

Pecyn Dogfennau Cyhoeddus

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

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



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Emma Sullivan
(Rhif Ffôn: 01443 864420 Ebst: sullie@caerphilly.gov.uk)

Dyddiad: Dydd Mercher, 12 Mehefin 2019

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Cynllunio** yn cael ei gynnal yn **Siambr y Cyngor - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mercher, 19eg Mehefin, 2019** am **5.00 pm** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny. Bydd cyfieithu ar y pryd yn cael ei ddarparu ar gais.

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

Yr eiddoch yn gywir,

Christina Harrhy
PRIF WEITHREDWR DROS DRO

A G E N D A

Tudalennau

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

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

I gymeradwyo a llofnodi'r cofnodion canlynol:-

A greener place Man gwyrddach

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



3 Cynhaliwyd y Pwyllgor Cynllunio ar 22 Mai 2019. 1 - 10

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

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

4 Rhif Cod 18/0964/FULL - Tir ar bwys Tynyddfa Lodge, Heol Nant-y-felin, Maes-y-ffynnon, Pontllan-fraith, Coed Duon NP12 2AL. 11 - 26

5 Rhif Cod 19/0244/OUT - Tir yng nghyfeirnod grid 320814 198150, Heol Fflorens, Treowen. 27 - 36

6 Rhif Cod 19/0365/COU - John Davies and Sons, Capel Salem, Y Stryd Fawr, Nelson, Treharris CF46 6EU. 37 - 44

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

7 Rhif Cod 19/0049/RM - Tir i'r gogledd o Rodfa Hendredenny, Hendredenny, Caerffili. 45 - 62

8 Rhif Cod 19/0287/FULL - Firbeck, Royal Oak, Machen, Caerffili CF83 8SN. 63 - 72

9 Rhif Cod 19/0322/RET - Tir yng nghyfeirnod grid 320304 186681, y tu cefn i Haven Hill, Maenllwyd i Yew Tree Cottage, Rhydri. 73 - 84

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

10 Ceisiadau a benderfynwyd gan bwerau dirprwyedig. 85 - 98

11 Ceisiadau sydd allan o amser/heb ddelio â hwy o fewn 8 wythnos i ddyddiad y cofrestriad. 99 - 102

12 Ceisiadau yn aros i Gytundeb Adran 106 i gael ei gwblhau. 103 - 106

13 Apeliadau yn weddill ac wedi eu penderfynu. 107 - 110

Cylchrediad:

Cynghorwyr M.A. Adams (Cadeirydd), 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 (Is Gadeirydd), R. Whiting a T.J. Williams

A Swyddogion Priodol

SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar www.caerffili.gov.uk. ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym andanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu.

Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatrwydd> neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio griffd2@caerffili.gov.uk neu ffoniwch 01443 863028.

Gadewir y dudalen hon yn wag yn fwriadol



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON WEDNESDAY, 22ND MAY 2019 AT 5:00PM

PRESENT:

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

Councillors:

C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W. Gough, D. Hardacre, A. Hussey, B. Miles, J. Ridgewell, J. Simmonds, J. Taylor and R. Whiting.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), G. Mumford (Senior Environmental Health Officer), C. Boardman (Principal Planner), C. Powell (Principal Planner), A. Pyne (Senior Planner) and A. Dredge (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs E.M. Aldworth, J. Bevan, A.G. Higgs, Mrs G. Oliver and T. Williams.

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start and during the course of the meeting as follows: Agenda Item No. 4 (18/1081/FULL) – Councillor B. Miles, Agenda Item No. 10 (19/0283/FULL) – Mr T. Stephens, Agenda Item No. 11 (19/0107/NCC) – Councillor A. Whitcombe. Details are minuted with the respective item.

3. MINUTES – 17TH APRIL 2019

It was moved and seconded that the minutes of the meeting held on the 17th April 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 17th April 2019 (minute nos. 1-11) be approved and signed as a correct record.

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

4. CODE NO. 18/1081/FULL – GELLIARGWELLT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, HENGOED, CF82 8FY

Councillor B. Miles declared a personal and prejudicial interest in that a close relative owns land in Merthyr Tydfil County Borough which is given over to quarrying and is perceived to be in competition with the applicant's business and left the Chamber when the application was discussed.

It was noted that the application has been subject to a site visit on the 20th May 2019.

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

RESOLVED that: -

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

Additional Condition (02)

Prior to the commencement of works on site detailed construction plans of the lagoon (including cross-sectional drawings, and an analysis of the need for the aeration of the pond with any measures identified for that purpose) shall be submitted to and approved in writing by the Local Planning Authority. All constructions works shall be carried out in accordance with the approved plans.

Reason

In the interest of the hydrogeology of the area and Nelson SSSI, in accordance with policies CW4 and CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (03)

Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period.

Reason

In the interest of the hydrogeology of the area and Nelson Bogg SSSI, in accordance with policies CW4 and CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (04)

Prior to the commencement of the development a scheme for drainage, which shall identify the source of the lagoon water, the destination of any outfalls, and the means of pollution control, shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and retained in perpetuity.

Reason

In the interest of the hydrogeology of the area and Nelson Bogg SSSI, in accordance with policies CW4 and CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) the applicant be advised that it is an offence to obstruct a public right of way. There is one public right of way affected by the proposed and further public rights of way in the vicinity of this application. The planning permission does not authorise the stopping up or diversion of the public right of way. The public right of way may be stopped up or diverted by Order under section 257 of the Town and County Planning Act 1990, provided that the order is made before the development is carried out. If the public right of way is obstructed before the Order is made, the order cannot proceed until the obstruction is removed.
- (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.

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

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

If any coal mining feature is 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/coalauthority.

5. CODE NO. 19/0099/FULL – 3 VALE VIEW, TABOR ROAD, MAESYCWMMER, HENGOED, CF82 7PW

It was noted that this application had been subject to a site visit on the 20th May 2019.

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 and the following amended condition this application be granted;

Amended Condition (04)

Notwithstanding the approved plans, the proposed parking area shall provide 3 off-street car parking spaces and shall be completed in permanent materials, details of which shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the beneficial occupation of the development hereby approved.

Reason

In the interest of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - EAST AREA

6. CODE NO. 18/0616/FULL – CAERLLWYN GANOL FARM, TWYN-GWYN ROAD, MYNYDD ISLWYN, NEWPORT, NP11 7AJ

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 Ways Officer, the Council's Ecologist, Dwr Cymru/Welsh Water and the Head of Public Protection.

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

7. PREFACE ITEM CODE NO. 17/0804/OUT – VIRGINIA PARK GOLF CLUB AND DRIVING RANGE, VIRGINIA PARK, 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 and in noting there were 6 against this was agreed by the majority present.

RESOLVED that: -

- (i) the application be deferred to allow the applicant to enter into a Section 106 Obligation;
- (ii) on completion of the Section 106 Obligation and subject to the conditions contained in the Officer's original report this application be granted;
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3, CW4 and CW6;
- (iv) 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 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 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 circumstances 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/publication/building-on-or-within-the-influencing-distance-of-entries>.

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

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

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

- (v) the applicant be advised of the comments from Dwr Cymru/Welsh Water, Wales and West Utilities, the Council's Landscape Architect, the Council's Senior Engineer (Land Drainage), the Council's Transportation Engineer Services Manager and the Council's Ecologist.

8. CODE NO. 18/0795/FULL – FORMER WHITE HART INN, WHITE HART, MACHEN

Mr C Jackson a resident and Councillor D. Havard spoke in objection to the application and Mr R. Chichester the applicant's agent spoke in support of the application.

It was noted that the application had been subject to a site visit held on the 20th May 2019.

The Principal Planning Officer updated Members on Ecological considerations including additional Bat Survey work carried out and the Council Ecologist's updated response. It was also advised that due to land ownership issues and to comply with legislation, were Members minded to approve the application that a period of 21 days would be required to elapse prior to the decision being issued.

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, the deletion of existing condition 20 as detailed and a new condition 20 added, together with a further 5 additional conditions (21-25) this application be granted;

New Condition (20)

Prior to the demolition of the existing Public House building a detailed Bat Method Statement prepared by a competent ecologist shall be submitted for

the written approval of the Local Planning Authority. The Bat Method Statement shall include mitigation measures for both temporary and permanent roosts. The demolition and subsequent development shall be undertaken in accordance with the approved method statement.

Reason

To ensure proper measures are taken to safeguard the habitat of bats, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (21)

Prior to the commencement of the development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason

To ensure adequate protection to protected species in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (22)

The demolition and/or site vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority

Reason

To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (23)

Prior to the commencement of any works on site, details of the provision of roost sites for Bats and nesting sites for House sparrow as stipulated in Section 6 of the submitted Bat Survey Report, dated March 2019, shall be submitted to the Local Planning Authority for written approval. The approved details shall be implemented before the development hereby approved is first occupied.

Reason

To ensure proper measures are taken to safeguard the habitat of protected species present on the application site, in the interests of biodiversity, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Conditional (24)

Prior to the commencement of any works on site, details of the provision of nesting sites for Starling shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.

Reason

To ensure proper measures are taken to safeguard the habitat of protected species present on the application site, in the interests of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition (25)

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 Rhododendron and Cotoneaster on site. The treatment of Rhododendron and Cotoneaster 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" . Cotoneaster and Rhododendron are included within this schedule and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991 in accordance with policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) the applicant be advised of the comments of the Council's Land Drainage Officer, Coal Authority and Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that prior to commencing any development works the developer is advised to contact Dwr Cymru/Welsh Water on 0800 085 3968 to establish the location and status of their apparatus in relation to the site. In accordance with the Water Industry Act 1991, Dwr Cymru/Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Should the proposed development be located within the protection zones of any sewer crossings, there would be a requirement to divert the public sewers, which can be applied for under Section 285 or the Water Industry Act 1991.
- (iv) 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>.

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

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

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

9. CODE NO. 18/0907/FULL – LAND AT GRID REF 315569 188254, HEOL-Y-DDOL, 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;
- (ii) the applicant be advised of the comments from Dwr Cymru/Welsh Water and Natural Resources Wales.

10. CODE NO. 19/0283/FULL – 70 HAZEL GROVE, CAERPHILLY, CF83 3BP

Mr T. Stephens declared a personal and prejudicial interest in that the applicant's agent is known to him and left the Chamber when the report was discussed.

It was noted that the application had been subject to a site visit on the 20th May 2019.

Councillor P. Bevan spoke in objection to the application; the applicant who had been advised did not speak.

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

RESOLVED that: -

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

11-14. ITEMS FOR INFORMATION

Councillor A. Whitcombe wished it noted that he had a personal interest with regard to application 19/0107/NCC detailed within the list at Agenda Item No. 11 (Applications Determined by Delegated Powers), in that the owner is well known to him. Councillor Whitcombe was advised that as the item was for information only there was no requirement for him to leave the Chamber.

The following items were received and noted: -

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

The meeting closed at 7.00pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 19th June 2019, they were signed by the Chair.

CHAIR

Gadewir y dudalen hon yn wag yn fwriadol

Eitem Ar Yr Agenda 4

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0964/FULL 19.12.2018	Kijon Developments Ltd Mr Jones Beech Tree House 26 Sunnybank Road Blackwood NP12 1HT	Erect 3 No. new detached dwellings, private gardens and car parking Land Adj To Tynyddfa Lodge Millbrook Road Springfield Pontllanfraith Blackwood NP12 2AL

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on land to the rear of Millbrook Road, Alder Rise and Highland Crescent in Springfield, Pontllanfraith.

Site description: Vacant parcel of land within the settlement limits. The site has been cleared and levelled.

Development: Full planning permission is sought to develop the land for three residential dwellings. Access to the site will be obtained via the existing lane that serves Tynyddfa Lodge and Tynyddfa House, and the extended access road will run to the rear of the properties along Alder Rise.

The proposed dwellings are two-storey, four bedroom detached dwellings, with three parking spaces provided for each property.

Dimensions: Each dwelling is the same size and has a footprint measuring 7.3m in depth and 10.1m in width, with a height to the eaves of 5.9m and 7.2m to the ridge.

Materials:

Walls: Painted render;

Roof: Dark Grey concrete tiles/slate effect;

Doors and Windows: Dark Coloured Framed double glazed windows and door;

Rainwater Goods: Dark Grey finish to match window frames;

Boundary Treatment: Grey Brick retaining & low walls. 1.8m high feather edged boundary fences to gardens; and

Vehicular Access and hard standing: Tarmac finish to access drive, parking areas to be permeable block paving in light grey to contrast with brick walls.

Cont'd

Application 18/0964/FULL Cont'd

Ancillary development, e.g. parking: A turning head facility is provided on site, near plot 3. There is also the provision of the existing garage hardstanding to be used as a bin store area.

PLANNING HISTORY 2005 TO PRESENT

SPA/17/0086 - Develop four houses - Decided 06.11.17.

POLICY

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

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

Policies: Policy SP2 (Development Strategy- Development in the Northern Connections Corridor), Policy SP5 (Settlement Boundaries), Policy SP6 (Place Making), Policy CW2 (Amenity), Policy CW3 (Design Considerations - Highways), Policy CW4 (Natural Heritage Protection), Policy CW6 (Trees, Woodland and Hedgerow Protection), Policy CW7 (Informal Open Space), Policy CW11 (Affordable Housing Planning Obligation) and guidance contained in Supplementary Planning Guidance LDP5: Car Parking Standards, LDP6: Building Better Places to Live, LDP7: Householder Development.

Policy SP2 (Development Strategy- Development in the Northern Connections Corridor) This policy seeks to promote development on brownfield and greenfield sites that have regard for the social and economic function of the area; reduce car borne trips; make the most efficient use of existing infrastructure; and protect the natural heritage from inappropriate forms of development.

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

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

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

Cont'd

Application 18/0964/FULL Cont'd

Policy CW4 (Natural Heritage Protection) states that development proposals which will affect natural heritage features will only be permitted where they conserve and where appropriate, enhance the distinctive or characteristic features of the designation, or where the need for the development outweighs the ecological importance of the site.

Policy CW6 (Trees, Woodland and Hedgerow Protection) states that effective measures should be taken to protect existing trees, woodlands and hedgerows that have been identified as worthy of retention through the arboricultural survey process. These features, if integrated sensitively and with due care, will enhance the quality of the development and amenity, safeguard biodiversity and natural heritage resources and minimise loss of trees and woodlands. Where the loss of quality trees, woodlands and hedgerows is unavoidable, the loss should be minimised by providing appropriate replacements. This will ensure that the overall amenity, landscape and ecological value of the site and its setting is conserved.

Policy CW7 (Informal Open Space) requires applications on open parcels of informal open space to ensure that there is sufficient informal open space remaining in terms of recreational and visual amenity.

Policy CW11 (Affordable Housing Planning Obligation) requires sites that are for 5 or more dwellings, or greater than 0.15 Ha in gross site area to provide Affordable Housing. In the Northern Connections Corridor, 25% is sought.

NATIONAL POLICY Planning Policy Wales (10th Edition) and Technical Advice Note 12: Design (2016).

Paragraph 3.16 of PPW states:

"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".

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Application 18/0964/FULL Cont'd

Paragraph 2.6 of TAN 12 (2016) states:

"design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities."

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? Part of the site lies in a high coal mining risk area. A coal mining risk assessment has been provided as part of this application.

CONSULTATION

Ecologist - No objection, subject to conditions relating to biodiversity enhancements.

The Coal Authority - No objections raised to the proposal based on the submitted Coal mining Risk Assessment.

Principal Valuer - The applicant has sufficient access rights across the site. As such, no objections are raised by the Principal Valuer.

CADW - No objections raised.

Head Of Public Protection - No objection subject to conditions.

CCBC Housing Enabling Officer - No comments at the time of the report.

