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For all enquiries relating to this agenda please contact Emma Sullivan  
(Tel: 01443 864420 Email: [sullie@caerphilly.gov.uk](mailto:sullie@caerphilly.gov.uk))

**Date: 15th January 2020**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 22nd January, 2020** at **5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

**Christina Harrhy**  
INTERIM CHIEF EXECUTIVE

## AGENDA

1 To receive apologies for absence.

2 Declarations of Interest.

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

Pages

A greener place Man gwyrddach

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



To approve and sign the following minutes: -

- 3 Planning Committee held on 4th December 2019. 1 - 8

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

- 4 Code No. 18/0160/OUT - Land Adjacent To Tiryberth Farm, Hengoed Road, Penpedairheol, Hengoed, CF82 8BS. 9 - 58
- 5 Code No. 19/0770/LA - Land At Caerphilly Twyn Community Centre, The Twyn, Caerphilly, CF83 1JL. 59 - 64
- 6 Code No. 19/0772/LA - Sports Ground, Brynhoward Terrace, Oakdale, Blackwood. 65 - 86
- 7 Code No. 19/0851/COU - 12 Gwendoline Road, Risca, Newport, NP11 6DD. 87 - 96
- 8 Code No. 19/0868/FULL - Land Adjacent To And Part Of B4254, Gelligaer Road, Gelligaer, Hengoed, CF82 2FY. 97 - 102
- 9 Code No. 19/0874/CLPU - Nyth y Nant, 1 Cwm-nat-yr-odyn, Springfield, Pontllanfraith, Blackwood, NP12 2DU. 103 - 108
- 10 Code No. 19/0972/FULL - Land At 94-96 High Street, Blackwood. 109 - 118

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

- 11 Applications determined by delegated powers. 119 - 138
- 12 Applications which are out of time/not dealt with within 8 weeks of date of registration. 139 - 144
- 13 Applications awaiting completion of a Section 106 Agreement. 145 - 146
- 14 Appeals outstanding and decided. 147 - 150

**Circulation:**

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

And Appropriate Officers

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of speakers will be publicly available to all via the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk). except for discussions involving confidential or exempt items.

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## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 4TH DECEMBER 2019 AT 5:00PM

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#### PRESENT:

Councillor M. Adams - Chair  
Councillor A. Whitcombe - Vice-Chair

#### Councillors:

Mrs E.M. Aldworth, C. Andrews, A. Angel, J. Bevan, M. Davies, J.E. Fussell, R.W. Gough, D. Hardacre, A. Hussey, B. Miles, Mrs G. Oliver, J. Ridgewell and J. Simmonds.

#### Together with:

T. Stephens (Planning Services Manager), R. Kyte (Head of Regeneration and Planning), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), L. Cooper (Engineer, Highways), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), M. Davies (Principal Planner), C. Powell (Principal Planner), A. Pyne (Senior Planner) and C. Evans (Committee Services Officer).

#### And:

Councillor E. Stenner – Cabinet Member for Planning and Regeneration

#### 1. **APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors A.G. Higgs, J. Taylor, R. Whiting and T. Williams.

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

A declaration of interest was received at the start of the meeting from Councillor D. Hardacre in relation to Agenda Item No.9 – Code No. 19/0487/OUT. Details are minuted with the respective item.

#### 3. **MINUTES – 6TH NOVEMBER 2019**

It was moved and seconded that the minutes of the meeting held on the 6th November 2019 be agreed as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 6th November 2019 (minute nos. 1-15) be approved and signed as a correct record.

## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT

### 4. CODE NO. 19/0624/FULL – SPARE MOMENTS, 21 OLD PARISH ROAD, HENGOED.

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

RESOLVED that:-

- (i) Subject to the conditions contained in the Officer's report this application be granted;
- (ii) The applicant be advised of the comments from Dwr Cymru/ Welsh Water and the Council's Ecologist.
- (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 the development, this should be reported immediately to the Coal Authority on 0945 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).
- (iv) The applicant be advised of the following: -

**WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water.

Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511  
Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)  
Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

### 5. CODE NO. 19/0495/COU – FORMER BAKERY, BRYN TERRACE, HENGOED.

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 agreed by the majority present.

RESOLVED that: -

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

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

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

**6. CODE NO. 19/0536/RET – LAND AT FORMER STATION HOUSE, MERTHYR ROAD, RHYMNEY BRIDGE**

It was noted that the application had been subject to a Planning Committee Site Visit which had been held on Monday 2nd December 2019.

Councillor Carl Cuss, Local Ward Member spoke in objection of the application.

The Applicant was advised of their right to speak on the application, but withdrew from speaking prior to the Committee and was not in attendance.

Following consideration of the application it was moved and seconded that subject to an amendment, in that enforcement action be taken as expediently as possible, the recommendation contained within the Officers report be approved and by show of hands, and in noting there was 1 abstention, this was agreed by the majority present.

RESOLVED that this application be refused.

**7. CODE NO. 19/0823/NCC – LAND AT GRID REF. 313169 TO 206548, WAUNTYSSWG FARM, ABERTYSSWG**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) The applicant be advised that this permissions relates solely to that part of the solar farm development within the boundaries of Caerphilly County Borough.
- (iii) the applicant be advised of the following: -

**WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are

advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

**8. CODE NO. 19/0559/FULL – GARNLLWYD, WATFORD ROAD, THORNHILL, CAERPHILLY.**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (iii) the applicant be advised the proposed development lies within a coal mining area which may contain unrecorded coal mining hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

**9. CODE NO. 19/0487/OUT – LAND ADJACENT TO MOUNT PLEASANT INN, MOUNT PLEASANT ROW, PENTWYN, BARGOED**

Councillor D. Hardacre declared a personal and prejudicial interest as the applicant is known to him and he has previously spoken in support of this item, and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the Officer's recommendation be approved, and by show of hands and in noting there were 7 against and 6 for, the motion was declared lost.

It was then moved and seconded that that subject to the conditions contained within the Officers Preface report, this application be granted, and by a show of hands and in noting there were 6 against and 7 for, this was approved by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's Preface report this application be granted;
- (ii) the applicant be advised that the following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 is/are relevant to the conditions of this permission: CW2 and CW3
- (iii) the applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such



hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities.

As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencingdistance-of-mine-entries>

The applicant be advised that any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

- (iv) The applicant be advised of the following:

**WARNING:  
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO  
COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

**10. CODE NO. 19/0448/NCC – ASDA, CLIFF ROAD, BLACKWOOD.**

Mr S. Roberts the Applicant's Agent spoke 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 this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of the Rights of Way Officer, as attached to the report.

**11. CODE NO. 19/0010/FULL – FORMER PONTYMISTER SERVICE STATION, NEWPORT ROAD, PONTYMISTER.**

It was noted that the application had been subject to a Planning Committee Site Visit which had been held on Monday 4th November 2019.

Mr D. Brown, Local Resident spoke in objection of the application.

Mr R. Chichester the Applicant's Agent spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's Report and the amended and additional conditions contained in the Officer's Preface Report, the recommendation contained therein be approved and by a show of hands and in noting there were 3 against and 3 abstentions, this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's original report and the amended and additional conditions contained in the Officers Preface report this application be granted;

Amended Condition 03:

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

Dwg. No. AL(01)10 - Proposed Elevations, received 04.01.2019;

Dwg. No. AL(01)04 Rev. B - Proposed 2nd Floor Plans, received 21.11.2019;

Dwg. No. AL(01)03 Rev. B - Proposed 1st Floor Plans, received 21.11.2019;

Dwg. No. AL(01)02 Rev. D - Proposed Ground Floor Plan, received 04.12.2019;

Dwg. No. AL(90)01 Rev. B - Site Location Plan, received 04.12.2019;

Dwg. No. AL(01)01 Rev. G - Proposed Site Plan (excluding bin store location and turning head dimensions), received 04.12.2019;

Flood Consequences Assessment, received 30.04.2019.

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: -

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COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

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- (iii) the applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water.

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purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

## **12-15. 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.

## **CHAIRMANS ANNOUNCEMENTS**

Before concluding the meeting, the Chair wished it noted that this was the last meeting of Mr T. Stephens (Planning Services Manager) and Mr R. Crane (Senior Solicitor).

The Planning Committee expressed their gratitude to Mr Stephens for the many years of support and advice on planning matters and wished him all the best for a long and happy retirement.

The Planning Committee thanked Mr Crane for his support and advice over previous meetings and wished him all the best in his new role.

The Chair wished everyone a very Merry Christmas and Happy New Year.

The meeting closed at 7.27pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 22nd January 2020, they were signed by the Chair.

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CHAIR

# Agenda Item 4

Planning Application 18/0160/OUT

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0160/OUT 05.04.2018	Mr & Mrs Evans & Franks C/O Ms L Hughson-Smith 19 Starling Walk Penallta Hengoed CF82 6BH	Erect residential development up to 131 dwellings and associated works Land Adj To Tiryberth Farm Hengoed Road Penpedairheol Hengoed CF82 8BS

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Hengoed Road, Cefn Hengoed.

Site description: The site measures approximately 3.5ha in area and is split into two field parcels which are enclosed by hedgerows and interspersed with mature trees. The site is currently in agricultural use, comprising primarily of improved hay meadow and grazing land with areas of scrub vegetation.

The site is bound to the north by agricultural fields and Tiryberth Farm and to the east by areas of woodland and scrub vegetation. Hengoed Road is situated to the western boundary with agricultural land beyond. The settlement of Cefn Hengoed lies immediately adjacent to the south of the application site.

Access into the site is currently achieved via an unclassified road at the northern boundary of the site and leads to Tiryberth Farm.

Development: Outline planning permission is sought in respect of residential development of up to 131 dwellings and associated works with all matters reserved for future consideration.

An illustrative layout has been provided which comprises:

- A range of 2, 3 and 4 bedroom dwellings comprising of 61 No. 2 storey detached 3 bedroom properties, 43 No. 2 storey detached 4 bedroom properties, 26 no. 2 storey detached 3 bedroom properties and 1 No single storey detached 4 bedroom property;
- The provision of 25% affordable housing;
- Open space together with formal and informal play areas.

Cont'd

The site layout plan shows the existing hedgerows that bound Hengoed Road will remain largely intact together with the hedgerow running through the middle of the site in a north-westerly direction.

Whilst access is reserved for future consideration, the illustrative layout indicates that the existing vehicular access point off Hengoed Road will be widened to provide an adoptable access, with pedestrian access gained from the existing footpath running parallel to the frontage of the proposed development.

The planning application and related plans were supported with the following documents:

- Design & Access Statement;
- Planning Statement;
- Bat Tree & Activity Report;
- Hedgerow Survey;
- Extended Phase 1 Habitat Survey;
- Transport Assessment;
- Travel Plan;
- Pre-Application Consultation (PAC) Report; and
- Coal Mining Risk Assessment.

Dimensions: The site amounts to 3.5 hectares. The site is an irregular shape, but broadly rectangular and slopes in a north-westerly to south-easterly direction. The site has maximum dimensions of approximately 157 metres in width by 240 metres in length.

The maximum and minimum dimensions of the proposed dwellings are as follows:

Width 5 metres to 14 metres;  
Depth 5 metres to 14 metres; and  
Height 8.0 metres maximum.

Materials: Not applicable at outline stage.

Ancillary development, e.g. parking: Not applicable at outline stage.

#### PLANNING HISTORY 2010 TO PRESENT

None.

Cont'd

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located outside settlement limits within a green wedge as defined by Policy SI 1.7 Penpedairheol, Gilfach and Tir y berth and is also within a Sandstone Safeguarding Area identified as MN 2.6 East of Nelson.

Policies: The Policies of relevance within the Caerphilly County Borough Local Development Plan up to 2021- adopted November 2010 are:-

#### Strategic Policies

Policy SP2 Development Strategy - Development within the Northern Connections Corridor (NCC);  
Policy SP4 Settlement Strategy;  
Policy SP5 Settlement Boundaries;  
Policy SP6 Place Making;  
Policy SP7 Planning Obligations;  
Policy SP8 Minerals Safeguarding;  
Policy SP10 Conservation of Natural Heritage;  
Policy SP14 Total Housing Requirements;  
Policy SP15 Affordable Housing Target;  
Policy SP19 Transport Infrastructure Improvements; and  
Policy SP21 Parking Standards.

#### Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion;  
Policy CW2 Amenity;  
Policy CW3 Design considerations (Highways);  
Policy CW4 Natural Heritage Protection;  
Policy CW5 Protection of the Water Environment;  
Policy CW6 Trees, Woodland and Hedgerow Protection;  
Policy CW10 Leisure and Open Space Provision;  
Policy CW11 Affordable Housing Planning Obligation;  
Policy CW15 General Locational Constraints; and  
Policy CW22 Locational Constraints - Minerals.

#### Supplementary Planning Guidance

LDP1: Affordable Housing Obligations;  
LDP4: Trees and Development;  
LDP5: Car Parking Standards; and  
LDP6: Building Better Places to Live.

Cont'd

## NATIONAL POLICY

Planning Policy Wales (Edition 10 December 2018);  
Technical Advice Note 1: Joint Housing Land Availability Studies (2015);  
Technical Advice Note 2: Planning & Affordable Housing (2006);  
Technical Advice Note 5: Nature Conservation and Planning (2009);  
Technical Advice Note 12: Design (2016);  
Technical Advice Note 16: Sport Recreation and Open Space (2009);  
Technical Advice Note 18: Transport (2007); and  
Technical Advice Note 24: The Historic Environment (2017).

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within an area of high risk. The application is accompanied by a Coal Mining Risk Assessment (CMRA). The CMRA has been reviewed by the Coal Authority and they have provided formal comments regarding the site's suitability for residential development which are discussed below.

## CONSULTATION

Gelligaer Community Council - Objects to the proposed development and those comments have been included and acknowledged with neighbour representations.

Glam/Gwent Archaeological Trust - There are no designated or non-designated historic assets within or adjoining the application area. Given the current information, it is unlikely that significant archaeological remains would be encountered during the work. However, should any archaeological remains or features be encountered, the developer should contact The Glamorgan-Gwent Archaeological Trust in the first instance.

Transportation Engineering Manager - Based on the Transport Assessment Addendum dated November 2019. No objection is raised subject to:

- conditions relating to visibility splays for the new accesses to serve the site;
- the estate layout to be designed in accordance with Manual for Streets;
- off-street car parking to be in accordance with LDP5 Car Parking Standards; and
- a residential travel plan to promote and encourage sustainable travel.

Cont'd



Conditions relating to off-site infrastructure improvements are also required relating to the provision of new localised footway provision on the north bound carriageway and new 'in-line' bus stops on the north bound and south bound carriageways and a traffic regulation order to extend the 30mph speed limit along Hengoed Road beyond the proposed site entrance.

A Section 106 Agreement will be required to be entered into to secure the financial aspects of the Residential Travel Plan and adjustment to the Traffic Regulation. These include:

- £5000 PA to fund a Travel Plan Coordinator for a period of 5 years.
- £5000 emergency fund to support the Travel Plan initiatives.
- £400 per property to fund sustainable travel initiatives for future residents to encourage sustainable travel, modal shift and reduce single car journeys.
- £4,000 to fund traffic regulation order work.

Police Architectural Liaison Officer - Whilst there is no objection to the proposed development in principal, there are reservations over the layout of the site. The segregation of the site into 'house types' could mean that parts of the development could become more vulnerable to crime than other areas. However, these are issues that could be resolved at reserved matters stage.

Natural Resources Wales - The Extended Phase 1 Habitat Survey has been reviewed and no comments are offered regarding the proposed development.

Minerals Officer - The site lies within the sandstone safeguarding area identified in the adopted LDP. The Pennant Sandstone resource in this area is highly valued nationally as it meets the requirements for High Specification Aggregate and the South Wales Coalfield is one of a very limited number of locations within the UK where such a resource exists. There is, therefore, a need to protect the resource because of its special properties and its scarcity nationally.

Prior extraction is unlikely to be a realistic option for minerals other than sand or gravel because of the timescales involved and the investment required. However, the Pennant Sandstone resource within the county borough is extensive and consultation with mineral operators via the LDP process has not identified any interest in development of the resource near the application site. The most likely location for future development of the resource is from extensions to existing sites. It is unlikely that the proposed development could be accommodated on a site outside the sandstone safeguarding area. On balance, therefore, if there is considered to be an overriding need for the development proposal, it may be unreasonable to refuse permission when there is no immediate prospect of the sandstone being worked in this area.

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Ecologist - No objection subject to conditions relating to the provision of a replacement hedgerow for the existing hedgerow that has been removed, retention of all hedgerows through the site, hedgerow and tree management enhancement, hedgerow exclusion areas, habitat retention and enhancement, light mitigation strategy, updated bat survey, Great Crested Newt and Amphibian Mitigation Strategy, breeding birds and biodiversity enhancements within the site.

Landscape Architect - The application site is located in two open agricultural fields, outside the existing settlement boundary and within an area of land designated in the Caerphilly County Borough LDP as a Green Wedge. Green Wedge designation prevents the coalescence of the settlements of Cefn Hengoed and Penpedairheol and any subsequent development of these fields would be a significant and unwelcome intrusion within the green wedge at its narrowest point.

However, if there is an overwhelming need for housing in this part of the borough, the current proposal presents a number of issues that would require addressing:

- The retention of existing hedgerows within and along the perimeter of the site are welcomed as there is a strong hedgerow pattern on this site. The layout as it currently stands is unacceptable due to the following:

The current layout is arranged with the rear of properties and associated boundary fencing facing the adjacent Hengoed Road, undeveloped perimeters and wider landscape which is visually unacceptable. The layout design would be considerably improved if properties active frontages faced out onto Hengoed Road and adjacent green fields and public rights of way. This approach would assist to provide the impression of a finished settlement edge, rather than one characterised by rear gardens. This is the preferred approach to be adopted throughout the proposed housing layout in combination with soft landscaping in the form of retention of hedgerows and additional tree planting within the redline boundary to reduce the visual impact of the development and to assimilate the development. This would provide a more aesthetically acceptable boundary whilst also improving the green infrastructure and biodiversity along the perimeters.

Where properties within the site are obliquely positioned onto highway or public space, in these instances there should be high quality finishes, such as brick walling, with piers and copings or high quality railings, rather than timber close board or palisade style boundary fencing.

The location of the small public open space in the south east corner is unacceptable, public open space should be relocated more centrally with properties arranged to provide adequate natural surveillance.

Cont;d

The street scene and parking layout throughout the site is over dominated with off-street parking to the front of properties. Whilst the indicative street tree planting is welcomed, in reality the space between houses and roads will be heavily influenced by hard surfaced driveways and parked vehicles, which is visually unattractive, with little space left for landscaping. In order to improve the visual amenity the layout would benefit from redesign with adequate space given to semi mature street tree planting. Should the application progress, detail planting plans including tree and shrub species, sizes and density will be required covered by a five years defects and establishment maintenance period. In addition to some forward planning to show how the trees have priority over the underground or overhead services / general infrastructure. There would be an expectation for tree sizes as a minimum to be semi-mature (18-20cm girth) and that pit design and soil volume calculations for street trees will be required and supplied for approval.

In addition, alternative approaches could be incorporated to prevent the over use of hard impermeable paving, driveways and parking areas, with greater use of SuDS incorporated, for example permeable block driveways and parking areas. Swales along with detention / retention ponds should also be considered and located appropriately through the site.

Works to upgrade the existing access to an acceptable standard would require the removal of the existing hedgerow(s) and alter the character and route along which the existing PRow takes. It is therefore recommended that alternative access arrangements on to the site, which do not affect the existing farm access, PRow and hedgerows, are considered.

It is also noted that the Public Rights of Way Gelligaer Footpath 19 and 15 run adjacent to the site. The current proposed layout does not take into account or suitably integrate these PRow into the landscaping layout. PRow 15 is constrained by boundary treatment to the rear of properties 95 to 106 and PRow 19 is along the access road, both of which are unacceptable. The routes of the PRow should avoid the use of estate roads, drives, gardens or other private areas and preference should be given to the use of paths through landscaped or open space areas away from vehicular traffic.

Rights Of Way Officer - There are two Public Rights of Way: Footpaths 15 and 19 in the Parish of Gelligaer in the area of the proposed development. Footpath 15 crosses the site and is of particular concern, as the proposed site layout does not make allowance for this footpath within its design.

Informative advice to the developer is also provided.

Cont'd

Planning Application 18/0160/OUT

Network Rail - Objects to the proposed development on the basis that no drainage details have been submitted as there are concerns that the proposed development may impact upon the track drainage capacity and adversely affect the risk of flooding.

Until these details have been received and assessed by our Drainage Engineer, our objection to the above will remain.

Informative advice to the developer is also provided.

CADW - Having carefully considered the information, our records show that there are no scheduled monuments or registered historic parks and gardens within the vicinity of the proposed development. Therefore no comments are offered regarding the proposed development.

Principal Valuer - No comments are offered in respect of the application.

CCBC - 21st Century Schools - Confirms that there is adequate provision to accommodate pupils within the local catchment area for Welsh and English medium Primary and Secondary schools.

Head Of Public Protection - No objection subject to the following conditions:

- A Working Method Statement to control the environmental effects of the demolition and construction work;
- A scheme to appropriately address the noise impacts from adjacent rail and road traffic concerns for the future residential occupiers of the site;
- Scheme to deal with contamination within the site;
- Contamination and remediation strategy; and
- The installation of vehicular charging points within the proposed residential units.

CCBC Housing Enabling Officer - Based on 131 homes, there would be a requirement for the developer to provide 25% affordable housing provision.

The mix of housing would need to be delivered as:

- 5 x 2 bed 4 person low cost home ownership homes; and
- 5 x 3 bed 5 person low cost home ownership homes.

(The transfer values would be those contained within the most recent SPG on affordable housing. The homes would need to be delivered to WHQS standard and built in clusters of no more than 6 homes, dispersed throughout the development.)

Cont'd

Together with 16 social rented homes comprising:

- 6 x 1 bed flats;
- 8 x 2 bed houses;
- 1 x 3 bed adapted bungalow; and
- 1 x 4 bed 7 person house.

(The transfer values would be those contained within the most recent SPG on affordable housing. The homes would need to be delivered to DQR standard and built in clusters of no more than 6 homes dispersed throughout the development.)

Senior Engineer (Land Drainage) - No objection subject to a scheme to demonstrate how land and surface water drainage will be dealt with within the site.

Parks And Open Spaces - Given the scale of the proposed development and in line with the criteria set out in policy CW10 of the Authority's Local Development Plan there is a need to provide:

- A suitably scaled equipped play area designed (for ages 2-12 yrs) with at least 6 units of equipment.
- A kick about court that provides space for older children. It should incorporate a tarmac surface (circa 12m x 16m dimensions) with 1 metre side panelling (green painted) and at least 2.4 metre goal ends. This space enables safe ball play for the older children and in doing so keeps the children off the streets in the development.

These requests outlined above are in line with feedback on developments of similar scale and have been compiled to ensure the Authority is meeting its duties in terms of:

- The Children & Family (Wales) Measure 2010.
- Welsh Government Play Sufficiency Duty.
- The Well Being of Future Generations (Wales) Act 2015.
- The criteria set out in the Authority's LDP in respect of Leisure and Recreation (CW10).
- The corporate goals to promote healthy and active lifestyles.
- The Rights of the Child (UNCRC) Agreement.

Also given its proximity to the national cycle route it is pertinent to explore the connection to the black path local thoroughfare that connects to Tir y berth to the east and to the Nant Cylla to the West and by extension the national cycle route NCN 47.

Head Of Public Services - No objection, provides comments on the illustrative layout.

Cont'd

Planning Application 18/0160/OUT

Dwr Cymru - No objection.

Wales & West Utilities - Provides informative advice.

Western Power Distribution - No comments received at the time of writing the report.

The Coal Authority - The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically historic recorded underground coal mining at shallow depth and thick coal outcrops. Records also indicate the presence of numerous recorded mine entries within, or within 20m of the planning boundary (shafts and adits).

Appropriate mining and geological information for the proposed development site has been obtained on behalf of the applicant and has been used to inform the Coal Mining Risk Assessment Report (March 2018, prepared by Terrafirma Ltd), which has been submitted in support of the application.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report (March 2018, prepared by Terrafirma Ltd) are sufficient for the purposes of the planning system and meet the requirements of PPW in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure intrusive site investigations to establish the exact situation regarding coal mining legacy issues on the site and implementation of those remedial works.

