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For all enquiries relating to this agenda please contact Rebecca Barrett  
(Tel: 01443 864245 Email: [barrerm@caerphilly.gov.uk](mailto:barrerm@caerphilly.gov.uk))

**Date: 2nd August 2021**

Dear Sir/Madam,

A digital meeting of the **Planning Committee** will be held via Microsoft Teams on **Wednesday, 11th August, 2021 at 5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Planning Committee will be publicly available to all via the recording on the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Due to restrictions in relation to Covid19, Planning Committee Site Visits have been suspended and this meeting will not be open to the press and general public. However interested parties may make a request to attend remotely and speak in regard to any item on this agenda. To obtain further details on this process please contact the Committee Clerk at [barrerm@caerphilly.gov.uk](mailto:barrerm@caerphilly.gov.uk)

Yours faithfully,

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

**Christina Harrhy**  
CHIEF EXECUTIVE

## AGENDA

- 1 To receive apologies for absence.

Pages

**A greener place Man gwyrdach**

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



2 Declarations of Interest.

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

To approve and sign the following minutes: -

- 3 Planning Committee held on 14th July 2021. 1 - 2

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

- 4 Application No. 21/0350/FULL - Redlands, The Avenue, Llanbradach, Caerphilly, CF83 3LL. 3 - 10
- 5 Application No. 21/0382/FULL - Aneurin Park, Heol Aneurin, Penyrheol Caerphilly. 11 - 22
- 6 Application No. 21/0564/COU - Unit 2, Victoria House, Victoria Road, Rhymney, Tredegar, NP22 5NU. 23 - 32

**Circulation:**

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), C. Andrews, J. Bevan, M. Davies, N. Dix, J.E. Fussell, R.W. Gough, L. Harding, A.G. Higgs, A. Hussey, B. Miles, J. Ridgewell, R. Saralis (Chair), J. Simmonds and J. Taylor

And Appropriate Officers

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Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk). except for discussions involving confidential or exempt items.

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## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 14TH JULY 2021 AT 5:00 PM

#### PRESENT:

Councillor R. Saralis – Chair  
Councillor E.M. Aldworth – Vice-Chair

#### Councillors:

Councillors: M. Adams, C. Andrews, M. Davies, N. Dix, J. Fussell, R.W. Gough, L. Harding, A. Higgs, A. Hussey, B. Miles, J. Ridgewell, J. Taylor

#### Together with:

M. Woodland (Senior Solicitor), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Area Principal Planner), L. Cooper (Assistant Engineer), M. Godfrey (Team Leader - Pollution Control and Emergency Planning & Resilience), R. Barrett (Committee Services Officer)

#### RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would be taken via Microsoft Forms.

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan and J. Simmonds.

#### 2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

#### 3. MINUTES – 16TH JUNE 2021

It was moved and seconded that the minutes of the meeting held on the 16th June 2021 be agreed as a correct record and by way of Microsoft Forms and verbal confirmation (and in noting there were 11 for, 0 against and 3 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee held on 16th June 2021 (minute nos. 1-5) be approved as a correct record.

Councillors R. Gough and J. Fussell wished it noted that they had abstained from voting on the minutes as they had not been present at the last meeting.

**4. CODE NO. 21/0509/COU – 92 VAN ROAD, CAERPHILLY, CF83 1LD**

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Mrs R. Matthews spoke on behalf of local residents in objection to the application and a written statement was read out on behalf of Councillor S. Kent in objection to the application. Mr D. Evans (the applicant) spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved, and by way of Microsoft Forms and verbal confirmation (and in noting there were 8 for, 5 against and 1 abstention) this was agreed by the majority present.

RESOLVED that subject to the conditions contained in the Officer's report the application be GRANTED.

The meeting closed at 6:03 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th August 2021.

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CHAIR

**Application Number:** 21/0350/FULL

**Date Received:** 07.04.2021

**Applicant:** Mr J Earley

**Description and Location of Development:** Raise ridge loft conversion to form additional bedrooms - Redlands The Avenue Llanbradach Caerphilly CF83 3LL

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: Redlands, The Avenue, Llanbradach, Caerphilly, CF83 3LL.