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

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - Provide advice to the developer.

Landscape Architect - No objection subject to a landscaping condition.

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Application 18/0964/FULL Cont'd

Transportation Engineering Manager - No objection subject to conditions.

Senior Arboricultural Officer (Trees) - No objection subject to a condition requiring an Arboricultural Method Statement.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of site notice, and letters to the nearby 32 properties.

Response: Five letters of objection received, sent in by two neighbours.

Summary of observations:

- Impact on the privacy of adjoining properties;
- Loss of view and outlook from existing properties;
- Over-development;
- Loss of views;
- Air pollution from chimneys;
- Noise pollution impact by removing existing trees;
- Potential impact on existing retaining wall;
- Trees that have already been removed has led to a loss of wildlife in the area (e.g. woodpeckers and squirrels);
- Concerns regarding subsidence;
- Impact on wildlife;
- Disruption during construction;
- Concerns regarding refuse access to the site;
- Noise pollution from cars accessing the site.

SECTION 17 CRIME AND DISORDER ACT

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

Crime and disorder are not considered to be issues in the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. Given that the site has been recently cleared, no objections are raised by the Council's Ecologist.

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Application 18/0964/FULL Cont'd

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, new residential dwellings are CIL liable. The site is located in the mid-viability zone where the charge is £25 per square metre (plus indexation).

ANALYSIS

Policies: This application has been considered in accordance with national policy and guidance, Local Plan policies and Supplementary Planning Guidance.

The application site is located within the settlement boundary and in a residential area, therefore the principle of development is acceptable in accordance with policy SP5, subject to material planning considerations. In this instance, those material planning considerations are as follows:

- The impact on visual and residential amenity;
- The loss of open space within settlement limits;
- Access and highway safety; and
- The requirement to provide affordable housing.

AMENITY

In line with policy CW2 (Amenity), the impact of the development on visual and residential amenity needs to be carefully considered. In visual amenity terms, the application site is relatively well contained by existing trees and vegetation to the north, west and south, and the properties to the east are at a significantly higher level, i.e. the eaves level of the proposed dwellings is approximately at rear garden level of the properties to the east along Highland Crescent. Given the modest scale and design of the proposed properties, they are considered to be acceptable in visual amenity terms, and will have little impact on the visual amenity of the surrounding area.

In terms of the potential impact on the residential amenity of existing nearby properties, the dwellings potentially impacted are those to the west, i.e. Tynyddfa House and Tynyddfa Lodge, and the properties to the east, i.e. 10, 12, 14 & 16 Highland Crescent. The proposed dwellings have been sited and designed in terms of their fenestration to ensure there is no unacceptable impact on the amenity of these properties by way of any overbearing or overlooking impact. Whilst Tynyddfa Lodge is located approximately 20 metres away from Plot 2 as proposed, given the difference in levels, a suitably located boundary fence will ensure that there is no loss of privacy as a result of the development. Whilst there is a difference in levels, the architect has submitted plans demonstrating that there will be no unacceptable overbearing impact on the rear facing windows of Tynyddfa Lodge.

Cont'd

Application 18/0964/FULL Cont'd

The closest properties along Highland Crescent are located between 22-26 metres away from Plots 2 & 3 and sited at a higher level. The development will not have an unacceptable impact on the residential amenity of these properties. For the reasons outlined above, the proposed development accords with Policy CW2.

OPEN SPACE

In accordance with policy CW7 (Protection of Open Space), an open space assessment has been conducted in line with guidance set out in LDP8: Protection of Open Space SPG. The Open Space Assessment (OSA) highlighted that within a 0.5km buffer of the site area, there is only 0.91 Ha of open space (where the requirement would be 2.16 Ha). As such the application fails the first criterion of policy CW7. The second criterion of Policy CW7 relates to the value of a site as a recreational resource or an area of visual amenity. As the site is privately owned and inaccessible to the public, it offers no recreation resource value. In visual amenity terms, given its isolation location and screening by existing trees and vegetation, the land provides very little visual amenity value from the public realm. For these reasons, the proposal is not considered to be unacceptable in relation to Policy CW7.

However, given that there is a significant amount of formal open space in the area (over 8 Ha), the loss of this unusable and inaccessible site is not deemed to be contrary to policy CW7.

ACCESS AND HIGHWAY SAFETY

Policy CW3 of the Local Development Plan relates to highway considerations and states that development proposals should have regard for the safe, effective and efficient use of the transportation network. The proposal creates a new access beyond the existing access that serves Tynyddfa Lodge and House up to the application plateau, the provision of a turning head, and off-street parking provision in accordance with the adopted Car Parking Guideline. The Transportation Engineering Manager raises no objection based on the submitted plans subject to conditions.

AFFORDABLE HOUSING

As the site area exceed 0.15 hectares in gross site area, the development triggers the need to provide an element of affordable housing either onsite or by way of an off-site contribution in accordance with policy CW11. However, the applicant has submitted a viability assessment that demonstrates that the development is incapable of providing such a contribution due to viability reasons. For this reason, the proposal is not considered to be unacceptable in this regard.

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Application 18/0964/FULL Cont'd

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

Comments from public:

- Impact on the privacy of adjoining properties - This impact has been addressed above. The proposal is considered to be acceptable in terms of its impact on existing neighbouring properties.
- Loss of view and outlook from existing properties - This impact has been addressed above. The proposal is considered to be acceptable in terms of its impact on existing neighbouring properties.
- Over-development - As outline above, the proposed development is not considered to represent over-development of the application site.
- Loss of views - Loss of view is not a material planning consideration.
- Air pollution from chimneys - This is unlikely to occur. However, any such impact could be controlled via Environmental Health legislation if it did prove to be an issue.
- Noise pollution impact by removing existing trees - No objection is raised by environmental health. Furthermore, trees provide limited acoustic reduction value.
- Potential impact on existing retaining wall - The proposed retaining wall has been stepped to reduce its overall massing on the properties below.
- Trees that have already been removed has led to a loss of wildlife in the area (e.g. woodpeckers and squirrels) - Any works undertaken prior to the planning application being made are outside of the control of the Local Authority. Furthermore, there are no TPO trees on the application site.
- Concerns regarding subsidence - It is the responsibility of the developer to ensure the development does not cause damage to third party property or land.
- Impact on wildlife - No objection is raised by the Council's Ecologist subject to conditions.
- Disruption during construction - There will inevitably be a degree of disruption during works as with all development. However, conditions will be attached to the permission to ensure noise and dust are appropriately controlled onsite during works.
- Concerns regarding refuse access to the site - The proposed development includes lane widening and a turning head to serve such vehicles and the proposed dwellings.
- Noise pollution from cars accessing the site - This is not considered to be a matter of concern given the limited noise generated by private motor vehicles.

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Application 18/0964/FULL Cont'd

Other material considerations: The proposed development will provide three new dwellings within the settlement boundary that will contribute to the Council's 5-year housing land supply.

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) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 03) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Prior to the commencement of the development (above DPC level) a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before any of the dwellings hereby approved are first occupied.
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

Application 18/0964/FULL Cont'd

- 05) Prior to the commencement of the development (above DPC level) a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the first occupation of any part of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) The buildings shall not be occupied until the areas indicated for the parking of vehicles have been laid out in accordance with the submitted plans to the written satisfaction of the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety and to comply with the requirements of Policy CW3 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The proposed private driveway, incorporating a turning facility, shall be completed to a standard to be agreed in writing by the Local Planning Authority prior to any construction works of the dwellings commencing on site, to ensure that construction vehicles can enter and leave the site in a forward gear.
REASON: In the interests of highway safety and to comply with the requirements of Policy CW3 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The proposed private driveway shall have a maximum gradient not exceeding 1:8. The driveway shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority, shall be completed prior to beneficial occupation of the development.
REASON: In the interests of highway safety and to comply with the requirements of Policy CW3 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.

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Application 18/0964/FULL Cont'd

- 09) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 10) No 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.
- 11) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection and enhancement of the existing boundary vegetation, shall be submitted to the Local Planning Authority for approval. The approved details shall be strictly complied with.
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 Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).
- 12) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new properties at Land Adjacent To Tynyddfa Lodge, Millbrook Road, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).

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Application 18/0964/FULL Cont'd

- 13) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, House martin or Starling) in the new properties at Land Adjacent To Tynyddfa Lodge, Millbrook Road, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).
- 14) 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.
- 15) 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.
- 16) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,

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- e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
- f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
- g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing),
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837),
- q) the timing of the various phases of the works or development in the context of the tree protection measures,

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

REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.

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Application 18/0964/FULL Cont'd

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

Dwg No. AL.00.001 Rev. H - Proposed Site Layout, received 07.03.2019;

Dwg No. AL.00.002 Rev. B - Proposals - PLOT 1, received 07.03.2019;

Dwg No. AL.00.003 Rev. A - Proposals - PLOT 2, received 07.03.2019;

Dwg No. AL.00.004 Rev. A - Proposals - PLOT 3, received 07.03.2019;

Dwg No. AL.00.007 - Proposed Site Layout - GF Window Positions, received 07.03.2019;

Dwg No. AL.00.009 Rev. A - Proposed Site Layout - Drive Access, received 07.03.2019;

Dwg No. AL.00.006 Rev. C - Proposals - Site Sections/Elevations, received 11.04.2019.

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 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>

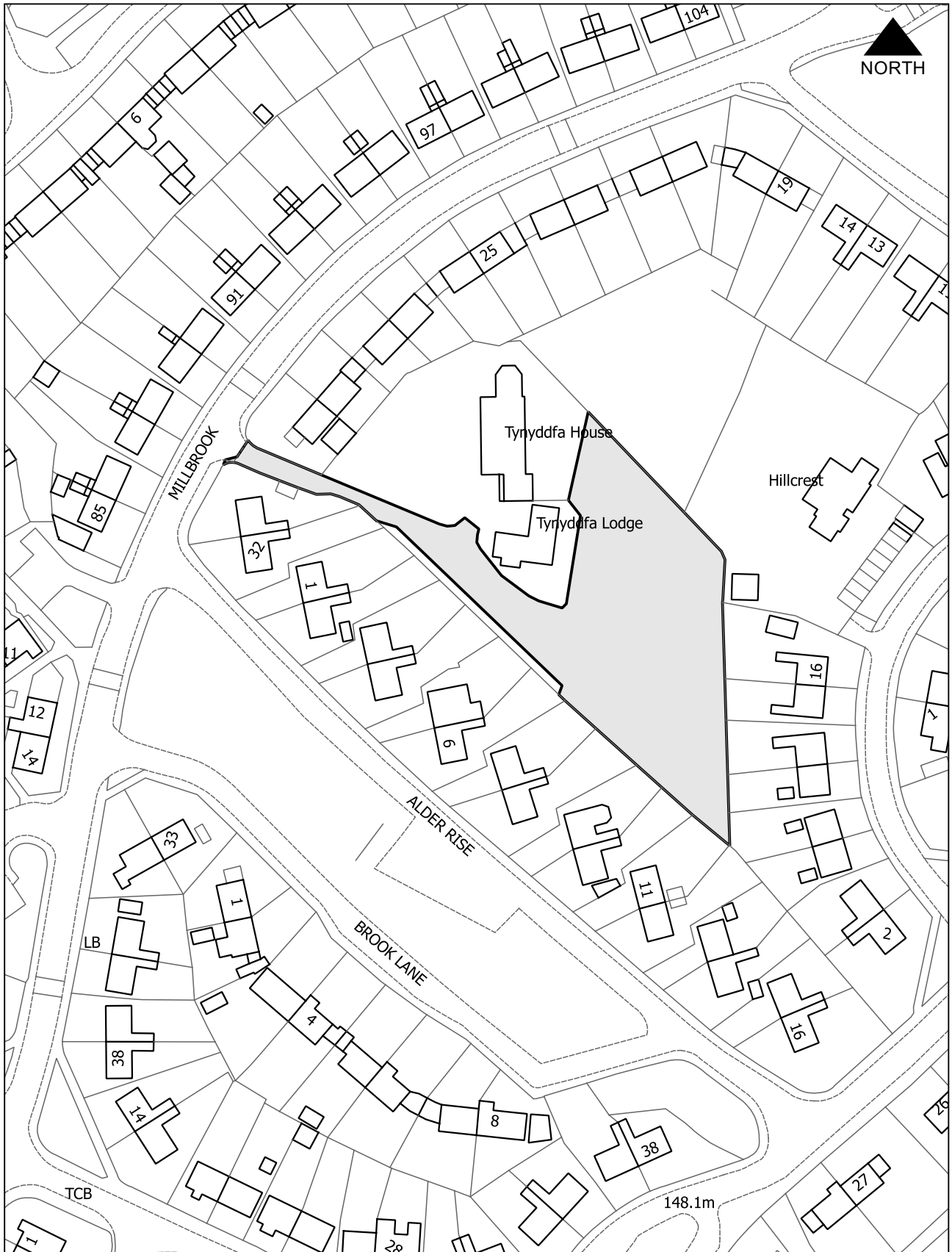
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Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling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

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

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



Eitem Ar Yr Agenda 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0244/OUT 22.03.2019	Llanover Estate Mr M Lennon 23A Goldtops Newport NP20 4UL	Erect one detached dwelling and seek approval of access Land At Grid Ref 320814 198150 Fflorems Road Treowen

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is located on Fflorems Road, Treowen.

Site description: Vacant parcel of land within the settlement boundary.

Development: Use: Residential.

The amount of development proposed for each use: A single detached property is proposed.

Indicative layout:

The indicative plan shows the property facing onto Fflorems Road with parking provision to the north. Amenity space is shown to the west of the property. However it should be noted that the final layout of the site is reserved for subsequent approval at reserved matters stage if the Outline application is successful.

Indicative access points:

Access is shown to the east, i.e. directly onto Fflorems Road.

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

Height (min/max): 6m - 10m;

Width (min/max): 6m - 10m;

Depth (min/max): 4.7m - 10.7m.

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Application 19/0244/OUT Cont'd

Materials: Not applicable at Outline stage.

Ancillary development, e.g. parking: The submitted plan shows the ability to provide three off-street car parking spaces within the curtilage of the site.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 - Car Parking Standards;
Supplementary Planning Guidance LDP6 - Building Better Places to Live;
Supplementary Planning Guidance LDP8 - Protection of Open Space.

NATIONAL POLICY Planning Policy Wales 10th Edition (December 2018) and TAN12: Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

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

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Application 19/0244/OUT Cont'd

CONSULTATION

Principal Valuer - Outline that records indicate that the Local Authority has a leasehold interest in the land. This matter will be clarified by the time of the Planning Committee meeting.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Request that the applicant submit a statement outlining how the proposed development will comply with statutory standards relating to Sustainable Urban Drainage Systems (SuDs). As the proposed development will require separate SAB (SuDs Approval Body) consent, this matter will be dealt with under separate legislation and therefore should not delay the planning process. Furthermore, given the area of green space to the side of the application site that is within the ownership of the applicant, there appears to be scope for the inclusion of SuDs as part of the development.

Ecologist - No objection subject to conditions relating to biodiversity enhancement. These Conditions are more appropriate at reserved matters stage when the final design of the dwelling will be decided.

Dwr Cymru - Provide advice that will be forwarded to the developer.

Senior Arboricultural Officer (Trees) - Requests a condition to protect the tree in the north west corner of the site.

Landscape Architect - No comments at time of report.

ADVERTISEMENT

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

Response: One objection letter was received.

Summary of observations:

- Loss of sunlight;
- Request that a Tree Preservation Order (TPO) is placed on the tree located in the north-west corner of the site.

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Application 19/0244/OUT 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 an issue for this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes. New residential development is CIL liable and the application site is located in the Mid-Range CIL Viability zone where the chargeable rate is currently £25 per square metre (plus indexation). The chargeable CIL amount will be calculated at reserved matters stage when the final floor space is confirmed.