Strategic & Development Plans - The proposed development is located within a green wedge, policy SI1.7. This is a large green wedge intended to prevent coalescence between Penpedairheol, Gilfach and Tir y berth.

In that regard the proposed scheme constitutes unacceptable development in the countryside that does not accord with the aims of National Planning Policy and Guidance, which seeks to strictly control development in the countryside. Furthermore, the proposed development is considered to be contrary to the Adopted LDP on the following grounds:

- The proposed development is located outside of the designated settlement boundary for Blackwood. As such the proposed development is contrary to the provisions of Policy SP5, particularly Criterion D, and is also contrary to Criterion C of Policy CW15, which restricts the forms of development that are acceptable outside of settlement boundaries.
- The proposed development is located within a green wedge, Policy SI1.7 Penpedairheol, Gilfach and Tir y berth.

Cont'd

However, the following issues weigh in favour of the development:

- Policy SP2 of the Adopted LDP promotes sustainable development on both brownfield and greenfield sites.
- There are no ecological, Special Landscape Area or Visually Important Local Landscape designations associated with the site.
- The Council does not have the required 5-year land supply and the application proposes 131 dwellings, including circa 32 affordable homes, to assist in addressing the issue.

The proposed development would have significant economic, social and environmental benefits to the wider community.

There is an overriding need for this development, and when all factors are considered there are very exceptional circumstances which outweigh the conflict with the development plan policies previously referred to.

The key factor in considering the principle of this application is whether the lack of a 5-year housing land supply, and the consequent need to increase it, outweighs the conflict with the Adopted LDP Policies.

Since the dis-application of paragraph 6.2 of TAN 1, there have been a number of appeal decisions where the 5 year land supply has been a consideration. A key appeal decision was for a 110 dwelling scheme outside of the settlement boundary in Deganwy, Conwy in February 2019, where the Inspector identified four key issues that need to be considered when determining the weight to be attached to the housing land supply:

- the magnitude of the shortfall;
- how long the shortfall will persist;
- what the local planning authority is doing to reduce it; and
- how much will the development contribute to meeting the shortfall?

In Conwy, the land supply was 3.1 years, there was a shortfall of 1,357 dwellings and an LDP review was due to be adopted in 2021. Based on these factors, the Inspector attached "significant weight" to the need to increase the land supply.

These are factors that need to be considered when considering this application for residential development of 131 dwellings on land adjacent to Tiryberth Farm.

It is accepted that there is a significant shortfall in the 5-year housing land supply for the county borough. TAN 1 seeks to ensure that there is a genuine 5-year land supply available, and thus categorises sites to indicate those that can be included within the 5-year land supply. Using the residual method, as currently required by TAN 1, the 2018 JHLAS identified that the county borough had just 2.3 years land supply.

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However, in July 2019, the latest Joint Housing Land Availability Study was published for the year up to 1st April 2019, which showed that the housing land supply had decreased from 2.3 years to 2.0 years this year. The number of dwellings built in 2019 was only 122 dwellings, which was the lowest level of completions ever recorded. It is important to consider the land supply in respect of these latest figures.

As there is less than 2 years of the plan period remaining, it is necessary to calculate the 5 year land supply in the JHLAS based on the average annual requirement being continued for the three years outside of the plan period, as per the methodology set out in TAN 1. Using this method, the average annual requirement is 1103 units, which equates to 5,515 dwellings over 5 years. Once the land supply is deducted from this, the shortfall over 5 years in the JHLAS is 3,296 units.

If consideration is given to the shortfall in terms of the remaining two years of the LDP, the JHLAS indicates that 4,835 dwellings out of 8,625 dwellings have been completed, indicating that there is a requirement for 3,800 units to be delivered in the remaining two years of the plan period. The JHLAS schedule identifies that 924 units are forecast to be completed in the next 2 years (currently under construction, forecast completions in 2020 and 2021 and small sites assumptions), which would leave a forecast shortfall of 2,876 dwellings by the end of the plan period. The magnitude of the shortfall is substantial, and this development of 131 dwellings would go some way towards meeting this.

In terms of how long the shortfall will persist, this is not known. Whilst at the time of this response, the Council is about to commence a review of the Adopted LDP, there are no agreed timescales for its completion. However, a revised LDP is unlikely to be adopted until at least Spring 2024.

Planning permission has been granted (by the LPA and at appeal) for a number of large scale housing developments within the County Borough. However, all of these sites (with the exception of Virginia Park - 350 dwellings, which was granted subject to s106 after the base date for the JHLAS) are already in the 5 year land supply figures.

The 2019 Annual Monitoring Report was approved by Council in October 2019. In recognition of the need to identify more land for employment and housing to support local need and regional aspirations, this report recommended that a review of the Adopted LDP be commenced.

Cont'd



The report also recommends that:

- "in the period up to the adoption of a new Replacement LDP, the Council will continue to address the shortfall in the 5-year housing land supply through proactive action, including:
- Considering proposals for new residential development on their relative planning merits on a site-by site basis and have due regard for the need to increase the housing land supply in line with national planning policy and guidance."

Policy SP2 Development Strategy (NCC) requires development proposals within the NCC to promote sustainable development. Specifically proposals in this area should:

- be targeted to both greenfield and brownfield sites having regard to the social and economic functions of the area;
- reduce car borne trips by promoting more sustainable modes of travel;
- make the most efficient use of existing infrastructure; and
- protect the natural heritage from inappropriate forms of development.

With the exception of criterion D, the proposal complies with all other criteria and is therefore broadly considered to comply with Policy SP2.

However, the application site lies outside of the settlement boundary and, as such, should comply with Policies SP 5 and CW15, which restricts the types of development that are appropriate to agriculture, forestry, minerals, conversions, rehabilitation/replacement, recreation, leisure, tourism, public utilities, infrastructure, waste and land reclamation/remediation/stabilisation. The proposed use for residential development is contrary to these policies and comprises inappropriate development in the countryside.

The application proposes development within a green wedge. PPW explains that the construction of new buildings in the green wedge is inappropriate development. It confirms that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the green wedge.

The intention of this green wedge is to prevent coalescence between Penpedairheol, Gilfach and Tir y berth. All three settlements have their own strong identity and sense of place, which should be protected for the continued integrity of the settlements and the communities within them. In this instance, should the proposed site be developed there would be field parcels remaining to prevent coalescence between Cefn Hengoed and both Penpedairheol and Tir y berth. Furthermore, the railway also presents a physical boundary separating Tir y berth from Cefn Hengoed. The development would not pose any risk of coalescence with Gilfach.

Cont'd

In conclusion, Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

The proposed development is outside of the defined settlement boundary and is therefore contrary to the adopted development plan. However, the site is in a sustainable location in terms of access to services, amenities and public transport and development of the land for housing could represent a sustainable extension to Cefn Hengoed, providing much needed family and affordable housing for which there is an acknowledged need and an acknowledged shortfall.

The site is within a green wedge, however, this is a large green wedge intended to prevent coalescence between Penpedairheol, Gilfach and Tir y berth. There are field parcels remaining that prevent coalescence with Penpedairheol and Tir y berth. The latest JHLAS identifies a substantial shortfall and this development would make a significant contribution to addressing it. In Conwy, the land supply was higher, the shortfall was less and the site contributed less dwellings yet "significant weight" was attached to the need to increase the land supply and the appeal was allowed. Given the extent of the shortfall in Caerphilly, together with the other factors above, it is considered that significant weight should be applied to the contribution that this site would make to the shortfall.

Therefore, no objection is raised on policy grounds subject to amending the standard time limits relating to the submission of any reserved matters application and length of time that the development should commence from the date that outline consent is granted.

### ADVERTISEMENT

Extent of advertisement: The application was advertised in the press, by means of a site notice and 24 neighbours were notified by way of letter.

Response: A total of thirty nine letters of representations from local residents were received objecting to the proposed development at the time of writing the report.

Cont'd

Summary of observations: The following representations were received:

#### LOCAL PLAN POLICIES

- The site falls outside settlement limits and is contrary to the adopted Local Development Plan until the LDP is reviewed, this policy should be adhered to.
- The development is proposed on valuable, highly fertile, arable, greenfield land.
- This is green field land and brown field sites should be considered first to meet housing demands.
- The development will reduce the green wedge between Cefn Hengoed and Penpedairheol and lead to the villages of Cefn Hengoed and Penpedairheol coalescing.
- New residential developments have been approved in the locality.
- The application site forms part of the green wedge in the adopted LDP.
- The need for housing does not outweigh the need to retain the green wedge.
- There are brownfield sites in the area that have planning permission.
- The site was previously rejected by the LDP.
- Granting permission would set a precedent for other development on green fields.
- Suggests alternative sites suitable for development (including greenfield land) that would be unlikely to receive opposition.
- This will set a precedent to build on land at Penrhiwfelin & Tir Jack Farms.

#### HEALTH CENTRE PRESSURES

- There is no provision for health care within Cefn Hengoed and wider surrounding health centres are closing or catchment areas are expanding whereby patients are unable to obtain appointments for weeks.
- Additional residents will put overwhelming strain on healthcare provision for the area.

#### EDUCATION PRESSURES

- The local schools are already at full capacity and residents will be forced to travel further for their education needs.
- Apart from the local primary school, all other schools are too far away to be accessed on foot.

#### EMERGENCY SERVICES

- The number of large residential developments will put pressure on the emergency services, no assessment has been undertaken in terms of how they will be able to cope with the extra demand.

Cont'd

## HIGHWAYS

- The proposal will add to the congestion of the inadequate road and rail infrastructure.
- The existing access is not wide enough to support two-way traffic.
- The traffic survey data was undertaken in the school holidays and does not reflect the increased volume of traffic during peak times.
- The development is in close proximity to a primary school whereby traffic congestion is already a concern and inconvenience.
- The existing pavements are poorly lit, narrow and any improvements offered would result in the removal of additional hedgerow.
- There have been several accidents outside the Carn Gethin Estate in recent years. Additional vehicles using Hengoed Road will cause more accidents.
- It is difficult to understand how adequate highway works can be constructed to align the planned entrance to the proposed development.
- Section 3.6.4 of The Transport Assessment (Feb 18) is incorrect by referring to an informal crossing facility outside Derwendeg Primary School.
- There is only a pavement on one side of the road that is poorly lit to serve the proposed development.
- Section 3.7.5 of The Transport Assessment is incorrect by stating that traffic calming measures have improved road safety conditions.
- The monitoring device for the traffic survey was placed near slow moving traffic.
- The existing highway infrastructure cannot support the number of vehicles to serve the proposed development.
- No Travel Plan has been submitted to accompany the Transport Assessment.
- Tipper lorries entering the site from the Bryn Siriol direction are not able to turn left into the farm road, as such how will large construction vehicles enter the site.
- There are further cuts to highways budgets and this development will add to the strain.

## HOUSING NEED

- The Caerphilly County Borough Joint Housing Land Availability Study (JHLAS) for 2017 identifies a number of alternative solutions to fulfil housing policy needs.
- There is no evidence to indicate demand for housing in the area.

## ENVIRONMENTAL

- Environmental concerns in terms of noise and air pollution as a result of the number of additional cars adding to the highway network.
- The Coal Mining Risk Assessment (CMRA) concludes that there is high risk from shallow mining and mine entries.
- There has been two recent subsidence claims from properties within 50 metres of the proposed development, any new properties would be at risk to subsidence.
- A suggestion that intrusive investigation work is required to establish a clear picture of what mining shafts are there, comes with its own problems including noise and dirt from heavy vehicles.
- Loss of this open land would increase surface water run-off.

Cont'd

### ECOLOGICAL

- The area supports a variety of wildlife that will be destroyed forever.
- The development will result in loss of hedgerows and habitats which are essential to sustaining the natural balance of eco systems.
- The land has not been assessed for the presence of mammals.
- The development area supports habitats/ species that meet SINC selection criteria and the need for development does not outweigh the need to safeguard the conservation of the site.
- The site is in close proximity to two SINC.
- The existing access into the site is a single track. The illustrative layout will result in the loss of the existing hedgerow.

### ECONOMICAL

- The dwellings will not be affordable for those living in the area.
- Affordable housing is only being offered as a result of legislation.
- The local economy is not able to support the proposed volume of additional residents.

### COMMUNITY

- The development will bring disruption to the local economy.
- The development site will increase pedestrian traffic past the Carn Gethin Estate and encourage anti-social behaviour on land near Cheriton Avenue.
- There are limited amenities available in the area such as play areas for children, shops, walks and seating areas for adults, this would put additional pressure on the already limited facilities.
- There is no guarantee that the development will benefit the wider community.
- The community will be sad to lose donkeys, cattle, sheep and horses on the land.
- The retention of green spaces is an important priority.

### DESIGN AND SCALE

- The development site is twice as big as the Carn Gethin Estate.
- The privacy of the occupiers of Rhosili Road will be lost as a result of the proposed development.
- The rear windows of Rhosili Road will be overshadowed by the proposed development.
- The dwellings of Rhosili Road will be overlooked.
- The proposed dwellings will bring about loss of privacy and overshadowing to the occupiers of Rhosili Road and Penmaen Close.

### PUBLIC RIGHTS OF WAYS

- There is an existing Public Right of Way that would be obstructed as a result of the development.
- Any mitigation proposed to divert the PROW will inevitably be obstructed by vehicles and will not be enforced
- There is no connectivity into the site from the Carn Gethin Estate. Cont'd

#### JAPANESE KNOTWEED

- Although the weed has been treated, it is well known that land disturbance can cause the weed to reappear.
- The extent of Japanese knotweed on the site is not representative of the drawing included in the Extended Phase 1 Survey.
- Treating the land with chemicals will result in biodiversity implications.
- A study carried out by Swansea University in 2018 concluded that knotweed is not destructible.

#### PRE-APPLICATION

- The Public Consultation Documents was not readily available throughout the entirety of the consultation and no library details were available to view the hard copy files.
- Inconsistencies between the actual number of properties consulted and stated.
- Inconsistent objection comments reported.
- Only one site notice was erected and this was not in a location that would be viewed by the majority of neighbouring residents.

#### OTHER ISSUES RAISED

- The address of the site includes Penpedairheol and as such the proposed development eliminates the separation between Cefn Hengoed and Penpedairheol.
- No consideration has been given to the extant consents that have been approved in the areas
- Further clarification is required on the drainage provision within the site to prevent flooding.

#### COMMUNITY COUNCIL COMMENTS

- It is outside the settlement area as in the adopted LDP 2010, on a greenfield site.
- It is an incursion into open countryside.
- The site proposed is part of the green wedge between villages of Cefn Hengoed and Penpedairheol - the wedge would be significantly reduced and could lead to the coalescence of the two communities.
- If granted, the application would provide a precedent for development on the opposite side of Hengoed Road, adjacent to Waun Goch & Bryn Canol.
- The site is an invaluable habitat for wildlife. A stretch of mature and well established hedgerow
- would have to be removed, at a heavy cost to the environment, to accommodate the site road serving the proposed dwellings.
- The access road off Hengoed Road is on a bend which could affect highway safety. Vehicles coming from the site would lead to an increase in traffic congestion in particular approaching the road narrowing travelling south and on Pengam Road from Cascade.

Cont'd

The application draws attention to the lack of housing land designated by Caerphilly County Borough Council. However, the following brownfield sites are available and have not been developed:

- Site at New Road, Tir y berth, suitable for 173 units
- Site at Cwm Calon near the Colliery Baths
- Site opposite Derwendeg School, 27 units
- 32 units have recently been built on land designated for employment at Cwm Calon, Ystrad Mynach.

There is a further site south of Glyngaer Road, on a greenfield site, 30 units, which has fewer disadvantages of the application site.

Gelligaer Community Council were not consulted at the pre-planning consultation stage and would have expected to have been consulted at the pre-planning stage, given the size of the proposed development in our area.

#### SECTION 17 CRIME AND DISORDER ACT

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

The Police and Architectural Liaison Officer has provided comments above in respect of crime and disorder.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The proposed site is located due north of the community boundary of Cefn Hengoed and consists of two hedgerow bound fields. There are no statutory or non-statutory nature conservation sites located within the boundary of the site. The wider landscape includes hedgerow bound fields, areas of scrub, a pond and three Sites of Importance For Nature Conservation are located within 250m of the proposed site; Pottery Road Slopes to the west of Gelligaer SINC, Tir Jack Slopes East of Penpedairheol SINC and Cefn Hengoed Hillside, north of Hengoed SINC. The two fields proposed for development are linked to these SINC's and the wider landscape by well-connected hedgerows.

An Extended Phase 1 Habitat Survey undertaken in June 2018 identified that the dominant habitat type across the one field (Meadow A) is semi improved grassland and is floriferous. There was a patch of Japanese Knotweed in the south western edge of the field which has successfully been killed. This field is bounded by hedgerows on three sides, providing important links to the wider landscape. This Meadow A predominantly shows characteristics of semi-improved grassland, with tall ruderal herbage and ranker grasses bordering the three internal sides of the field. The second field (Meadow B) contains large areas of *Juncus effuses* and other tall ruderal herbage, in places.

Cont'd

There is also dense bramble in places and the field has a less diverse flora probably due to the heavy grazing and cutting up of the sward by horse grazing. The hedge boundary has also been affected by browsing horses. A water spout is present within this field with a wide wet flush running along the northern edge of this meadow. This area is marshy with juncus being the dominant species. This field consists of semi-improved grassland, with wet acid flushes running through the field. The boundary between the two fields proposed for development and the existing housing estate to the south is lightly vegetated with no dense hedgerow. There is some discarded rubbish with garden escapees present along the housing estate boundary. The proposed site includes an extensive network of hedgerows within the site. These hedgerows provide linkages to the hedgerow system present within the wider landscape.

All of the six hedgerows within the proposed site were assessed under the Hedgerow Regulations 1997. Out of the six hedgerows all except the one, qualifies as an "important" hedgerow under the Hedgerow Regulations 1997. The one hedgerow that didn't qualify as "important" was the one located along Hengoed Road, however this still acts as an important wildlife corridor for species moving through the site. Therefore, all of the hedgerows will need to be retained and enhanced as part of the development and excluded from the garden boundaries by suitable fencing. The breaks within these hedgerows for access roads will need to be mitigated for and the existing gaps enhanced through enhancement planting.

With regards to Protected Species, several were recorded to be using the site:-

#### Invertebrates

No Schedule 5 Species or Section 42 Species were recorded within the site during the survey. However, the layout plan indicates the provision of seven areas of open space. Some of the areas of wet acid grassland and semi improved grassland should be retained and managed for invertebrates.

#### Bats

Bats were recorded to be using the boundary and internal hedgerows within the proposed site, with the internal hedgerow between the two parcels being the most heavily used by bats for both foraging and commuting.

#### Reptiles

Reptiles haven't been mentioned within the survey report although they are a protected species and a material consideration in the determination of a planning application. Due to the habitat type present there is potential for reptiles to be using the site for basking, such as the south facing hedgerow banks and walls, the base of hedgerows and areas of rough grassland. There is potential for slow worms and common lizard to be using the site, both of which are a Section 42 Species. The unmanaged hedgerows dividing the field system afford excellent basking and natural refuge areas for reptiles. The main grassland areas have limited value to reptiles as they are subject to periodic disturbance through grazing and through the cutting for hay.

Cont'd



Great Crested Newt and Amphibians

No amphibians were noted during the surveys. However there is a large pond within close proximity to the proposed site. The hedgerow and field boundaries, particularly the marshy acid areas will provide foraging and hibernating habitat to amphibians. Toads are a Section 42 species. There are no records for Great Crested Newts within the pond which are a European Protected Species and the pond wasn't surveyed as part of these works. However the proposed site could also provide foraging and hibernating habitat to great crested newts as well as amphibians.

Badger

No evidence of badger using the site was found. Therefore, no further survey work is required.

Dormouse

Hazel nuts were found within the site boundary under the hazel trees within the hedgerows. These had been opened by voles or mice. No evidence of hazel nuts opened by dormouse was found within the site. Therefore, no further survey work is required.

Breeding birds

Twelve species of bird were recorded feeding/nesting within the proposed site. The retention of the hedgerows within the site will ensure that birds can continue to breed on site. The timing of any vegetation removal should therefore be conditioned.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Should outline planning consent be granted, any future reserved matters application would be CIL liable as the application is for residential development and falls within the Mid Viability Area whereby CIL is charged at a rate of £25 per square metres plus indexation.

ANALYSIS

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

Cont'd

The site lies outside the settlement boundary of Cefn Hengoed as designated in the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010. The main issues in the determination of this application are:

- Whether the proposed development conflicts with national and local plan policies designed to protect the countryside.
- Whether the loss of the green wedge will result in the coalescence of Cefn Hengoed and Penpedairheol.
- The impact of the proposed development on the ecological and landscape value of the existing site.
- Whether the proposed development would result in an increased level of highway traffic to result in a detrimental impact on highway safety.
- What weight should be afforded to the Council's lack of a five year housing land supply in light of the dis-application of paragraph 6.2 of TAN1.

These issues will be discussed in turn.

#### DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY

The application site is a greenfield site located in the Northern Connection Corridor (NCC) located adjacent to the settlement of Cefn Hengoed.

#### Strategic Policies

Policy SP5 (Settlement Boundaries) is the key policy mechanism for achieving resource efficient settlements within the LDP. The delineation of the settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. Importantly it promotes the full and effective use of urban land and concentrates development to within existing settlements. The policy also seeks to prevent coalescence and inappropriate development in the countryside. The site falls outside the settlement boundary for Cefn Hengoed and within a green wedge, and is therefore contrary to Policy SP5 of the Adopted LDP. Notwithstanding this, there are material planning considerations weighing in favour of approving the site for development, and these are discussed below.

Policy SP2 (Development Strategy in the Northern Connections Corridor (NCC) requires development proposals within the NCC to promote sustainable development. Specifically proposals in this area should be targeted to both greenfield and brownfield sites having regard to the social and economic functions of the area; reduce car borne trips by promoting more sustainable modes of travel; make the most efficient use of existing infrastructure; and protect the natural heritage from inappropriate forms of development.

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Within the NCC, development can be permitted on both brownfield and greenfield sites that have regard for the social and economic functions of the area. Policy SP4 Settlement Strategy defines the settlement hierarchy for towns and villages across the county borough and identifies those areas where development would be supported and enhanced based on the specified role and function of a particular area. The Strategy seeks to concentrate new development to respond appropriately to the economic, social and environmental needs of individual settlements and thus settlement boundaries are identified accordingly to indicate the potential areas where development is likely to be permitted. Cefn Hengoed is identified as a residential area.

Policy SP2 also requires that new proposals reduce car borne trips by promoting sustainable modes of travel and make the most efficient use of existing infrastructure. The site is within walking distance of a number of local shops, a school and services at Cefn Hengoed. There are a number of bus stops within the vicinity of the site which travel between Cefn Hengoed and Bargoed, Ystrad Mynach, Blackwood and Caerphilly. Two train stations, Hengoed and Pengam are located within 2km of the site.

Criterion D of Policy SP2 seeks to protect the natural heritage from inappropriate development. The application proposes housing on a greenfield site, within a green wedge and is therefore contrary to Criterion D of Policy SP2.

In line with national planning policy, SP6 (Place Making) requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. Policy SP6 requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate through the use of Sustainable Urban Drainage Systems (SUDS). The development will require SUDs approval.

This policy also requires mitigation measures that improve and maintain air quality. The nearest air quality management area is High Street, Blackwood. Given the distance of the site from Blackwood High Street, the development is unlikely to result in a detrimental impact on this air quality management area. Notwithstanding this, the Section 106 agreement requires the developer to make substantial financial contributions to encourage use of modes of transport other than the car. This modal shift in travel patterns is an essential part of reducing the growing concerns related to air quality.

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Policy SP7 (Planning Obligations) recognises that new development has the potential to increase pressure on existing community facilities and as such requires the developer to enter into Planning Obligations to mitigate the effects of that development. In the context of this application, the Council has secured the provision of appropriate on-site formal and informal open and leisure space, infrastructure improvements to facilitate walking and cycling, the provision of 25% affordable housing, highway improvements, and a financial contribution towards sustainable forms of travel.

The site lies within a Minerals Safeguarding Area as identified by Policy SP8 Minerals Safeguarding. The Minerals Officer's response has been provided and the proposal is considered to comply with the requirements of this Policy.

