted 25.07.2018

18/0492/FULL 25.05.2018	Future Joinery 1 Tai Derwen Ty Gawla Isaf To Rhymney River Cefn Mably Cardiff CF3 6XR	Demolish existing garage, erect single and two storey extensions and alterations to existing property 1 Tai Derwen Ty Gawla Isaf To Rhymney River Cefn Mably Cardiff	Granted 25.07.2018
18/0498/TPO 30.05.2018	GP Body Repairs Mr G Poole Glan-Yr-Afon Lane Fleur De Lis Blackwood NP12 3WA	Carry out various works to trees (Tree Preservation Order 78/15/CCBC) G P Body Repairs Glan-Yr- Afon Lane Fleur-de-lis Blackwood	Granted 25.07.2018
18/0507/COND 30.05.2018	Mr M Parker Old Bakery Rear Of 53 Shingrig Road Nelson Treharris CF46 6DU	Discharge conditions 5 (Materials), 8 (Drainage), 12 (Bats), 13 (Birds) and 15 (Noise Mitigation) of planning permission 18/0218/FULL (Erect replacement dormer bungalow) 13 Lon Isaf Caerphilly CF83 1BT	Decided - Discharge of Conditions 25.07.2018
18/0574/NMA 26.06.2018	Mr P Baker Glenview 1 Bridge Street Risca NP11 6DE	Seek approval of a non- material amendment to planning consent 15/0470/FULL (Erect detached single garage) to increase the ridge height and include two roof lights Garage Bridge Street Risca Newport	Granted 25.07.2018
18/0266/COND 22.03.2018	Mr R Meredith Dinglewood Pleasant View Old Ynysybwll Pontypridd CF37 3PF	Discharge of conditions 03 (Land drainage), 05 (Bat roost provision), 06 (Bird nesting provision), 07 (Contamination - scheme to treat), 08 (Contamination - soil import testing), 09 (Contamination - validation) and 10 (Site boundary set back and footway) of planning consent 14/0823/FULL (Construct detached residential dwelling with off-street parking) Plot 1 74 Heol Fawr Nelson Treharris	Decided - Discharge of Conditions 26.07.2018

18/0378/NOTF 27.04.2018	Mr B Herbert Llanarth Estate Office Llanarth Raglan Usk Monmouthshire NP15 2YB	Create dirt tracks to aid access for forestry machinery Land At Grid Ref 321550 198032 Crumlin Woodland Old Pant Road Panside	Prior Approval Not Required 26.07.2018
18/0445/OUT 14.05.2018	Mrs D Cook Sycamore House 8 Old Brewery Lane Rhymney NP22 5HT	Erect single domestic dwelling Land Adjacent To Woodlands Bungalow 6 Old Brewery Lane Rhymney Tredegar	Granted 26.07.2018
18/0458/FULL 16.05.2018	Mr S Hinton 15 Gwaun Y Cwrt Caerphilly CF83 1TJ	Erect a single storey side extension 15 Gwaun Y Cwrt Caerphilly CF83 1TJ	Granted 27.07.2018
18/0462/FULL 17.05.2018	Mrs C Rees Ty Isaf Caerphilly Road Ystrad Mynach Hengoed CF82 7EP	Erect dormer bungalow with detached garage Land At Ty Isaf (Adjacent To Underwood Bungalow) Caerphilly Road Ystrad Mynach	Refused 27.07.2018
18/0466/CLPU 18.05.2018	Mr K Davies 4 Chatham Machen Caerphilly CF83 8SF	Obtain a Lawful Development Certificate for proposed single storey rear extension 4 Chatham Machen Caerphilly CF83 8SF	Granted 27.07.2018
18/0480/FULL 23.05.2018	Mr & Mrs G & J Evans 42 Tanybryn Pontymister Risca Newport NP11 6JR	Convert garage to habitable room and erect new front porch 42 Tanybryn Pontymister Risca Newport	Granted 27.07.2018
18/0483/FULL 23.05.2018	Mr & Mrs K & M Bonnett 2 Valley Meadow Close Panside Newport NP11 5BU	Convert garage into living accommodation 2 Valley Meadow Close Panside Newport NP11 5BU	Granted 27.07.2018
18/0502/FULL 01.06.2018	Mr D Brabond 17 St Teilo's Way Watford Caerphilly CF83 1FA	Erect two storey side extension 17 St Teilo's Way Watford Caerphilly CF83 1FA	Granted 27.07.2018