Site Description: The application property is a detached property located on a corner plot with the main thru-road (Park View/Ffrwd Terrace) to the north-west, a residential street (The Avenue) to the north-east, a detached dwelling (Chapel House) is adjacent to the south-west and Llanbradach Welfare Park lies to the south.

Development: Raise ridge and loft conversion to form additional bedrooms.

Dimensions: The dwelling's existing ridge height is approximately 7.7m (noting there is a retaining wall at the south-eastern end) and the proposal will raise the ridge height by approximately 1.2m to a height of 8.9m.

Materials: Walls: Red Facing Brickwork Roof: Brown Concrete Roof Tiles.

Ancillary development, e.g. parking: Insertion of French doors with Juliet balcony on south-east facing gable end and installation of roof lights to new roof pitch.

## PLANNING HISTORY 2010 TO PRESENT

13/0863/FULL - Raise the height of two sections of boundary facing the highway - Granted 10.02.14.

## 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 Future Wales: the National Plan 2040, Planning Policy Wales (Edition 11), 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.

### CONSULTATION

Llanbradach & Pwllypant Community Council - Raised objection due to the raised ridge height not being in keeping with neighbouring terraced houses.

Ecologist - Requests an advisory note on bats be included on any decision.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via neighbour notification letter.

Response: No responses were received relative to the consultation exercise.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

It is not considered that 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 development is not chargeable as the additional internal floorspace created is below 100sqm.

## 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 property is located on a corner plot and is understood to have been approved in the 1980's on a site that once housed a Chapel. The dwelling is therefore considerably newer than the adjacent house (Chapel House) and those terrace properties within the area on Park View/Ffrwd Terrace and The Avenue. In this existing context and street scene the application property is already substantially different in appearance to those other dwellings in that it is constructed of red brick rather than the stone and render typically present on nearby properties. It is detached and along with Chapel House is different to the predominant pattern of terraced and semi-detached properties in the immediate vicinity.

The proposed works will increase the ridge height of the application property by approximately 1.2m to provide two additional bedrooms and a bathroom within the roof space. The adjacent property to the south-west (Chapel House) is orientated with its ridge at approximately 90 degrees to the application property and is set further forward (north-west) closer to Park View and as such Chapel House is set at a slightly higher level than the application property. There are intervening roads between the application property and other dwellings and it is considered that the increase in ridge height will be visually acceptable and will not harm the character of the area. It accords with adopted Local Development Plan Policy SP6 (Placemaking).

The impact on neighbour amenity has been considered. The adjacent detached property (Chapel House) has its front elevation facing Park View and fenestration on the rear elevation faces south-east towards the Llanbradach Park. The application property is already visible from the rear amenity area and rear fenestration of Chapel House but is located to the side and Chapel House benefits from open views of the parkland. The ridge height increase is considered to have an acceptable impact in terms of light, outlook, privacy and overshadowing for the occupiers of Chapel House.

The application property is separated from other properties by existing roads. A terrace dwelling on the corner of Ffrwd Terrace (number 19) has limited fenestration directly facing the application site (one small ground floor window and the entrance door, with primary windows facing either onto Ffrwd Terrace or rearwards with outlook to the south-east. A pair of terraced properties (1 and 2 The Avenue) further south-east on the opposite side of The Avenue from the application dwelling have their primary outlook

over the park with angled views of the application property. The terrace properties on the north-west of Park View are separated from the application property by a distance of approximately 21m. The proposed French doors and Juliet balcony to be inserted into the new apex of the south-east facing gable end of the application property will primarily overlook the parkland and the views will be similar to other existing windows in this end elevation. It is considered that there will be no unacceptable impact on privacy to existing properties in the area, given the angled nature of views from the French doors to surrounding properties and the general outlook which view primarily over the public realm and public facing front elevations of properties. The proposed roof lights will also have an acceptable impact on neighbour amenity. It is not considered that any surrounding dwelling will be unacceptably impacted by the proposed development. The development accords with Policy CW2 (Amenity).

The application property will not require additional parking provision under the adopted Parking Guidelines and the development accords with Policy CW3 (Highways).