ANALYSIS

Policies: The application seeks outline permission to erect a detached dwelling on a vacant parcel of land within the existing built form of Treowen. The proposal also seeks to agree access to the proposed dwelling, which is shown as being directly off Fflorens Road that runs along the eastern boundary of the site.

The application site is located within the Settlement Boundary and therefore the principle of residential development is considered acceptable providing material planning considerations do not indicate otherwise. In this instance the main material planning considerations are the compatibility of the proposed development with the surrounding residential dwellings; the impact of the proposed development on highway safety; the value of the existing tree that sits in the north-western corner of the site; and the loss of an area of open space within the settlement.

Policy CW2 (amenity) states that:

“development proposals must have no unacceptable impact on the amenity of adjacent properties or land; would not result in the over-development of the site; and the proposed use is compatible with surrounding land uses”.

It is considered that the proposed development complies with this Policy for the following reasons:-

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Application 19/0244/OUT Cont'd

i) proposals must have no unacceptable impact on the amenity of adjacent properties or land - Given the location of the proposed dwelling within the existing street, it is considered that a dwelling can be appropriately located within the street without having an unacceptable impact on neighbouring properties. In terms of the impact on the visual amenity of the area, whilst appearance is a reserved matter, it is considered that a dwelling can be designed to sensitively integrate within the existing streetscene.

ii) proposals would not result in the over-development of the site - It is considered that given the size of the application site, a single detached dwelling does not represent over-development of the site. Furthermore, the proposed dwelling will benefit from adequate private amenity areas to serve future occupiers as well as off-street parking provision.

iii) the proposed use is compatible with surrounding land uses - The site is bounded in all directions by existing residential properties. Therefore the proposal is compatible with surrounding land uses.

Policy CW3 of the Local Development Plan relates to highway considerations and states that:

“Development proposals should have regard for the safe, effective and efficient use of the transportation network”.

The Transportation Engineering Manager raises no objection based on the submitted plans subject to conditions.

Policy CW6 relates to Trees, Woodland and Hedgerow protection.

There is an existing mature tree in the north-western corner of the application site. The Senior Arboricultural Officer has outlined that this tree should be protected and retained as part of any development of the site given its high level of amenity value. Conditions will be attached in this regard.

Policy CW7 relates to the protection of Open Space. This policy States:

"Proposals for development on areas of open space within settlements will only be permitted where:

A - The amount of open space remaining in the neighbourhood would still be adequate to serve local needs;

B - The site has no significant value as a recreational resource or an area of visual amenity".

Cont'd

Application 19/0244/OUT Cont'd

An open space assessment for the proposed development has been carried out in accordance with Supplementary Planning Guidance LDP8 -Protection of Open Space. The assessment indicates that there is a deficiency in the amount of informal open space in the area surrounding the application site. It is also acknowledged that, at present, the site including the land adjoining it to the south, has value as an area of visual amenity (although it is not considered that the land has significant recreational value given its relatively steep topography). Therefore, based on the above, the proposal does not comply with Policy CW7. However, within short walking distance of the application site is a relatively large area of open space as well as a formal play area in the form of a skate park which offers formal, more usable recreation space.

It should also be noted that the application site is in private ownership and therefore, in theory, the landowner could enclose the land to prevent access by members of the public. This factor needs to be taken into account when assessing the value of the site, as it represents the 'fallback' position, which is a material planning consideration.

A previous application at the site (Ref: 18/1019/OUT) that proposed two dwellings on the application site as well as the adjoining open space to the south, was withdrawn based on concerns from the planning case officer that the loss of the entire site would be detrimental to the visual amenity of the area. Based on the amended scheme, that proposes to retain the majority of this parcel of open space, it is no longer the opinion of the case officer that the proposal would result in a loss of open space that would be unacceptable in visual amenity terms. This opinion is based on the location of the application site within the settlement boundary, and the weight to be attached to the requirement to allow new development subject to material planning considerations.

In light of the above, the proposed development is considered acceptable subject to conditions.

Comments from Consultees: No objection subject to conditions.

Comments from public:

- Loss of sunlight - Based on the submitted indicative site layout plan it is considered that a dwelling could be sited appropriately within the site to ensure there would be no unacceptable impact on the amenity of neighbouring properties. This final design and siting would be considered at reserved matters stage.
- Request that a Tree Preservation Order (TPO) is placed on the tree located in the north-west corner of the site - The tree in question will be protected during construction works and retained thereafter.

Cont'd

Application 19/0244/OUT Cont'd

Other material considerations: The proposed development will provide an additional dwelling within the settlement boundary that will contribute to the Council's 5-year housing land supply.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont'd

Application 19/0244/OUT Cont'd

- 05) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the building hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.
b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The plans and particulars submitted in accordance with Condition 1) shall include details of the means of protection and maintenance of the trees, shrubs and hedges referred to at Condition 1) until they are established.
REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) Parking for the development shall be provided in accordance with LDP5 Car Parking Standards.
REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.

Cont'd

Application 19/0244/OUT Cont'd

- 09) The driveway serving the property shall have a maximum gradient not exceeding 1 in 8.
REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.
- 10) Any boundary treatment fronting onto Fflorens Road shall be limited in height to 0.6m, to ensure adequate visibility for vehicles emerging from the site.
REASON: In the interests of highway safety and to comply with Policy CW3 of Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, The Council Ecologist, The Senior Arboricultural 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.



Eitem Ar Yr Agenda 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0365/COU 29.04.2019	Mr J Davies Beechwood Park Terrace Trelewis Treharris CF46 6BT	Change the use to chapel of rest John Davies And Sons Salem Chapel High Street Nelson Treharris CF46 6EU

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application property is located on the northern side of High Street, Nelson.

Site description: The application property is an existing chapel that is used for funeral services by a funeral director. It is a traditional single storey chapel building with a large hall to the front where services are carried out and a small space to the rear that was previously used as a vestry. The building is finished in render with a slate roof and it has timber windows and doors. The site is within the Nelson Conservation Area and in a residential area on the edge of Nelson village centre.

Development: This application seeks full planning consent for the change of use of the chapel into a chapel of rest with preparation rooms. The proposal is to continue to use the chapel for funeral services but to also carry out preparation of bodies in a room together with providing two viewing rooms so that family members can see the deceased and a cold store to store the bodies. These rooms will be created by subdividing the vestry at the back of the building into four separate rooms and a reception area. It is also proposed to replace an existing window in the side elevation of the building with double doors in order to improve access to the chapel for coffins.

Dimensions: Not applicable.

Materials: The new doors would be in upvc.

Ancillary development, e.g. parking: There is an existing parking area to the side of the chapel with access off High Street.

Cont'd

Application 19/0365/COU Cont'd

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP2 (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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

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

National Policy: Planning Policy Wales states:-

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.

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

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

Cont'd

Application 19/0365/COU 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? Not applicable.

CONSULTATION

Conservation & Design Officer - No objection.

Transportation Engineering Manager - No objection based on the building's existing use as a chapel having the same non-operational parking requirements as the proposed new use, in addition to the existing operational parking which exists within the site curtilage.

Head Of Public Protection - No objection subject to conditions.

Joint Committee Of The National Amenity Societies - No comments.

ADVERTISEMENT

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

Response: Three letters of objection have been received.

Summary of observations:

- Loss of property value.
- The applicant has another facility elsewhere and as such why is this needed here?
- Mental health issues of nearby resident and potential to exacerbate issue by virtue of proposed use causing danger to other members of the public and themselves.
- The site is in a residential area.
- Services at the chapel cause parking issues in the area.

Cont'd

Application 19/0365/COU 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?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is whether the proposed use is acceptable in this mainly residential area. In that regard the first point to note is that national planning policy states that commercial and residential uses can exist in close proximity and as such the principle of the proposal is considered to be acceptable in planning terms.

Secondly it should be noted that the application property has a lawful use as a chapel. In that regard funeral services can be held at the chapel and there would be no material change of use. Consent is only required in this instance because the application proposes internal and external alterations to the building in order to facilitate the use, and that preparation of bodies will be carried out therein, together with family viewings of the deceased. These activities are considered to be low key events and they would not be likely to give rise to amenity issues to the neighbours by virtue of noise or odour etc. In that regard it is considered that the proposal complies with Policy CW2 of the LDP.

It should also be noted that any vehicular activity associated with the services at the premises would be no greater than that which could be possible with any place of worship, and as such there would be no greater impact on highway safety. In that regard it is considered that the proposal complies with Policy CW3 of the LDP.

With regard to the internal and external alterations to the building it is considered that these are so minor that there would be no detrimental impact on visual amenity or on the character of the conservation area and as such they are acceptable in planning terms.

Cont'd

Application 19/0365/COU Cont'd

Comments from Consultees: No objections raised.

Comments from public: The objections of the public are addressed as follows:-

- Loss of property value is not a material planning consideration.
- It is not for the Local Planning Authority to consider whether the use is required in this location, it only has to consider whether it is acceptable in planning terms.
- The mental health issues of an objector are not considered to be a material planning matter in this instance.
- As stated above there is no reason in planning terms why a commercial use cannot co-exist with residential uses provided the impacts on amenity and parking are considered to be acceptable.
- As stated above, whilst services at the chapel may cause parking issues in the area, this is no different to the impact that could be caused by the lawful use of the building as a chapel and as such it is not considered that the proposal is unacceptable in highway safety terms.

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, Salem Chapel Proposed (1), Side elevation Proposed and Proposed Door Opening, all received 29.04.2019.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont'd

Application 19/0365/COU Cont'd

- 03) Unless otherwise agreed in writing with the local planning authority, prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial and clinical waste, including bodily fluids and chemicals 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.

- 04) 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.

- 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.

Advisory Note(s)

Please find attached the comments of The Head of Public Protection 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.



Gadewir y dudalen hon yn wag yn fwriadol

Eitem Ar Yr Agenda 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0049/RM 01.02.2019	Redrow Homes Mrs S Edwards Redrow House Copse Walk Cardiff Gate Business Park Cardiff CF23 8RH	Seek approval of the reserved matters relating to layout scale appearance and landscaping pursuant to appeal reference APP/K6920/A/16/3160099 for residential development of 260 dwellings with open space including details to discharge planning conditions 1, 5, 6, 8, 9, 10, 12, 13 & 14 Land North Of Hendredenny Drive Hendredenny Caerphilly

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: The application site is to the north of the existing Hendredenny housing estate and adjoins Brigham Court, part of Hendredenny Drive, Dunraven Court, Rhuddlan Court, Chester Court, and Golwg y Coed. Hendredenny Ganol Farm lies to the north of the site.

Site description: At present the land consists of a number of fields used as pasture, bounded by hedgerows, and slopes down in a north-easterly direction towards Nant yr Aber.

Development: Reserved matters approval is sought following the grant of outline planning permission at appeal for 260 dwellings with open space. The layout shows the main vehicular access from Hendredenny Drive where it adjoins the site. Footpath and cycle links are shown into Rhuddlan Court and Chester Court. The road within the site would consist of a main access running from the south-east to the north-east corners, the steep topography of the site necessitating three major bends. There would be a number of culs-de-sac off that road, and a loop capable of accommodating buses would be incorporated at the southern end of the site to encourage the use of public transport. A link would be provided in the northern corner of the development to the Cwm yr Aber cycle path.

Cont'd

Application 19/0049/RM Cont'd

The housing across the site would be two-storey, apart from fourteen dwellings towards the centre of the development which the developer classes as 2.5-storey because they have rooms in the roof. Two hundred houses, consisting of two-, three- and four-bedroom dwellings would be for private market sale. Sixty houses, 23% of the total, would be for social rent (36 units) or low cost (24 units) housing, providing a mixture of one-, two-, three-, and four-bedroom dwellings. They would be clustered in eight locations of between 7 and 16 dwellings throughout the development. The majority of dwellings would have on-site parking, with three parking courts serving three of the clusters of affordable housing. All dwellings would have front and rear gardens.

Two local equipped areas of play (LEAP) and a MUGA are shown at the centre of the site adjacent to Rhuddlan Court. The development includes significant areas of informal open space, with a buffer zone around the entire scheme which would be a minimum of approximately 10 metres in width along the eastern boundary with the existing housing. There would be three drainage attenuation areas within these open spaces: one adjacent to Dunraven Court, one adjacent to Chester Court, and one at the bottom of the site running parallel with the former railway line.

The trees and hedges around the site would be retained, along with the one running westwards from Dunraven Court. Additional and replacement planting consisting of trees and hedges would be carried out as part of the scheme including four new hedges running across the site. An Ecological Enhancement Strategy Note has been prepared with regards to Bird and Bat Boxes and has been submitted as part of this reserved matters application. A Construction Environment Management Plan (CEMP) has also been prepared which includes a Himalayan Balsam Method Statement, details of any lighting during construction, and confirms that the oak tree identified as having bat roost potential is being retained. Hedgerows will only be removed outside the breeding bird season unless they have been checked by a competent ecologist first.

The development would be carried out in six phases commencing at the south-western end of the site, and progressing northwards.

The outline planning permission is subject to a section 106 obligation which in addition to the affordable housing referred to above, delivers the following:

- £300,000 to improve the frequency of the bus service
- £400 for each dwelling towards the purchase of a bike, or public transport vouchers
- £50,000 towards a travel planning service
- A cycle link and associated dropped kerbs, resurfacing, and street lighting
- £60,000 towards the ongoing maintenance of the LEAPs and the MUGA

Cont'd

Application 19/0049/RM Cont'd

Dimensions: The site has an area of 11.23 hectares, and on that basis the development would have a density of up to 23 houses to the hectare. The dwellings would be of the standard dimensions typical of modern volume house builders. Ridge heights would generally be between 7.5 and 8.5m. The 2.5-storey houses would have ridge heights of 9.5m, and due to the topography and the need to incorporate deadwork beneath the dwellings, some of the other house types would have ridge heights of that order as well. With regard to floor area, the smallest terraced dwelling would be 4.2m by 8.8m, whilst the largest detached house would be 9m by 10m.

The attenuation basins would measure 50m by 25m, 50m by 20m, and 105m by 15m. The maximum depth of water expected in the basins is 600mm biased on a 1 in 30 year storm event.

Materials: The design of the development reflects the standard house types typical of a volume housebuilder. Building materials consist of a mixture of red, buff and orange bricks, white render, and grey and brown tiles as seen within the existing Hendredenny estate.

PLANNING HISTORY

Planning permission was refused in 1977 for a residential extension to the Hendredenny estate on the western two-thirds of the current site, the eastern boundary aligning roughly with Chester Court. The reasons were the coalescence of settlements, congestion at the Hendredenny Drive/St Cenydd Road Junction, and prematurity pending the approval of the Caerphilly Basin District Plan. An appeal against that decision was dismissed in 1978 with the inspector emphasising the highway concerns.

Outline planning permission was granted on appeal in May 2017 for a residential development of up to 260 dwellings with open space (this Council's reference 15/0412/OUT). In his report, the inspector considered a number of issues including:

- The effect of the development on the transport network, with particular reference to highway junctions in Hendredenny;
- Whether the proposed development would provide a suitable site for housing having regard to the principles of sustainable development and planning policies that seek to strictly control new development outside of settlement boundaries;
- Whether the development is inappropriate development in a green wedge, and if so, whether any very exceptional circumstances exist to clearly outweigh this harm; and
- The effect of the development on the character and appearance of the area with particular regard to its location within a Special Landscape Area.

Cont'd

Application 19/0049/RM Cont'd

His overall conclusion was as follows.