18/0516/FULL 05.06.2018	Mr A Jeremiah 34 West Drive Porthcawl Bridgend CF36 3HS	Erect a new link building between existing stable and hay barn The Old Granary Old Nantgarw Road Nantgarw Cardiff	Granted 27.07.2018
18/0473/FULL 21.05.2018	Mr C Watkins Ty-Gwair Cemetery Lane Abercarn Newport NP11 5BT	Erect a first floor front extension Ty Gwair Cemetery Lane Abercarn Newport	Granted 30.07.2018
18/0501/FULL 01.06.2018	Mr & Mrs Mitchell 2 Cae Uwchllyn Caerphilly CF83 1TY	Erect single storey side extension, increase garage height to create room above and alter rear extension roof from orangery to pitched 2 Cae Uwchllyn Caerphilly CF83 1TY	Granted 30.07.2018
18/0513/FULL 04.06.2018	Blackwood Rugby Club Mr Barber Hall Street Blackwood NP12 1NY	Replace existing grass rugby pitch with a 3G pitch of the same size plus up to 1.5m additional 3G around the perimeter Blackwood Rugby Club Hall Street Blackwood NP12 1NY	Granted 30.07.2018
18/0514/FULL 05.06.2018	Mr & Mrs Vincent 55 Griffin Drive Penallta Hengoed CF82 6AB	Erect single storey orangery extension to rear of property 55 Griffin Drive Penallta Hengoed CF82 6AB	Granted 30.07.2018
18/0533/TCA 08.06.2018	Mr G Jones Lawn Bungalow The Lawn Rhymney Tredegar NP22 5LS	Remove sycamore tree Lawn Bungalow The Lawn Rhymney Tredegar	No objection raised 30.07.2018
18/0486/COU 24.05.2018	Mr J Smith 8 River Terrace Pengam Caerphilly NP12 3XB	Change the use of land to residential curtilage and erect single storey detached log store and new retaining wall Land Adjacent To Appletree Cottage 8 River Terrace Pengam Blackwood	Refused 31.07.2018

18/0512/CLPU 04.06.2018	Mrs Evans 11 Lon Isaf Caerphilly CF83 1BT	Obtain a Lawful Development Certificate for proposed replacement of lean-to outbuilding with a new utility room and bathroom extension on the same footprint 11 Lon Isaf Caerphilly CF83 1BT	Granted 31.07.2018
18/0515/COND 05.06.2018	Mr L Hall 11 Cefn Road Blackwood NP12 1QA	Discharge conditions 2 (External Surfaces) and 3 (Parking) of planning consent 15/0360/FULL (Erect dormer extension with internal alterations) 13 Rising Sun Close Oakdale Blackwood NP12 0JB	Decided - Discharge of Conditions 31.07.2018
18/0522/FULL 07.06.2018	Mr & Mrs M Coleman 5 Twyn College Cottages Pentwyn-Mawr Newport NP11 3NS	Erect two storey extension to front of dwelling including alteration works to roof 5 Twyn College Cottages Pentwyn-mawr Newport NP11 3NS	Granted 31.07.2018
18/0518/FULL 06.06.2018	Mr & Mrs G Landrygan 32 Wheatley Place Cefn Fforest Blackwood NP12 1EU	Erect two storey extension to rear of dwelling plus alteration works 32 Wheatley Place Cefn Fforest Blackwood NP12 1EU	Granted 01.08.2018
18/0541/TCA 20.06.2018	Mr N Armishaw 8 Nant-y-Felin Draethen Caerphilly NP10 8GE	Carry out works to various trees including reduce and cut back tops of trees by 70% to bring the trees down to the original height of 4 to 5 feet high, remove branches that are overhanging the road, remove branches caught in the telephone wire, cut back laurel to a height of 4 to 5 feet high and lay some branches to thicken part of the lower hedge Hollybush Inn The Row To Gwern-Y-Goytre Draethen Newport	Granted 01.08.2018

18/0454/RET 15.05.2018	Cardtronics UK Ltd Trading As Cashzone PO Box 476 Hatfield AL10 1DT	Retain an installed ATM through the shop front left hand window as a through glass installation Bake Station 3 Station Terrace Caerphilly CF83 1HD	Granted 02.08.2018
18/0455/ADV 15.05.2018	Cardtronics UK Ltd Trading As Cashzone PO Box 476 Hatfield AL10 1DT	Retain 2 no. internally illuminated fascia signs Bake Station 3 Station Terrace Caerphilly CF83 1HD	Granted 02.08.2018
18/0521/FULL 06.06.2018	Mr & Mrs W Billinghurst 84 Heol Trecastell Caerphilly CF83 1AF	Erect single storey rear extension 84 Heol Trecastell Caerphilly CF83 1AF	Granted 02.08.2018