Policy SP10 (Conservation of Natural Heritage) recognises the natural heritage as a positive asset that enriches people's quality of life, and that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be required to make any development at this location acceptable. This may be addressed by attaching appropriate conditions to any consent.

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

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

The 2019 AMR was approved by Council in October 2019. In recognition of the need to identify more land for employment and housing to support local need and regional aspirations, this report recommended that a review of the Adopted LDP be commenced.

The report also recommends that

- "in the period up to the adoption of a new Replacement LDP, the Council will continue to address the shortfall in the 5-year housing land supply through proactive action, including:
- Considering proposals for new residential development on their relative planning merits on a site-by site basis and have due regard for the need to increase the housing land supply in line with national planning policy and guidance;"

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There is a significant shortfall in the 5-year housing land supply for the county borough. TAN 1 seeks to ensure that there is a genuine 5-year land supply available, and thus categorises sites to indicate those that can be included within the 5- year land supply. Using the residual method, as currently required by TAN 1, the 2016 Joint Housing Land Availability Study (JHLAS) identified that the county borough had just 1.5 years land supply. This had increased to 2.1 years in the 2017 JHLAS, 2.3 in the 2018 JHLAS and 2.0 in the 2019 JHLAS.

In that there less than 2 years of the plan period remaining, it is necessary to calculate the 5 year land supply in the JHLAS based on the average annual requirement being continued for the three years outside of the plan period, as per the methodology set out in TAN 1. Using this method, the average annual requirement is 1103 units, which equates to 5,515 dwellings over 5 years. Once the land supply is deducted from this, the shortfall over 5 years in the JHLAS is 3,296 units.

If consideration is given to the shortfall in terms of the remaining two years of the LDP, the JHLAS indicates that 4,835 dwellings out of 8,625 dwellings have been completed, indicating that there is a requirement for 3,800 units to be delivered in the remaining two years of the plan period. The JHLAS schedule identifies that 924 units are forecast to be completed in the next 2 years (currently under construction, forecast completions in 2020 and 2021 and small sites assumptions), which would leave a forecast shortfall of 2,876 dwellings by the end of the plan period. The magnitude of the shortfall is substantial, and this development of 131 dwellings would go some way towards meeting this.

Policy SP15 (Affordable Housing Target) seeks to deliver through the planning system at least 964 affordable dwellings over the plan period in order to contribute to balanced and sustainable communities. The application proposes 131 dwellings in an area of housing pressure and in an area with considerable housing need. Within the NCC the plan seeks to secure 25% affordable housing to meet the identified needs in the area. Consequently there is the potential for the proposal to deliver in the region of 32 affordable homes. In the interests of creating sustainable communities a variety of tenures should be considered. LDP 1 Affordable Housing Obligations (Revision), provides supplementary planning guidance on the delivery of affordable housing through the planning system.

Policy SP19 (Transport Infrastructure Improvements) seeks to implement improvements to the existing transport infrastructure, in particular that: Address social exclusion; improve transport links in the Northern Connections Corridor and Southern Connections Corridor; reduce the level of traffic movements and/or congestion, within any identified air quality management area; and promote the most efficient use of the transport network. As the application proposes up to 131 dwellings, appropriate measures will be secured by way of a Section 106 legal agreement to ensure that any existing problems are not further compounded.

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## Countywide Policies

Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) requires development proposals that have the potential to generate a significant number of trips (either as an origin or a destination) to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. This will be secured in terms of the layout submitted at reserved matters stage, together with a Section 106 obligation.

Policy CW2 (Amenity) requires new development to be compatible with surrounding land-uses. The proposal is for residential development immediately to the north of Cefn Hengoed adjacent to an existing residential area.

It is acknowledged that there will be some impact on neighbouring residents and therefore sympathetic development with sensitive boundaries should be sought. Many existing residents use the Public Rights of Way that runs through the Carn Gethin Estate and the application site and therefore any layout at reserved matters stage will need to retain this Public Right of Way to ensure connectivity within the development and help link the development with the surrounding built form and open countryside.

Policy CW10 (Leisure and Open Space Provision) states that all new housing sites capable of accommodating 10 or more dwellings are required to make adequate provision for well-designed open space and appropriate provision for children's play facilities as an integral part of the development. Areas of formal and informal open space have been proposed, and more detailed specification of these areas will be required at reserved matters stage.

Policy CW11 (Affordable Housing Planning Obligations) seeks appropriate levels of affordable housing in order to meet an identified housing need within the area. This site lies within the NCC and as such 25% of the units on the site should be provided in line with the requirements of the policy. The developer has agreed to provide this level of affordable housing and therefore the proposal satisfies the requirements of this Policy.

Policy CW15 (General Locational Constraints) specifies the type of development that will be permitted outside of the settlement boundary. The proposal is for housing and this type of development cannot meet the provisions of Policy CW15. The proposal is therefore contrary to this policy.

Policy CW22 (Locational Constraints Minerals) requires proposals for permanent development that impact on minerals safeguarding areas to meet specified tests as laid out in the policy. The whole of the site is within a safeguarded sandstone area, however, it is highly unlikely that planning permission would be granted for any form of quarry in this location bearing in mind its proximity to the residential properties.

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## LOSS OF GREEN WEDGE AND COALESCENCE OF NEIGHBOURING SETTLEMENTS

PPW explains that the construction of new buildings in the green wedge is inappropriate development. It confirms that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Wedge.

The site is within a green wedge identified by Policy SI 1.7 Penpedairheol, Gilfach and Tir y berth and Policy CW4 (Natural Heritage Protection) does not preclude development in green wedges. Policy CW4 recognises that where development proposals are such that the need for the development outweighs the ecological importance of the site, harm is minimised by mitigation measures and offset as far as practicable by compensation measures designed to ensure that there is no reduction in the overall value of the area or feature. It is therefore necessary to consider whether there are any very exceptional circumstances to overcome the harm to the Green Wedge and any potential harm to the ecological interest of the site.

The intention of this green wedge is to prevent coalescence between Penpedairheol, Gilfach and Tir y berth. All three settlements have their own strong identity and sense of place, which should be protected for the continued integrity of the settlements and the communities within them. Having regard to the application site, it is not considered that the development would pose any risk of coalescence with Gilfach and there are intervening field parcels together with the railway also presenting a physical boundary separating Tir y berth from neighbouring settlement of Cefn Hengoed.

The settlements to be given key consideration are those of Cefn Hengoed and Penpedairheol. In that regard the application site adjoins the settlement of Cefn Hengoed and would amount to a considerable extension of the settlement into a prominent stretch of countryside. Notwithstanding the existing delineation of the settlement boundary the development of the site would constitute a logical rounding off of the existing settlement limit at this location, extending the built form in a northerly direction. However, it is acknowledged that the proposed development would inevitably change the character and appearance of the immediate surroundings and serve to erode the open character of the green wedge at this location. However having regard to the distances between the application site and the settlement of Penpedairheol, approximately 213 metres to the most southerly edge of the built form on the western side of Hengoed Road with a singular intervening field parcel and approximately 275metres as the crow flies on the eastern side of Hengoed Road with two intervening field parcels, it is considered that there is a substantial buffer in terms of the open countryside and the built form to prevent any coalescence between the settlements of Cefn Hengoed and Penpedairheol.

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## LANDSCAPE AND ECOLOGY

Trees and Hedgerows make a positive contribution to both the natural and built environment. They enhance the character and diversity of the landscape and offer substantial environmental benefits. Policy CW6 (Trees, Woodland and Hedgerow Protection) therefore requires proposals to ensure that effective measures are taken to ensure the protection of existing trees and hedgerows on development sites. Trees and Hedgerows make a positive contribution to both the natural and built environment. They enhance the character and diversity of the landscape and offer substantial environmental benefits.

The comments of the Council's Landscape Architect are outlined earlier in the report and no objection is raised to the proposed development subject to the reserved matters application having full regard to their comments to ensure that any development pays due regard to the existing landscape value of the site and the existing trees and hedgerows contained within it, given the location of this site on the edge of settlement. Furthermore the requirement to provide sustainable drainage will serve to enhance any development on the site. For these reasons it is considered that the proposal complies with policy CW6.

The comments of the Council's Ecologist are outlined earlier in the report. In summary, based on the information submitted, no objection is raised subject to the imposition of various conditions that ensure the proposal does not have an unacceptable impact on the ecology of the site. As such the proposal also accords with Policy CW4.

## HIGHWAYS

Policy CW3 Design Considerations Highways requires development proposals to have regard for the safe, effective and efficient use of the transportation network. A Transport Assessment was submitted with the planning application and was reviewed by an independent Transport Consultancy to confirm the findings of the document. The findings of this report assesses the impact of the proposed development on multiple key junctions impacted by the proposed development.

A Transport Assessment Addendum (dated November 2019) was also submitted for consideration. Having regard to both documents it is not considered that the development will have an adverse impact on the surrounding highway network to a degree to warrant a refusal of planning permission. On this basis no objection is raised subject to the imposition of several highways conditions and a Section 106 agreement to secure highway improvements and sustainable travel initiatives, the application is considered to be acceptable in highway safety terms and therefore compliant with Policy CW3.

Cont'd



## THE REQUIREMENT TO MAINTAIN A FIVE YEAR HOUSING LAND SUPPLY

Planning Policy Wales 10 (December 2018) states that

- "new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled." Furthermore, it states that that: "A plan-led approach is the most effective way to secure sustainable development through the planning system..." and, "The plan-led system underpins the delivery of sustainable places to ensure all development plans and decisions taken by the planning system work together to deliver sustainable places."

The site is outside the settlement, and within a green wedge, where residential development would not normally be allowed. However, the Caerphilly JHLAS for 2019 shows that there is a 2.0 year land supply when calculated using the residual method as required by TAN 1.

The lack of a five-year housing land supply is a matter of serious concern that needs to be addressed if the overall housing requirement is to be met over the plan period. The monitoring evidence indicates that it is unlikely that this position will improve in the short term.

Welsh Government decided on 18 July 2018 to dis-apply Paragraph 6.2 of TAN1. Paragraph 6.2 of TAN 1 stated:

- "The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study...the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies".

The effect of this paragraph was to give increased weight to the need for housing to address a deficiency in the 5-year land supply, over other material factors. Its dis-application removed the "considerable weight" that would otherwise have been given to the issue of a lack of a 5-year land supply however the 'Dear Chief Planning Officers' letter states that "it will be a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where an LPA has a shortfall in its housing land." This approach does not constrain the decision maker and there is still a requirement for local planning authorities to maintain a five year land supply.

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The previous eight approved Annual Monitoring Reports confirms that the Council will need to continue to address the shortfall in the five year housing land supply through proactive action, including considering proposals for new residential development on their relative planning merits on a site by site basis and have due regard for the need to increase the housing land supply in line with national planning policy and guidance. In that regard there is a need to release some land for new development outside settlements to address the five year housing land supply shortfall.

In dis-applying paragraph 6.2 of TAN 1, the Minister indicated that it will be a matter for decision makers to determine the weight to be attached to the need to increase housing land supply where the local planning authority has a shortfall in its housing land. The weight to be attached is dependent on the magnitude of the shortfall, how long the shortfall will persist, what the local planning authority is doing to reduce it, and how much will the development contribute to meeting the shortfall.

The magnitude of the shortfall is significant, i.e. an additional three years' supply is needed. Also, the 2019 JHLAS indicated that only 122 dwellings were completed in the year 2018-19. As there is less than 2 years of the plan period remaining, it is necessary to calculate the 5 year land supply in the JHLAS based on the average annual requirement being continued for the three years outside of the plan period, as per the methodology set out in TAN 1. Using this method, the average annual requirement is 1103 units, which equates to 5,515 dwellings over 5 years. Once the land supply is deducted from this, the shortfall over 5 years in the JHLAS is 3,296 units.

The significant housing shortfall within Caerphilly County Borough will persist until the Council adopts a new Local Development Plan, a revised LDP is unlikely to be adopted until at least Spring 2024. Consequently the only way to address housing land supply shortfall at present is to grant planning permissions. The most significant schemes have been allowed on appeal. The proposed development will make a significant contribution to meeting the shortfall, 25% of which will be affordable housing. Having regard to both matters collectively, it is reasonable to attach significant weight to the need to increase housing land supply as a material planning consideration which would outweigh the normal policy objections to residential development on this site.

In conclusion Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

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The site is located within a green wedge between the settlements of Cefn Hengoed and Penpedairheol, however there would be field parcels remaining between both settlement to prevent coalescence of those communities. The concerns of statutory consultees can be addressed by way of planning conditions and a legal agreement, the issues raised regarding the illustrative layout and loss of landscaping can be addressed through the consideration of the reserved matters application. TAN 1 makes it clear that:

- "The requirement to maintain a five-year supply of readily developable housing land in each Local Planning Authority across Wales remains a key policy requirement of the Welsh Government."

The dis-application of Paragraph 6.2 of TAN1 on 18 July 2018 removed the "considerable weight" that would otherwise have been given to the issue of a lack of a 5-year land supply.

There is an acceptance that the release of additional greenfield sites are necessary to meet the Council's undisputed shortfall in housing supply as well as the need to provide affordable housing in that the reliance on brownfield sites does not come close to addressing the housing shortfall. The consequent need for the Council to maintain a five year housing land supply outweighs the conflict with the Adopted LDP policies. This application offers an opportunity to provide sustainable residential development without causing any harm which cannot be mitigated against.

A Section 106 Agreement will be required to secure affordable housing provision, highway improvements and the financial aspects of the Residential Travel Plan. The applicants have agreed to enter into such an agreement.

The recommendation is to require the applicant to enter into a Section 106 Agreement in respect of affordable housing provision and highway improvement works. In that regard there are tests for Section 106 Agreements which have to be met.

These are as follows:-

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

With regard to criterion (a) there is a need to secure affordable housing provision on-site to comply with national and local policy. In terms of the highway improvement works these are to mitigate potential highway impacts associated with the development.

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With regard to criterion (b) the development is located within an area of housing need and pressure. The proposal will provide a considerable number of affordable homes within the local community. In terms of the financial contributions, this will support highway improvements and sustainable travel initiatives associated directly to the development.

With regard to criterion (c) in view of the scale of the development and the proximity to the existing community the applicants have offered to provide 25% affordable housing. This accords with the affordable housing target in the Northern Connections Corridor and is therefore considered reasonable. It is also considered that the financial contribution towards highway improvement works and sustainable travel initiatives are fairly related to a development of this scale.

Comments from Consultees:

The Council's Ecologist has requested the imposition of a condition to ensure that any reserved matters details to be submitted shall include an amended site layout plan to include the retention of all hedgerows through the site. In that respect, this would preclude residential development within the site. Whilst the proposal will ultimately result in the loss of some hedgerows within the site, there needs to be a balance between the need to keep the established hedgerow against the need to address the housing shortfall provision within the county borough. In that regard there is a requirement for the Council to maintain a five year housing land supply and losses can be effectively mitigated against through a comprehensive landscaping scheme at reserved matters stage.

The Council's Ecologist has also requested a number of additional conditions to safeguard biodiversity and protected species within the site based on an illustrative layout. This outline application seeks consent for all matters to be reserved for future consideration. In view of the scale of the development, it is considered that such conditions 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 Head of Public Protection has requested the imposition of a condition to any consent requiring a scheme to appropriately address the noise impacts from the adjacent railway line and road traffic from Hengoed Road to ensure that any future residential occupiers of the site can enjoy acceptable levels of amenity. For the same reason given above, this condition would not be reasonable to impose at outline stage given that the layout is illustrative.

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The Senior Engineer (Land Drainage) has requested the imposition of a condition imposed to any consent for a scheme to deal with land and surface water within the site. In accordance with Schedule 3 of the Flood and Water Management Act 2010, the development is required to comply with the mandatory sustainable drainage hierarchy and as such it is not considered necessary to impose such a condition as there is separate legislation that will address surface water drainage within the site.

Comments from public: The following concerns have been addressed below:

#### LOCAL PLAN POLICIES

- The site falls outside settlement limits and is contrary to the adopted Local Development Plan until the LDP is reviewed, this policy should be adhered to. This has been addressed in the report above.
- The development is proposed on valuable, highly fertile, arable, greenfield land - Paragraph 3.54-3.55 of Planning Policy Wales Edition 10 states:

"Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) 15 is the best and most versatile, and should be conserved as a finite resource for the future. When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade."

The Agricultural Land Classification for the site is grade 3b which categorised as moderate quality land.

- The development will reduce the green wedge between Cefn Hengoed and Penpedairheol and lead to the villages of Cefn Hengoed and Penpedairheol coalescing.
- New residential developments have been approved in the locality.
- The application site forms part of the green wedge in the adopted LDP.
- The need for housing does not outweigh the need to retain the green wedge.

The above comments have been discussed in the report above.

Cont'd

- There are brown field sites in the area that have planning permission. Reliance on brown field sites alone does not come close to addressing the housing need shortfall.
- The site was previously rejected by the LDP. The site was submitted as a candidate site (Reference STC103) at Preferred Strategy stage of the LDP and the Council's recommendation was to include the site in the Replacement Caerphilly County Borough Local Development Plan up to 2031, however full Council resolved to withdraw the replacement LDP in October 2016.
- Granting permission would set a precedent for other development on green fields. The merits of any application are considered on a site specific basis.
- Suggests alternative sites suitable for development (including greenfield land) that would be unlikely to receive opposition. This application refers to a specific site and is the only site to be considered as part of this application.
- This will set a precedent to build on land at Penrhiwfelein & Tir Jack Farms. As stated above the merits of any application are considered on a site specific basis.

#### HEALTH CENTRE PRESSURES

- There is no provision for health care within Cefn Hengoed and wider surrounding health centres are closing or catchment areas are expanding whereby patients are unable to obtain appointments for weeks.
- Additional residents will put overwhelming strain on healthcare provision for the area.

Aneurin Bevan Health Board is a consultee of the Local Development Plan process and as such would have been fully informed of the number of new dwellings required to meet the predicted growth strategy. Aneurin Bevan Health Board acknowledges that the local practice does have accommodation constraints but are working with the Council and partners to scope solutions for all areas within the Caerphilly County Borough.

#### EDUCATION PRESSURES

- The local schools are already at full capacity and will be forced to travel further for their education needs.
- Apart from the local primary school, all other schools are too far away to be accessed on foot.

The Council's Education Department has confirmed that there is adequate provision to accommodate pupils. There is sufficient room in the catchment areas for the Welsh Medium Primary and Secondary Schools as well as the English Medium Primary and Secondary Schools.

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### EMERGENCY SERVICES

- The number of large residential developments will put pressure on the emergency services, no assessment has been undertaken in terms of how they will be able to cope with the extra demand.

As stated above Aneurin Bevan Health Board was consulted as part of the Local Development Plan Process, together with Gwent Police and the Fire Service.

### HIGHWAYS

- The proposal will add to the congestion of the inadequate road and rail infrastructure. A Section 106 agreement secures a significant amount of financial contributions to support sustainable public transport provision.
- The existing access is not wide enough to support two-way traffic. The layout as submitted is illustrative.
- The traffic survey data was undertaken in the school holidays and does not reflect the increased volume of traffic during peak times. This is incorrect.
- The development is in close proximity to a primary school whereby traffic congestion is already a concern and inconvenience. The highway implications have been considered.
- The existing pavements are poorly lit, narrow and any improvements offered would result in the removal of additional hedgerow. It is accepted that there will be areas of hedgerow that will be lost to accommodate highway improvements but the layout as submitted is illustrative only.
- There have been several accidents outside the Carn Gethin Estate in recent years. Additional vehicles using Hengoed Road will cause more accidents. The Transportation and Engineering Manager has confirmed that the Road Traffic Collision Personal Injury database collated by Welsh Government for does not record any incidents in the vicinity of the site or bend on Hengoed Road for the period 01/01/06 to 27/06/18.
- It is difficult to understand how adequate highway works can be constructed to align the planned entrance to the proposed development. Access is reserved for future consideration.
- 

Section 3.6.4 of The Transport Assessment (Feb 18) is incorrect by referring to an informal crossing facility outside Derwendeg Primary School.

- There is only a pavement on one side of the road that is poorly lit to serve the proposed development.
- Section 3.7.5 of The Transport Assessment is incorrect by stating that traffic calming measures have improved road safety conditions.
- The monitoring device for the traffic survey was placed near slow moving traffic -
- The existing highway infrastructure cannot support the number of vehicles to serve the proposed development.

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The Transport Assessment has been independently verified by a highways consultancy and subject to highway improvements, the development is considered to be acceptable.

- No Travel Plan has been submitted to accompany the Transport Assessment. The Local Planning Authority requested the submission of a Travel Plan and that document has been submitted and examined by the Transportation and Engineering Manager.
- Tipper lorries entering the site from the Bryn Siriol direction are not able to turn left into the farm road, as such how will large construction vehicles enter the site. Access is reserved for future consideration.
- There are further cuts to highways budgets and this development will add to the strain. This is not a material planning consideration.

#### HOUSING NEED

- The Caerphilly County Borough Joint Housing Land Availability Study (JHLAS) for 2017 identifies a number of alternative solutions to fulfil housing policy needs.
- There is no evidence to indicate demand for housing in the area.

The acknowledged housing shortfall and need has been addressed in the report.

#### ENVIRONMENTAL

- Environmental concerns in terms of noise and air pollution as a result of the number of additional cars adding to the highway network. No objection has been raised by the Head of Public Protection. In accordance with Planning Policy Wales, the Local Planning Authority considers it reasonable for 25% of the proposed dwellings to be provided with electric charging points.
- The Coal Mining Risk Assessment (CMRA) concludes that there is high risk from shallow mining and mine entries. No objection has been raised by the Coal Authority.
- There has been two recent subsidence claims from properties within 50 metres of the proposed development, any new properties would be at risk to subsidence. No objection has been raised by the Coal Authority. Furthermore, this is not a planning matter.
- A suggestion that intrusive investigation work is required to establish a clear picture of what mining shafts are there, comes with its own problems including noise and dirt from heavy vehicles. The comments of the Coal Authority have been addressed by way of condition.
- Loss of this open land would increase surface water run-off. From the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

Cont'd



## ECOLOGICAL

- The area supports a variety of wildlife that will be destroyed forever.
- The development will result in loss of hedgerows and habitats which are essential to sustaining the natural balance of eco systems.
- The land has not been assessed for the presence of mammals.
- The development area supports habitats/ species that meet SINC selection criteria and the need for development does not outweigh the need to safeguard the conservation of the site.
- The site is in close proximity to two SINC's.
- The existing access into the site is a single track. The illustrative layout will result in the loss of the existing hedgerow.
- The area that is proposed for development supports habitats/species that meet SINC selection criteria.

The impact of the proposal on the ecology of the area has been fully assessed by the Council's Ecologist and it is considered that the proposal is acceptable in ecological terms subject to imposition of necessary conditions imposed to any outline consent. The applicants will be provided with the comments of the Council's Ecologist and any future reserved matters application should be informed by those comments, or mitigation measures to safeguard biodiversity and protected species can be controlled by way of condition at reserved matters stage.

## ECONOMICAL

- The dwellings will not be affordable for those living in the area.
- Affordable housing is only being offered as a result of legislation.
- The local economy is not able to support the proposed volume of additional residents.

There is significant need for affordable housing in the County Borough and therefore seeking appropriate levels of affordable housing is justified as a means of contributing to mixed, balanced and sustainable communities through the provision of housing for all sectors of the population. There is no evidence to indicate that the local economy cannot support a development scheme of up to 131 dwellings.

## COMMUNITY

- The development will bring disruption to the local economy. It is accepted that there may be some disruption but this should be minimal and for the duration of the construction works only. During and upon completion, the development would serve to enhance the local economy.
- The development site will increase pedestrian traffic past the Carn Gethin Estate and encourage anti-social behaviour on land near Cheriton Avenue. There is no evidence to suggest that the proposed development will increase anti-social behaviour.

Cont'd

- There are limited amenities available in the area such as play areas for children, shops, walks and seating areas for adults, this would put additional pressure on the already limited facilities. The development would provide appropriate levels of open space provision within the site including children's play and leisure facilities.
- There is no guarantee that the development will benefit the wider community. The provision of market housing, affordable housing, leisure facilities and highway improvements are benefits that can be enjoyed as a result of the development.
- The community will be sad to lose donkeys, cattle, sheep and horses on the land. Whilst the sentiments are acknowledged, this is not a material planning consideration.
- The retention of green spaces is an important priority. There are green fields adjoining the site for the local community to enjoy, together with the development providing areas of formal useable open space.