Comments from consultees: The Community Council raised an objection due to their view that the raised ridge would not be in keeping with the neighbouring terraced houses. In respect of the objection raised, as considered above, the application property in its current form is substantially different in appearance to the other dwellings in the area. The terrace dwellings referred to are separated from the application site by intervening roads and the scale of the ridge height increase is not so substantial to appear out of keeping with other properties in the area. The sloping topography of the area is such that there is variation in ridge heights along roads such as The Avenue and it is not considered that the development will be out of keeping with the character of the area noting the existing appearance of the application property.

Comments from public: None.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.



The proposed development is considered to be acceptable in its design and form and will have an acceptable impact on neighbour amenity. It is recommended for approval accordingly.

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 OS 01;  
Proposed Plans, drawing reference PR01;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement to the dwelling consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

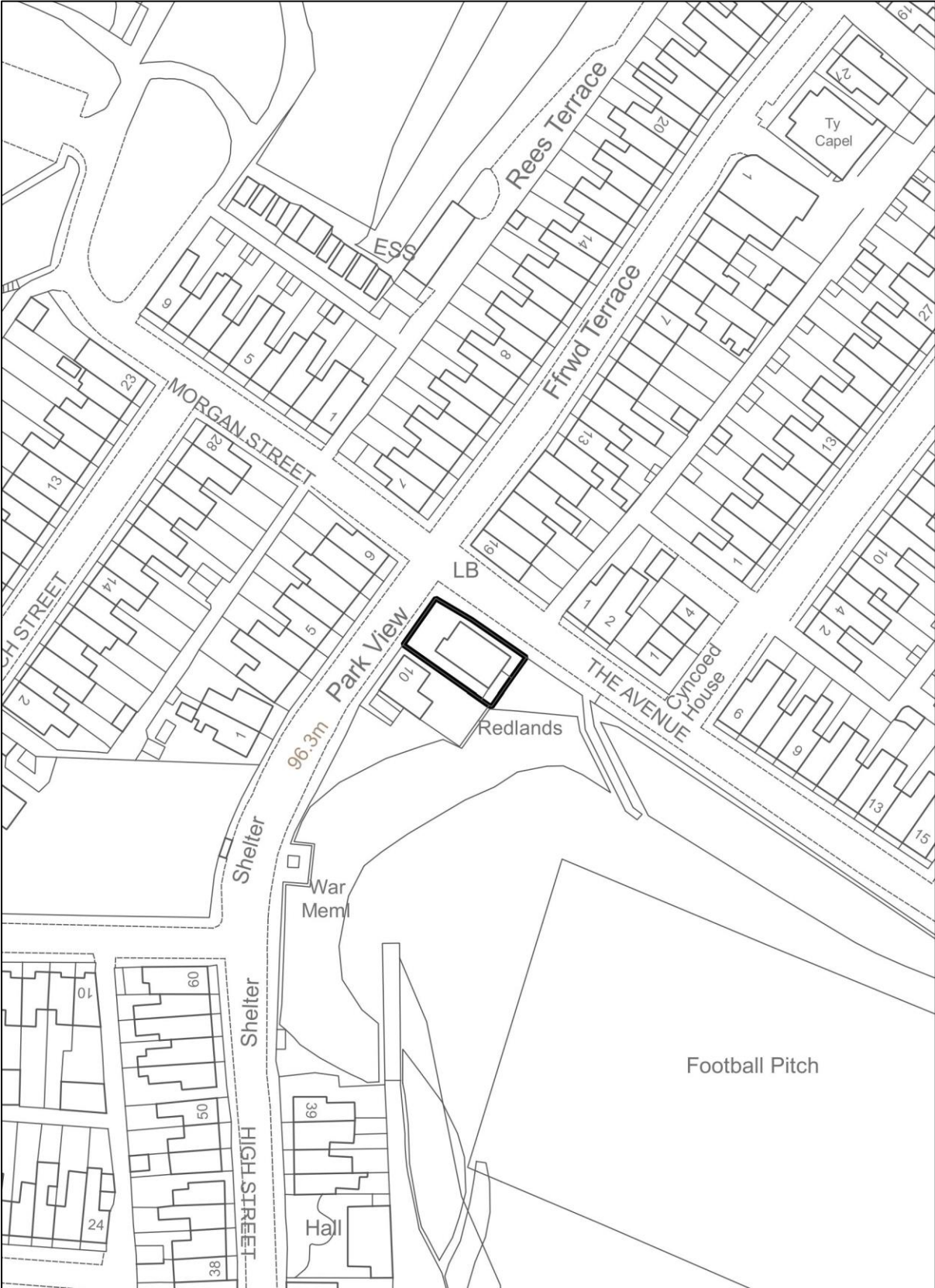
Advisory Note(s)