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.
17/0494/FULL 10.06.17	Construct 4 No. detached dwellings with associated drainage, road, access and landscaping on Land at Beili Glas Road Fleur de lis Blackwood	Subject to further discussion and consideration.
17/0551/COU 29.06.17	Change the use of lower ground floor of previous fitness club to one bedroom flat at 17 High Street Llanbradach Caerphilly	Awaiting additional information.
17/0589/FULL 10.07.17	Erect single-storey side and rear extension at Avanate 6 Gellideg Lane Maesycwmmmer	Subject to further discussion and consideration.

17/0706/COU 14.08.17	Change the use from shop with flats above to shop with flat on the first floor and additional accommodation on second and third floors by the creation of space within a raised roof and raised terrace and steps to rear at 32 New Road Deri Bargoed	Awaiting bat survey.
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.
17/0804/OUT 18.09/17	Erect up to 350 homes including affordable housing, public open space, a local centre and community building, new vehicular, cycle and pedestrian accesses, associated engineering works and seek approval of access at Virginia Park Golf Club And Driving Range Virginia Park Caerphilly CF83 3SN	Subject to further discussion and consideration.

<p>17/0918/COND 30.10.17</p>	<p>Discharge condition 03 (Highways) , 05 (Land Drainage) , 06 (Surface Water Drainage), 07 (Drainage Scheme), 10 (Remediation Strategy) 17 (Japanese knotweed) and 19 (Lighting Scheme) of planning consent 14/0518/NCC granted on appeal reference APP/K6920/A/15/3084354 (Vary Condition 01 of planning permission 09/0197/NCC (Remove condition (1) from planning application P/04/0219 to erect residential development) to extend the time limit within which development can commence for a further five years) Land At Glan-Yr-Afon Lane Fleur-de-lis</p>	<p>Awaiting view of consultees.</p>
<p>17/0971/NCC 13.11.17</p>	<p>Vary condition 18 of planning permission 12/0570/FULL (Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works) to enable the variation of the approved restoration scheme details to reflect the positioned earth bund and landscaping Gelliargwelt Farm Gelligaer Road Gelligaer CF82 8FY</p>	<p>Subject to discussion and consideration.</p>
<p>18/0037/RM 15.01.18</p>	<p>Seek approval of the reserved matters regarding appearance, landscaping, layout and scale reserved under outline planning permission 15/0563/OUT in respect of the construction of 50 residential units, access and associated works Land At Grid Ref 320115 198442 Ty-Mawr Farm Lane Croespenmaen</p>	<p>Subject to further discussion and consideration.</p>
<p>18/0107/COND 31.01.18</p>	<p>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</p>	<p>Subject to further discussion and consideration in respect of the reserved matters application for the development of this site.</p>

18/0122/FULL 05.02.18	Convert and extend existing chapel to 7 No. self-contained apartments with on site parking, cycle and refuse storage facilities at Seion Baptist Church Glenview Terrace Llanbradach	Subject to further discussion and consideration.
18/0160/OUT 16.02.18	Erect residential development up to 131 dwellings and associated works at Land Adj To Tiryberth Farm Hengoed Road Penpedairheol Hengoed	Subject to further discussion and consideration.
18/0181/RET 23.02.18	Retain and complete works to roof to change from hip to gable and external alterations Mapledene 10 Dan-y-coed Caerphilly CF83 1HU	Awaiting amended elevation.
18/0211/FULL 06.03.18	Erect detached dwelling and detached garage Plot 2 Land Adjacent To Islwyn Indoor Bowls Centre Gelli Lane Pontllanfraith Blackwood	Awaiting views of consultees.
18/0214/FULL 06.03.18	Erect extensions at Unit 1 and subdivide into 3 independent units, erect extensions at Unit 2 and subdivide into 3 independent units and erect new industrial building to provide 4 independent units at Block G - Old Foundry Penmaen Industrial Estate Pontllanfraith Blackwood	Awaiting views of consultees.
18/0224/COND 08.03.18	Discharge conditions 5 (habitat management and mitigation plan), 7 (land drainage), 13 (shadow flicker mitigation protocol), 14 (MOD), 15 (finishes/colour of wind turbine) and 16 (archaeological brief) of planning consent 15/0774/FULL (Erect a single turbine up to a blade tip height of 76.45m, 50.0m hub height, 52.9m rotor diameter and output of 800kW with associated track access, electric cabinet and crane pad) at Land At Tyle Crwth South West Of Ynysddu	Awaiting views of consultees.
18/0264/LBC 20.03.18	Carry out remedial works to footbridge, including replacement deck, strengthening, redecorating and the addition of a passenger safety hand rail at Llanbradach Railway Station Plas Cae Llwyd Llanbradach	Awaiting views of consultees.