#### DESIGN AND SCALE

- The development site is twice as big as the Carn Gethin Estate.
- The privacy of the occupiers of Rhosili Road will be lost as a result of the proposed development.
- The rear windows of Rhosili Road will be overshadowed by the proposed development.
- The dwellings of Rhosili Road will be overlooked.
- The proposed dwellings will bring about loss of privacy and overshadowing to the occupiers of Rhosili Road and Penmaen Close.

It is noted that the development proposal is larger than the adjacent residential estate, whilst the illustrative layout demonstrates that sufficient levels of privacy can be achieved throughout the site, all matters are reserved for subsequent approval. Any reserved matters application will need to pay due regard to layout, scale, design and privacy.

#### PUBLIC RIGHTS OF WAYS

- There is an existing Public Right of Way that would be obstructed as a result of the development.
- Any mitigation proposed to divert the PROW will inevitably be obstructed by vehicles and will not be enforced.
- There is no link into the site from the Carn Gethin Estate.

With regards to the above points, the application is submitted in outline only and any subsequent layout at reserved matters stage would need to address the Public Right of Way and connectivity into and through the site.

Cont'd

### JAPANESE KNOTWEED

- Although the weed has been treated, it is well known that land disturbance can cause the weed to reappear.
- The extent of Japanese knotweed on the site is not representative of the drawing included in the Extended Phase 1 Survey.
- Treating the land with chemicals will result in biodiversity implications.
- A study carried out by Swansea University in 2018 concluded that knotweed is not destructible.

The Council's Invasive Plant Species Officer acknowledges that there is an infestation of Japanese Knotweed and advises that there would be a need to impose a condition to any consent granted detailing the treatment of Japanese Knotweed on the site.

### PRE-APPLICATION

- The Public Consultation Documents was not readily available throughout the entirety of the consultation and no library details were available to view the hard copy files.
- Inconsistencies between the actual number of properties consulted and stated.
- Inconsistent objection comments reported.
- Only one site notice was erected and this was not in a location that would be viewed by the majority of neighbouring residents.

The requirement to undertake a Pre-Application Consultation (PAC) and to submit a PAC report with a formal planning application is a requirement of the Planning (Wales) Act 2015. The consultation is undertaken by the developer in accordance with the legislation prior to the developer submitting a valid planning application. The Local Planning Authority does not have to be notified of a Pre-Application Consultation. It is for the developer to ensure that the PAC has been undertaken in accordance with the legislation.

There is a statutory obligation for the Local Planning Authority to publicise an application for planning permission which must be publicised in accordance with article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 and this procedure has been followed by the Local Planning Authority.

### OTHER ISSUES RAISED

- The address of the site includes Penpedairheol and as such the proposed development eliminates the separation between Cefn Hengoed and Penpedairheol. This has been addressed in the report above.
- No consideration has been for the extant consents that have been approved in the areas. Each application can only be considered on its own merits.
- Further clarification is required on the drainage provision within the site to prevent flooding. Such matters for consideration are not required at outline stage and would be subject to SAB approval.

Cont'd

### COMMUNITY COUNCIL COMMENTS

- It is outside the settlement area as in the adopted LDP 2010, on a greenfield site.
- It is an incursion into open countryside.
- The site proposed is part of the green wedge between villages of Cefn Hengoed and Penpedairheol - the wedge would be significantly reduced and could lead to the coalescence of the two communities.
- If granted, the application would provide a precedent for development on the opposite side of Hengoed Road, adjacent to Waun Goch & Bryn Canol.
- The site is an invaluable habitat for wildlife. A stretch of mature and well established hedgerow would have to be removed, at a heavy cost to the environment, to accommodate the site road serving the proposed dwellings.
- The access road off Hengoed Road is on a bend which could affect highway safety. Vehicles coming from the site would lead to an increase in traffic congestion in particular approaching the road narrowing travelling south and on Pengam Road from Cascade.
- Gelligaer Community Council were not consulted at the pre-planning consultation stage and would have expected to have been consulted at the pre-planning stage, given the size of the proposed development in our area.
- The application draws attention to the lack of housing land designated by Caerphilly County Borough Council. However, the following brownfield sites are available and have not been developed:
  - (i) Site at New Road, Tir y berth, suitable for 173 units
  - (ii) Site at Cwm Calon near the Colliery Baths
  - (iii) Site opposite Derwendeg School, 27 units
  - (iv) 32 units have recently been built on land designated for employment at Cwm Calon, Ystrad Mynach.

There is a further site south of Glyngaer Road, on a greenfield site, 30 units, which has fewer disadvantages of the application site.

These matters have been addressed previously in response to neighbour representations above.

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

RECOMMENDATION: That (a) if members are minded to grant planning permission that the application is DEFERRED to allow the applicants to enter into a Section 106 obligation as set out above; and on completion of the Agreement that (b) planning permission is GRANTED subject to the following conditions:

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 one year from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) This permission is for no more than 131 dwellings.  
REASON: To allow any change in the number of total units to be reviewed in respect of the delivery of affordable housing in accordance with policy CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

- 06) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing Number 13/2017/PL/239 Proposed Site Location Plan received on 20.12.2018;  
Transport Assessment Addendum dated November 2019;  
Framework Travel Plan dated November 2018;  
Extended Phase one Habitat Survey dated 27th June 2018;  
Coal Mining Risk Assessment dated April 2018; and  
Transport Assessment dated February 2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 07) Prior to the commencement of works on site details of the following shall be submitted to and agreed with the local planning authority: a scheme of intrusive site investigations for the mine entries within the site; a scheme of intrusive site investigations for the shallow coal workings; a report of the findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken; a layout plan which identifies appropriate zones of influences for the recorded mine entries on the site, with the definition of suitable 'no-build' zones; a scheme of treatment for the recorded mine entries, if identified; and a scheme of remedial works for the shallow coal workings. The development shall thereafter be carried out in accordance with the approved details.  
REASON: To take account of the legacy mining issues at the site in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) Prior to the commencement of work on site a residential travel plan shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein. The plan will set out measures to promote and encourage sustainable travel for residents and visitors of the development and to help mitigate the impact of trips generated by the site.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

- 09) Notwithstanding the submitted plans, as part of the reserved matters submission, Hengoed Road shall be improved in accordance with details that shall firstly be agreed in writing by the Local Planning Authority. The infrastructure improvements shall include:-  
A new 'in-line' bus stop on the south bound carriageway within close proximity of the new site entrance and shall include for a new bus shelter, associated signage and bus boarding point.  
A new 'in-line' bus stop on the north bound carriageway within close proximity of the new site entrance and shall include for a new bus shelter, associated signage and new localised footway provision.  
The proposed improvements shall be constructed in accordance with the agreed details prior to beneficial occupation of any dwelling.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) The development authorised by this permission shall not begin until a traffic regulation order has been progressed and implemented to extend the 30mph speed limit along Hengoed Road beyond the proposed site entrance.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) The proposed means of access shall be laid out, constructed and maintained thereafter with vision splays of 2.4m x 59m. 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) The estate layout shall be designed to the principles of Department of Transport documents Manual For Streets and Manual For Streets 2 and shall include the pedestrian and cycle links within the estate and adjacent settlement.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 13) Off street parking provision shall be provided in accordance with the Local Planning Authority's Adopted Supplementary Planning Guidance LDP5 Car Parking Standards.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

- 14) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.  
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interests of visual amenity and highway safety in accordance with policies CW2 and CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) The reserved matters details to be submitted shall include details of the hedgerow and tree enhancement planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing hedgerows and a 5 year management plan. The approved details shall be strictly complied with.  
REASON: In the interests of biodiversity and enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and TAN 5 Nature Conservation and Planning (2009).
- 16) The reserved matters details to be submitted shall include a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats. The lighting shall be installed in accordance with the approved strategy.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) The reserved matters details to be submitted shall include an updated bat roost and transect survey to inform the reserved matters application.  
REASON: To ensure up to date consideration of protected species, in the interests of biodiversity in accordance with policies CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 18) The reserved matters details to be submitted shall include a detailed reptile and Great crested newt mitigation strategy, prepared by a competent ecologist to inform the reserved matters application. The approved mitigation strategy shall include any translocation or mitigation measures and shall be strictly complied with.  
REASON: To ensure up to date consideration of protected species, in the interests of biodiversity in accordance with policies CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd



- 19) The reserved matters details to be submitted shall include details of a new hedgerow (200 metres in length) to be created in order to replace the existing species rich hedgerow that has been removed prior to the determination of the application. A species list of at least 9 woody species, planting specification and management plan shall be submitted to the Local Authority for approval. The approved details shall be complied with and the replacement hedgerow shall be planted within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009) in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) Notwithstanding the illustrative layout details shall be submitted at reserved matters that shall take into account the need to provide appropriate leisure facilities to meet the needs of the residents of the proposed development. Those facilities shall include areas of well-designed open space that benefit from good access and surveillance, a suitably sized equipped play area and a suitably sized all weather sports court.  
REASON: To ensure the adequate provision of public open space in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed on site. The treatment of Japanese Knotweed shall be carried out in accordance with the approved details.  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act". Japanese Knotweed (*Fallopia japonica* / *Polygonum cuspidatum*) is included within this schedule. All Japanese knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

Cont'd

- 22) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.  
The scheme shall include:  
(i) control of noise,  
(ii) control of dust, smell and other effluvia,  
(iii) control of surface water run off,  
(iv) site security arrangements including hoardings,  
(v) proposed method of piling for foundations,  
(vi) construction and demolition working hours,  
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.  
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 23) 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.
- 24) 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.
- 25) Prior to works commencing on site details shall be submitted for a minimum of 25% of the residential units to be constructed to make provision to allow for the installation of electric charging points for vehicles.  
REASON: In order to ensure that adequate mitigation is provided in respect of air quality in the interests of residential amenity in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 26) Prior to the commencement of the development hereby approved a notice shall be given to the Local Planning Authority.
- (a) stating the date on which the development is to begin;
  - (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").
- Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it. That decision notice shall be in the form specified by, and must be displayed in accordance with, Schedule 5B of the Order.
- REASON: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

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, CW3, CW4, CW5, CW6, CW10 and CW11.

Please find attached the comments of The Council's Ecologist; The Council's Landscape Architect Officer; The Head of Public Protection; Network Rail; Parks and Open Spaces, The Public Rights of Way Team and Wales and West Utilities that are brought to the applicant's attention.

**WARNING:**  
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO  
COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511  
Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)  
Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

Cont'd

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

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Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.



# Agenda Item 5

Planning Application 19/0770/LA

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0770/LA 08.10.2019	CCBC Mr R Llewellyn Business, Enterprise And Renewal Team Tredomen House Nelson Road Ystrad Mynach Hengoed CF82 7WF	Erect a welsh national anthem memorial sculpture Land At Caerphilly Twyn Community Centre The Twyn Caerphilly CF83 1JL

**APPLICATION TYPE:** Local Authority Application

## SITE AND DEVELOPMENT

Location: The application site is located at The Twyn, Caerphilly Town Centre.

Site description: The application site forms part of the paved area between The Twyn Community Centre and the entrance to Twyn Car Park. This is a gently sloping paved area at the bottom of the steps leading to the community centre and behind a number of stone bollards that prevent vehicular access onto it.

Development: This application seeks full planning consent for the erection of a Welsh national anthem memorial sculpture. The sculpture will be in the form of a plinth formed of the words on the anthem with a dragon attached to it forming the shape of a harp with the dragons head at the crown of the harp. The sculpture will sit on a stone plinth.

Dimensions: The stone plinth is 960mm high with the sculpture being a further 960mm high. The stone plinth has a footprint of 600mm by 600mm.

Materials: The sculpture will be cast in bronze.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2010 TO PRESENT

None.

Cont'd

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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

National Policy: Planning Policy Wales Edition 10 (December 2018)

Paragraph 3.9 - The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

3.16 - Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

6.1.7 It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

Cont'd



6.1.8 It is the responsibility of all those with an interest in the planning system, including planning authorities, applicants, developers and communities, to appropriately care for the historic environment in their area. The protection, conservation and enhancement of historic assets is most effective when it is considered at the earliest stage of plan preparation or when designing new proposals.

6.1.9 Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.

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

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

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

### CONSULTATION

CADW - No objection.

Conservation & Design Officer - Raises concern that there are too many sculptures in this particular area and this has a detrimental impact on the setting of Caerphilly Castle.

### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

Cont'd

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 a material consideration in respect of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: This application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. This application seeks full planning consent for a new memorial sculpture within Caerphilly Town Centre to acknowledge the town as the birthplace of the composer of the Welsh national anthem. The sculpture is to be sited adjacent to The Twyn Community Centre in an area that is already characterised by its sculptures commemorating Tommy Cooper etc. with three existing sculptures within 100m of the proposed site.

It is on the basis of this relatively high number of sculptures that the Council's Conservation and Design Officer has raised concerns that there may be too many such structures in the area and as such this has a detrimental impact on the setting of the nearby Caerphilly Castle, which is a Grade I Listed Building and Scheduled Ancient Monument. In response to this concern the Council's Regeneration Services Manager, acting as agent on the applicant has stated that the application site was carefully chosen out of 11 sites assessed within the area, having regard for a number of factors such as land ownership and site prominence.

It should also be noted that CADW, who are responsible for Caerphilly Castle, have raised no objection to the application as they consider that the sculpture is relatively small in size and will be viewed from the castle with buildings behind and amongst a setting of other similar structures and as such it will not affect how the castle is experienced, understood and appreciated.

With the above in mind, on balance it is considered that the proposed sculpture is acceptable in planning terms as it is acceptable from a design perspective, would not have a detrimental impact on highway safety and would not impact on the setting of Caerphilly Castle to an unacceptable extent. Therefore the proposal complies with Policies CW2 and CW3 of the LDP and the Guidance contained in Planning Policy Wales.

Cont'd

Comments from Consultees: The comments of the Council's Conservation and Design Officer are addressed above. No other objections were received.

Comments from public: None.

Other material considerations: None.

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

RECOMMENDATION that Permission be GRANTED

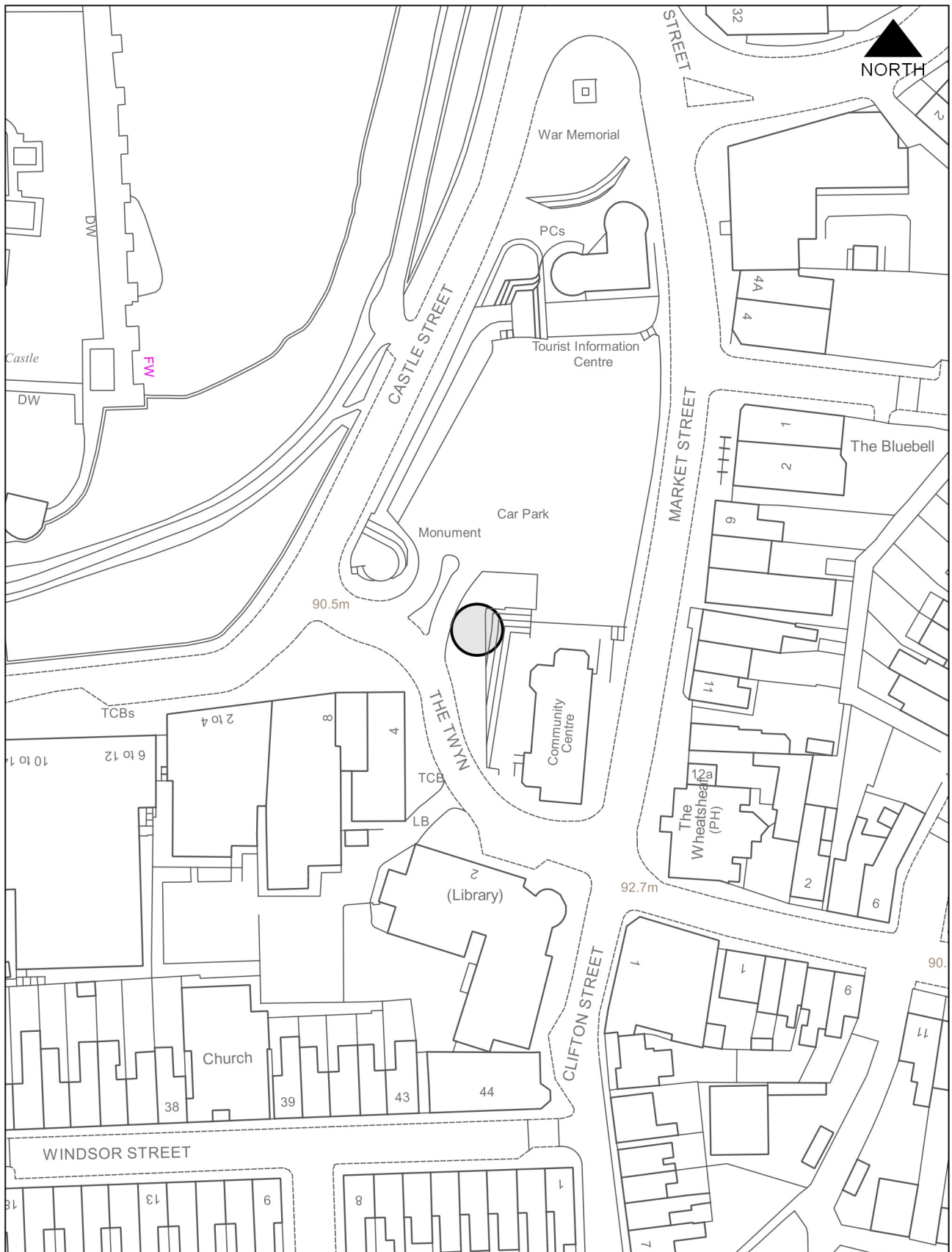
This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan Supporting Document 2, Supporting Document 3 and the photographs of the amended sculpture contained in the email from the agent dated 7th November 2019.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

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

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



# Agenda Item 6

Planning Application 19/0772/LA

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0772/LA 25.09.2019	CCBC Mr H John Ty Penallta Parc Tredomen Tredomen Ystrad Mynach Hengoed CF82 7PG	Construct athletics track at existing sports field to include floodlighting, fencing and associated works Sports Ground Brynhoward Terrace Oakdale Blackwood

**APPLICATION TYPE:** Local Authority Application

## SITE AND DEVELOPMENT

Location: The application site comprises the existing school playing field located to the east of Rhiw Syr Dafydd Primary School in Oakdale.

Site description: The application site is a rectangular shape measuring 140 metres in length from east to west, and 65 metres in depth from north to south. The site is bounded to the west by the Primary School which it serves, and to the north, south and east by existing residential development.

Development: It is proposed to create a permanent 300 metre running track and associated athletics facilities, e.g. long jump pit, throwing cage, shot put area, javelin lane, etc. Two storage units are also proposed at the western extent of the track. These units will be used to store equipment associated with the proposed use. The area inside the track will remain grassed to allow dual use by the school for various pitch sports. This grassed area measures 50 metres x 95 metres.

It is also proposed to erect eight floodlighting columns to illuminate the athletics track. These columns have a height of 15 metres with four placed along the northern edge of the track and four along the southern edge.

Dimensions: The athletics track measures 300 metres in total circumference and the development occupies an area of approximately 0.9 hectares in total.

Materials: All weather athletics track.

Ancillary development, e.g. parking: The boundary fence along the northern boundary of the site will be relocated within the site, and a new 1.8 metre high mesh fence will be erected along the southern boundary of the site.

Cont'd

PLANNING HISTORY 2010 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary and outside albeit adjacent to the Oakdale Conservation Area.

Policies:

Strategic Policies

Policy SP2 Development Strategy (Northern Connections Corridor);  
Policy SP4 Settlement Strategy;  
Policy SP5 Settlement Boundaries;  
Policy SP6 Place Making.

Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion;  
Policy CW2 Amenity;  
Policy CW3 Design considerations (Highways);  
Policy CW4 Natural Heritage protection;  
Policy CW5 Protection of the Water Environment;  
Policy CW6 Trees, Woodland and Hedgerow Protection;  
Policy CW10 Leisure and Open Space provision;  
Policy CW15 General locational constraints.

Supplementary Planning Guidance

LDP4: Trees and Development

NATIONAL POLICY

Planning Policy Wales (Edition 10, December 2018);  
Technical Advice Note 5: Nature Conservation and Planning (2009);  
Technical Advice Note 12: Design (2016);  
Technical Advice Note 16: Sport Recreation and Open Space (2009);  
Technical Advice Note 18: Transport (2007).

NATIONAL POLICY

Cont'd

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No the site is located entirely within the Low Risk Coal Mining Legacy area.

CONSULTATION

Sport Wales - Query why athletics is taking precedence over pitch sports. However, as a large grassed area will be retained inside the running track (measuring 50m x 95m) it is considered that adequate grassed area is retained to allow pitch sports to be enjoyed by pupil of the existing primary school.

Dwr Cymru - Provide advice to the developer regarding potential unrecorded utilities in the area.

Police Architectural Liaison Officer - No comment.

Rights Of Way Officer - Raise no objection on the basis that the proposal does not impact on a public right of way.

Parks And Open Spaces - No comment.

Principal Valuer - No comment.

Head Of Public Protection - No objection subject to conditions relating to lighting levels and hours of use.

Senior Engineer (Land Drainage) - Confirm that as the proposed development area exceeds 100 square metres SAB approval will be required.

Landscape Architect - No objection subject to a condition relating to boundary vegetation enhancement.

Ecologist - Based on the submitted ecological surveys requests several conditions be attached to any permission in the interests of biodiversity.

Transportation Engineering Manager - No objection subject to conditions.

Cont'd

Head Of Public Protection -

CADW - No objection.

Conservation & Design Officer - No objection subject to the proposed storage containers and boundary mesh fencing being painted a suitable colour and a light management scheme for the proposed floodlights to ensure no unacceptable impact on the surrounding area.

Senior Engineer (Land Drainage) -

### ADVERTISEMENT

Extent of advertisement: 48 nearby properties were consulted by way of letter and site notices were displayed in several locations near the application site.

Response: 45 letters of objection have been received. 30 of these were duplicate copies of the same letter signed by various residents.

### Summary of observations:

- The description of development is not accurate by indicating that the site is already a play area and running track.
- The lighting levels should meet the lighting levels indicated in the ILE Guidance notes for the reduction of obstructive light: 2011.
- No changing facilities proposed and use of existing school for these facilities will raise safeguarding issues.
- The School changing facilities are not large enough to support the proposed use.
- Environmental health issues if there are no changing facilities.
- There will not be sufficient recreational space to serve the school.
- The site is not large enough to accommodate the proposals and boundaries will need to be moved.
- The Application Form indicates parking is not relevant to the proposals.
- Increased traffic will adversely affect highway safety.
- Increased vehicular turning on local highway network will adversely affect highway safety.
- Insufficient parking provided on site.
- Reduce the amount of on-street parking available.
- Adverse impact on wildlife/bats.
- Harmful noise pollution.
- Harmful light pollution.
- The track being used during the evening will harm neighbouring amenity.
- Adverse impact on value of surrounding properties.

Cont'd



- No consultation prior to application with the community.
- Inadequate consultation during life of planning application.
- Impact of Construction Phase of development will be harmful to amenity (i.e. noise, traffic, pollution, dust impact).
- Loss of view.
- School access results in a lack of on-street parking availability.
- The proposed development will result in the loss of on-street parking.
- Impact of health of occupants of surrounding properties.
- The development will result in increased noise level which will be harmful.
- Queries relating to SAB application (what is it).

### SECTION 17 CRIME AND DISORDER ACT

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

Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A Preliminary Ecological Appraisal and Phase 1 Habitat Survey have been undertaken. Based on the findings of these reports the Council's Ecologist requests several conditions be attached to any planning permission in the interests of biodiversity.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

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

#### Background to Oakdale Athletics Track

Sport Caerphilly highlighted a gap in athletics provision in this area. This new facility presents an opportunity to develop both recreation and competitive sport linking with our local clubs. The Athletics hub will provide support to Rhymney Valley Athletics club who currently operate in a number of not fit for purpose facilities specifically for athletics within the Authority. The Primary school site already has fit for purpose changing rooms with external access which are currently not used after school hours. The proposal would also allow access for the Athletics community to other facilities within the school for training and development purposes.