"The proposed development will make a significant contribution to housing land supply, including affordable dwellings. Whilst outside of the settlement boundary, nonetheless the site lies in a sustainable location in terms of access to services, amenities and public transport, and would not cause unacceptable harm to its surroundings. I have also found that it will not materially harm the distinctive features and characteristics that make up the SLA. I consider, there is an overriding need for this development and when the above factors are considered in their totality, they constitute the very exceptional circumstances necessary to outweigh the conflict with the national and local planning policies previously referred to."

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside the settlement within a special landscape area (SLA) (NH1.3), a green wedge (SI 1.20), and a sandstone safeguarding area (SSA). To the north east the site is bounded by a site of importance for nature conservation (SINC) (NH3.159) within which is a cycleway (TR1.14).

Policies: There is a wide range of policies of relevance to the consideration of this application contained in the Local Development Plan. These are as follows:-

Strategy Policies.

SP3 Development Strategy, SP4 Settlement Strategy, SP5 Settlement Boundaries, SP6 Place Making, SP7 Planning Obligations, SP8 Minerals Safeguarding, SP10 Conservation of Natural Heritage, SP14 Total Housing Requirements, SP15 Affordable Housing Target.

Countywide policies.

CW1 Sustainable Transport, Accessibility and Social Inclusion, CW2 Amenity, CW3 Design Considerations Highways, CW4 Natural Heritage Protection, CW6 Trees, Woodland and Hedgerow Protection/LDP 4:Trees and Development, CW7 Protection of Open Space, CW10 Leisure and Open Space Provision, CW11 Affordable Housing Provision, CW15 General Locational Constraints, CW22 Locational Constraints Minerals, CW23 Mineral Site Buffer Zones.

Cont'd

Application 19/0049/RM Cont'd

NATIONAL POLICY The Proposal should be considered in line with National Planning Policy and Guidance and in particular the requirements of:-

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 18: Transport (2007).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. The developer has provided a coal mining risk assessment that is considered satisfactory by The Coal Authority.

CONSULTATION

Transportation Engineering Manager - No objections subject to conditions.

Head Of Public Protection - No objections subject to conditions concerning the importation of soil, encourages the installation of electric vehicle charging points, and working hours for Saturday should be changed from 08:00-13:00 to 09:00-13:00.

Head Of Public Services - With regards to waste collections, most properties will have individual off road storage for two wheeled bins plus a food caddy.

Provision has been made for the flats/apartments with bin storage compounds which should be designed large enough to accommodate the above containers per individual premises. Where the storage compounds are at the kerbside, our teams will pull out and return the bins/caddies. However, where the compounds are set to the rear of the property, then the occupiers would be required to bring out the bins/caddies to the kerbside for collection and then return them thereafter.

Western Power Distribution - The applicant should be made aware that if they require a new connection or a service alteration, they will need to make a separate application to WPD.

Cont'd

Application 19/0049/RM Cont'd

The Coal Authority - Raises substantive concern at present because of a mine shaft entry near the north-western boundary. They are satisfied that the development is a sufficient distance from the entry, but the supporting information does not adequately demonstrate that it is outside the application site. In view of the public access to that part of the site, objection is raised until that matter is adequately addressed.

Ecologist - No objections in principle, but advice is provided in respect of bat and bird biodiversity enhancement, marginal and aquatic pond planting, proposed grassland, invasive species, and the protection of wildlife corridors.

Landscape Architect - Concern is expressed about the loss of a hedgerow that crosses the site. The majority of the public open space as the site is steeply sloping. Further details are needed about gates and means of maintenance access, fencing, and the pumping station. He is also disappointed with the lack of use of Sustainable Urban Drainage Systems, and two of the attenuation basins lack natural surveillance. Recommendations are made in respect of planting and management.

Senior Engineer (Land Drainage) - Confirms that the greenfield run off rate have been discussed and confirmed with the agent/developer. References are made within the drainage strategy to the detailed design, which does not seem to be supplied as yet, which include the finished drainage detail. This may affect the final principles and discharge rates. Requests the full hydraulic calculations, which include the summary and results of the storm event flood and pipe modelling. Details/drawings are also required regarding the drainage of the retaining walls. Confirmation documentation of the S104 agreement with DCWW (Welsh Water) is sought. Should the planning authority be minded to grant permission, it is recommended that a condition requiring drainage details should be imposed.

Parks And Open Spaces - The provision of two LEAPS and a MUGA is adequate. There are limited opportunities for movement around the site other than by formal highways and pavements, with little or no links between the green spaces identified on the plans. Due to the layout and design of open space within this development there are threats of encroachment at the rear of properties as well as the potential of littering etc.

Glam/Gwent Archaeological Trust - No objections to the development.

The Coal Authority - Raise no objection based on discussions with the applicants technical consultants regarding an alternative approach to mitigating the potential safety and stability risks posed by the recorded mine entry close to the northwestern boundary of the site.

Cont'd

Application 19/0049/RM Cont'd

ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and neighbour notifications have been sent out.

Response: Thirty-five letters of objection have been received, raising, in summary, the following objections.

Summary of observations:

- Increased traffic congestion - 520 additional cars will be on the already congested roads, particularly at peak time
- Parking problems at the local school
- Concern about vehicular access through Rhuddlan Court
- Traffic calming should be introduced
- The proposed access is on a dangerous bend
- Affordable housing has been sited near existing houses leading to problems of privacy and security. The efficacy of proposed fencing is questioned, and consideration should be given to Article 8 of the Human Rights Act
- Why are parking courts provided when people are encouraged to use public transport?
- The land will be a building site for 6 to 7 years
- CCBC have advised residents in the past that this land will not be developed
- Heavy construction traffic will cause damage
- Construction and employee vehicles will be parked in the surrounding streets, and will be detrimental to pedestrian safety
- Access should be from the lane to the north
- Loss of green space and its health benefits
- Pressure on schools, GP and dental surgeries
- Light pollution - street lights should be on timers or motion sensors
- Noise, dust, air pollution, muddy roads and pavements
- Smell from pumping station
- Loss of property value
- Noise from the parking courts
- Impact of dust on asthma
- There is permission for almost 400 further houses in the Aber Valley
- Loss of wildlife
- What happens when the bus subsidy runs out?
- Car parking at railway stations is already full.

Cont'd

Application 19/0049/RM 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?

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes. The private market housing at this development will generate the levy at a rate of £40 per square metre floorspace subject to indexation.

ANALYSIS

Policies: Outline planning permission has been granted for up to 260 dwellings on this site, and therefore the principle of the proposal, and therefore the impact of the scheme on the local highway network, the SLA, the green wedge, and SSA, are acceptable from a planning point of view. The only matters that require further consideration are the details of the scheme, and their direct impacts on the locality.

The development would not have an unacceptable impact on the amenity of adjacent properties or land. A buffer with a minimum width of 10 metres between the existing properties and the proposed plots is incorporated along the southern boundary of the site. The majority of the new houses along that side of the development will be side-on to the existing houses, so there will be no direct overlooking. The exceptions will be five plots where their rear elevations will face Rhuddlan Court and Chester Court, but the minimum distance, house to house, will be 30 metres. The intervening distances, the orientation of the existing and proposed properties, as well as the retention of existing trees and hedges on the southern boundary will mitigate the impact of any changes in levels on the development site which will be up to 3 metres in some cases. The development is therefore acceptable in respect of policy CW2 of the LDP.

The access into the site is as shown on the illustrative plans that accompanied the outline permission. The design of the roads within the development is generally acceptable subject to some minor changes in respect of forward visibility, which can be secured by condition. The scheme is acceptable in respect of policy CW3.

Cont'd

Application 19/0049/RM Cont'd

The submission is supported by an Ecological Avoidance, Mitigation and Enhancement Strategy, which includes an evaluation of the ecology of the site. A total of 260 bat and bird boxes will be incorporated into the scheme to enhance wildlife habitat in the area, which will include a mixture of bat boxes integrated into houses as well as ones on trees; house sparrow and house martin terraces; swift boxes integrated into houses, and bird boxes in trees.

Condition 9 of the outline permission requires an Oak tree with bat potential to be retained. The aforementioned Strategy confirms that the tree will be protected during construction and retained. Condition 10 addresses the retention and protection of trees and hedges at the site. Trees and hedges on the boundaries of the site will be retained and protected during construction. A hedge at the entrance to the site, and two within the site will be removed, one of which runs the width of the site from the southern to the northern boundaries. Any works will be undertaken by an appropriately qualified tree surgeon and with regard to the potential presence of roosting bats. Any works to trees or hedges proposed for the period March to July inclusive will be preceded by a survey by an ecologist to check for nesting birds. The landscaping scheme includes three hedges running north to south, wildflower grassland, ecological areas to encourage habitat diversity, and marginal and aquatic planting. The latter addresses condition 13 which related to the provision of marshy/wet grassland habitats within the site. The proposal is acceptable in respect of the aforementioned conditions and policies CW4 and CW6.

The level of formal open space provision is acceptable, and the Section 106 agreement secures funds for its maintenance. There will also be areas of informal open space between the new streets which will have amenity value, but they will be steep because of the existing topography of the site. The Council's Countryside team would not necessarily want to maintain those areas, in which case the applicants would set up a management company. The proposal complies with policy CW10.

Affordable housing is proposed in an acceptable manner and has been the subject of agreement with the Council's housing officers, and complies with policy CW11.

The proposal also seeks to discharge the requirements of conditions 5 (public open space and SUDS provision), 6 (surface water and land drainage), 8 (site investigation), 12 (landscaping) and 14 (refuse collection areas). Public open space provision is discussed above. The drainage provision is acceptable to Dwr Cymru Welsh Water. The site investigation is currently being carried out and the concerns of The Coal Authority referred to above are being addressed. Further information on this matter will be presented at Planning Committee. The landscaping scheme is generally acceptable subject to a number of minor amendments that can be secured by condition. There are no objections to the refuse collection arrangements.

Cont'd

Application 19/0049/RM Cont'd

Since the outline planning permission was granted, the main change to planning policy is the publication by Welsh Government of Planning Policy Wales 10, which contains an emphasis on placemaking and its contribution to well-being. The inspector concluded that the site lies in a sustainable location in terms of access to services, amenities and public transport, and the proposed details build on that by incorporating footpath and cycle access to the existing network, and encouraging access by public transport. The scheme includes a good level of open space for amenity and recreation, and although some trees and hedges will be lost, there will be a significant level of replacement planting, and habitat creation. The scheme is acceptable in terms of the revised PPW.

Comments from Consultees: There are no objections in principle from any consultees. A condition can be imposed to ensure that only clean material is imported onto the site, and an informative will be added to the decision notice encouraging the installation of electric vehicle charging points.

Ecological and landscape issue are acceptable, and minor changes to the scheme can be achieved by condition. The matters raised by the Land Drainage Engineer are already being pursued by Dwr Cymru Welsh Water who have not raised any objections to the scheme.

The main concern raised by the landscape officer is about the loss of a hedgerow within the site and the failure to use SUDS more widely. However, in view of the level of replacement and additional planting proposed, and the limitations placed on the development by the topography of the site, it would not be reasonable to refuse permission on these grounds.

Comments from public: As stated above, matters related to the principle of the development have been considered at the outline stage. Therefore, the concerns of the public in respect of increased traffic congestion, parking problems at the local school, loss of green space and its health benefits, pressure on schools, GP and dental surgeries, permission for almost 400 further houses in the Aber Valley, and car parking at railway stations is already full, do not prejudice the determination of this application. The other matters raised are considered in turn below:

- Concern about vehicular access through Rhuddlan Court - no direct vehicular access is proposed to that street.
- Traffic calming should be introduced - this is a matter for the Council's highways department should they consider there to be a need in the future. There is no calming on the estate at present, and there is no evidence that the proposed development would make it necessary.

Cont'd

Application 19/0049/RM Cont'd

- The proposed access is on a dangerous bend - there is good visibility in both directions at the proposed access, and the Council's Transportation Engineering Manager has no objections.
- Affordable housing has been sited near existing houses leading to problems of privacy and security. The efficacy of proposed fencing is questioned, and consideration should be given to Article 8 of the Human Rights Act - there is no planning reason to relocate the proposed affordable housing away from existing housing. Privacy issues have been addressed above. The orientation of the existing and proposed houses means that the levels of privacy will be acceptable from a planning point of view. The proposed affordable housing will include normal domestic fencing, which will provide adequate security. Article 8 of the European Convention on Human Rights provides a right to respect for one's private and family life, their home and their correspondence. The impact of the development on these matters has been adequately considered and the development is acceptable in those respects from a planning point of view.
- Why are parking courts provided when people are encouraged to use public transport? - the development still has to have an adequate level of parking provision.
- The land will be a building site for 6 to 7 years - this matter cannot be avoided, but a construction management plan will limit the impacts. The plan includes hours of operation of 0800 to 1800 on weekdays and 0800 to 1300 on Saturdays with no working on Sundays or Bank Holidays except for internal trades. The developer has agreed not to operate any machinery on site on Saturday until 9.00 a.m. The plan also addresses noise and dust control.
- CCBC have advised residents in the past that this land will not be developed - the site was outside the settlement boundary in the LDP, but outline planning permission has now been granted on appeal.
- Heavy construction traffic will cause damage - the road network is adequate to accommodate HGVs.
- Construction and employee vehicles will be parked in the surrounding streets, and will be detrimental to pedestrian safety - HGVs will be generated by the development but the construction management plan states that vehicles making deliveries to the site will be planned by the site manager to avoid peak traffic periods and the 'backing up' of lorries through the coordination and storage of materials to minimise unnecessary deliveries. At no point will offloading take place on the existing highway network.

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Application 19/0049/RM Cont'd

- Access should be from the lane to the north - the illustrative plans showed access from Hendredenny Drive, as does the current application, and there are no highway objections to it.
- Light pollution - street lights should be on timers or motion sensors - street lighting will be installed to a standard considered adoptable by the highway authority.
- Noise, dust, air pollution, muddy roads and pavements - the construction management plan addresses these matters, and includes wheel washing and road cleaning measures.
- Smell from pumping station - pumping stations are a common feature of development, and any smell issues would be a matter for the environmental health department.
- Loss of property value - this is not a material planning consideration.
- Noise from the parking courts - parking courts are a normal feature of residential development, and their use will not cause a significant disturbance from a planning point of view.
- -Impact of dust on asthma - measures are proposed to control dust.
- Loss of wildlife - no objections in principle are raised by the Council's ecologist.
- What happens when the bus subsidy runs out? - the intention is to encourage the use of buses in the short term to change behaviour in the long term.

Other material considerations: The outline planning permission was granted subject to conditions about the following matters:

- The submission and implementation of the reserved matters
- No more than 260 dwellings to be built at the site
- Details of public open space and Sustainable Urban Drainage System
- Drainage details
- The implementation of the MUGA and LEAPs
- Site investigations in respect of instability and any remedial measures
- Protection of an oak tree
- Protection and enhancement of other trees and hedges
- Street lighting
- Landscape management

Cont'd

Application 19/0049/RM Cont'd

- The provision of a marshy/wetland habitat
- Refuse collection
- The provision of access to the site
- Notification of the commencement of development.

There will be no need to repeat any of those conditions on the reserved matters approval. Following discussion with the Council's landscape architect and ecologist, additional conditions are recommended in respect of:

- The installation of any gates or maintenance access.
- Landscaping to screen a 2.1m high security fence around the location of the mining shaft on the north-western side of the site.
- Fencing around the attenuation basins, and at the plots at the entrance to the site.
- The pumping station.
- Planting mix, width and protection.
- Details of hard landscaping.
- The maintenance of species rich grasslands.