18/0268/COND 22.03.18	Discharge conditions 15 (Sustainable drainage system) and 16 (Foul and surface water) of planning consent 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	Awaiting views of consultees.
18/0305/FULL 04.04.18	Erect 2 No. detached bungalows, private drive with off road parking at Land At Grid Ref 318118 196697 Church View Woodfieldside Pontllanfraith	Awaiting views of consultees.
18/0373/RET 25.04.18	Change the use of the land to keep chickens, ducks and birds and to retain and complete chicken shed, duck shed and bird aviary Land Adjacent To Ogilvie Terrace Deri Bargoed	Subject to further discussion and consideration.
18/0432/FULL 10.05.18	Obtain a Lawful Development Certificate for a proposed building for the treatment, storage and removal of dust at Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY	Seeking further information.
18/0453/RET 14.05.18	Retain existing garage with proposed extension to side at Land Rear Of 153 Commercial Street Senghenydd Caerphilly	Seeking further information.

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APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Received draft agreements. Waiting for internal comments. Can't agree over some clauses regarding Affordable Housing. Waiting for instructions from Planning.
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on land at Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association. File closed due to no progress.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Sent draft for approval. Also waiting for plan. Chased.
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	Signed documents received for sealing.
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.

16/0508/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. Not proceeding.
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. Not proceeding.
17/0088/OUT 03.02.17	Construct housing development of 17 properties at Land At Fair View Garage Pengam Road Pengam Blackwood	Just received title evidence. Numerous issues with title so queried. Sols said they are in discussions with client to resolve issues.
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	
17/0545/NCC 28.06.17	Vary Condition 3 of planning consent 12/0531/OUT (Erect mixed residential development comprising of fifteen new build dwellings) to extend the time for submitting reserved matters applications Land At (Grid Ref 323900 190615) Station Approach Risca	Requested solicitor's details. Chased.
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	Issues with title and changes to plan. In process of resolving.
17/0617/COU 14.07.17	Convert first and second floors to 6 No. 1 bedroom flats at 1 Pentrebane Street Caerphilly	Issues with title and changes to plan. In process of resolving.

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	Requested Solicitors details.
18/0152/FULL 13.02.18	Demolish existing house/associated structures and erect eight dwellings and associated works at Gelli Pystyll Farm Elm Drive Ty Sign Risca	Requested title evidence from Solicitors.

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OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
18/0003/REF 17/0846/FULL	Ms L Cochrane GelliWen Farm Bedwellty Road Markham Blackwood NP12 0PP	Erect development of affordable housing consisting of 2 no. three bed houses and 1 no. two bed house on Land at Bedwellty Road Bedwellty	02/05/2018
18/0005/REF 17/0931/OUT	Mr W Thomas Duffryn Farm Pontlottyn Bargoed	Construct two detached dwellings with new junction and private drive at Land at Grid Ref 311245 205964 Fochriw Road Pontlottyn Bargoed	07/06/2018
18/0006/COND 18/0085/NCC	Bryn Power Ltd C/o Barton Willmore Mr J Ayoubkhani Greyfriars House Greyfriars Road Cardiff CF10 3AL	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) at Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.	12/06/2018

18/0007/LB 18/0319/LBC	Mrs N Watkins Ty Tallis 13 Penrhiw Terrace Oakdale NP12 0JH	Replace 1980's mock georgian bar windows on upper floor with R9 georgian bar windows at Ty Tallis 13 Penrhiw Terrace Oakdale	13/06/2018
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APPEALS DECIDED

APPEALS DECIDED APPEAL REF/ PLANNING APP NO.	PROPOSAL & LOCATION APPEAL	DECISION/ DATE	COMM/ DEL
18/0002/REF 17/1031/FULL	Erect detached dwelling on land rear of 6 William Street, Fleur De Lys, Blackwood	Dismissed 05/07/2018	DEL

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