Cont'd

The main issues to be considered in relation to this proposal, which will be discussed in turn below, are:

- Principle of the development;
- Impact on the visual amenity of the surrounding area and Oakdale Conservation Area;
- Impact on nearby residential amenity in terms of light and noise;
- Traffic generation and car parking provision to serve the proposed use;
- Impact on ecology.

#### Principle of the development

The application site comprises the existing school playing fields that serve Rhiw Syr Dafydd Primary School. The application site is already used for recreation and therefore the principle of the use is already established. The proposed development will create an all-weather athletics facility for use by the school and the local Athletics Club.

Impact on the visual amenity of the surrounding area and Oakdale Village Conservation Area.

Policy CW2 (Amenity) of the adopted Local Development states that (sic):

- Development proposals should not have an unacceptable impact on the amenity of adjacent properties or land;
- Would not result in over-development of the site and/or its surroundings;

Given the nature of the development, i.e. an all-weather track at ground level, the main element of the proposal will have very limited impact in visual amenity terms. The elements of the proposal that will have the greatest visual impact are the eight x 15 metre high floodlighting columns surrounding the proposed facility. The northern boundary of the site is defined by an established hedgerow containing numerous mature trees that will act as a significant screen to the proposed development when viewed from Syr Dafydd Avenue to the north of the site. The elements of the proposal that will be viewable from the properties along the southern boundary of the site, i.e. the properties adjoining the site on Prior's Gate and Pen-Y-Fan Way, will comprise of the floodlighting columns, open mesh cages associated with field disciplines, e.g. hammer throw, and two storage containers. Given the layout and limited scale of these elements, it is not considered that they will have a detrimental impact on the visual amenity of the surrounding area. For these reasons it is considered that the proposed development accords with Criteria (i) and (ii) of Policy CW2 (Amenity) in terms of visual amenity.

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### Oakdale Village Conservation Area

In relation to the Oakdale Village Conservation Area, the Conservation Area boundary takes the line of Maes-y-garn Road southwards from Syr Dafydd Avenue and includes a row of terraced housing along Syr Dafydd Avenue up to and including 1-20 Brynhoward Terrace and the former Old Church, that directly overlook the sports ground. It is these areas within the conservation area that may be specifically affected by the proposed athletics track and its associated works.

Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

- 'Under the local planning authority's general duty in respect of conservation areas in exercise of its planning functions that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Planning Policy Wales Edition 10 Dec 2018 states in para 6.1.14 that:

- 'There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance is to be preserved or enhanced and their heritage value is to be fully realised.'

#### 6.1.15

- 'There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.'

The Council's Design and Conservation Officer states that the proposed works are considered to have a slight impact upon the setting of the Oakdale Village Conservation Area. No objection is raised to the proposed fencing provided that it is all powder-coated with a muted green finish, so that it will blend in sympathetically and in keeping with the grassed area and adjacent neighbouring area. Similarly, no objection is raised to the proposed storage containers subject to them being painted a muted green colour. These matters will be controlled by way of condition.

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Impact on nearby residential amenity in terms of light and noise.

Policy CW2 (Amenity) also relates to impact on residential amenity. In terms of the main impact from the proposed development they are considered to be impact from the proposed floodlighting and noise impact from users of the proposed facility. These matters are discussed in turn below.

Light.

Technical Advice Note (TAN) 16: Sport, Recreation and Open Space provide advice in relation to new sporting facilities.

Paragraph 4.7 states:

- "The provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours. However, when determining planning applications, local planning authorities should ensure that the amenity of people living nearby is fully considered, and there is no unacceptable adverse impact on the character of the locality, including its visual amenity, or on features of nature conservation importance. Any permission granted may need to be subject to conditions, for example, limiting the hours during which the lights may be operated and/or the frequency of their use, or requiring the installation of downlighting, lit floorscapes, shielding or of particular types of light. Modern lighting systems can greatly reduce glare and stray light."

The application as originally submitted was accompanied by a Lighting Report prepared by an independent lighting consult (Thorn) providing an obtrusive light assessment in terms of its potential impact on nearby residential properties, and in particular, the properties located along the southern boundary of the site. The light scheme as originally submitted proposed using lamps that emit up to 200 Lux. However, on the advice of the Environmental Health department, these lamps have been reduced to a maximum of 125 Lux. These amendments have been reflected in a revised obtrusive light assessment with the aim of complying with the relevant Guidance Notes for the Reduction of Obtrusive Light GN01:2011. At the time of this report these details are yet to be agreed, and therefore the outcome of this revised report will be reported verbally at Planning Committee. Notwithstanding this, it is considered that the matter could, if necessary, be appropriately controlled by way of condition.

On the basis of the above, it is considered that the proposal is acceptable from a potential light pollution perspective. A condition will be attached to the permission requiring that the floodlights be turned off a maximum 15 minutes after activities at the site cease.

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Noise.

In relation to potential noise impact, paragraph 4.4 of Technical Advice Note (TAN) 16: Sport, Recreation and Open Space states:

- "Local planning authorities should assess the compatibility of noise generating recreational and sporting activities with other uses. The siting, location and intensity of use of such activities should be given special regard in order to minimise their impact on the amenity of local residents and on the surrounding area. Local planning authorities need to balance the positive contributions of leisure pursuits to the area and user enjoyment, against local environmental quality and possible nuisance to other people."

The increased noise impact associated with the development will primarily occur outside of existing school hours (on the basis that the playing field is used for recreation by the school at present). The proposed hours of use of the facility are 09.00 - 21.00 from Monday - Friday, and 09.00 - 19.00 on Saturdays and Sundays. With regard to potential noise impact, the Council's Environmental Health department have made the following points:

- Given the scale of the development, the increased use of the facility is not foreseen to have an adverse impact on the nearby residential vicinity.
- Although the use isn't currently formalised, the use is established and could be utilised for activities outside the normal school hours for sport should the school wish to allow in the early/late evening in summer months in particular.
- The site is going to be utilised by one external local athletics club, broadly for training purposes. In addition, the use of the facility is controlled for school pupils and athletic club members.

On this basis, given the nature of the proposed use, coupled with the proposed hours of operation, it is not considered that the development will have an unacceptable noise impact on nearby properties to a degree to warrant a refusal of planning permission.

Traffic generation and car parking provision to serve the proposed use.

The applicant has provided information to the Council's Highways Department outlining parking provision within the existing school grounds to serve the proposed use. This information included the following points:

- The school site has parking for 68 cars, and outside the main gate there is also a layby used for drop off and pick up, this being large enough for a 59 seater coach.

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- Currently the athletics club have 187 active athletes based at 151 addresses, 10 of which are within reasonable walking distance. Training is spread over 4 nights and we have received reassurances from the club that no more than 50 cars will attend at any one time.
- It is acknowledged that the school also run community activities including Tae Kwon Do and Dancing and though these classes attract between 50 and 60 participants, during a recent car counting exercise no more than 9 filled parking spaces were noted at any one time.
- To mitigate any bulge in traffic numbers around start and end of sessions it is proposed that athletics sessions and school extracurricular activities would be staggered e.g. Athletics start at half past the hour while school activities start on the hour.
- It is also proposed that parking at Islwyn High School be utilised for competition and other events where high numbers of participants are expected. The sites are approximately 13 minutes apart by walking along good paths. Stewards would be enlisted as required to ensure this arrangement is carefully managed.
- An Event Management Transport Strategy (EMTS) shall be developed to capture arrangements required to manage participants and spectators travelling to and from Oakdale Athletics Track.

On the basis of this submitted information, the Transportation Engineering Manager raises no objection to the proposed development subject to conditions. These conditions shall include a scheme to be submitted and agreed in relation to the construction phase of the proposed development. The proposal is therefore acceptable in relation to Policy CW3 (Design Considerations - Highways) of the Local Development Plan.

Impact on ecology.

The Council's Ecologist made the following comments in relation to the proposed development:

- A Preliminary Ecological Appraisal has been undertaken by B E Ecological Ltd at an appropriate time of year. A number of habitats were recorded on and around the survey area. These habitats included; a building, amenity grassland, hedgerow (unmanaged) and wall (rubble pile). The report also identified the site as having habitats suitable for bats, birds, reptiles and amphibians. The Phase 1 Habitat Survey was carried out in May 2019.

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- The main area of the proposed playing field is of a generally low ecological value. Whilst it is possible that there may be a small population of reptiles present within the hedgerow boundaries and long grass around the site boundary, it is likely to be of low numbers due to the managed nature of the site. Any pruning works to the hedgerow must be undertaken outside of the breeding bird season unless the vegetation is checked by a suitably qualified ecologist for the presence of nests. There are no structures or trees suitable for roosting bats on the site. Bats use the boundary hedgerows for commuting and foraging purposes. Habitats should be retained whenever possible. No direct lighting of the northern, eastern and western boundaries in order to protect foraging and commuting bats. The running track will be lit to allow evening use. However, all lights must face the track and be directed away from vegetated boundaries.
- The rear gardens of the properties in Priorsgate are well used by foraging and commuting bats. There are records for common Pipistrelle, Soprano Pipistrelle and Brown Long Eared bats using the hedgerow boundaries and the rear gardens of Priorsgate. This foraging area could be affected by the noise if the running track is to be used for competitions particularly as it will be available to be used up until 9:15pm.

On the basis of the comments of the Ecologist, several conditions are proposed to minimise the impact on biodiversity.

#### Conclusion.

Based on the relevant local and national planning policies and guidance outlined above, as well as all material planning considerations, the proposal represents an excellent opportunity to provide a much needed local sporting and recreation facility to serve the existing school and local athletics club without having an unacceptable impact on the amenity of the surrounding area or residents.

Comments from Consultees: No objection has been raised by consultees subject to the imposition of conditions and advice being forwarded to the developer. The comments of consultees are summarised elsewhere in this report.

Cont'd

Comments from public:

- The description of development is not accurate by indicating that the site is already a play area and running track. Whilst it is accepted that the site is not occupied all year round by a running track, a running track is created and used during summer months. The site is the playing field for the adjacent school and therefore such activity and associated noise on the site is established.
- The Lighting levels should meet the lighting levels indicated in the ILE Guidance notes for the reduction of obstructive light: 2011. The flood lighting proposed has been assessed by the Environmental Health department. They have confirmed the lighting should be limited to 125 Lux levels and that this is an acceptable lighting level at the site and will not result in an adverse impact on neighbouring properties. This level of lighting meets the ILE Guidance notes for the reduction of obstructive light: 2011.
- No changing facilities proposed and use of existing school for these facilities will raise safeguarding issues. As the facility is Local Authority owned and run, appropriate safeguarding measures will be put in place and maintained.
- The School changing facilities not large enough to support the proposed use. There is no evidence to support this statement.
- Environmental health issues if there are no changing facilities. As the site will be owned and operated by the Local Authority this matter will be appropriately controlled.
- There will not be sufficient recreational space to serve the school. The running track will have dual use for the school and the athletics club and, therefore, the level of recreation space serving the school will not be reduced. Furthermore, the school fully support the scheme and recognise it as an additional facility for pupils. The creation of a permanent running track will allow athletics to be enjoyed during winter months as well as summer months.
- The site is not large enough to accommodate the proposals and boundaries will need to be moved. The site plans as submitted indicate that the proposals can be accommodated within the identified site (as defined by the Site Location Plan) and the boundaries do not need to be repositioned.
- The Application Form indicates parking is not relevant to the proposals. The application has indicated no additional parking is proposed since the existing school car parking facilities will be utilised to serve the running track.

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- Increased traffic will adversely affect highway safety. Based on the submitted information the Transportation Engineering Manager raises no objection to the proposed development.
- Increased vehicular turning on local highway network will adversely affect highway safety. The Transportation Engineering Manager raises no objection to the proposed development and on this basis the proposal is considered to be acceptable from a highway safety perspective.
- Insufficient parking provided on site. The applicant has submitted information relating to car parking provision. On this basis the Transportation Engineering Manager raises no objection.
- Reduce the amount of on-street parking available. The Transportation Engineering Manager is satisfied that appropriate provision is available to serve the proposed development. Furthermore, extra measures will be put in place during competitions to accommodate additional traffic, i.e. car parking will be utilised at Islwyn High School, with stewards directing competitors and spectators to the application site via a 13 minute walk safe route.
- Adverse impact on wildlife/bats. Based on the submitted ecology surveys the Council's Ecologist raises no objection to the proposed development subject to conditions.
- Harmful noise pollution. Based on the nature and scale of the proposed use, the Head of Public Protection raises no objection to the proposed development.
- Harmful light pollution. Based on the originally submitted obtrusive lighting report, the Head of Public Protection requested amended details of lamps emitting a lower Lux level, i.e. 125 as opposed to 200. The views of the Head of Public Protection in relation to this amended scheme will be reported verbally to Planning Committee. However, if necessary a condition can be attached to any permission to control this matter. As the facility will be owned and operated by the Local Authority and appropriate level of control over this matter will be retained at all times.
- The track being used during the evening will harm neighbouring amenity. Noise and light impact have been discussed and addressed in detail above.
- Adverse impact on value of surrounding properties. Devaluation of neighbouring properties is not a material planning consideration.

Cont'd

- No consultation prior to application with the community. For a development of this scale the developer is not required to consult neighbouring properties.
- Inadequate consultation during life of planning application. Neighbour consultation was undertaken in accordance with The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- Impact of Construction Phase of development will be harmful to amenity (i.e. noise, traffic, pollution, dust impact). Conditions will be attached to the permission to control this aspect of the development to an acceptable level.
- Loss of view. Whilst the development will have limited impact by virtue of its nature, i.e. a track at ground level, the proposed floodlighting columns will be visible. However, loss of view is not a material planning consideration.
- School access results in lack on street parking availability. As discussed above, the Transportation Engineering Manager is satisfied that appropriate off-street parking provision to serve the proposed development can be provided within the school grounds.
- The proposed development will result in the loss of on-street parking. This is addressed above.
- Impact of health of occupants of surrounding properties. The Head of Public Protection raises no objection to the proposed development and considers the light and noise impacts to be acceptable in relation to nearby residential properties.
- The development will result in increased noise levels which will be harmful. The Head of Public Protection raises no objection in this regard.
- Queries relating to SAB application (what is it) - SAB approval relates to seeking approval on drainage details from the Sustainable Urban Drainage (SuDs) Approval Body, i.e. the Land Drainage Authority. As the development area is in excess of 100 square metres separate SAB approval is required. This will ensure that the development does not have a detrimental impact on land drainage in the surrounding area as a result of the development.

Cont'd

- Why was no noise impact assessment undertaken. Environmental Health have confirmed that given the scale of the development, the increased use of the facility is not foreseen to have an adverse impact on the nearby residential vicinity. Although the use isn't currently formalised, the use is established and could be utilised for activities outside the normal school hours for sport should the school wish to allow in the early/late evening in summer months in particular. In addition, the use of the facility is controlled for school pupils and athletic club members.

Other material considerations: Paragraph 4.5.1 of Planning Policy Wales (10th Edition) states that

- "Recreational spaces are vital for our health, well-being, amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales".

The proposal will create a much needed facility for the school as well as the local athletics club that will contribute to the well-being of children and adults in 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.

**RECOMMENDATION that Permission be GRANTED**

This permission is subject to the following condition(s)

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

Cont;d

- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No. A01 - Location Plan, received 16.09.2019;  
Drawing No. A02 - Proposed Layout, received 16.09.2019.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans, no works whatsoever shall commence until revised details of the proposed temporary construction access onto Brynhoward Terrace have been submitted to and approved in writing by the Local Planning Authority. These details shall specify the permanent materials to be used for the construction of the temporary access, a detailed design of the gradients between Brynhoward Terrace and the access into the site, and what measures will be used to prevent mud/debris/water from discharging onto the highway during the construction works. These details shall also include a timetable for the removal of the temporary access works, following the completion of construction works for the facility, to reinstate the existing maintenance access to its current form. The access shall be completed in accordance with the agreed details prior to the commencement of any other works.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2021.
- 04) Notwithstanding the submitted details, beneficial use of the athletics track shall not commence until an Events Management Strategy Plan has been submitted to and agreed in writing with the Local Planning Authority. The plan shall be designed to minimise any adverse effect on the highway network surrounding the site during training sessions and during special event/tournament days.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2021.
- 05) Notwithstanding the submitted plans, no works shall commence on site until after a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide details of the contractor's parking provision within the site, details of HGV delivery movements in terms of size, duration and number of vehicles, the provision of a suitable turning area within the site and how safe egress from the site in terms of visibility from the temporary access onto Brynhoward Terrace will be ensured. All construction works shall thereafter be undertaken in accordance with the approved plan.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2021.

Cont'd

- 06) The use of the facilities hereby permitted shall only take place during the following times: 09.00 hours to 21.00 hours Monday to Friday, and 09.00 hours to 19.00 hours on Saturdays and Sundays.  
REASON: In the interests of residential amenity.
- 07) The use of the floodlights hereby permitted shall only take place during the following times: 09.00 hours to 21.15 hours Monday to Friday, and 09.00 hours to 19.15 hours on Saturdays and Sundays.  
REASON: In the interests of residential amenity.
- 08) 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.
- 09) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) 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

- 12) Prior to the commencement of works associated with the development hereby approved, a 5 year hedgerow management plan, which shall include details of the timing of its implementation shall be submitted to the Local Planning Authority for approval. That plan shall include the timing of its implementation.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment Wales Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2018) and TAN 5 Nature Conservation and Planning (2009).
- 13) Prior to the development commencing, a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaries, and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.  
REASON: To ensure that proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity, and in the interest of residential amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2021.
- 14) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision for roosting bats and breeding birds in the boundary hedgerows and trees at the sports ground, Brynhoward Terrace, Oakdale, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new running track hereby approved is first utilised.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).
- 15) Prior to the erection/installation of the proposed fencing and storage containers hereby approved details of the materials and colours to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

- 16) Prior to the commencement of works onsite, details of the proposed floodlighting columns, including their proposed colour, shall be submitted to the Local Planning Authority for their written approval. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of visual amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2021.

Advisory Note(s)

Please find attached the comments of The Council's Ecologist, The Landscape Architect Officer, Dwr Cymru/Welsh Water, The Coal Authority, The Design and Conservation Officer, The Rights of Way Officer that are brought to the applicant's attention.

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

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

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

Cont'd

Planning Application 19/0772/LA

**WARNING:**

**SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.**

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

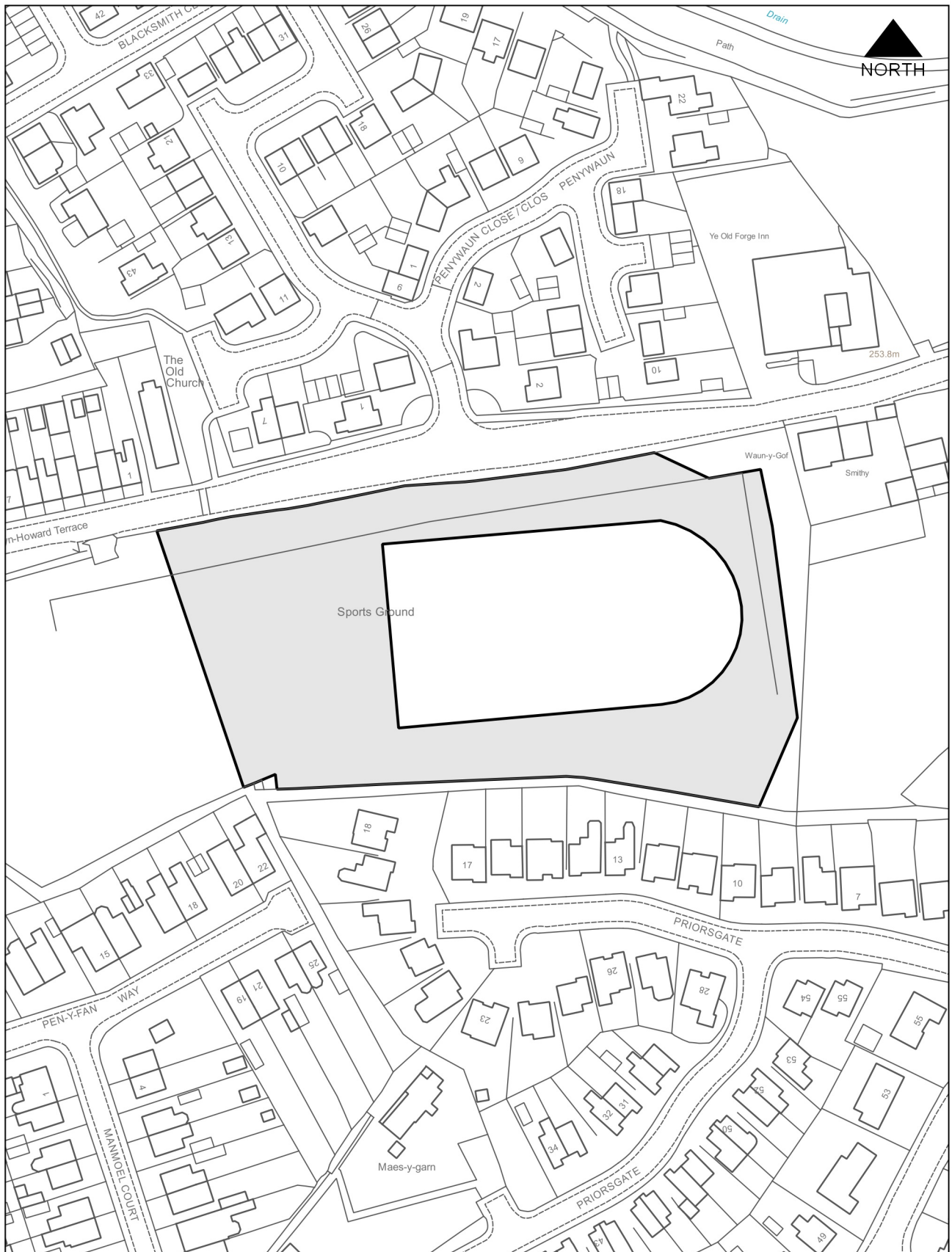
The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)





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# Agenda Item 7

Planning Application 19/0851/COU

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0851/COU 11.10.2019	Mrs H Morris 152 King George V Drive Heath Cardiff CF14 4EN	Change the use from a dwelling and garage to day care nursery provision 12 Gwendoline Road Risca Newport NP11 6DD

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: The application site is situated at the end of a cul de sac, on the western side of Gwendoline Road.

House type: Large two storey detached four bedroomed property, with large, detached, flat roofed garage/store adjacent and concrete apron to front and side.

Development: Change of use from use as dwelling and garage to use as day nursery.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: Provision of staff car parking spaces and parents drop off spaces in front and to the side of the garage building. Internal alterations to both ground and first floor to facilitate proposed use.

## PLANNING HISTORY 2010 TO PRESENT

None.

Cont'd

## POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 adopted November 2010 (LDP).

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

Policies: SP3 (Development within Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design consideration - Highways), CW15 (General Locational Constraints).

NATIONAL POLICY Planning Policy Wales Edition 10 (December 2018) and TAN 15: (Development and Flood Risk) July 2004.

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No

## COAL MINING LEGACY

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

## CONSULTATION

Head Of Public Protection - No objection subject to conditions relating to hours of operation, waste storage, odour control and the provision of a grease trap in relation to foul drainage.

Transportation Engineering Manager - No objection subject to a condition relating to existing parking areas within the site.

Early Years Development Child Care Group - No response received.

## ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice attached to the front boundary fence. One neighbouring property was informed by letter.

Response: None received.

Summary of observations: None.

Cont'd

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? Not applicable.

ANALYSIS

Policies: This application has been considered in accordance with National Policy and Guidance, Local Plan Policies and Supplementary Planning Guidance. The site is located within a C1 Flood Zone as identified by Natural Resources Wales and referred to in TAN 15, as a result, justification for the proposal in this location has to be provided. In addition the other main points to consider in the determination of this application are whether the proposal would have an unacceptable adverse impact on the amenity of neighbouring land and buildings, contrary to Policy CW2 of the LDP; would cause any potential danger to traffic or pedestrians, contrary to Policy CW3. A, or be unable to provide sufficient parking and operational space, contrary to CW3.C of the LDP.