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

18001.100 Rev Location Plan
18001.101 Rev H Site Layout
18001.102 Rev B External Works
18001.103 Rev C External Works
18001.104 Rev C External Works
18001.105 Rev B External Works
18001.106 Rev B Materials
18001.107 Rev A Enclosures

Cont'd

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18001.108 Rev B Storey Heights
18001.109 Rev B Bin Storage & Collection Strategy
18001.110 Rev B Affordable Housing Plan
18001.112 Rev B Phasing Plan
18001.113 Rev Existing Vegetation Plan
18001.114.1 Rev B Street Scenes
18001.114.2 Rev A Street Scenes
18001.115 Rev B Adoption Plan
House Type Pack Private (January 2019)
House Type Pack Affordable (January 2019)
GAR.01 Single Garage Floor Plans & Elevations (January 2019)
11335/PB/15/SI Site Investigation (October 2015)
18080.D100 Drainage Strategy (January 2019)
18080-101 Rev D Proposed Levels
18080-SK181 Rev E Lagoon 1
18080-SK183 Rev C Lagoon 2
18080-SK184 Rev B Lagoon 3
18080-SK305 Rev A LEAP
18080 Rev Cycle Link Sketch
18080-SK300 Rev C S38 GA
18080-SK 301 Rev C S38 Finishes
18080-SK 303 Rev C S38 Levels
18080-SK 305 Rev C S38 Tracking
18080-SK 306 Rev C S38 Visibility
18080-SK 307 Rev B Long Sections
18080-SK 308 Rev B Long Sections
Treescene Tree Survey (1st November 2018)
Treescene Tree Constraints Plan (11/2018)
Treescene Arboricultural Method Statement (21st January 2019)
Treescene Tree Protection Plan (01/2019)
Treescene Tree Retention/Removal Plan (01/2019)
Ecology Solutions Ecological Avoidance, Mitigation and Enhancement Strategy
(January 2019)
891.01 Rev D Planting Plan (Sheets 1-4)
891 Rev A Planting Management Plan
Redrow Homes Rev C Construction Environmental Management Plan
Integral Geotechnique Old Gas Main and Trial Shaft Report (10th April 2019)
Ecology Solutions Consultation Comments Ecology Response including Plan
ECO1 Bat & Bird Boxes (April 2019).
REASON: To ensure that the development is carried out only as approved by the
Local Planning Authority.

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Application 19/0049/RM Cont'd

- 02) Prior to the installation of any gates or maintenance access, to any landscape areas or attenuation features, details of their appearance and size shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of visual amenity.
- 03) Notwithstanding the planting plan approved under Condition 1, native hedgerow planting shall be increased in width to a minimum of a triple staggered row, 1.5m wide bed, with a native hedgerow mix with a minimum of 7 plants per linear metre and planted with the below species rich mix;
Corylus avellana 64% planted on the two outer rows, with the remainder 36%, middle row, planted with the following 6 native species;
Acer Campestre 5%
Crataegus monogyna 5%
Ilex aquifolium 4%
Lonicera periclymenum 6% planted singly.
Prunus spinose 5%
Rosa canina 5%
Viburnum opulus 6%
Marginal planting shall be a broader native mix including established native marginals, grown on pre-planted coir mats. Aquatic planting: the Persicaria amphibia and Veronica beccabunga shall be substituted with Arrowhead (Sagittaria sagittifolia) Water Crowfoot (Ranunculus aquatilis) or a native alternative. Screen planting shall be carried out adjacent to the security fencing around the former mine shaft. Prior to the aforementioned planting being carried out, details shall be submitted to and agreed with the local planning authority. The planting shall be carried out in accordance with those details.
REASON: In the interests of visual amenity

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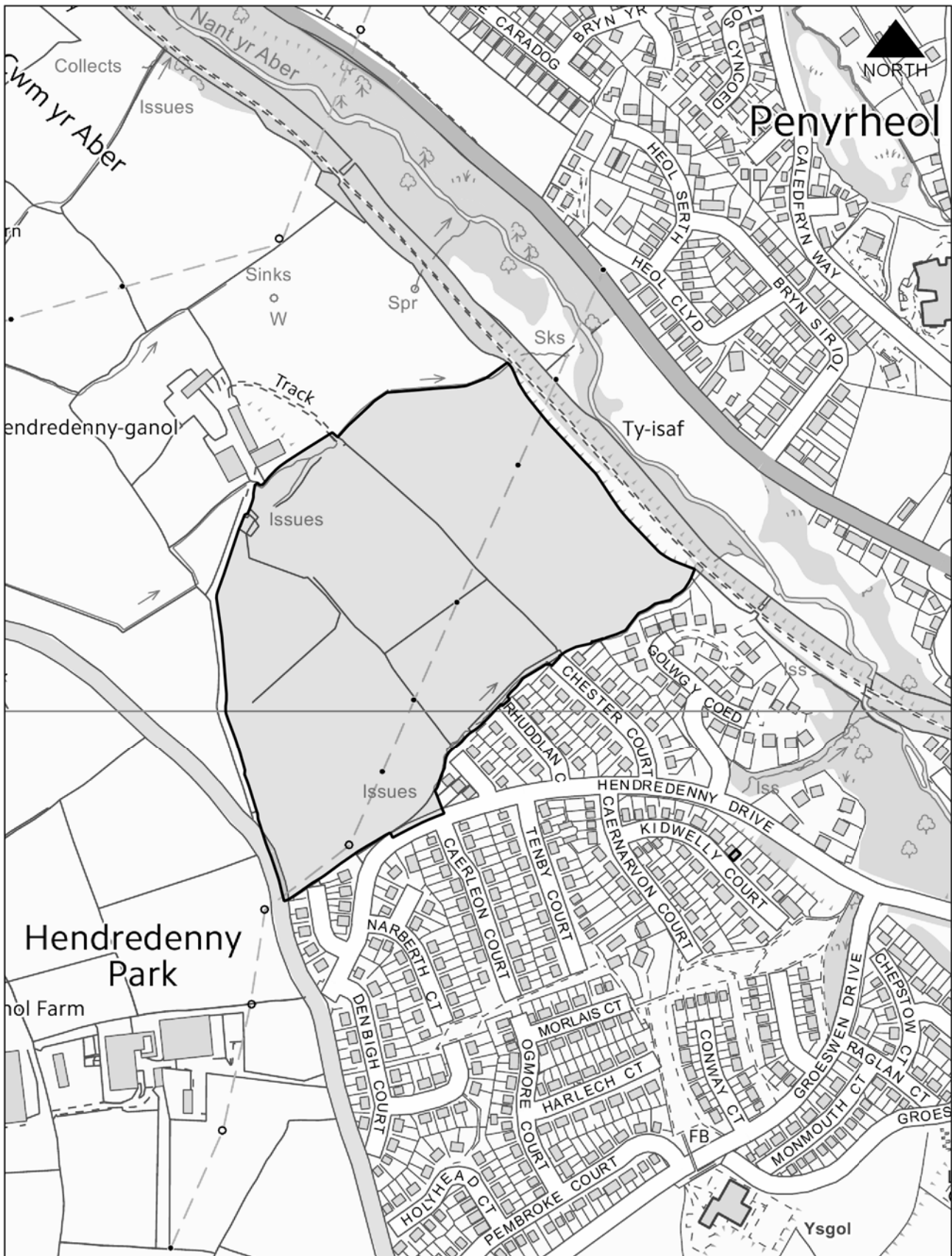
Application 19/0049/RM Cont'd

- 04) Notwithstanding the planting and management plan approved under Condition 1, prior to any planting taking place details of an amended plan taking account of the following points shall be submitted to and agreed with the local planning authority:
- The type of guards and maintenance, and removal when no longer required.
 - Stockproof fencing with suitable gated access to accommodate maintenance, and all fencing will require maintaining and removal at the end of the 5 years defects period.
 - Composted bark mulch to be maintained to 75mm depth for all trees and hedgerows within soft landscaped areas.
 - Species rich grassland to be cut in late summer/early autumn and the arisings removed no later than 24 hours after a cut. Tussocky grassland to be cut once a year in perpetuity and the arisings removed after two days, to prevent it reverting to scrub.
 - Monthly litter, debris and other detritus removal.
 - Signs to inform residents of the establishment, management and maintenance of hedgerows.
 - The landscaping shall be carried out in accordance with those agreed details.
- REASON: In the interests of visual amenity
- 05) Prior to construction of the cycle ramp details of the hard landscaping including any street furniture, bollards, seating / resting points along with handrails shall be submitted to and agreed with the local planning authority. The development shall be carried out in accordance with the agreed details prior to the occupation of any dwellings in Phase 6 of the development.
- REASON: In the interests of visual amenity
- 06) Prior to its installation, details of the proposed pumping station shall be submitted to and agreed with the local planning authority. The development shall be carried out in accordance with the agreed details.
- REASON: In the interests of visual amenity.
- 07) The landscaping and planting approved in accordance with this consent and any of the conditions of this consent shall be carried out for each phase of the development within the first planting season following the completion of that phase. Any trees or plants that die or become diseased within 5 years of the completion of each phase of the planting shall be replaced with trees and plants of the same species within the same or the next planting season.
- REASON: In the interests of visual amenity.

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Application 19/0049/RM Cont'd

- 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) Each dwelling shall not be occupied until the area indicated for the parking of vehicles for that dwelling has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.



Eitem Ar Yr Agenda 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0287/FULL 10.05.2019	Mr Rahmani Firbeck Royal Oak Machen Caerphilly CF83 8SN	Erect first floor extension and remodel existing property Firbeck Royal Oak Machen Caerphilly CF83 8SN

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Firbeck, Royal Oak, Machen, Caerphilly, CF83 8SN

Site Description: The application property is a detached dwelling located above and to the eastern side of the street known as Royal Oak. To the north-west lies the former Royal Oak Public House, to the south-east is a dormer bungalow (Oaklea), to the north-east is a detached bungalow (Lynroy) and to the west of Royal Oak are a row of detached residential properties including Bryn Deri and Fairfields. The general topography rises from south-west to north-east and the rear garden of the application property steps up behind the rear building line.

Development: Erect first floor extension and remodel existing property.

Dimensions:

The footprint of the existing dwelling is broadly 'L' shaped having a maximum width of 15.3m and maximum depth of 11.5m. The alterations would result in a dwelling measuring approximately 14.5m wide by 11m deep excluding a proposed new rear terrace area. The terrace area would measure approximately 3.6m by 6m and would provide access from the proposed first floor living room onto the rear garden area. The decked area would be raised above the existing garden level and this varies between approximately 0.7m and 1.5m except where the existing land steps down to the existing finished floor level where it would be approximately 2.5m higher.

The development would increase the ridge height from the existing height of 4.2m to approximately 6m.

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Application 19/0287/FULL Cont'd

Materials:

Existing: Walls: Spar render and brick Roof: Concrete Tile.

Proposed: Walls will be finished in natural wood cladding with areas of white render and feature stone slip accent panels. Roof: Flat roof finished in Single ply or similar material in a slate grey colour.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

16/0988/FULL - Renovate existing property together with the construction of a two-storey stepped extension to address the existing site - Granted 23.01.17.

POLICY

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

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales 10th Edition (December 2018), Technical Advice Note 12: Design.

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 7 (Householder Development)

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

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

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Application 19/0287/FULL Cont'd

CONSULTATION

Senior Engineer - (Land Drainage) - No objection, request drainage condition be attached to any permission.

Ecologist - No evidence of the presence of roosting bats has been found during the 2016 and 2019 bat surveys completed at site. It is thought unlikely that bats are currently roosting within the building. No further bat activity surveys are recommended at this time. Whilst it is thought unlikely that bats are roosting within the building present in the site boundary, a precautionary approach to construction work will be adopted. In the unlikely event that the contractor encounters any bats during any works, then the work will stop and the bat worker summoned or Natural Resources Wales will be contacted.

However, due to the nature of the proposed works and the fact that the building has a few potential access points, a precautionary approach should be taken and the following bat and bird advisory notes should be attached to any permission.

ADVERTISEMENT

Extent of advertisement:

The application was advertised via 8 neighbour notification letters. Following the receipt of revised plans a reconsultation was carried out.

Response:

One response was received relating to the initial consultation exercise. At the time of writing this report the publicity period for the reconsultation had yet to expire. Members will be verbally updated at Committee in respect of any further representations received following the completion of this report.

Summary of observations:

- Concern in respect of the height of the resultant dwelling
- Loss of View
- Devaluation

Cont'd

Application 19/0287/FULL 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?

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

EU HABITATS DIRECTIVE

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

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The application site is within the higher viability area attracting a CIL charge of £40/sqm (excluding indexation). As it is proposed to create less than 100 square metres of additional internal floor space the proposal is CIL exempt.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area. The application is being reported to Planning Committee as the agent's spouse is employed by the Council.

The existing dwelling is a bungalow with an 'L shaped footprint', located at an elevated level to the north-east of the street known as Royal Oak. The proposed development would remodel the property adding a first floor and extensively renovating the property. It would be transformed in appearance from the existing 1960's bungalow to a modern flat roof property with external finishes including wood cladding and shutters, render and stone. The agent has confirmed that over half of the existing walls of the property would be retained and as such it is considered that it would be an extensive renovation and extension of the property rather than a new dwelling. The principal of development is considered acceptable with the application property being located within the Settlement Boundary as outlined under adopted Local Development Plan Policy SP5 which defines the area within which development would normally be allowed, taking into account material planning considerations.

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Application 19/0287/FULL Cont'd

In terms of the visual impact of the proposed development on the street scene and the character of the area it is noted that there is significant variation in property styles and ridge lines within the street with The Royal Oak, a large former public house building, to the north-west, and a dormer bungalow (Oaklea) to the south-east which has a higher ridge line than the application dwelling. On the opposite side of Royal Oak, due to the natural topography, dwellings are located at a lower level, include a mixture of bungalows and two storey dwellings and different house types are present along the row. It is therefore considered that there is no strong character to property styles within the area. In this context and noting that the resultant dwelling height would not exceed the height of the adjacent property it is considered that there would not be any unacceptable visual impact on the character of the area resulting from the development. The development would accord with Policy SP6 (Place Making).

It is considered that the proposed development is acceptable in its impact on the adjacent properties which include a bungalow to the north-east (Lynroy), Oaklea to the south east and the former Royal Oak to the north-west. Lynroy and Oaklea have side elevations facing the application site and whilst both properties have fenestration including gable end windows facing the application site it is not considered that the impact on privacy, light or outlook for either of these properties would be so severe as to warrant refusal on this basis. A proposed terrace area which provides access from the first floor living room to the rear garden area (which is located at a higher level than the property) is acceptable subject to a portion of screen fencing being erected to the boundary with Oaklea. The Royal Oak is presently vacant but was formerly granted permission as a public house with letting rooms and there would be no unacceptable impact on those uses. The impact on the residential properties on the south-east side of Royal Oak is acceptable and the development is considered to have an acceptable impact on existing levels of amenity for all surrounding residential properties including those in the former public house. It is considered that the development accords with adopted Local Development Plan policy CW2 (Amenity).

The property has an existing parking area at the frontage to Royal Oak which remains unaltered by the development. The property would remain a three bedroom property following the redevelopment and therefore would not require additional parking under adopted Parking guidelines. The development accords with development plan policy CW3 (Highways).

The development is considered acceptable and is recommended for approval accordingly.

Cont'd

Application 19/0287/FULL Cont'd

Comments from Consultees:

The Council's Ecologist requested an updated bat survey which was subsequently submitted by the applicant. The Ecologist has reviewed the submitted Bat Survey and no evidence of the presence of bats was found during the internal or external scoping survey of the building. The Council's Ecologist has offered no objection to the development but has provided ecological enhancement and advisory notes which will be attached to any permission granted.

Comments from public:

- Concern in respect of the height of the resultant dwelling

The existing dwelling is a bungalow and therefore there will be an increase in ridge height to provide the first floor accommodation. However the resultant dwelling's height at 6.1m will still be lower than the ridge height of the residential property to the south-east (Oaklea) and the property to the north-east (Lynroy). It is not considered that the additional massing will have an overbearing effect on any surrounding residential property or their curtilage.