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

21/0350/FULL



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**Application Number:** 21/0382/FULL

**Date Received:** 01.06.2021

**Applicant:** Aber Valley Wolves Ltd

**Description and Location of Development:** Install a standard 20ft shipping container adjacent to the existing changing rooms at the park for the storage of training and playing equipment - Aneurin Park Heol Aneurin Penyrheol Caerphilly

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is situated within the large recreation ground of Aneurin Park, Penyrheol, North-westerly suburb from central Caerphilly. The park neighbours the grounds of Penyrheol Cemetery Chapel. The park is easily accessible via cycle using National Cycle Network 475 and the primary commuter link B4263 heading east to Caerphilly centre; Bowls Close meets with Heol Aneurin and other routes North.

Site description: The application site comprises an area of open greenfield land immediately adjacent to the existing sports pavilion (Changing rooms) and Bowling Green within Aneurin Park. The site can be accessed via a gateway from the Public Right of Way (open footpath) through Aneurin Park and directly off Heol Aneurin Road.

Development: The application proposes the siting of a Standard 20ft Shipping container within the parcel of land described above. The container will be positioned against the existing palisade fencing at the front end (east - leisure field), abutting the existing hedgerow along the southern site boundary with the bowling green. An opening in the fencing which matches the width of the front of the container is already present, allowing access into the unit from the side of the playing field.

Dimensions: The dimensions of a 20-foot container (ISO standardisation) are as follows: Exterior Dimensions of 6.10m long x 2.44m wide x 2.59m high, Internal Dimensions of 5.758m long x 2.352m wide x 2.385m high, Door aperture of 2.343m wide x 2.280m high and Usable Capacity equivalent to 33.1m<sup>3</sup>.

Materials: Steel, with proposed standard green coating.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2010 TO PRESENT

None.

## POLICY

Local Development Plan: Caerphilly County Borough Local Development Plan up to 2021- adopted November 2010 (LDP).

Policies Within settlement limits.

Local Development Plan: Caerphilly County Borough Local Development Plan up to 2021 Adopted November 2010: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW7 (Protection of Open Space), 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: Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Planning Policy Wales Edition 11 (February 2021):

Access and Inclusivity 3.5 - Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

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

Recreational Spaces 4.5.1 - Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range

of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales.

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

National Planning Guidance contained in Technical Advice Note: Technical Advice Note 12: Design (March 2016).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

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

### CONSULTATION

Penyrheol Trecenydd & Energlyn Community Council - Raise concerns with regard to the appearance of the container.

Parks And Open Spaces - No objection.

Principal Valuer - No objection.

### ADVERTISEMENT

Extent of advertisement: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of site notices at the site on 16th June 2021.

Local Ward Councillors (CCBC and Community Council) were consulted on 15th June 2021.

Response: Three letters of response have been received.

Summary of observations:

1. Object to the granting of Planning permission for a shipping container to be sited within the curtilage of Penyrheol park. The park is in excellent condition and has had substantial investment recently to bring it to an excellent standard. The siting of an ugly shipping container will detract considerably from a lovely park. The Rugby League club concerned have stored their equipment in the pavilion for some time and I see no issue with them carrying on using the pavilion.

2. Developments of this nature seem to attract antisocial behaviour wherever they are sited, i.e. graffiti, vandalism, children climbing on the structure.

### SECTION 17 CRIME AND DISORDER ACT

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

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. However, Policy 9 of Future Wales - The National Plan 2040, states that action towards securing the maintenance and enhancement of biodiversity (to provide net benefit), the resilience of ecosystems and green infrastructure assets much be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the build environment. In that regard biodiversity enhancements can be sought as part of this development through any additional landscaping proposals required if the development is considered acceptable in all other areas.