The application site is situated approximately 40m to the south west of the main buildings on the Risca Primary School Campus. The rear boundary of the application site is formed in part by the concrete flood wall constructed along the bank of the Ebbw River. The applicant believes that the large garage building associated with the dwelling was used as a haulage depot in the past, it has a substantial concrete apron to the front and the side which is located entirely within the site, the footway separates it from the back edge of the carriageway. To the south of the site is the Risca Stores Field Carpark owned by the Council. It is separated from Gwendoline Road by means of a raised kerb and concrete bollards, and from the concrete apron serving the site by a metal gate.

Cont'd

The applicant seeks to use the dwelling, which will undergo minor internal rearrangements, to offer childcare places for children from six months to five years, to families in the Risca area (a D1 use in planning terms). The house will be used for baby, toddlers and school children. The application site includes a garage and the applicant would like to convert it to a multi-functional space to be flexible to meet the needs of the community and working parents. No specific details have been submitted and in this respect it is considered appropriate to attach a condition to any consent restricting the use of the premises as a whole to a childrens nursery. Any future external alterations to the garage would require planning permission.

The site is located in a C1 flood zone; a high-risk flood zone served by flood defences or infrastructure. It is set out in TAN 15 that highly vulnerable developments within C1 zones are required to be accompanied by a Flood Consequences Assessment (hereafter referred to as a FCA). However that requirement is further qualified in that document which indicates that in respect of a change of use, a FCA will be commensurate with the scale and nature of the proposal. In that regard this application relates to the change of use of an existing large residential property, located in a long established residential area, within the settlement boundary, close to existing community facilities (including Risca Primary School). It is therefore considered that in this particular instance the requirement to prepare a detailed, specialist, technical document, in the form of a FCA, would be onerous and unreasonable. However the applicant has prepared and submitted as part of the application 'A Flood Emergency Plan' in line with that suggested by TAN 15 setting out precautionary measures to be adhered to, including monitoring of NRW communications and an evacuation plan.

TAN 15 also indicates that development, particularly highly vulnerable development, i.e. residential development, in 'C' flood zones should not be permitted unless fully justified in accordance with the tests contained in paragraph 6.2 of TAN 15.

The justification tests set out in paragraph 6.2 of TAN 15, read as follows:-

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

Cont'd

The proposed location of the development contributes to the local authority's strategy required to sustain an existing settlement (criterion i); the location of the proposal in Zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region (criterion ii); and the site is previously development land in accordance with PPW 10 (criterion iii).

In terms of potential consequence (criterion iv), the risks and consequences can be managed to an acceptable level. For these reasons it is considered that the development complies with the requirements of TAN15 and is therefore acceptable from a flood risk perspective.

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

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

It is considered that the proposed use is acceptable given the surrounding land uses, i.e. residential to the north, and Primary School to the North East, Public Carpark to the South, and will not detract from existing levels of neighbouring amenity. No objections have been received from the Public. However, it is recommended, that a condition is attached to any permission that would prevent the use of the premises being changed to another use within use class D1 (non-residential institutions) in order to retain effective control over the development. The Head of Public Protection does not object to the proposal subject to a condition relating to hours of operation. Further conditions have been requested relating to the submission of a scheme of odour/effluvia/fume control; the submission of a scheme of foul drainage to include a grease trap and details of the storage, collection and disposal of commercial waste which may be attached to any consent. Consequently, subject to the imposition of appropriate conditions the development is in accordance with Policy CW2 of the LDP.

Cont'd

Policy CW3 sets out criteria which developments must satisfy in respect of highways requirements:-

- The proposal has regard for the safe, effective, and efficient use of the transportation network.
- The proposal ensures that new access roads within development proposals are designed to a standard that:
  - i. Promotes the interests of pedestrians, cyclists and public transport before that of the private car, and
  - ii. Safely and effectively accommodates the scale and nature of traffic, which those roads are intended to serve.
- Parking, appropriate servicing and operational space has been provided in accordance with the CSS Wales Parking Standards 2008.
- Where access onto a highway is required the proposal takes account of the restrictions relevant to the class of road designated in the road hierarchy ensuring movements and speeds are controlled through appropriate design, in order to ensure highway safety and amenity.

The Transportation Engineering Manager raises no objections to the proposed use of the site on highway grounds. The applicant indicates that the site is capable of accommodating nine parking spaces, four of which will be designated for staff and five others designated for parents dropping off their children. The adequacy of the parking arrangements have not been questioned, but the Transportation Engineering Manager has requested the imposition of a condition relating to the availability at all times of existing parking areas within the site in connection with the proposed use. It is therefore considered that subject to an appropriate condition the proposal satisfies the relevant requirements of Policy CW3.

Comments from Consultees: See above.

Comments from public: None received.

Other material considerations:

The scale of this development is such that its impact on prosperity, resilience, health, equality, the community, Welsh culture, and the need to be globally responsible will be very limited.

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



RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Location Plan, Drwg No. Appendix 3; Received on 11th October 2019,  
Proposed Internal Layout, First Floor, Drwg. No. Appendix 7; Received on 11th October 2019,  
Proposed Internal Layout, Ground Floor, Drwg. No. Appendix 9; Received on 11th October 2019,  
Block Plan Drwg No. Appendix 2, Change of Use of Dwelling and Garage to Day Nursery; received on 11th October 2019,  
Flood Emergency Plan Version 2: Received on 22nd November 2019.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The use hereby permitted shall not be open outside the following times 07:30 to 18:00 Monday to Friday and not at all on Saturdays, Sundays, or Bank Holidays.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The Staff Car Parking and Parent Drop Off Spaces. indicated on the approved plan shall be retained for the parking of vehicles at all times.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) A grease trap, details of which shall be agreed with the Local Planning Authority prior to installation, shall be installed in the foul drainage system prior to the commencement of the use hereby approved.  
REASON: To prevent pollution in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

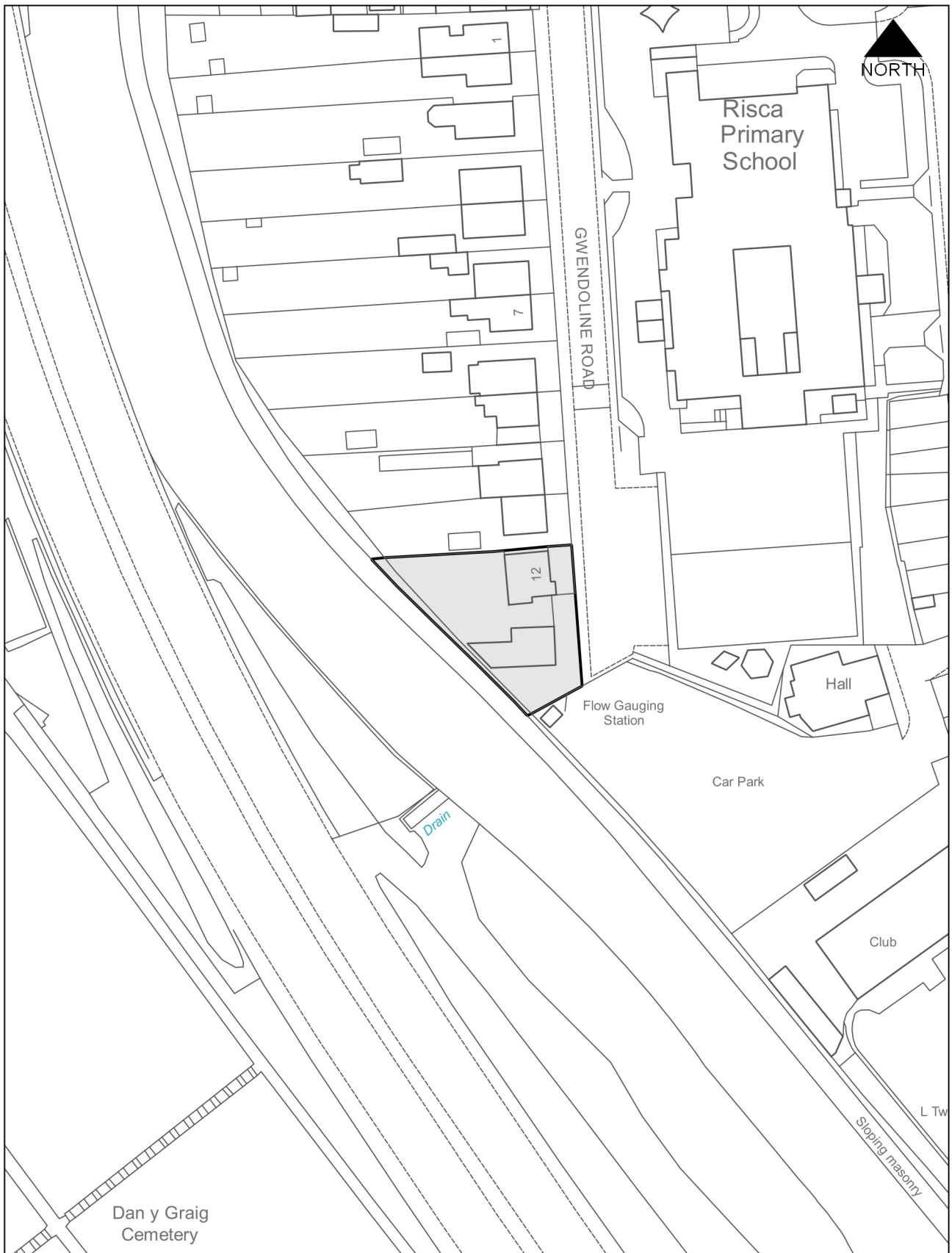
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- 06) Prior to the commencement of the development a scheme for on-site refuse storage (including any open air storage facilities) and for waste material awaiting disposal (including details of any screening) shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the agreed details prior to the first occupation of the development.  
REASON: In the interests of public health and the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The premises shall be used for a childrens day nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity and to retain effective control over the development in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

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

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



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# Agenda Item 8

Planning Application 19/0868/FULL

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0868/FULL 28.10.2019	JPCE Ltd Mr J Perkins Bronhaul House Abernant Road Abedare CF44 0PY	Install 2 no. underground service ducts to transfer farm digestate from one side of the road to the other Land Adjacent To And Part Of B4254 Gelligaer Road Gelligaer Hengoed CF82 2FY

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application area is located on Gelligaer Road (B4254) located approximately 300 metres to the west of the entrance to the Legion's Way, Gelligaer.

Site description: Adopted highway.

Development: It is proposed to install two service ducts (one operational and one spare) beneath the highway to allow digestate from the Bryn Farm Anaerobic Digester to be pumped from Gelliargwellt Farm to Tir-Y-Rhen Farm. Both farms are within the Price family's ownership. The digestate spreading and associated pipework forms part of the agricultural operations at both farms.

Dimensions: The proposed ducts measure 9.6 metres in length and 225mm in diameter.

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

## PLANNING HISTORY 2010 TO PRESENT

None.

Cont'd

Planning Application 19/0868/FULL

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located outside of the settlement boundary.

Policies: Policy CW2 (Amenity) and CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales, 10th Edition - December 2018.

### 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

Transportation Engineering Manager - No objection.

CADW -

Landscape Architect - No objection subject to the retention/replacement of any hedgerows impacted by the development.

Ecologist - No objection subject to a condition to ensure that any hedgerows impacted by the works are retained, enhanced and managed.

Gelligaer And Merthyr Commoners Association - No comments.

The Coal Authority - No objection.

Principal Valuer - Provide advice to the developer regarding land within the control of the Local Authority.

Natural Resources Wales - No objection based on the further information submitted by the applicant.

Cont'd

## ADVERTISEMENT

Extent of advertisement: Given the relatively isolated location of the application site the application was advertised by way of site notice.

Response: One response has been received.

Summary of observations: Site notice placed in remote location unlikely to be seen by the public.

## 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? No.

## ANALYSIS

Policies: The application proposes to install two service ducts (one operational and one spare) beneath the highway at a point approximately 300 metres to the west of Legion's Way in Gelligaer. These ducts will facilitate digestate (fertiliser) from the Bryn Farm Anaerobic Digester being pumped from Gelliargwellt Farm to Tir-Y-Rhen Farm. Both farms are within the applicants ownership. The digestate spreading and associated pipework forms part of the agricultural operations at both farms.

The proposed works, which will be located beneath the highway, will have no impact on visual or residential amenity, and therefore are in accordance with Policy CW2 of the Caerphilly Local Development Plan. The works will require the removal of a short section of hedgerow, however, a condition will be attached to the permission requiring hedgerows impacted by the development to be replaced and maintained post development. On this basis the proposal is considered to be acceptable in regard to Policy CW6 (Trees, Woodland and Hedgerow Protection).

No objection has been raised by the Transportation Engineering Manager and the proposal is therefore considered to be acceptable in relation to Policy CW3 (Design Considerations - Highways).

Cont'd

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

Comments from public: The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 requires a notice to be posted on or near the land to which the application relates.

Other material considerations: None.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing Number: 2019-B4254-001B - Survey and Proposed Sections, received 18.12.2019;  
Drawing Number: 2019-B4254-003 - Enlarged site location plan, received 25.10.2019.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of work on site details of hedgerow enhancement planting, and management of the existing roadside hedgerow, and creation of a new roadside hedgerow, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing hedgerows, shall be submitted to the Local Planning Authority for approval. The approved details shall be strictly complied with and the hedgerow planting shall be carried out within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).

Cont'd



Planning Application 19/0868/FULL

Advisory Note(s)

Please find attached the comments of Natural Resources Wales, The Transportation Engineering Manager, The Landscape Architect, The Council's Ecologist that are brought to the applicant's attention.

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

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



# Agenda Item 9

Planning Application 19/0874/CLPU

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0874/CLPU 30.10.2019	Mason And Young Property Investment Ltd C/O Miss L Hughson-Smith 19 Starling Walk Penallta Hengoed CF82 6BH	Obtain a Lawful Development Certificate for proposed use of property as a children's home for a maximum of 3 No. children Nyth Y Nant 1 Cwm-nant-yr-odyn Springfield Pontllanfraith Blackwood NP12 2DU

**APPLICATION TYPE:** Certificate Lawful Proposed Use/Dev

## SITE AND DEVELOPMENT

Location: The site lays to the east of an established residential development outside of the settlement boundary adjacent the main highway of the A472.

Site description: The dwelling forms part of a small development comprised of detached dwellings. Vehicle access is gained from Woodland Road and leads to a hardstanding area situated to the front elevation of the property. A culvert is located on the south west boundary; it is noted that this flows across the hard surfaced driveway down to the adjacent highway. The main dwelling is sited along the south eastern boundary with an outbuilding located to the north of the site. There is no grassed private amenity space associated with the property. The hardstanding to the front elevation serves the dwelling as the parking area and amenity space. The dwelling is situated on higher ground due to the site levels inclining from north to south.

The internal layout of the dwelling comprises living room, dining room, kitchen/breakfast room, utility room and cloaks on the ground floor and five bedrooms, two with en-suite and a bathroom on the first floor.

Development: Proposed use of property as a children's home for a maximum of 3no. children.

Dimensions: n/a.

Materials: n/a.

Ancillary development, e.g. parking: None.

Cont'd

PLANNING HISTORY 2010 TO PRESENT

10/0366/FULL-Erect first floor dressing room extension over existing utility room-  
Granted-20.07.2010.

POLICY

NATIONAL POLICY: Town and Country Planning Act 1990 Section 192.

CONSULTATION

Social Services - Supporting People Manager - Comments summarised below –

- Frequency of staff meetings and onsite training?
- Location of Children Looked After reviews?
- Is there a company car?
- Will there be home tutoring?
- It should also be noted that other queries were raised from the Social Services team however these related to specific aspects outside of the planning system.

ADVERTISEMENT: n/a.

ANALYSIS

Analysis of GPDO or evidence: The application is in respect of a certificate for the proposed use of an existing dwelling for a children's home for a maximum of 3 no.children. The agent has confirmed the ages of the children to be 10-16 years old.

The submitted supporting statement sets out that the previous use of the site was a C3 dwellinghouse as defined by the Use Classes Order 1987. The Council has no evidence to the contrary.

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land into various categories known as 'Use Classes'. In this respect a children's care home may be considered to fall within 'Use Class C2 - Residential Institutions'. Use Class C3 - Dwellinghouses is formed of three parts including Use Class C3(b) which allows up to 6 people living together as a single household and receiving care.

The plans and additional information submitted with the application detail that no alterations are proposed to the exterior of the building. Therefore, the proposal does not consist of building operations due to no building, engineering or other operation in, on, over or under land is taking place.

Cont'd

Therefore, the assessment to be carried out is whether the proposed use of the existing C3 dwelling as a children's home would be considered as a material change of use, thereby development under Section 55 of the Town and Country Planning Act 1990 requiring planning permission.

Within the supporting documentation, it states that the maximum number of carers is 3 no, however on the day-to-day basis 2 no. carers would be on site full time. It was further clarified that the third worker would be daytime staff that would be present on site as and when necessary. The supporting documentation goes further in confirming that there would not be a company vehicle.

Due to the circumstances that the child has experienced which have led to the need for accommodation, the Local Authority would be involved with the welfare of the child. This requires regular meetings to be held at the home or at another venue. It is stated that some meetings would occur at a maximum of once per month, some every 6 weeks, and others at 6 month intervals. The number of vehicles regularly parking at the site would be 3 to serve the needs of the staff. As stated within the supporting statement, there would be a 15 minute overlap between shift changes to facilitate the handover between the shift leaders only. The vehicle movements at the site, taking into account occasional external visitors and staff movements, it is considered that this would not function materially different to that associated with a C3 dwellinghouse.

As such, it is considered that the child would not be deprived of their liberty thereby not constituting as a secure unit. The floorplan indicates that there is a study area to the first floor. It was confirmed by the agent this room is to be used as an office area for staff which would contain a locked cabinet containing case files and a locked medicine cupboard. The use of this room as an office, whether locked or freely open, is not uncharacteristic of a C3 dwellinghouse.

The supporting statement set out that the bedrooms would all feature locks and carers would be allocated keys to these rooms. Further correspondence confirmed that the children would also have a key to their own room in order for them to come and go as they please. As such, it is considered that the child would not be deprived of their liberty thereby not constituting as a secure unit. While it is acknowledged that having locks on bedroom doors is not common place within a C3 dwellinghouse, more so with a House of Multiple Occupancy or Secure Unit etc., due to the child allocated to the room being able to enter and leave at their own will, it is considered this is not a material alteration to the C3 use of the building as a dwellinghouse.

Cont'd

It has been confirmed that the children using the service would not have mental health issues, drug or alcohol dependency, special needs, physical disabilities, have a serious illness, or have committed an offence pending further criminal investigation. Therefore, the children would not be in need of specialist support with regard to these factors that would require additional services to be present onsite and as such the proposed use would not fall within Use Class C2 - Residential Institution.

Upon further detailed assessment of the day-to-day routines, needs of the children using the service, the use of communal facilities and the ability of the children to move freely about the site, it is considered that based on the information provided, the proposed activities would not be materially different to that associated with a C3 dwellinghouse. As such, the proposed change of use is lawful as no material change constituting as development under Section 55 of the Town and Country Planning Act 1990 has occurred.

Reasons to approve/refuse:

1. The proposed use would not be development within the meaning of development as described by Section 55 of the Town and Country Planning Act 1990 (as amended).

RECOMMENDATION that Permission be GRANTED

Advisory Note(s)



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# Agenda Item 10

Planning Application 19/0972/FULL

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0972/FULL 16.12.2019	Mrs Begum 72 Broadway Adamsdown Cardiff CF24 1NH	Erect a two storey building with A3 (Food And Drink)/A2 (Financial Services) use at ground floor and first floor flat Land At 94-96 High Street Blackwood

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located on the western side of High Street, Blackwood on its junction with Woodbine Road.

Site description: The application property is part of the site of the former Poundstretcher store on Blackwood High Street. The former store was demolished following fire damage and as such the site now comprises of a flat area with frontage onto High Street that is covered with concrete. There is a high retaining wall to the side boundary of the site onto Woodbine Road and on the rear boundary of the site onto the service yard for The Market Place. This application relates to half of the former Poundstretcher store site, immediately adjacent to Woodbine Road.

Development: The application seeks full planning consent for the erection of a new building to house an A2 (Financial and Professional Services) or A3 (Food and Drink) use on the ground floor with a one bedroom flat on the first floor. The building will have an apex roof with a shop front on the ground floor and two windows to the first floor. Access to the first floor flat will also be from the front of the building.

Dimensions: The building will be 5.6m wide by 8.7m long by 10m high.

Materials: The frontage will be finished in render with a slate roof. The shop front will be in powder coated aluminium with upvc windows to the first floor.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2010 TO PRESENT

None.

Cont'd

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP2 (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP17 (Promoting Commercial Development), CW2 (Amenity), CW3 (Design Considerations: Highways), CW14 (Use Class Restrictions - Retail) and CW15 (General Locational Constraints).

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

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

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

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

National Policy: Paragraph 3.9 - The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Paragraph 3.16 - Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

Cont'd

Paragraph 4.3.5 explains the change in nature of retailing and identifies that many retail and commercial centres will experience both growth and decline, in some retail centres it might be appropriate to identify locations for expansion whilst in others it may be necessary to identify measures to reinvigorate centres.

This is further supported by Paragraph 4.3.30 which states that although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute to its vibrancy and that policies should encourage a diversity of uses in centres.

Paragraph 4.3.33 states that

- "vibrant and viable centres are distinguished by a diversity of activity and uses which should contribute towards a centre's wellbeing and success, whilst also reducing the need to travel.
- In assessing development proposals within defined centres, planning authorities should assess retail and commercial centre performance and their overall vitality and viability. This is further explained in Paragraph 4.3.36 which outlines that where premises have been vacant for some time and may undermine a centre's vitality and viability "planning authorities should consider how non-A1 uses may play a greater role to increasing diversity and reducing vacancy levels".

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

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

#### COAL MINING LEGACY

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

Cont'd

## CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - Requests that the application be deferred until such time as a SAB application is submitted.

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

Strategic & Development Plans - No objection.

Ecologist -

Blackwood Town Council -

Town Centre Manager CCBC - No objection.

## ADVERTISEMENT

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

Response: At the time of writing this report no comments had been received. Any comments received prior to the meeting will be brought to the attention of members orally.

Summary of observations: None.

## SECTION 17 CRIME AND DISORDER ACT

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

## EU HABITATS DIRECTIVE

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

Cont'd

Is this development Community Infrastructure Levy liable? Yes. Whilst the total floor area of the building is less than 100 square metres it does create a new dwelling (in accordance with CIL Legislation) and as such the proposal is CIL liable.

### ANALYSIS

Policies: This application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. This application seeks to erect a mixed use building within the Primary Retail Area of Blackwood Town Centre and the principle of a new building is considered to be acceptable. The design and scale of the building are considered to be acceptable for the site and in keeping with the street scene and there is adequate space within the site to accommodate the building. In that regard it is considered that the proposal complies with National Planning Guidance in terms of design and Policy CW2 of the LDP in terms of the amenity of the area.

Criterion C of Policy CW14 relates to new development or the change of use of ground floors within primary retail areas. The policy states that other class A uses would only be permitted where the total cumulative number of such units would not exceed 10% of the total number of commercial units within the primary retail area. There are currently 41 ground floor based commercial units within the primary retail area, of which 27 are in A1 use. This means that 34% of units currently within the primary retail area are not in A1 use. The development of this site for A2 use would increase the number of non-A1 uses within the primary retail area, and, in the strictest sense, the policy would not meet this criterion as it would exacerbate further the decline in A1 uses in the primary retail area. Notwithstanding this, it would bring back into beneficial use part of a prominent vacant site in a central location, which will help diversify the town centre and potentially increase footfall. The inclusion of first floor residential will also increase the vitality and vibrancy of uses within the town centre. In that regard it is considered that whilst the proposal does not strictly comply with this Policy it is acceptable in planning terms.

Cont'd

Comments from Consultees: No objections raised. The need for SAB approval is a separate requirement under other legislation. An advisory note attached to the permission will notify the developer of that requirement.