- Loss of View

The loss of view is not a material planning consideration and the development will have an acceptable impact on light, outlook and privacy of all surrounding residential properties.

- Devaluation

This is not a material planning consideration.

Other material considerations:

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

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Application 19/0287/FULL 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:
Site Location Plan, drawing reference AI.00.LOC revision A, received 05.06.19;
Proposed Floor Plans and Elevations, drawing reference AL.00.101 revision E, received 05.06.19;
Proposed Site Section and Elevations, drawing reference AL.00.102 revision C, received 31.05.19;
Proposed Terrace and Garden Sections, drawing reference AL.00.103, received 05.06.19.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new extension at Firbeck, Royal Oak, Machen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).

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Application 19/0287/FULL Cont'd

- 05) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, Starling or House martin) in the new extension at Firbeck, Royal Oak, Machen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).
- 06) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used 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.
- 07) Prior to the construction of the terrace hereby approved details of the external finishes shall be submitted for the written approval of the Local Planning Authority. The terrace shall be completed in accordance with the approved details.
REASON: In the interests of visual amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) Prior to the terrace hereby approved being brought into beneficial use the new screen fence as detailed on drawing reference AL.00.103 shall be erected and retained (or replaced in kind) thereafter for the lifetime of the development.
REASON: In the interests of residential amenity 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.

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Application 19/0287/FULL Cont'd

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please find attached the comments of The Council's Land Drainage Officer that are brought to the applicant's attention.



Eitem Ar Yr Agenda 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0322/RET 15.04.2019	Mr T Jones Rudry House Rudry CF83 3EB	Retain and complete land raising works and importation of topsoil to improve horse exercise and grazing area Land At Grid Ref 320304 186681 R/o Haven Hill Maenllwyd To Yew Tree Cottage Rudry

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

The application site is located approximately 90m to the east of The Maenllwyd Inn and approximately 1km to the south of Rudry.

Site description: The application site forms part of a small holding located within a cluster of dwellings and outbuildings in the open countryside. The land to which the application relates is a small field parcel to the north east and rear of the dwelling and located behind a number of stable buildings. The site has been tipped in order to create a level plateau out from the rear of the stables in a northerly direction.

Development: This application seeks full planning consent for the retention of an area of tipping. The application is supported by detailed plans and sections through the tipped material together with delivery tickets for the materials confirming the nature of the material that has been imported. The size of the plateau is to be reduced with the material on the north western edge of the site being scraped back to a less steep angle of repose, with the resulting material being spread over the plateau area to raise the levels at that point. A previous application to retain the tipped material in its current form was recently refused as it was considered that it had an unacceptable impact on the landscape character of the area.

Dimensions:

The tipped area has an area of 0.166ha and has a maximum height of 3m above existing ground level. The proposed plateau will be 150mm higher than the existing tipped area.

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Application 19/0322/RET Cont'd

Materials: The material is confirmed as inert waste.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

18/0812/RET-Retain and complete land raising-Refused-22.11.2018.

POLICY

Local Development Plan: Outside settlement limits and within the South Caerphilly Special Landscape Area.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification) and NH1.5 (South Caerphilly Special Landscape Area).

National Policy: Planning Policy Wales states: -

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

6.3.3 All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places. Considering landscape at the outset of formulating strategies and policies in development plans and when proposing development is key to sustaining and enhancing their special qualities, and delivering the maximum well-being benefits for present and future generations as well as helping to deliver an effective and integrated approach to natural resource management over the long term. Collaboration and engagement with adjacent planning authorities, Natural Resources Wales (NRW), Cadw and the third sector will be necessary to draw on a wide range of expertise and evidence.

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Application 19/0322/RET Cont'd

6.3.11 Planning authorities should provide for the conservation and, where appropriate, enhancement of local landscapes. This may include policies for landscape features, characteristics and qualities of local significance, and the designation of Special Landscape Areas (SLAs). Planning authorities should state which features, characteristics or qualities require extra protection, and explain how the policy or designation will achieve this protection. LANDMAP and any associated landscape character assessments (including the register of historic landscapes in Wales) should be used to inform local landscape policies and SPG, and to help identify or revise SLAs.

6.3.12 SLAs are non-statutory designations that define local areas of high landscape importance, which may be unique, exceptional or distinctive to the area. Planning authorities should apply these designations where there is good reason to believe that normal planning policies cannot provide the necessary protection.

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? No.

CONSULTATION

Landscape Architect - Raises objection to the application in respect of the visual impact of the proposal on the South Caerphilly Special Landscape Area.

Head Of Public Protection - No objection.

Transportation Engineering Manager - No objection subject to a condition restricting the use of the menage for personal use only and no commercial use.

Natural Resources Wales - No objection.

Ecologist - No comments at time of the report.

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

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Application 19/0322/RET Cont'd

ADVERTISEMENT

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

Response: Two letters of objection were received.

Summary of observations:

- The tipped waste contains unacceptable material.
- The structure has an unacceptable visual impact on the area. A previous application was refused on that basis.
- The works have disturbed rats resulting in them becoming more active in the area.
- Nobody was informed of the tipping operation before it commenced.
- The works created a significant amount of dust.
- No drainage has been provided on the site.
- The tipped material is unstable.
- The tipping operation does not comply with the U1 Exemption issued by Natural Resources Wales and the landowner received money for the material.
- The submitted details do not accurately reflect the extent of tipping that has occurred on site.
- The application form states that there are no trees on the application site. This is incorrect as several mature trees were removed prior to the tipping taking place. The previous application was refused on the basis of the impact on trees on site.
- The application form states that none of the land forms part of an agricultural holding. This is incorrect as the land has been used for the keeping of animals.
- The tipped material contains Himalayan Balsam which is an invasive species.
- What is happening with the material that is to be removed from the bank of the tipped material?
- This application is clearly a delaying tactic designed to avoid an enforcement notice being served.

SECTION 17 CRIME AND DISORDER ACT

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

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Application 19/0322/RET Cont'd

EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The 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 the retention of tipping operations in order to create a manege on a small holding outside of the defined settlement limits. A manege is considered to be a recreation facility (whether for personal use or not) and as such the proposal is supported by Criterion C of Policy CW15 of the LDP as it is considered to be a proposal that is suitable in a countryside location.

In that regard the main point to consider in the determination of this application is whether the proposal has an unacceptable impact on the landscape character of the area having regard for its siting within a Special Landscape Area (SLA). It should be noted that the Council's Landscape Architect has commented as follows:-

"Having studied the plan and site photographs I am not satisfied that sufficient material is being removed and also concerned that levels are proposed to be increased by another 150mm (topsoil) as well as retaining a larger plateau area than required for the manege.

In addition, whilst I would normally welcome native hedge planting there is insufficient information shown on drawings and this currently does not sit comfortably with the landscape character/field pattern. Also having studied aerial photographs, I note that hedgerow and mature trees have also been lost over recent decades and I would expect any new development to make effort to address this change in landscape character and the adverse impact the material deposited in RPA has on existing / remaining trees.

Therefore given the sensitive countryside SLA location, lack of information re planting mitigation, combined with the adverse change this development makes to the local Landscape character and views afforded of the site, I recommend that the application in its current form is refused.

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Application 19/0322/RET Cont'd

Should more detailed proposals be developed that clearly detail more material being removed/regraded to reduce the plateau area to the manege area only and mitigation in the form of species rich grass seeding and mixed native hedgerow (7 species) plus native tree planting and protective stock proof fencing etcetera, this is more likely to be acceptable subject to further comment/approval."

Whilst these concerns are noted, it is not considered that the application is unacceptable in planning terms as it is considered that the visual impact of the development on the character of the special landscape area is overstated in this instance. It is acknowledged that the existing tipped area has an unacceptable impact on the landscape character of the area and presents an alien landform that is at odds with the wider landscape. However, since the refusal of the previous application that tipped area has naturally seeded and vegetated, which has significantly reduced its visual impact. Whilst this does not make the existing situation acceptable it does give an indication that the proposed scheme, which in planning terms drastically reduces the surface area of the tipped material, could be made acceptable with adequate landscaping and planting. Notwithstanding that the landscape architect considers that insufficient information has been submitted in respect of landscaping, it is considered that such details can be secured by condition and that this would mitigate the impact of the proposal to an acceptable extent.

The landscape architects concerns that the tipped area is larger than that required for the manege are also considered to be overstated in this instance. To reduce the amount of tipping to that required for the existing manege would be tantamount to refusing the entire scheme and that is considered to be unnecessary and unreasonable in planning terms.

Comments from Consultees: The concerns of the Council's Landscape Architect are addressed above and no other objections were raised.

Comments from public: The comments of the objector are addressed as follows:-

- The application is supported by delivery tickets detailing the material that has been tipped on site and it is the subject of a waste exemption from Natural Resources Wales. The application has also been assessed by the Council's Head of Public Health and Protection and no objection has been raised. In that regard it is not considered that the material used within the tip would have a detrimental impact on human health.
- The visual impact of the proposal is addressed above.

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Application 19/0322/RET Cont'd

- Any nuisance from rats would be a matter for Public Health and Protection and would have no bearing on the determination of this application.
- There is no requirement on the developer to inform any third parties of works prior to the commencement of operations. The Local Planning Authority was not aware of these works until they had been substantially completed and as such was not in a position to notify residents until such time as an application was received.
- With any application for earth movement works there is likely to be an element of dust associated with it. However a condition can be attached to any consent granted ensuring that dust mitigation measures are implemented during the works to re-profile the tipped materials and as such the proposal is considered to be acceptable in that regard.
- Whilst it is accepted that no drainage has been provided on site, this can be adequately covered by condition.
- The responsibility for the stability of the tipped material rests with the developer. Given the scale of the tipping it is unlikely that a slippage would lead to any harm to the public and as such this is not a material planning consideration. Moreover, there is no evidence to suggest that the tip is unstable and this application actually seeks to scrape back the tipped material adjacent to the lane to the north west and to regrade the bank of the tip at a less steep gradient. It is considered that these works would reduce any potential for slippage on site.
- If the tipping operation does not comply with the U1 exemption then that is a matter for NRW. The fact that the applicant may have received money for the material is not a material planning consideration.
- It is considered that the supporting evidence submitted with the application accurately shows how much material has been imported onto the site and how much is to be moved as part of this latest proposal. The waste transfer notes show that in the region of 1500 tonnes of material has been tipped on the site. However, it is not considered that the tipping of such quantities of material is unacceptable in principle subject to it being adequately landscaped as discussed above.
- The tipping operations may have led to the loss of a small number of mature trees but in that this is a retrospective application it is not possible to carry out any surveys of these trees. Moreover, planning consent would not have been required for the removal of those trees prior to the commencement of works and as such it is not considered that this issue would warrant refusal of the application. It is correct that the previous application was refused in respect of the impact on existing trees that are to be retained on site, specifically those on the north west boundary of the site. However, this application seeks to remove the tipped material from that area and subject to these works being carried out in accordance with an agreed scheme it is considered that this concern can be adequately addressed.

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- The application forms are correct in that none of the land to which the application relates forms part of an agricultural holding. Whilst the land may have been used for keeping horses this does not make it an agricultural holding as the land would need to be registered with the Welsh Government as such. Moreover, the purpose of the notice is to notify any person who is a tenant on any holding and there are no tenants in this instance. In any event this has no bearing on the determination of this application.
- It is accepted that the tipped materials contains Himalayan Balsam which is an invasive species. This matter is being dealt with by the applicant in conjunction with the Council's Invasive Species Officer and as such this matter does not have a bearing on the determination of this application.
- As stated above the material that is to be removed from the bank of the tipped material is to be re-distributed on the top of the plateau thereby increasing its overall height by 150mm. It is not considered that this would be unacceptable in planning terms.
- Whether or not this application is being used as delaying tactic by the applicant to avoid an enforcement notice being served is not a material planning consideration.

Other material considerations: None.

In conclusion it is considered that, despite the objections raised by the Council's Landscape Architect, the proposal is acceptable in planning terms subject to the imposition of suitable conditions to deal with landscaping and amenity concerns. As such it is recommended that planning consent is granted.

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

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Application 19/0322/RET Cont'd

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The works hereby approved shall be commenced within 6 months of the date of this consent and shall be completed in accordance with the approved details within 12 months of the commencement unless otherwise 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 Local Development Plan.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
Site Location Plan, received 15.04.2019;
Drawing No: 001, Rev. A - Block Plan and Sections, received 15.04.2019.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The consent hereby granted shall not relate to the native hedge as shown on drawing number 001 and alternative details of hedgerow planting and maintenance for enhancement of the existing hedge boundary on the north west boundary of the application site shall be submitted for the approval of the Local Planning Authority prior to the commencement of any further works on site. The development shall thereafter be carried out in accordance with the approved details.
REASON: In the interests of visual amenity in accordance with Policy CW2 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to the commencement of the development hereby approved a scheme for the control of dust arising from operations on site shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be implemented at all times to control dust at the site.
REASON: To prevent pollution in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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Application 19/0322/RET Cont'd

- 05) A scheme of landscaping and a programme for the provision of the landscaping shall be submitted to the Local Planning Authority for agreement within 1 month of the date of this permission. The agreed scheme of landscaping shall be implemented in accordance with the agreed programme. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In order to ensure that the site is landscaped and is maintained in the interests of the visual amenity of the area in SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Details of land drainage shall be submitted to and agreed in writing with the Local Planning Authority before the works commence and shall be carried out in accordance with the agreed details before the development is brought into use.
REASON: To ensure that the development is appropriately drained.
- 07) Prior to the commencement of the development hereby approved a method statement for the works, including details of how materials are to be removed from within root protection areas of all trees to be retained as part of this development and the measures to be used for the protection of those trees shall be submitted for the approval of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON: In order to provide adequate protection for the retained trees in accordance with Policy CW6 of the Local Development Plan.