Is this development Community Infrastructure Levy liable? No. The development is less than 100sqm of new floorspace and therefore not CIL liable.

### ANALYSIS

It should be noted the applicant, Aber Valley Wolves Ltd has recently received grant funding for expansion of its rugby league division. On 21st June 2021 (Town Council), funding was agreed to the sum of £400 to Aber Valley Wolves Rugby League Club, based at Aneurin Park, Penyrheol. The grant is to support the establishment of four new age group teams, with females now eligible to play for U10s. The Club has 50+ members who are residents within the Town Council area. Given the current success and expansion of the club, the container is required to store essential training/playing equipment that can no longer be housed within the Pavilion, due to inadequate provisions. Other avenues to utilise existing space at the park have been explored by the applicant but proved to be unsatisfactory, hence this application precedes these former efforts to remedy the issues.



Policies: This application has been considered in accordance with national guidance, the policies as specified in this report of the Caerphilly County Borough Local Development (adopted November 2010) and all relevant Supplementary Planning Guidance. The application seeks full consent to install an ISO standard 20ft shipping/intermodal container adjacent to the existing changing rooms (Sports Pavilion) at the park for the storage of training and playing equipment.

The primary issues in the consideration of this application relate to the impact of the proposed development upon visual amenity of Aneurin Park as a whole, associated communal areas and wider area, with respects to the residential amenities of surrounding occupants, giving regard to all the above as key planning considerations. It will be critical to assess whether the container is acceptable in design terms and whether its siting and intended use is acceptable.

With regard to the first issue, it should be noted that the container is sited on a small parcel of open green space, featuring mature vegetation that has formally served to facilitate a communal area as part of a defined 'curtilage' or grassy verge belonging to the historic sports pavilion and adjoining bowling green. The area has been secured with palisade fencing to quarantine the area from public use outside of the hours of operation of the two communal facilities, operated by CCBC Parks. The fencing in its positioning, has served to create a separate enclosure from the park access road and playing fields, with its own gated access from the primary footway which travels North from the access off Bowls Close to entry points along Heol Aneurin and Troed-Y-Bryn.

Policy CW2 sets out criteria relating to visual and neighbouring amenity. The nearest residential properties are located approximately 120m+ (North and South) away from the site with physical buffers, green land/highways in-between. The site is adjacent to a busy main route of Heol Aneurin, which passes through this locale to wider areas of the County Borough. As such it is not considered that siting of the container and intended use of this would give rise to any amenity issues for neighbouring uses and as such the proposal complies with Policy CW2 of the LDP.

With regards to the design and appearance of the container, although not necessarily an ideal structure to site within a park environment, the siting of the structure between two existing provisions serves to remedy some of the issues in respect of visual amenity. The park is very well maintained and features well established, mature trees and hedgerows adjacent to the community pavilion. This landscaping would serve to act as a natural screen to the development. The shipping container has been positioned alongside the hedging, set-back within the plot to preserve all the current landscaping. Observing the 'shipping container' in clear view from any public vantage points including across the bowling green and from Heol Aneurin Road, it can be concluded that only oblique views would be possible. The primary view would be across from the footway within the park which opens onto an area of hardstanding at the front of the pavilion. It can be debated whether moving the container further into the plot may also serve to conceal it from the public realm at this vicinity, however, some of the existing vegetation may need to be compromised.

Policy CW6 states "Development proposals on sites containing trees, woodlands and hedgerows, or which are bordered by one of more such trees or hedgerows, will only be permitted provided that... Root systems will be retained and adequately protected for the duration of all development activity on site and... Development proposals have made all reasonable efforts to retain, protect and integrate trees, woodlands or hedgerows within the development site". In this instance, the proposed container, is above-ground with no proposed excavation works. Typically shipping containers are sited on blocks (4 corner support), raised up slightly from the ground to allow an airflow underneath which will dry out the underside of the container. The root system of the adjacent hedge is likely to be unimpacted by the development and there would be sufficient distancing away from the boundary hedging to limit shadowing and associated decay of this ground area. Appropriate conditions will be applied to ensure the protection of surrounding landscaping.