With regard to the condition suggested by Public Health to control the hours of opening it is considered that the hours suggested would be unreasonable in this instance. Whilst it is acknowledged that there will be residential use on the first floor of the property and as such there may be noise nuisance from any A3 use. It should also be acknowledged that the application site is within the core retail area for Blackwood. A3 uses in core retail areas are normally allowed to open for longer hours than those in mixed use areas and as such it would be unreasonable to restrict the hours of this property. Moreover, it would be a matter of choice for any perspective tenant as to whether they are prepared to accept any potential harm from the A3 use. It should also be noted in this instance that a separate condition attached to the consent would require a noise insulation scheme between the floors which should mitigate a proportion of the nuisance.

Comments from public: None.

Other material considerations: None.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan and drawing number A100.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd

- 03) The use hereby permitted shall not be open to customers outside the following times: (a) 07.00 hours to midnight Monday to Saturday, and (b) 07.00 hours to 23.00 hours Sunday.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to commencement of development details of a scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority to ensure noise from commercial aspects of the building does not affect the residential use of the property. The required scheme shall be capable of achieving a night time internal LAeq level of 30 dB(A) in the residential part of the building. Development shall be carried out in accordance with the approved details before first use of the premises hereby approved.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to development commencing on site, details of all external and roof mounted plant/machinery associated with the application shall be submitted to and agreed in writing with the Local Planning authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter these agreed details shall be fully installed prior to the use of each of the units commencing.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

- 08) Prior to the development commencing on the construction of any 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 09) Prior to the development commencing on the construction of any 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

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

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

The premises will require registration as a food business in accordance with the provisions of Regulation (EC) No. 852/2004 on the Hygiene of Foodstuffs, Article 6(2). The premises must also comply with the general hygiene requirements contained within ANNEX II of this Regulation, prior to becoming operational. The applicant is advised to contact the Food, Health & Safety Team in the Environmental Health Department, Caerphilly County Borough Council for advice, particularly regarding the internal arrangements of the kitchen prior to development. Food registration forms are available on the Caerphilly Council website and can be submitted online or downloaded.

Please also see additional comments recommended by our Food/Health and Safety Team attached for your consideration to be applied to all commercial uses.





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# Agenda Item 11

## APPLICATIONS DETERMINED BY DELEGATED POWERS

<b>APP NO. DATE REC'D</b>	<b>NAME AND ADDRESS OF APPLICANT(S)</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DECISION</b>
19/0537/FULL 17.06.2019	Mr K Jones 7 South Street Bargoed CF81 8ST	Erect two storey front extension Glan Yr Afon House Station Terrace Brithdir New Tredegar	Granted 22.11.2019
19/0929/COND 15.11.2019	Mrs J Morgan Hafodrysclawdd Fawr Farmhouse Hafodrisclawdd Fawr Lane Manmoel Blackwood NP12 0HZ	Discharge Condition 4 (Details of Surface), Condition 6 (Boundary Treatment) of planning consent 19/0588/FULL (Extend existing menage) Hafodrysclawdd Fawr Farmhouse Hafodrisclawdd Fawr Lane Manmoel Blackwood	Decided - Discharge of Conditions 22.11.2019
19/0700/NCC 15.08.2019	Mr R Gardiner 17 Woodville Terrace Argoed Blackwood NP12 0AP	Vary condition 09 (Approved Plans) of planning consent 14/0792/FULL (Change the use of former primary school to a single dwelling) 17 Woodville Terrace Argoed Blackwood NP12 0AP	Granted 25.11.2019
19/0814/FULL 01.10.2019	Mr & Mrs Griffiths Ty Cylla 88 Penallta Road Ystrad Mynach Hengoed CF82 7GN	Erect single storey extension to provide additional living accommodation and external alterations Ty Cylla 88 Penallta Road Ystrad Mynach Hengoed	Granted 25.11.2019
19/0817/COND 02.10.2019	Kingfisher Developments Ltd (Wales) Mr A Ely The Hayes Building Town Hall Square Llantwit Major CF61 1SD	Discharge conditions 17 (Car Parking) and 18 (Driveway Materials) of planning consent 16/0628/FULL (Erect nine bungalows and associated works) Land At Grid Ref 312939 201547 Riverside Walk Deri	Decided - Discharge of Conditions 25.11.2019
19/0888/CLPU 25.10.2019	Mr Harvey 7 Julian's Close Gelligaer Hengoed CF82 8DT	Obtain a Lawful Development Certificate for proposed conservatory to rear elevation 7 Julian's Close Gelligaer Hengoed CF82 8DT	Granted 25.11.2019

19/0674/COND 06.08.2019	Mr W Powell Old Station House Old Station Yard Bedwas Caerphilly CF83 8QZ	Discharge conditions 10 (Land Improvement) and 11 (Parking) of planning application 18/0719/FULL (Construct 1 no. dwelling and associated works) Old Station House Old Station Yard Bedwas Caerphilly	Decided - Discharge of Conditions 26.11.2019
19/0932/COND 19.11.2019	Kingfisher Developments Mr A Eley The Hayes Building Burial Lane Llantwit Major CF61 1SD	Discharge condition 04 (Bat Method Statement) of planning consent 17/1038/FULL (Demolish existing church, construct seven dwellings and associated works) St Marys Church St Mary's Road Pontllanfraith Blackwood	Decided - Discharge of Conditions 26.11.2019
19/0765/COND 12.09.2019	Rectory Homes (WALES) Ltd Mr M Miller C/O Agents	Discharge condition 7 (Method Statement), Condition 9 (Light Mitigation strategy) & Condition 15 (Refuse/Recycling waste storage) of planning consent 15/0782/FULL- granted on appeal reference APP/K6920/A/17/3173196 (Erect residential development for 45 No. dwellings, associated highway infrastructure and open space) Land At (Woodfield Park Funeral Home) Woodfield Park Lane Penmaen Oakdale	Decided - Discharge of Conditions 27.11.2019
19/0510/NMA 07.06.2019	Mr & Mrs John 16 Brynview Avenue Tredomen Hengoed CF82 7DB	Seek approval of a non-material amendment to planning consent 14/0847/FULL (Erect three detached residential dwellings) to amend materials specified, amend style of doors. incorporate contemporary glazing bars to windows and door glazing Land At Grid Ref 314128 194285 Brynmynach Avenue East UI Tredomen	Granted 28.11.2019

19/0704/FULL 16.08.2019	Mr & Mrs Hughes 7 Heol Rhos Caerphilly CF83 2BE	Erect rear single storey extension and a two-storey side extension above the existing garage, works are to include various internal renovation works to accommodate the new design/scheme 7 Heol Rhos Caerphilly CF83 2BE	Granted 28.11.2019
19/0821/CLPU 02.10.2019	Miss J Harris 22 Thistle Way Ty Sign Risca Newport NP11 6PL	Obtain Lawful Development Certificate for proposed erection of an outbuilding 22 Thistle Way Ty Sign Risca Newport	Granted 28.11.2019
19/0836/COU 08.10.2019	Carew & Co Limited Mr Carew Halfpenny Green Vineyards Tom Lane Bobbington DY7 5EP	Change the use from Gymnasium (D2 use) to B1, B2 or B8 use Curves Unit 17 Abercarn Industrial Estate Bridge Street	Granted 28.11.2019
19/0747/CLPU 07.09.2019	Mr J Williams Hillside The Graig Cwmcarn Newport NP11 7FA	Obtain a Lawful Development Certificate for a proposed single storey extension to side elevation to form external store, creation of new openings within facade and roof and alterations to existing openings within facade, construction of permeable parking spaces and new low level retaining walls Graig Cottage The Graig Cwmcarn Newport	Granted 29.11.2019
19/0832/FULL 07.10.2019	Mr & Mrs S Emery 15 Beechwood Close Newbridge Newport NP11 4NX	Erect a first floor extension for a bedroom with en-suite 15 Beechwood Close Newbridge Newport NP11 4NX	Granted 02.12.2019
17/0616/COU 14.07.2017	Messrs M & I Jaura 48 Penylan Road Penylan Cardiff CF24 3PF	Convert former night club at second floor level to 7 No. flats (D2 to C3) Pulsars Niteclub 3A Pentrebane Street Caerphilly CF83 1FR	Granted 03.12.2019

19/0055/FULL 23.01.2019	Ms N Jones 14 Cae Marchog Caerphilly CF83 2TZ	Erect single storey rear extension 14 Cae Marchog Caerphilly CF83 2TZ	Granted 03.12.2019
19/0723/FULL 30.08.2019	Mr L Briggs Ty Canrif Halls Crossing Woodfieldside Pontllanfraith Blackwood NP12 0PF	Erect one bedroom dwelling Land Within The Curtilage Of 2 Brynmill House Millbrook Road Springfield	Refused 03.12.2019
19/0802/FULL 26.09.2019	Mr Oram 14 Highland Crescent Springfield Pontllanfraith Blackwood NP12 2NE	Erect a rear and side single storey extension and loft conversion consisting of hip to gable with a rear dormer 14 Highland Crescent Springfield Pontllanfraith Blackwood	Granted 03.12.2019
19/0806/FULL 26.09.2019	Mr M Shepherd 16 Woodside Drive Newbridge Newport NP11 4NQ	Erect single storey side extension 16 Woodside Drive Newbridge Newport NP11 4NQ	Granted 03.12.2019
19/0811/FULL 01.10.2019	Greggs Plc Mrs S Humphries B3 Mucklestone Business Centre Eccleshall Road Mucklestone Market Drayton TF9 4FB	Install two air conditioning condenser units and two extract grilles Unit A3 (13) Pinewood Court (Block A) St Davids Industrial Estate Pengam	Granted 03.12.2019

19/0827/FULL 04.10.2019	The South Wales Building Trust Ltd Bowen-Morris 67 Gwydr Crescent Uplands Swansea SA2 0AD	Reinstate the external envelope of the building, to include the repair and replacement of king post roof trusses and the other timbers that formed the original hipped roof structure, the reinstatement of natural slate roof coverings, the installation of new rainwater gutters onto reconstructed box eaves, the reinstatement of sliding sash timber windows to all elevations to match the original design, the reinstatement of a timber door, and re-bedding of detached brickwork along wall tops and other associated brick repairs Unit 1 Navigation Colliery Navigation Industrial Estate Crumlin	Granted 03.12.2019
19/0830/NCC 07.10.2019	Lidl Great Britain Ltd Dr W Hurst Waterton Industrial Estate Off Cowbridge Road Bridgend CF31 3PH	Vary condition 03 (Delivery Hours) of planning consent 19/0517/NCC (Vary condition 3 (Opening Hours) of planning consent 06/0293/FULL (Erect single storey foodstore with associated car parking and landscaping) to amend the wording of the condition Lidl 5 Beddau Way Caerphilly CF83 2AX	Granted 03.12.2019
19/0843/FULL 09.10.2019	Mr & Mrs Roscoe 46 Waungoch Road Oakdale Blackwood NP12 0LL	Erect first floor extensions to front and rear 46 Waungoch Road Oakdale Blackwood NP12 0LL	Granted 03.12.2019
19/0845/ADV 10.10.2019	Dignity Plc C/O Freeths LLP Mr J Horan 80 Mount Street City Centre Nottingham NG1 6HH	Erect 1 No. non illuminated front fascia sign and 1 No. non illuminated projecting sign Dignity Funerals - D J Thomas And Son 4 - 5 Hanbury Square Bargoed CF81 8QQ	Granted 03.12.2019

19/0846/ADV 10.10.2019	Dignity Plc C/O Freeths LLP Mr J Horan 80 Mount Street City Centre Nottingham NG1 6HH	Erect 1 No. non illuminated free standing sign and 1 No. non illuminated wall mounted sign Dignity Funerals The Private Chapel Wood Street Bargoed	Granted 03.12.2019
19/0881/FULL 28.10.2019	Mr D Savage 29 Mill View Caerphilly CF83 3SJ	Erect single storey front and side extension 29 Mill View Caerphilly CF83 3SJ	Refused 03.12.2019
19/0904/NMA 05.11.2019	Mr G Cosgrove 215 Whitchurch Road Cardiff	Seek approval of a non-material amendment to planning consent 17/0935/FULL (Construct 11 No. residential dwellings and associated works) to amend the appearance of the bay window and remove render panel below bay window Land At Grid Ref 315722 187910 Virginia Park Caerphilly	Granted 03.12.2019
19/0921/NMA 13.11.2019	Kingfisher Developments Ltd (Wales) Mr A Ely The Hayes Building Town Hall Square Burial Ln Llantwit Major CF61 1SD	Seek approval of a non-material amendment to planning consent 16/0628/FULL (Erect nine bungalows and associated works) to omit hoop topped steel fence to front gardens and introduce 1200mm high timber screening around bins Land At Riverside Walk Deri Bargoed	Granted 03.12.2019
13/0799/CLEU 08.11.2013	Mr T Rowe 5 Rowan Close Nelson Treharris CF46 6EN	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 Caeglas Colliery Fochriw Road Fochriw Bargoed	Refused 04.12.2019



19/0474/NMA 29.05.2019	Mr K Owens 26 Pine Tree Way Nelson Treharris CF46 6PA	Seek non material amendment of planning application 18/0398/FULL (Convert roof space and raise existing roofline of bungalow to provide flat roof dormer extension to rear of property) to increase the roofline by an additional 150mm over the approved plans to accommodate additional warm roof insulation and add a roof light to the flat roof section 17 Heol Isaf Nelson Treharris CF46 6NS	Granted 04.12.2019
19/0638/COND 16.07.2019	Mr M Howell Gelliwen Farm Bedwellty Road Markham Blackwood NP12 0PP	Discharge condition 3 (Land Drainage) of planning consent 17/0113/FULL (Erect 5 No. detached 4-bedroom houses) Land At Grid Ref 317533 193532 The Glade Wyllie	Decided - Discharge of Conditions 04.12.2019
19/0847/COND 10.10.2019	S Pugh & Sons (Garden Centre Ltd) Mr G Pugh Pughs Garden Village Ty Nant Road Morganstown Radyr Cardiff CF15 7UP	Discharge condition 03 (Drainage) of planning consent 19/0281/FULL (Erect a steel storage building) Gwaun Gledyr Uchaf Nursery Gypsy Lane Groeswen	Decided - Discharge of Conditions 04.12.2019
19/0895/FULL 30.10.2019	Mr G Hibbs 67 Ridgeway Graig-y-rhacca Caerphilly CF83 8RD	Demolish existing single storey extension and erect two storey side extension and front porch 67 Ridgeway Graig-y-rhacca Caerphilly CF83 8RD	Granted 04.12.2019
19/0897/RET 31.10.2019	Ms S Kendrick 32 Tyn-Y-Coed Tredomen Hengoed CF82 7DD	Retain domestic garage with storage above 32 Tyn-Y-Coed Tredomen Hengoed CF82 7DD	Granted 04.12.2019
19/0902/CLPU 04.11.2019	Ms Baker 26 Mill View Caerphilly CF83 3SJ	Obtain Lawful Development Certificate for proposed rear dormer roof extension and insertion of rooflights to the front elevation 26 Mill View Caerphilly CF83 3SJ	Granted 04.12.2019

17/0804/OUT 18.09.2017	GHR Developments Ltd Mr C Withey C/O Barton Willmore Greyfriars House Greyfriars Road Cardiff CF10 3AL	Erect up to 350 homes, public open space, a local centre and community building, new vehicular, cycle and pedestrian accesses, associated engineering works and seek approval of access Virginia Park Golf Club And Driving Range Virginia Park Caerphilly CF83 3SN	Granted 05.12.2019
19/0448/NCC 22.05.2019	Asda Stores Ltd C/o Jigsaw Planning Ms K Sneed PO Box 2844 Glasgow G61 9DG	Vary condition 01 of planning consent P/02/1047 to allow unrestricted delivery hours Asda Cliff Road Blackwood NP12 0NT	Granted 05.12.2019
19/0495/COU 03.06.2019	Mr S Monico 4 Bryn Terrace Hengoed CF82 7ND	Change the use of building to a dwelling Former Bakery Bryn Terrace Hengoed	Granted 05.12.2019
19/0536/RET 17.06.2019	Mr R Jones Land At Former Station House Rhymney NP22 5QG	Retain and complete change of use of land to 5 no. Gypsy Traveller pitches and associated works including, 5 no. mobile home, 5 no. touring caravan, and hardstanding Land At Former Station House Merthyr Road Rhymney Bridge Llechryd	Refused 05.12.2019
19/0559/FULL 24.06.2019	Mr & Mrs Lockett-Ford Amberley Rudry Road Lisvane Cardiff CF14 0SN	Erect extension and carry out alterations to ground floor of existing bungalow and erect an additional upper floor Garnllwyd Watford Road Thornhill Caerphilly	Granted 05.12.2019
19/0624/FULL 17.07.2019	The Executors For The Estate Of Mrs Brooks C/o GAP Architectural & Engineering Design Services Mr S Hiles 22 Ty-Isaf Penyheol Caerphilly CF83 2RG	Divide existing garden to erect two detached bungalows with associated works Spare Moments 21 Old Parish Road Hengoed CF82 7HU	Granted 05.12.2019

17/0918/COND 30.10.2017	Au Trust SIPP Mr D Watts Imperial Way Newport NP20 8LH	Discharge condition 03 (Highways) , 05 (Land Drainage) , 06 (Surface Water Drainage), 07 (Drainage Scheme), 10 (Remediation Strategy) 17 (Japanese knotweed) and 18 (Lighting Scheme) of planning consent 17/0915/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 Grid Ref 315319 197123 Glan-Yr-Afon Lane Fleur-de-lis	Decided - Discharge of Conditions 06.12.2019
19/0010/FULL 04.01.2019	Mr S Davies C/o C2J Architects & Town Planners Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Construct 18 self-contained 1-Bed apartments with on-site parking, amenity, cycle and refuse stores Former Pontymister Service Station Newport Road Pontymister Risca	Granted 06.12.2019
19/0864/COND 21.10.2019	Persimmon Homes East Wales Mr E Williams Llantrisant Business Park Llantrisant Rhondda Cynon Taff CF72 8YP	Discharge condition 3 (Landscaping) of planning consent 17/1095/RM (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 Grid Ref 318978 197966 Oakdale Golf Course Lane Oakdale	Decided - Discharge of Conditions 06.12.2019

19/0872/NCC 24.10.2019	Mr N Jenkins 6 Bramblewood Court Pengam Blackwood NP12 3QW	Vary condition 05 (Cafe Hours) of planning consent 18/1035/FULL (Change use of building to a mixed use as a social club and erect extension to front of building for a cafe) to extend opening hours Valley Tavern 15 High Street Fleur-de-lis Blackwood	Granted 06.12.2019
19/0934/NMA 19.11.2019	Mr & Mrs R Belbin The Cottage Baden Hill Titherington Wotten Under Edge GL12 8PY	Seek approval of a non material amendment to application 19/0068/FULL (Erect detached dwelling with associated external works) to reconstruct the boundary stone wall along the entire length Tir Yng Nghyfeirnod Grid 322211 187400 The Row To Pont Y Draethen Draethen	Granted 06.12.2019
19/0935/COND 20.11.2019	Mr A Eley The Hayes Building Burial Lane Llantwit Major CF61 1SD	Discharge Condition 5 (Lighting) of planning consent 17/1038/FULL (Demolish existing church, construct seven dwellings and associated works) St Marys Church St Mary's Road Pontllanfraith Blackwood	Decided - Discharge of Conditions 06.12.2019
19/0861/COND 21.10.2019	Persimmon Homes Mr E Williams Llantrisant Business Park Llantrisant Rhondda Cynon Taff CF72 8YP	Discharge conditions 5 (Vision splays) and 8 (Floor levels) of planning consent 17/1095/RM (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 Grid Ref 318978 197966 Oakdale Golf Course Lane Oakdale	Decided - Discharge of Conditions 09.12.2019

19/0810/COND 30.09.2019	Mrs K Watkins The Meadows Gypsy Lane Groeswen Cardiff CF15 7UN	Discharge condition 04 (Provision of Passing Bay) of planning consent 18/0705/COU (Change the use of existing offices/garage building to new office space on first floor and activity rooms on the ground floor) The Meadows Gypsy Lane Groeswen Cardiff	Decided - Discharge of Conditions 10.12.2019
19/0826/FULL 02.10.2019	Mr & Mrs Pawluk 33 Heol Isaf Nelson Treharris CF46 6NS	Construct two dormers to east elevation 33 Heol Isaf Nelson Treharris CF46 6NS	Granted 10.12.2019
19/0779/COND 18.09.2019	Kingfisher Developments Mr A Eley The Hayes Building Burial Lane Llantwit Major CF61 1SD	Discharge conditions 2 (Drainage), 14 (Construction Traffic Management Plan), 16 (Affordable Housing), 19 (Site Control - Dust Suppression) and 20 (Site Control - Noise Suppression) of planning consent 17/1038/FULL (Demolish existing church, construct seven dwellings and associated works) St Marys Church St Mary's Road Pontllanfraith Blackwood	Decided - Discharge of Conditions 11.12.2019
19/0856/COU 18.10.2019	Mr Karabar C/o Williams Architectural Design Services Mrs K Williams 3 Tansy Close Penpedairheol Caerphilly CF82 8LF	Change the use from a single dwelling to 3 flats 14 Newport Road Bedwas Caerphilly CF83 8AA	Granted 11.12.2019
19/0800/OUT 25.09.2019	Mr G Thomas 1 Heol-Y-Twyn Rhymney NP22 5DN	Erect residential development Land At Grid Ref 311086 209021 (Former British Legion Club) Heol Uchaf Rhymney	Granted 12.12.2019

19/0825/COND 02.10.2019	Mr G Cosgrove Grove House 215 Whitchurch Road Cardiff	Discharge Conditions 4 (Site Levels), 7 (Working Method Statement) 8 (Highway Access) and 19 (Drainage) of Planning Consent 17/0935/FULL (Construct 11 No. residential dwellings and associated works) Land At Grid Ref 315722 187910 Virginia Park Caerphilly	Decided - Discharge of Conditions 12.12.2019
19/0269/FULL 29.03.2019	Mr R Battrick 161 High Street Blackwood NP12 1AA	Retain part existing retail unit and convert/change the use to its rear into 1 No. studio apartments and the construction of a new storey at roof level to provide 2 No. one bed apartments 161 High Street Blackwood NP12 1AA	Granted 13.12.2019
19/0792/COU 25.09.2019	Holistic Services Mrs N Richardson Anderson Huntersmoon Dynevor Terrace Nelson Treharris CF46 6PD	Change the use from residential to mixed use of residential and wellness, hairdressing and beauty industry use Huntersmoon Dynevor Terrace Nelson Treharris	Granted 13.12.2019
19/0661/FULL 31.07.2019	Mr & Mrs Shide 9 Denbigh Close Cefn Fforest Blackwood NP12 1JH	Partly convert garage into living accommodation, demolish existing conservatory and erect single storey rear extension and first floor side extension 9 Denbigh Close Cefn Fforest Blackwood NP12 1JH	Refused 16.12.2019
19/0753/RET 19.09.2019	Miss V Howells 77 High Street Nelson Treharris CF46 6HA	Retain the change of use of a shed for dog grooming business 77 High Street Nelson Treharris CF46 6HA	Granted 16.12.2019
19/0839/FULL 08.10.2019	Mr K Rowland 54 James Street Trethomas Caerphilly CF83 8FY	Erect first floor rear extension 54 James Street Trethomas Caerphilly CF83 8FY	Granted 16.12.2019