Gadewir y dudalen hon yn wag yn fwriadol

APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
19/0091/FULL 01.02.2019	Greggs Plc Mrs S Humphries B3 Muckleston Business Park Eccleshall Road Market Drayton Shropshire TF9 4FB	Install two new air conditioning condenser units in a security cage and two extract grilles Castle View Shopping Centre (Unit C) Cae Meillion Caerphilly	Granted 09.05.2019
19/0092/ADV 01.02.2019	Mrs S Humphries B3 Muckleston Business Park Eccleshall Road Market Drayton Shropshire TF9 4FB	Erect three fascia signs, two internal posters and two internal vinyl graphics Castle View Shopping Centre (Unit C) Cae Meillion Caerphilly	Granted 09.05.2019
19/0189/FULL 14.03.2019	Mrs A Suri Ty Melyn 113A St Martin's Road Caerphilly CF83 1EH	Erect rear and first floor extension to provide manager's residential accommodation St Martin's Stores 115 St Martin's Road Caerphilly CF83 1EH	Granted 09.05.2019
19/0210/ADV 14.03.2019	Boots The Chemist Mr D Campbell D90 Thane Road Nottingham	Install two new vinyl welcome panels to replace two existing in same location, new internally illuminated projecting sign replacing Boots lozenge and new side window vinyl to hide back of displays in window Boots The Chemists Ltd Unit 12 Castle Court Caerphilly	Granted 09.05.2019
19/0211/FULL 14.03.2019	Mr J Duggan 28 Tir Bach Road Wyllie NP12 2HL	Erect a garage and car port with all associated works 28 Tir Bach Road Wyllie Blackwood NP12 2HL	Granted 10.05.2019

19/0212/FULL 14.03.2019	Mr & Mrs Hall 4 Llanddwyn Island Close Caerphilly CF83 2AS	Erect first floor extension over an existing integrated garage, part conversion of garage, alterations to front parking area including creation of additional parking space and external alterations 4 Llanddwyn Island Close Caerphilly CF83 2AS	Granted 10.05.2019
19/0216/FULL 15.03.2019	Mr S Singh 1 Jerusalem Street Rhymney Tredegar NP22 5JB	Erect two storey rear extension 10 Jerusalem Street Rhymney Tredegar NP22 5JB	Refused 10.05.2019
19/0217/FULL 15.03.2019	Co-operative Group Mr L Fox C/o Swiss Post Solutions Ltd Unit 550 Metroplex Business Park Broadway Salford Quays Manchester M50 2UE	Install an ATM machine through the shop front glazing and install plant to the rear of the building in existing timber fenced enclosure 70 Commercial Road Machen	Granted 10.05.2019
19/0218/FULL 15.03.2019	Mr J Franklin Garden Cottage Mount Pleasant Ynysddu Newport NP11 7JR	Erect detached garage Garden Cottage Mount Pleasant Ynysddu Newport	Granted 10.05.2019
19/0106/FULL 08.02.2019	Mr P Williams 120 Derlwyn Street Phillipstown NP24 6BA	Erect two storey side extension 120 Derlwyn Street Phillipstown New Tredegar NP24 6BA	Granted 13.05.2019
19/0158/FULL 26.02.2019	Miss E Templeman 59 Park Place Risca NP11 6BN	Erect two storey kitchen/bedroom extension, refurbishment works to property and development of roof space 59 Park Place Pontymister Risca Newport	Granted 13.05.2019
19/0219/FULL 15.03.2019	Marston's Estates Ltd Marston's House Brewery Road Wolverhampton WV1 4JT	Erect a pub/restaurant (Class A3) with associated living accommodation, access, car parking and landscaping Land At Grid Ref 315158 199420 Bargoed Gateway Bargoed	Granted 13.05.2019

19/0285/NMA 03.04.2019	Mr L Ransys 41 Coronation Road Blackwood NP12 1ED	Seek approval of a non-material amendment to planning consent 15/0452/FULL (Construct a maisonette over an existing ground floor residential unit and erect a detached garage to rear), to change the window size to side elevation 23A Oak Terrace Fleur-de-lis Blackwood NP12 3RW	Granted 13.05.2019
19/0222/FULL 19.03.2019	Mrs S Choudhry 48 Penylan Road Penylan Cardiff CF24 3PF	Alterations to existing shop front to facilitate subdivision of existing shop (A1 Use) at ground floor level into 3 No. separate A1 retail units 73 Cardiff Road Caerphilly	Granted 14.05.2019
19/0223/FULL 19.03.2019	Mr & Mrs R Moger 11 Cae Pen Y Waun Hengoed CF82 7RQ	Erect a detached gymnasium room 11 Cae Pen Y Waun Hengoed CF82 7RQ	Granted 14.05.2019
19/0326/NMA 15.04.2019	Mrs J Randhawa Regi's 9 & 10 Hanbury Road Bargoed CF81 8QS	Seek approval of a non-material amendment to planning consent 17/0424/COU (Change the use to mixed use retail/residential and provide 4 no. flats and 1 no. maisonette with external alterations including new staircase, windows and doors) Regi's 9-10 Hanbury Road Bargoed CF81 8QS	Refused 14.05.2019
19/0182/COND 07.03.2019	Mr R Brewer Lili Wen Farm Cilfynydd Road To Pant-Du Road Llanfabon CF37 4HN	Discharge condition 08 (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	Refused 15.05.2019
19/0197/FULL 11.03.2019	Miss H Wilson 119 High Street Rhymney NP22 5NG	Demolish the boundary wall to left and rear of the property and rebuild wall on a like for like basis 119 High Street Rhymney Tredegar NP22 5NG	Granted 15.05.2019

19/0198/CON 11.03.2019	Miss H Wilson 119 High Street Rhymney NP22 5NG	Demolish the boundary wall to left and rear of the property 119 High Street Rhymney Tredegar NP22 5NG	Granted 15.05.2019
19/0228/FULL 20.03.2019	Mr R Stevens 37 Ffordd Erw Caerphilly CF83 1RY	Erect a two storey side extension and single storey rear extension 37 Ffordd Erw Caerphilly CF83 1RY	Granted 15.05.2019
19/0230/CLPU 20.03.2019	Mr H Griffiths 4 Heol-Y-Cwm Watford Caerphilly CF83 1NN	Obtain a Lawful Development Certificate for proposed single storey extension to the side and rear of dwelling and front porch 4 Heol-Y-Cwm Watford Caerphilly CF83 1NN	Granted 15.05.2019
19/0235/FULL 22.03.2019	Boots The Chemist Mr D Campbell D90 Thane Road Nottingham	Install 1 No. new AC condenser to existing roof well Boots The Chemists Ltd Unit 12 Castle Court Caerphilly	Granted 15.05.2019
19/0237/COND 22.03.2019	Llanmoor Developments Ltd Mr S Grey 63-65 Talbot Road Talbot Green Pontyclun Rhondda Cynon Taff CF72 8AE	Discharge condition 10 (Drainage) on planning consent 18/1005/FULL (Erect 55 unit residential development with associated landscaping and play provision) Land At Former Bedwellty Comprehensive School Pengam Road Aberbargoed	Decided - Discharge of Conditions 16.05.2019
19/0239/COND 22.03.2019	Llanmoor Developments Ltd Mr S Grey 63-65 Talbot Road Talbot Green Pontyclun Rhondda Cynon Taff CF72 8AE	Discharge condition 11 (Contamination - scheme to treat) of planning consent 18/1005/FULL (Erect 55 unit residential development with associated landscaping and play provision) Land At Former Bedwellty Comprehensive School Pengam Road Aberbargoed	Decided - Discharge of Conditions 16.05.2019
19/0334/NOTA 18.04.2019	Mr I Davies Bedlwyn Farm Cefn-Rhychdir Road Phillipstown New Tredegar NP24 6BT	Erect hay barn and machinery store Bedlwyn Farm Cefn-Rhychdir Road Phillipstown New Tredegar	Prior Approval Not Required 16.05.2019

19/0186/FULL 07.03.2019	Mr & Mrs Abraham 16 Pentland Close Trenewydd Park Risca NP11 6QU	Remove existing dormer and erect new dormers to front and rear 16 Pentland Close Trenewydd Park Risca Newport	Granted 17.05.2019
19/0234/FULL 22.03.2019	Mr D Shaw 17 Napier Street Machen CF83 8PR	Remove existing parking provision to rear of property and replace with a detached garage 17 Napier Street Machen Caerphilly CF83 8PR	Granted 17.05.2019
19/0250/TPO 22.03.2019	Mr B Herbert Llanarth Estate Office Llanarth Raglan Usk Monmouthshire NP15 2YB	Carry out various works to trees (Tree Preservation Order 47/70/MCC) Land At Grid Ref 321550 198032 - Crumlin Woodland Old Pant Road Pantside	Granted 17.05.2019
19/0178/FULL 05.03.2019	Mrs K Nolan-Rice 3 Woodland Rise Deri Bargoed CF81 9JF	Install an extra bedroom window on side elevation 3 Woodland Rise Deri Bargoed CF81 9JF	Granted 20.05.2019
19/0231/COND 21.03.2019	Mr M Thompson 7 Gelliargwellt Road Penybryn Hengoed CF82 7FZ	Discharge conditions 03 (slab levels), 08 (land drainage), 16 (reptile survey), 17 (bat roost) and 18 (breeding birds) of planning consent 17/0788/FULL (Erect detached house and integral garage) Land Between 75-77 Upper Road (Grid Ref 315409 202062) Elliots Town New Tredegar	Decided - Discharge of Conditions 21.05.2019
19/0248/FULL 25.03.2019	Mr & Mrs D Rees 7 Llanarth Square Pontymister Risca NP11 6EA	Conversion of existing integral garage to lounge, single storey flat roof extension to rear and detached garage 7 Llanarth Square Pontymister Risca Newport	Granted 21.05.2019
19/0251/FULL 26.03.2019	Mrs T Jones 4 Hafod-Fach View High Meadow Abercarn NP11 5AF	Erect detached single garage 4 Hafod-fach View High Meadow Abercarn Newport	Granted 21.05.2019

19/0261/FULL 26.03.2019	Mr C Blakemore 6 Gelli Lane Pontllanfraith Blackwood NP12 2JR	Erect a single storey extension and front porch 6 Gelli Lane Pontllanfraith Blackwood NP12 2JR	Granted 21.05.2019
19/0154/ADV 14.03.2019	Glofa Trust Mrs V Jenkins Albany House Gladstone Road Crumlin NP11 5EN	Display white letters on black half of pit wheel Land At Grid Ref 321245 198472 Load Of Hay Road Crumlin	Granted 22.05.2019
19/0337/NMA 18.04.2019	TWT Limited C/o Boyer Mr J Davies Third Floor Park House Greyfriars Road Cardiff CF10 3AF	Seek approval of a non- material amendment to planning consent 17/0256/FULL (Erect a warehouse/light industrial building (Use classes B1 and B8) to make alterations to elevations during construction Land Within Curtilage Of XPO Transport Solutions UK Limited Unit A Distribution Way	Granted 22.05.2019
18/0616/FULL 09.07.2018	Mrs J Thomas Caerllwyn Ganol Farm Twyn-gwyn Road Mynyddislwyn NP11 5JY	Convert sixteen stables into four one bedroom holiday chalets Caerllwyn Ganol Farm Twyn- gwyn Road Mynyddislwyn Newport	Granted 23.05.2019
18/0907/FULL 17.10.2018	Mrs M Roberts 86 Heol-Y-Ddol Caerphilly CF83 3JN	Erect bungalow Land At Grid Ref 315569 188254 Heol-Y-Ddol Caerphilly	Granted 23.05.2019
19/0099/FULL 06.02.2019	Mr & Mrs Hopkins 3 Vale View Tabor Road Maesycwmmmer CF82 7PW	Erect two storey side extension with single storey portion to rear, single storey extension to front elevation, driveway alterations to provide additional off-road parking and retaining walls with balustrading over, stone wall with iron railings over and install electric gate 3 Vale View Tabor Road Maesycwmmmer Hengoed	Granted 23.05.2019
18/1032/FULL 04.12.2018	Mr & Mrs S Harris Alderwood High Street Ynysddu NP11 7JH	Erect single storey extensions to rear and side Martindale Pennar Lane Pentwyn-mawr Newport	Granted 24.05.2019

19/0202/TPO 07.03.2019	Mr G Holder 27 Kingswood Close Hengoed CF82 7LU	Remove Yew tree (Tree Preservation Order 49/82/RVDC) Land To The Rear Of 27 Kingswood Close Hengoed CF82 7LU	Granted 24.05.2019
19/0252/NOTA 26.03.2019	Mr J Parker 12 Clos Mabon Rhiwbina Cardiff CF14 6RN	Re-profile/fill of boggy ground, to bring back into beneficial use Land At Grid Ref 315956 184975 Cefn Carnau Lane Thornhill Caerphilly	Not Permitted Development 24.05.2019
19/0283/FULL 02.04.2019	Mr & Mrs Crean 70 Hazel Grove Caerphilly CF83 3BP	Erect single storey annexe to front 70 Hazel Grove Caerphilly CF83 3BP	Granted 24.05.2019
18/1012/FULL 26.11.2018	Mr N Jones 1 Redbrook Court St Martin's Road Caerphilly CF83 1ED	Erect first floor extension over existing garage and utility room (revised scheme) 1 Redbrook Court St Martin's Road Caerphilly CF83 1ED	Granted 28.05.2019
19/0214/FULL 14.03.2019	Mrs L Burrows 54 Bryncelyn Nelson CF46 6HN	Erect single storey extension to side and rear and front porch 54 Bryncelyn Nelson Treharris CF46 6HN	Granted 28.05.2019
19/0236/COND 22.03.2019	Llanmoor Developments Ltd Mr S Grey 63-65 Talbot Road Talbot Green Pontyclun Rhondda Cynon Taff CF72 8AE	Discharge conditions 6 (Construction - engineering details), 9 (Improved access), 25 (Access to playing fields) and 28 (Light mitigation strategy) of planning consent 18/1005/FULL (Erect 55 unit residential development with associated landscaping and play provision) Land At Former Bedwelty Comprehensive School Pengam Road Aberbargoed	Decided - Discharge of Conditions 28.05.2019
19/0243/COND 22.03.2019	Mr & Mrs R Cleaver Gwaun-y-bara House Pentwynngwyn Road Rudry Caerphilly CF83 3DG	Discharge conditions 3 (window and door plans) and 4 (materials) of planning consent 18/0299/FULL (Erect single storey extension to side of existing house) Gwaun-y-bara House Pentwynngwyn Road Rudry Caerphilly	Decided - Discharge of Conditions 28.05.2019

19/0280/FULL 01.04.2019	Mr Cook 6 Haford Tudor Terrace Wattsville Newport NP11 7QQ	Construct a single-storey garage with storage in the loft 6 Hafod Tudor Terrace Wattsville Newport NP11 7QQ	Granted 28.05.2019
19/0282/TPO 02.04.2019	Mr S Perry Glenside Summerfield Hall Lane Maesycwmmmer Hengoed CF82 7RG	Carry out various tree works (Tree Preservation Order 76/73/MCC) Brooklands Summerfield Hall Lane Maesycwmmmer Hengoed	Granted 28.05.2019
18/0705/COU 03.08.2018	Ms K Watkins The Meadows Gypsy Lane Groeswen CF15 7UN	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 CF15 7UN	Granted 29.05.2019
18/1009/RM 26.11.2018	Charles Barclay Homes Mr D Gill Regent Building North Road Newbridge Newport NP11 4AB	Seek approval of the reserved matters regarding details of access, appearance, landscaping, layout and scale in relation to 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) Land At Grid Ref 320738 198125 Albertina Road Treowen	Granted 30.05.2019
19/0288/FULL 04.04.2019	Mr M Garrett 17 Shirdale Close Maesycwmmmer Hengoed CF82 7QL	Erect a single storey kitchen extension to side and front of dwelling 17 Shirdale Close Maesycwmmmer Hengoed CF82 7QL	Refused 30.05.2019
19/0292/FULL 04.04.2019	Ms S Alick 1 Brynhyfryd Bedwas Caerphilly CF83 8AZ	Erect a two storey extension to side and a single storey to the rear of the property 1 Brynhyfryd Bedwas Caerphilly CF83 8AZ	Granted 30.05.2019

19/0294/COU 04.04.2019	Mr C Simmonds 35 Nine Mile Point Wattsville Newport NP11 7QP	Change the use from B1 to a distillery All Seasons Blinds Unit Q Caerphilly Business Park Caerphilly	Granted 30.05.2019
19/0259/COND 25.03.2019	Bethany Baptist Church Tredegar Street Risca Newport NP11 6BW	Partially discharge condition 03 (Replacement roof details) of planning consent 13/0080/LBC (Provide internal alterations and re-roofing) Bethany Baptist Church Tredegar Street Risca Newport	Decided - Discharge of Conditions 03.06.2019
19/0270/FULL 29.03.2019	D Davies Car Park Technology Park Newbridge NP11 5AN	Erect security palisade fencing Car Park Technology Park Newbridge	Granted 03.06.2019
19/0274/COND 29.03.2019	Mr D Parfitt The Firs Royal Oak Machen Caerphilly CF83 8SN	Discharge conditions 3 (Materials of retaining wall) and 5 (Contamination - soil import testing) of planning consent 18/0335/FULL (Construct first floor extension over existing garage, create new porch/access corridor, new front door access steps along with a boundary retaining wall) The Firs Royal Oak Machen Caerphilly	Decided - Discharge of Conditions 03.06.2019
19/0293/FULL 05.04.2019	Mrs S Davies 5 Clos Dwyerw Caerphilly CF83 1TE	Demolish existing conservatory and erect full width single storey dual pitch gable kitchen/diner extension 5 Clos Dwyerw Caerphilly CF83 1TE	Granted 03.06.2019
19/0298/FULL 05.04.2019	Mr P Mason 70 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Erect two storey rear extension for dining room and bedroom 70 Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Granted 03.06.2019