19/0842/COU 08.10.2019	Mr D Morgan Cardigan House 8 Central Buildings Newport Road Trethomas Caerphilly CF83 8BU	Change the use from shop and a flat to a single dwelling David Morgan Ironmongers 8 Central Buildings Newport Road Trethomas	Granted 16.12.2019
19/0901/ADV 01.11.2019	Mr J Wright Century House Brunel Road Wakefield WF2 0XG	Install 2 No. internally illuminated fascia signs on shop front and side elevation Unit 6A Lowry Plaza Hanbury Road Bargoed	Granted 16.12.2019
19/0914/COND 08.11.2019	CCBC Building Consultancy Ms Y Simmonite Ty Penallta Ystrad Mynach Hengoed CF82 7PG	Discharge Condition 11 (car park) of planning consent 18/1046/LA (Erect two storey classroom extension to the main junior block and associated parking on land off Lewis Street) Ystrad Mynach Primary School Lewis Street Ystrad Mynach Hengoed	Decided - Discharge of Conditions 17.12.2019
19/0918/COND 11.11.2019	Persimmon Homes Mr E Williams Llantrisant Business Park Llantrisant Rhondda Cynon Taff CF72 8YP	Discharge condition 09 (tree protection) of planning consent 18/0789/FULL (Construct surface water attenuation pond) Land At Grid Ref 319174 198033 Oakdale Golf Course Lane Oakdale	Decided - Discharge of Conditions 17.12.2019
19/0936/FULL 21.11.2019	Mr L Withers 32 Lower Francis Street Abertridwr Caerphilly CF83 4DX	Erect first floor rear extension 32 Lower Francis Street Abertridwr Caerphilly CF83 4DX	Granted 17.12.2019
19/0567/COND 24.06.2019	Mr R Brewer Lili Wen Farm Cilfynydd Road To Pant-Du Road Llanfabon Pontypridd CF37 4HN	Discharge Condition 4 (Hedgerow Planting and Enhancement), Condition 7 (Passing Bay) and Condition 8 (Contamination - soil import testing) of Planning Consent 17/0883/FULL (Develop an equine business and outdoor menage area of 40m x 30m) Lili Wen Farm Cilfynydd Road To Pant-Du Road Llanfabon Pontypridd	Decided - Discharge of Conditions 19.12.2019

19/0597/COND 05.07.2019	Mr & Mrs John 16 Brynview Avenue Tredomen Hengoed CF82 7DB	Discharge Condition 4 (Drainage) and Condition 20 (Tree Planting) of planning consent 14/0847/FULL (Erect three detached residential dwellings) Land At Grid Ref 314128 194285 Brynmynach Avenue East UI Tredomen Hengoed	Decided - Discharge of Conditions 19.12.2019
19/0880/FULL 28.10.2019	Mr J Trott Cwm-Y-Nant Royal Oak Machen Caerphilly CF83 8SR	Erect rear extension to bungalow with room in roof space for bedroom Cwm-y-nant Royal Oak Machen Caerphilly	Granted 19.12.2019
19/0716/CLPU 28.08.2019	Mrs K Price Gelli Farm Gelli Farm Lane Trinant Newport NP11 3AZ	Obtain a Lawful Development Certificate for proposed siting of a mobile home Gelli Farm Gelli Farm Lane Trinant Newport	Refused 20.12.2019
19/0733/NCC 02.09.2019	Miss S Eyres 31 Coronation Street Trethomas Caerphilly CF83 8DL	Vary condition 6 (Garages - pd rights removed) of planning consent 18/0440/RM (Seek approval of the reserved matters regarding details of access, appearance, landscaping, layout and scale in relation to planning consent granted on appeal reference APP/K6920/A/15/3136679 (LPA reference 15/0038/OUT - Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from Pandy Road and footpaths and requiring the installation of new services and infrastructure and other ancillary works and activities) to construct 240 residential units and associated engineering works) to convert garage into habitable accommodation 11 Holly Field Rise Bedwas Caerphilly CF83 8JW	Granted 20.12.2019



19/0797/COU 24.09.2019	Mr J Kemp C/o Monarch Architectural Services Ltd Mr W Scorey 1 Glanynys Cottages Cwmbach Road Aberdare CF44 0NN	Change the use of the land for the storage and distribution of steel storage containers Land Adjacent To Unit 3 (Area E) Newbridge Industrial Estate Pontllanfraith Blackwood	Granted 20.12.2019
19/0863/FULL 21.10.2019	Mr I Parker 4 St Catherine's Court Crosskeys Newport NP11 7QB	Erect two storey extension to existing annexe building 4 St Catherine's Court Crosskeys Newport NP11 7QB	Granted 20.12.2019
19/0869/FULL 24.10.2019	Mrs E Tudgay 67 Elm Court Pantside Newport NP11 5LU	Demolish existing store and erect two storey side extension to provide playroom with en- suite bedroom above 67 Elm Court Pantside Newport NP11 5LU	Granted 20.12.2019
19/0873/FULL 24.10.2019	Mr G Davies The Managers House Penyfan Leisure Park Manmoel Road Manmoel Blackwood NP12 0HY	Construct a single storey extension to rear of property to incorporate a swimming pool The Managers House Penyfan Leisure Park Manmoel Road Manmoel	Granted 20.12.2019
19/0878/NCC 25.10.2019	Mr R Parfitt Highwinds New Bryngwyn Road Newbridge Newport NP11 4NF	Vary Conditions 5 and 14 (Boundary treatment - implement variable) of planning consent 15/0568/FULL (Construct four detached houses) to amend the wording to the conditions White Hart Inn Newbridge Road Pontllanfraith Blackwood	Granted 20.12.2019
19/0891/FULL 29.10.2019	Mr & Mrs K Ward 2 Francis Street Fleur-de-lis Blackwood NP12 3RU	Extend existing garage and bay window to front elevation 9 Westgil Pen Ffordd Blackwood NP12 3QS0	Granted 20.12.2019
19/0896/FULL 30.10.2019	Miss C Taylor- Dominguez 5 Homeland Place Blackwood NP12 1AS	Erect two storey rear extension 5 Homeland Place Blackwood NP12 1AS	Granted 20.12.2019

19/0898/TPO 31.10.2019	Mr M Storey 31 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Reduce overhanging branches by 1.5 to 2 metres to Oak trees (Tree Preservation Order 9/76/RVDC) Trees Rear Of 30 & 31 Coed Y Pia Llanbradach Caerphilly CF83 3PT	Granted 20.12.2019
19/0916/RET 11.11.2019	Ms C Evans 12 Navigation Street Trethomas Caerphilly CF83 8DJ	Retain detached outbuilding and rear timber fence 12 Navigation Street Trethomas Caerphilly CF83 8DJ	Granted 20.12.2019
19/0953/COND 26.11.2019	TRG Sports Limited Mr M Rees 6 Cylla Sidings Ystrad Mynach Caerphilly CF82 7GT	Discharge condition 3 (Noise Mitigation) of planning application 19/0581/COU (Change the use from B8 to D2) Unit 9 Trecenydd Business Park Trecenydd Caerphilly	Decided - Discharge of Conditions 20.12.2019
19/0877/RET 25.10.2019	Mitchells And Butlers Retail Limited C/o The JTS Partnership Miss C Davies Number One The Drive Great Warley Brentwood CM13 3DJ	Retain and complete the relocation and replacement of an existing package sewage system Travellers Rest Inn Mountain Road Thornhill Caerphilly	Granted 23.12.2019
19/0879/COND 28.10.2019	Mr L James Dan-Y-Coed Glanhowy Road Wyllie NP12 2HN	Discharge Condition 4 (boundary treatment height), Condition 5 (Car Parking), Condition 8 (Bats), Condition 9 (Birds), Condition 10 (Boundary Treatments), Condition 11 (Levels) of planning consent 19/0267/FULL (Erect detached dwelling and detached garage) Land Within The Curtilage Of Dan-y-coed Glanhowy Road Wyllie Blackwood	Decided - Discharge of Conditions 23.12.2019
19/0905/FULL 04.11.2019	Mr R Platoni 14 Woodbine Road Blackwood NP12 1QJ	Erect a part single storey, part two storey rear extension 14 Woodbine Road Blackwood NP12 1QJ	Granted 23.12.2019

19/0907/COU 04.11.2019	Mr H Patchell & Mr G Davies C/o Brinsons Eastgate Market Street Caerphilly CF83 1NX	Change the use from A1 to A3 102 High Street Blackwood NP12 1AF	Granted 23.12.2019
19/0906/FULL 05.11.2019	Miss N Smith 41 Treowen Road Treowen Newport NP11 3DN	Erect outbuilding/workshop in rear garden 41 Treowen Road Treowen Newport NP11 3DN	Granted 23.12.2019
19/0910/FULL 06.11.2019	Mr A Coles Hollybush Bungalow Corbetts Lane Pwllypant Caerphilly CF83 3HX	Erect dormer to rear of existing bungalow leading onto balcony area on top of existing flat roof Hollybush Bungalow Corbetts Lane Pwllypant Caerphilly	Granted 23.12.2019
19/0912/FULL 07.11.2019	Mr J Tadman Convatec Ltd Unit 1 - 2 Heads Of The Valleys Industrial Estate Rhymney Tredegar NP22 5RL	Erect an additional firewater tank adjacent to the existing firewater tank Convatec Ltd Unit 1 - 2 Heads Of The Valleys Industrial Estate Rhymney	Granted 23.12.2019
19/0778/FULL 17.09.2019	Chairman Ynysddu Welfare FC Mr G Griffiths 13 Cwrt Bryn Y Grug Blackwood NP12 1SP	Construct 100 seater stand Nine Mile Point Recreation Ground Graig View Ynysddu	Granted 24.12.2019
19/0893/FULL 30.10.2019	Mr & Mrs R Williams 1 Cornfield Rise Bedwas Caerphilly CF83 8HJ	Erect new carport 1 Cornfield Rise Bedwas Caerphilly CF83 8HJ	Granted 24.12.2019
19/0899/FULL 01.11.2019	Mr Corden Rosary Cottage Lon-Y-Llyn Caerphilly CF83 1BY	Erect single story rear extension Rosary Cottage Lon-Y-Llyn Caerphilly CF83 1BY	Granted 24.12.2019

19/0908/CLEU 05.11.2019	Mr Draper 2 Ebenezer Chapel Carno Street Rhymney Tredegar NP22 5EA	Obtain a Lawful Development Certificate for existing use as a dwelling house The Vestry Ebenezer Chapel Carno Street Rhymney	Granted 24.12.2019
19/0909/FULL 06.11.2019	Mr & Mrs Williams Woodlands Glanhowy Road Wyllie Blackwood NP12 2HN	Erect two storey side extension and first floor extension to existing arrangement Woodlands Glanhowy Road Wyllie Blackwood	Granted 03.01.2020
19/0798/FULL 24.09.2019	Mr Wigg Cwm Y Nant Farmhouse Fernlea Risca Newport NP11 6FX	Erect single storey side extension and 3 No. dormers to front elevation Cwm Y Nant Farmhouse Fernlea Risca Newport	Granted 06.01.2020
19/0828/LBC 04.10.2019	Bowen-Morris The South Wales Building Trust Ltd 67 Gwydr Crescent Uplands Swansea SA2 0AD	Reinstate external envelope of the building Unit 1 Navigation Colliery Navigation Industrial Estate Crumlin	Granted 06.01.2020
19/0875/COU 25.10.2019	Greggs Plc C/o JMS Planning & Development Ltd Mr J Sutton Valley Farm Rumburgh Road Wissett IP19 0JJ	Change the use of the premises to class A1 bakery with provision of outside seating area and car parking Unit A3 (13) Pinewood Court (Block A) St Davids Industrial Estate Pengam	Granted 06.01.2020
19/0926/TPO 14.11.2019	Mr & Mrs C Maza Overdale 77 St Martin's Road Caerphilly CF83 1EH	Carry out various tree works (TPO No. 88/19/CCBC) Land At Grid Ref 315019 186498 (Former Railway) Lon-Y-Llyn Caerphilly	Granted 06.01.2020
19/0976/TCA 06.12.2019	Mr Smith Gellihaf House New Road Gelli-haf Pontllanfraith Blackwood NP12 2QE	Reduce 2 No. Larch trees approximately 50% since the last pollard cut Gellihaf House New Road Gelli-haf Pontllanfraith	No objection raised 07.01.2020

19/0841/CON 01.10.2019	Miss S Jacobs 1 Woodland Terrace Senghenydd Caerphilly CF83 4HQ	Remove existing wall on lane Ashgrove Terrace/Commercial Street to allow free access to courtyard and garage 9 High Street Nelson Treharris CF46 6EU	Granted 08.01.2020
19/0941/ADV 22.11.2019	Mrs C Uka Warren House The Salterns Tenby Pembrokeshire SA70 7NJ	Erect shop signage Casino Slots 38 Cardiff Road Caerphilly CF83 1JP	Granted 08.01.2020

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# Agenda Item 12

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

APPLICATION NUMBER & DATE VALID	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
18/0323/FULL 11.04.18	Change the use of land to use as residential caravan site for two gypsy families, each with two caravans, including no more than one static caravan/mobile home and erection of two amenity buildings - Ynysddu Yard - Vine Tree Ynysddu Hotel Approach, Ynysddu.	Awaiting additional information.
18/0689/COND 03.08.19	Discharge conditions 11 (construction), 14 (retaining walls), 15 (landscaping), 16 (contamination), 19 (construction method statement), 21 (boundary treatment) and 22 (trees) of planning consent 16/0665/FULL at Land At Grid Ref 314050 188455, Heol Aneurin, Penyrheol, Caerphilly.	Subject to further discussion and consideration.
18/0758/COND 19.08.18	Discharge Condition 22 (Trees - Arboricultural Impact Assessment) of planning consent 16/0665/FULL (Construct 19 residential units and associated works) at Land At Grid Ref 314050 188455, Heol Aneurin, Penyrheol, Caerphilly.	Subject to further discussion and consideration.
18/0859/FULL 08.10.18	Construct two industrial units as light industrial use at Penmaen Industrial Estate, Pontllanfraith.	Subject to further discussion and consideration.
18/0893/FULL 15.10.18	Erect 3 No. detached dwellings with detached garages and off street parking at Former Newbridge Clinic, Ashfield Road, Newbridge, Newport, NP11 4QW.	Awaiting information about viability.
18/0961/COND 08.11.18	Discharge condition 4 (landscaping), 5 (boundary treatment), 7 (parking provision), 16 (privacy screening) and 17 (materials) of planning consent 18/0122/FULL (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, Caerphilly.	Subject to further discussion and consideration.

18/1060/OUT 17.12.18	Re-model existing bungalow to form annexe to a new 3 bedroom dwelling and seek approval of proposed car access and parking off Old Parish Road, layout and scale at Brynhyfryd , 6 Old Parish Road, Hengoed.	Awaiting additional information.
19/0040/COND 17.01.18	Discharge conditions 3 (Highway Widening), 5 (Reptile Method Statement), 6 (Bat Roost Provision), 7 (Bird Nesting Provision), 8 (Materials), 9 (Boundary Treatments), 10 (Land Drainage), 11 (Geotech Report), 12 (Protective Fencing) of planning consent of 17/0466/FULL (Erect a detached dwelling) at Ty Coedwig, Colliery Road, Llanbradach, Caerphilly.	Awaiting further drainage information.
19/0066/COND 25.01.18	Discharge conditions 6 (Road Layout), 8 (Drainage), 13 (Boundary Treatment) and 14 (Landscaping) of planning consent 17/0605/FULL (Erect residential development of eight four-bedroom dwellings and one three-bedroom dwelling and provide new road layout) at Land At Grid Ref 316564 201006, Bedwelty Road To Heol-Y-Bedw-Hirion, Aberbargoed.	Awaiting further information.
19/0089/FULL 01.02.19	Site two lock up storage containers for the storage of gates and hurdles at Coed Tophill Refuse Site (former), Gelligaer Road, Nelson.	Subject to further discussion and consideration.
19/0129/FULL 14.02.19	Erect two detached houses with integral garages and off-street parking at Former Newbridge Clinic, Ashfield Road, Newbridge, Newport.	Subject to further discussion and consideration.
19/0138/COND 19.02.19	Discharge conditions 10 (Drainage), 11 (Pre-commencement survey for bats), 12 (Supervised strip of roof and soffits), 13 (Mitigation for house martin and starling), 14 (Enhancement for bats) and 15 (Reptile Method Statement) of planning consent 18/0122/FULL (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.	Awaiting further information.



19/0193/RET 07.03.19	Retain filled material to create a plateau at Land Adjoining GLJ Recycling Ltd Chapel Bridge Yard, Chapel Farm Industrial Estate, Cwmcarn.	Subject to further discussion and consideration.
19/0205/FULL 11.03.19	Erect a dormer bungalow at Land Rear Of 9 Caeglas, Penyrheol, Caerphilly.	Awaiting additional information.
19/0356/FULL 26.04.19	Construct a temporary access road and loading area to be used in conjunction with forestry works at Land At Grid Ref 320790 196412, Pen-Rhiw-Bica, Newbridge.	Subject to further discussion and consideration.
19/0373/COND 01.05.19	Discharge Condition 2 (Materials - samples/details req) Condition 4 (Clearance Breeding Birds) Condition 5 (Illumination Bats) Condition 6 (Enhancement hedgerow for bats) Condition 7 (Mitigation for Robin/Thrush) Condition 8 (Bat Roost Provision) Condition 9 (Breeding Bird Provision) Condition 11 (external plant and machinery) Condition 14 (Site control - dust suppression) Condition 15 (Site control - noise suppression) Condition 19 (Construction - structural calcs) Condition 22 ( Drainage - prov before occ details req) of planning consent 18/0090/FULL at The New Forge, Brynhoward Terrace, Oakdale.	Awaiting further information.
19/0428/FULL 16.05.19	Erect 2 x two bedroom cottages with on site parking at The Barn, Gelli Gynnes Farm, Oakdale Golf Course Lane, Oakdale.	Awaiting further information.

19/0443/COND 22.05.19	Discharge Conditions 3 (Materials - samples/details req) Condition 4 (Contamination - scheme to treat) Condition 6 (Contamination - validation) Condition 7 (Site control - scheme maj dev 1) Condition 9 ( Principal Elevation Treatment) Condition 11 (Clearance Breeding Birds) Condition 12 (Reptile Method Statement) Condition 13( Illumination and bats) Condition 14 (Bat Roost Provision) and Condition 15 (Boundary Treatment) of planning consent 17/1042/FULL at Land At Former All Saints Church, Pencerrig Street, Llanbradach.	Subject to further discussion and consideration.
19/0451/COND 22.05.19	Discharge conditions 01 (commencement), 03 (Levels), 04 (Drainage), 10 (Parking), 11 (Parking) and 13 (rain water run-off) of planning consent 16/0335/FULL (Erect one dwelling) at Land Rear Of 39 Highfield Road, Pontllanfraith, Blackwood.	Subject to further discussion and consideration.
19/0584/RET 12.07.19	Retain and complete works to extend existing patio including retaining walls and steps at 59 Treowen Road, Treowen, Newport.	Subject to further discussion and consideration.
19/0587/OUT 03.07.19	Erect three residential dwellings at Land Within Curtilage Of Ty Ar Y Graig, Lower Road, Elliot's Town.	Subject to further discussion and consideration.
19/0613/COND 12.07.19	Discharge conditions 05 (Highway), 07 (Drainage), 09 (Noise), 10 (Dust), 11 (Hedgerow), 12 (Ecological Management), 13 (Bats), 14 (Habitat Survey), 15 (Vegetation clearance), 16 (Reptiles), 18 (Coal Mining) of planning consent 14/0239/NCC (Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters at Land At Grid Ref 320738 198125, Albertina Road, Treowen.	Subject to further discussion and consideration.
19/0620/NCC 12.07.19	Vary condition 15 (Approved Plans) of planning consent 17/0113/FULL (Erect 5 No. detached 4-bedroom houses) to amend approved house type to add single storey rear extension at Plot 6 (Phase 2), The Glade, Wyllie.	Subject to further discussion and consideration.

19/0686/FULL 08.08.19	Construct 2 no. two-bedroom holiday letting cottages at Lakeside Farm, Nant-Yr-Helyg, Bute Town, Rhymney.	Subject to further discussion and consideration.
19/0719/COND 09.08.19	Discharge conditions 4 (Contamination - scheme to treat) and 6 (Colour) of planning consent 19/0348/FULL (Remove and replace the existing waste material shredder with a new waste material shredder) at GLJ Recycling Ltd, Chapel Bridge Yard, Chapel Farm Industrial Estate, Cwmcarn.	Subject to further discussion and consideration.

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# Agenda Item 13

## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

<b>APPLICATION NUMBER &amp; DATE VALID</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
17/0888/FULL 16.10.17	Construct 60 No. dwellings, access, parking, landscaping, agricultural improvement works (includes the redistribution of onsite material and the raising of levels) and associated works at Land At Grid Ref 319662 198758, Ton-Y-Felin Farm Lane, Croespenmaen.	Document being prepared and signed by other side. Still waiting to receive.
17/0971/NCC 13.11.17	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 at Gelliargwelt Farm Gelligaer Road Gelligaer CF82 8FY	Linked with other application so dealing with under that agreement.
17/0973/FULL 13.11.17	Retain and formation of a repositioned approved earth bund, landscaping and associated works at Gelliargwelt Farm, Gelligaer Road, Gelligaer, CF82 8FY	Received draft 106 for agreement from the applicant.
18/0415/OUT 08.05.18	Erect residential development of up to 14 apartments, of total floor area less than 1,000 sqm, and associated access, car parking, engineering and landscape works, including car parking for the existing guest house at Land At Grid Ref 314932 189096 (Adjacent To Y Fron), Pwllypant Roundabout To Coed-Y-Brain Roundabout, Pwllypant, Caerphilly.	With the applicant.
18/0988/OUT 19.11.18	Erect two detached properties with public off street parking and turning area Land At Grid Ref 311602 191525 Graig Terrace, Senghenydd.	Highways asked for a meeting. Waiting for others to respond. Planning said they will get back to us when they can. Provided draft to solicitors. Solicitors said they will be in contact shortly. Sols raised issues. Waiting for instructions from Highways.

18/0444/FULL 14.05.18	Construct two social rented units and one market house at The Rectory, High Street, Nelson, Treharris.	Solicitors requested amendments which we have agreed. They are putting together some alternative wording. Still in discussions over wording. Document agreed. Sent for signing. Docs agreed. Waiting to hear regarding completion.
19/0002/FULL 02.01.19	Redevelop the former Somerfield Supermarket, including the partial demolition of the existing structure and construction of 47 No. 1 and 2 bed apartments over three storeys; and development of 19 permanent artisan market units, to be located on the existing market square to the south of The Market Place shopping centre at Unit A, 12 The Market Place, Blackwood, NP12 1ZP.	In discussions with other side.
19/0646/NCC 23.07.19	Vary condition 01 (Commencement date) of planning consent 12/0571/FULL (Convert former rectory into two affordable houses and erect residential development of 6 dwellings) to extend the time period for commencement for a further five years at The Rectory And School Site High Street, Nelson, Treharris, CF46 6HA.	New matter. Linked to previous application. In process of discussing way forward with other side. Dealing with under one Agreement. See above.

# Agenda Item 14

## OUTSTANDING APPEALS

<b>APPEAL REF/ PLANNING APP</b>	<b>APPELLANT</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>DATE APPEAL REGISTERED</b>
18/0013/LB 18/0178/LBC	Mr N Watkins Ty Tallis 13 Penrhiw Terrace Oakdale Blackwood NP12 0JH	Retain and complete works to install new entrance gates and install flue pipe and storm cap to existing chimney breast to allow for installation of a wood burner - Ty Tallis 3 Penrhiw Terrace Oakdale	08/11/2018
19/0009/REF 17/0681/OUT	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant CF72 8YP	Erect residential development (up to 300 dwellings) together with associated open space, landscaping and parking provision and seek approval of access and scale at Land At Grid Ref 316731 198680 Beaumaris Way Cefn Fforest	30/05/2019
19/0015/COND 19/0667/TPO	Mr D Holder 25 Kingswood Close Hengoed CF83 7LU	Fell tree T1 Birch and fell T2 Lime (Tree Preservation Order No. 49/82/RVDC) at 25 Kingswood Close Hengoed CF83 7LU	28/10/2019
19/0016/REF 19/0275/NCC	Bryn Recycling C/O Barton Willmore Mr J Ayoubkhani Greyfriars House Greyfriars Road Cardiff CF10 3AL	Vary Condition 08 (Hours of operation) of planning consent 14/0226/FULL (Provide materials recycling facility (revision to approved material recycling facility reference 11/0226/FULL) to extend the hours of operation for utility providers at Bryn Recycling Ltd (Bryn Power) Waste Transfer Station Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer	14/11/2019

<p>19/0017/REF 19/0276/NCC</p>	<p>Bryn Aggregates Ltd C/O Barton Willmore Mr J Ayoubkani Greyfriars House Greyfriars Road Cardiff CF10 3AL</p>	<p>Vary Condition 6 (Hours of operation) of planning consent 12/0570/FULL (Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works) to extend the hours of operation for utility providers at Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY</p>	<p>14/11/2019</p>
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**APPEALS DECIDED**

<b>APPEAL REF/ PLANNING APP</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>APPEAL DECISION/ DATE</b>	<b>COMM/ DEL</b>
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**NONE**

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