18/1063/FULL 17.12.2018	Miss Harvey 15 Willow Park Croespenmaen NP11 3LS	Demolish existing garage and replace with new two bed dwelling and provide two parking spaces to the front of the new dwelling and two parking spaces to the front of the existing dwelling 15 Willow Park Croespenmaen Newport NP11 3LS	Granted 04.06.2019
19/0020/FULL 09.01.2019	Miss P Watts 19 Pine Grove Ystrad Mynach Hengoed CF82 7DS	Erect single and two storey extensions to rear and remove chimney 19 Pine Grove Ystrad Mynach Hengoed CF82 7DS	Granted 04.06.2019
19/0152/COU 25.02.2019	Mrs J Hasler C/o Fine Design Conservation Croes Hywell Old Monmouth Road Of Symonds Yat Abergavenny NP7 8BS	Change the use from three flats to single C3 dwelling for a maximum of 6 persons living as a single family 8-10 School Street Elliot's Town New Tredegar	Granted 04.06.2019
19/0170/FULL 04.03.2019	Mr P Graham Rose Cottage 5 The Row Draethen Newport NP10 8GD	Demolish existing unlisted single storey rear lean-to structure and erect enlarged replacement single storey rear extension with associated alteration works Rose Cottage 5 The Row Draethen Newport	Granted 04.06.2019
19/0208/COND 12.03.2019	Ludlow Street Investment Corporation Mr Griffiths 5th Floor Harlech Court Bute Terrace Cardiff CF10 2FE	Discharge condition 06 (Land Drainage) of planning consent 18/0293/FULL (Erect agricultural barn and a timber animal field shelter on an existing hardstanding) Cefn Carnau Uchaf Farm Cefn Carnau Lane Thornhill Caerphilly	Decided - Discharge of Conditions 04.06.2019
19/0253/FULL 26.03.2019	Mr & Mrs Roderick 29 Wyndham Street Machen Caerphilly CF83 8PU	Erect single storey side/rear extension, alter rear ground levels and create new patio and steps 29 Wyndham Street Machen Caerphilly CF83 8PU	Granted 04.06.2019

<p>19/0278/FULL 01.04.2019</p>	<p>McDonald's Restaurants Ltd 11-59 High Road East Finchley London N2 8AW</p>	<p>Alter the drive thru lane to accommodate side-by-side ordering with the introduction of an island for signage and associated works changes to the back of house with the existing corral reconfigured incorporating an extended store room (5 sqm) and additional roof panels to match existing installation of a new Customer Order Display (COD) and overhead canopy and the relocation of the existing unit and introduction of a Goal Post height restrictor McDonalds Restaurants Ltd Unit 2 Newbridge Gateway Bridge Street</p>	<p>Granted 04.06.2019</p>
<p>19/0279/ADV 01.04.2019</p>	<p>McDonalds Restaurants Ltd 11-59 High Road East Finchley N2 8AW</p>	<p>Erect digital signage with retention and relocation of existing signs, suite to comprise; 4 No. Freestanding signs and 1 No. Banner sign McDonalds Restaurants Ltd Unit 2 Newbridge Gateway Bridge Street</p>	<p>Granted 04.06.2019</p>

19/0297/COND 05.04.2019	C/O Agent	Discharge condition 12, working method statement 17, construction traffic management plan of planning consent 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) Caerphilly Magistrates Court Mountain Road Caerphilly CF83 1HG	Decided - Discharge of Conditions 04.06.2019
19/0300/FULL 05.04.2019	Mr R A O Keefe 3 Coundley Close Fleur-de-Lis Blackwood NP12 3TS	Erect a ground floor side extension 3 Coundley Close Fleur-de-lis Blackwood NP12 3TS	Granted 04.06.2019
19/0304/FULL 09.04.2019	Mr C Tipples 19 Central Street Ystrad Mynach Hengoed CF82 7EN	Erect two storey extension to rear of property 19 Central Street Ystrad Mynach Hengoed CF82 7EN	Granted 04.06.2019
19/0224/FULL 19.03.2019	Lush Property Management Ltd 12 Ffordd Las Abertridwr Caerphilly CF83 4EW	Raise ridge height of existing dwelling, external alterations, rear first floor balcony and internal remodelling 12 Ffordd Las Abertridwr Caerphilly CF83 4EW	Granted 06.06.2019
19/0240/FULL 22.03.2019	Mrs L Krizan 5 Ynys-Glyd Street Ystrad Mynach Hengoed CF82 7ET	Erect a part single storey, part two storey rear extension 5 Ynys-Glyd Street Ystrad Mynach Hengoed CF82 7ET	Granted 06.06.2019

19/0267/FULL 29.03.2019	Mr L James Duffryn Isaf Duffryn Terrace Wattsville Crosskeys Newport NP11 7QN	Erect detached dwelling and detached garage Land Within The Curtilage Of Dan-y-coed Glanhwy Road Wyllie Blackwood	Granted 06.06.2019
19/0309/COU 10.04.2019	Butcher And Ball Dog Cafe Mrs C Ball C/o Brinsons Estate Agents & Chartered Surveyors Market Street Caerphilly CF83 1NX	Change the use from A1/A2 to A3 class 8 St Fagans Street Caerphilly CF83 1FZ	Granted 06.06.2019

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LIST OF PLANNING APPLICATIONS WHICH ARE NOT DEALT WITH IN TIME

APPLICATION NUMBER & DATE VALID	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
13/0799/CLEU 08.11.13	Obtain a Lawful Development Certificate for the existing use of storing and servicing company vehicles, plant and mining machinery and as a heavy goods vehicle operating licensing centre at Caeglas Colliery, Fochriw Road, Fochriw, Bargoed.	Subject to further discussion and consideration.
17/0551/COU 29.06.17	Change the use of lower ground floor of previous fitness club to one bedroom flat at 17 High Street, Llanbradach, Caerphilly, CF83 3LP.	Subject to further discussion and consideration.
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 - Gelliargwellt Farm, Gelligaer Road, Gelligaer.	Subject to further discussion and consideration.
18/0160/OUT 16.02.18	Erect residential development up to 131 dwellings and associated works - Land Adj To Tiryberth Farm, Hengoed Road, Penpedairheol.	Subject to further discussion and consideration.
18/0265/NCC 21.03.18	Vary condition 01 of planning consent 11/0108/FULL (Renew Planning Permission P/05/1664 for non-compliance with condition to begin works within five years) to extend time allowed to commence development at Land At Grid Ref 312302 188899, Adjacent To Bronmynydd, Abertridwr, Caerphilly.	Subject to further discussion and consideration.
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 - Ynsyddu Yard - Vine Tree Ynsyddu Hotel Approach, Ynsyddu.	Awaiting additional information.

18/0750/COU 28.08.18	Change the use of land to provide car parking provision and install new gates and fencing at Land At Grid Ref 316141 187583 Bedwas Road, North UI, Caerphilly.	Subject to further discussion and consideration.
18/0764/COU 31.08.18	Convert basement to a two bedroom flat at 73 Commercial Street, Senghenydd, Caerphilly, CF83 4GZ.	Awaiting additional information.
18/0816/OUT 20.09.18	Demolish and rebuild Newbridge Scout Hut at Newbridge Scout Hall, Bridge Terrace, Newbridge, Newport.	Subject to further discussion and consideration.
18/0846/RET 03.10.18	Import uncontaminated waste soil for restoration of land for agricultural use (retrospective) at Land At Grid Ref 320167 200416, Gelli Farm Lane, Trinant.	Awaiting additional information.
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.	Awaiting additional information.
18/0922/FULL 23.10.18	Reroof Church and School room, with insertion of new door and roof lights to church, installation of external wall insulation, new external platform hoist, demolition and replacement of steps and provision of entrance canopies at Ebenezer Chapel, Wyndham Street, Machen, Caerphilly.	Awaiting additional information.
18/1037/FULL 04.12.18	Erect 4 No. detached dwellings at Land At Grid Ref 319579 196123, Friar's Mead, Pentwyn-mawr , Newport.	Awaiting additional information.
18/1048/FULL 10.12.18	Demolish existing two storey extension and replace with a part two storey and part single storey extension - Ffald Gerrig Cottage, Rudry Road, Rudry.	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.

18/1077/FULL 27.02.19	Demolish an existing office building and construct 42 affordable housing apartments together with a ground floor retail unit and associated external works and parking - Llys Ifor, Crescent Road, Caerphilly.	Subject to further discussion and consideration.
18/1080/OUT 27.02.19	Erect up to 8 No. dwellings with associated works - Land At Grid Ref 317561 196510, Libanus Road, Blackwood.	Subject to further discussion and consideration.
18/1084/FULL 20.12.18	Erect six bungalows with off-street parking - Land At Grid Ref 320775 196886, Tynewydd Terrace, Newbridge.	Subject to further discussion and consideration.
18/1090/FULL 21.12.18	Erect four dwellings at Land At Grid Ref 312302 188899, Bronmynydd, Abertridwr.	Subject to further discussion and consideration.
19/0060/FULL 24.01.19	Erect five houses with 14 self-contained assisted living residence flats - Land At Grid Ref 311814 205796, Waterloo Terrace, Pontlottyn.	Subject to further discussion and consideration.
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.
19/0108/OUT 11.02.19	Construct a detached 3/4 bedroom dwelling at Land At Grid Ref 315089 202632, Jubilee Road, Elliot's Town.	Subject to further discussion and consideration.
19/0127/OUT 08.03.19	Erect a detached dwelling - Land At 104 Bailey Street, Deri.	Subject to further discussion and consideration.
19/0165/COU 27.02.19	Convert one six bedroom dwelling to two semi-detached dwellings at Huntersmoon Dynevor Terrace, Nelson, Treharris.	Awaiting additional information.
19/0190/COU 08.03.19	Change the use from residential (1 bed apartment) to retail catering at 24 Penallta Road, Ystrad Mynach.	Subject to further discussion and consideration.
19/0199/FULL 11.03.19	Erect a new dwelling – 8-9 Golden Grove, Newbridge.	Subject to further discussion and consideration.
19/0204/FULL 11.03.19	Erect a single dwelling at Garth View Lower Glyn-Gwyn Street, Trethomas, Caerphilly.	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.

<p>19/0221/NMA 18.03.19</p>	<p>Seek approval of a non-material amendment to planning consent 17/0113/FULL (Erect 5 No. detached 4-bedroom houses) to change the internal layout at Land At Grid Ref 317533 193532, (Plot 4) The Glade, Wyllie.</p>	<p>Subject to further discussion and consideration.</p>
<p>19/0362/NMA 30.04.19</p>	<p>Seek non material amendment of planning application 17/0936/FULL(Demolish existing church hall and erect of a new GP Surgery including associated car parking, cycle parking and bin store) to reduce the roof height by circa 1000mm, change of the roof covering to reconstituted slate, change of material on the front protruding 'annex' to render and removal of the stone from the southern gable end at Former Church Hall Church Street, Llanbradach, Caerphilly.</p>	<p>Subject to further discussion and consideration.</p>

APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE VALID	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on land at Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association. File closed due to no progress.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Sent amended draft to Solicitors and they are taking instructions. Sols asked for completion statement sent. Chased several times. May proceed without 106. Waiting for Planning to advise.
16/0085/NCC 05.02.16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue, Cefn Fforest, Blackwood .	Waiting for instructions from housing. No change.
17/0088/OUT 03.02.17	Construct housing development of 17 properties at Land At Fair View Garage, Pengam Road, Pengam, Blackwood.	Issued engrossed documents for signature. Apparently documents are with bank for signing.
17/0616/COU 14.07.17	Convert former night club at second floor level to 7 No. flats (D2 to C3) at Pulsars Niteclub, 3A Pentrebane Street, Caerphilly.	Issues with title and changes to plan; in process of resolving. Asked Planning for advice. Chased. Chased again.
17/0804/OUT 18.09.17	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 at Virginia Park Golf Club And Driving Range Virginia Park Caerphilly	New matter.
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.	Draft is with Llanover's Solicitors as landowner. Chased.

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	In discussions about the draft.
18/0286/OUT 27.03.18	Outline planning permission for up to 22 dwellings and seek approval of access at PD Edenhall Ltd, Dan Y Graig Works, Dan Y Graig Road, Risca.	Draft sent. Chased. Sols taking instructions from client.
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.	Working though initial stages.
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.
18/0444/FULL 14.05.18	Construct two social rented units and one market house at The Rectory, High Street, Nelson, Treharris.	Solicitors have advised that they are looking at the case.
18/1059/NCC 17.12.18	Vary condition 2 of planning consent 15/0252/OUT (Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access) granted on appeal reference APP/K6920/A/15/3137884 to extend the period for the submission of reserved matters by a further three years at Land At Gelli Farm, Tredegar Road, Cwmgelli, Blackwood.	Draft sent. New solicitor taken over so had to re-send.
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	New matter. Working though initial stages.

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OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
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
19/0003/REF 17/0864/FULL	Sirius Renewable Energy Mr Davies 4245 Park Approach Thorpe Park Leeds LS15 8GB	Erect a wind turbine with a maximum overall tip height of 93m 10m micro siting associated infrastructure including a transformer hardstanding areas a control building and cabling to operate for 25 years and subsequently decommission - Durisol UK, Unit 4 Parkway, Pen-y-fan Industrial Estate, Pen-y-fan Newport.	10/04/2019
19/0004/LB 18/0264/LBC	Network Rail Mr C Field Temple Point Redcliffe Way Bristol BS1 6NL	Carry out remedial works to footbridge, including replacement deck, strengthening, redecorating and the addition of a passenger safety hand rail - Llanbradach Railway Station, Plas Cae Llwyd, Llanbradach.	16/04/2019
19/0005/REF 19/0039/FULL	Mr L Daives 58 St David's Drive Graig-y-rhacca Caerphilly CF83 8RH	Erect 2 bedroom detached new build house with a single storey rear extension - Land Within The Curtilage Of 58 St David's Drive, Graig-y-rhacca, Caerphilly.	29/04/2019

19/0006/REF 16/0016/NCC	Tarmac Trading Limited Mr M Lawer Portland House Bickenhill Lane Solihull Birmingham B37 7BQ	Vary condition 01 of planning consent 2/06678 (Quarrying of Grit stone. 8.5 hectares) to extend the consent end date/expiry date to 31st December 2027 – Hafod Quarry, Hafod Fach Lane, Abercarn, Newport.	30/04/2019
19/0007/REF 16/0017/NCC	Tarmac Trading Limited Mr M Lawer Portland House Bickenhill Lane Solihull Birmingham B37 7BQ	Vary condition 01 of planning consent 2/07947/T (Storage of overburden from adjacent Quarry) to extend the consent end date/expiry date to 31st December 2027 - Hafod Quarry, Hafod Fach Lane, Abercarn, Newport.	30/04/2019
19/0008/REF 18/0568/OUT	Mr M Luther C/O LHS Planning Miss L Hughson-Smith 19 Starling Walk Penallta CF82 6BH	Demolish existing building and erect 4 No. dwellings and associated works – The Countryman Hotel, Countryman Court, Heol Tynewydd, Bedwellty, Blackwood.	08/05/2019
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

APPEALS DECIDED

APPEAL REF/ PLANNING APP	PROPOSAL & LOCATION	APPEAL DECISION/ DATE	COMM/ DEL
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