The pavilion building is currently painted in a dark green. It has been suggested that the club would prefer a standard green shipping container to reflect the prevailing colour of the changing rooms and parkland context and they are open to incorporating timber cladding. With these finishes, it would appear as more of an inconspicuous, subservient addition to the pavilion building.

Although the park grounds are attractive, the pavilion has little 'character'. The pavilion itself is a flat-roofed, building with little architectural merit, featuring harsh security screens and stark elevations. Given the expense of extending or demolishing/rebuilding parts of the existing pavilion, this is the most suitable option for secure storage. Parks supported this, commenting "There has been a detailed discussion on the storage of sports equipment at the club. With the changing rooms/pavilion ruled out due to lack of space this would appear to be the best solution." The park is being used by a wide range of local clubs and residents with bowls, rugby league and football clubs using the facilities on a weekly basis. These operations are clearly growing, and the facilities are a favoured choice. Hence, the additional storage serves to support the current uses and keep these facilities open to the local community.

In support of this use, the 'best' design possible for this form of structure and its setting within a park with several sports facilities, Policy SP6 states, "development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through an appropriate mix of uses that reflect the role and function of settlements". It highlights that the LDP strategy seeks "to ensure that sustainable places are created that are socially cohesive, enhance quality of life, meet the needs of current and future residents and reflect the role and function of settlements". In this case, the proposal seeks to meet the needs of the community by enabling the expansion of a club which encourages social cohesion and enhances the lives of the community, via offering active play and outdoor sports.

In terms of securing the container, Palisade Security fencing with a controlled gated access is already present around the pavilion and will enclose the site. It does not

appear that the current building has been subject to graffiti or vandalism, which suggests the security measures in place are effective.

Regarding highway safety, it is considered that there is ample space within the site and along the adjacent highways to accommodate parking associated with any increased use of the pavilion. Around £300,000 has been invested into environmental improvements in Penyrheol, as part of the Caerphilly County Borough Council's £260 million Welsh Housing Quality Standard (WHQS) programme, including additional car parking for residents in Gellideg and Penybryn. In that regard the proposal complies with Policy CW3 of the LDP.

In conclusion the siting of the shipping container in order to provide additional storage facilities, has been put forth for consideration as the only suitable solution, which is as sustainable as possible in terms of its impact. Therefore, subject to imposing required conditions to the planning permission to control the colour of the container in the interests of visual amenity, it is therefore considered that the proposed development is acceptable in planning in terms and seeks to capitalise on the existing community facilities, encouraging an active, social lifestyle and outdoor leisure/recreation within the county borough. Having regard to all material planning considerations, including the Human Rights Act, the development is acceptable in terms of its siting and design and intended uses. On this basis the proposal is regarded as being an acceptable form of development that accords with the provisions of Policies SP3, SP5, SP6, CW2, CW3, CW6, CW7 and CW15 of the Caerphilly County Borough Local Development Plan up to 2021 Adopted November 2010, all referenced Supplementary Planning Guidance and wider policy frameworks. Approval is therefore recommended.

Regard has been given to the duty to improve the economic, social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

Comments from Consultees: The comments of the consultees have been set out above, and any concerns can be accommodated by condition.

Comments from public: Siting and appearance of shipping container: The siting has been sensitively chosen to use existing landscaping to provide a natural screen to the development. The siting of the container within a parcel of land between existing facilities, confines the container within the cluster of existing buildings, and building line on this side of the recreation ground. The applicant proposes a green coloured container to match with the colour of the existing pavilion building, allowing further 'blending in with the existing landscaping. The container will be a subservient addition to the sports pavilion and not a container put in isolation within the site.

Using existing storage facilities: The Rugby League club are currently using the sports pavilion to store equipment, however, due to expansion of the club, this space is no longer adequate for safe/secure storage. The applicant has assessed all alternative options and concluded the proposal is the best solution, as confirmed by CCBC Parks Department there has been a detailed discussion on the storage of sports equipment at the club. With the changing rooms / pavilion ruled out due to lack of space this would appear to be the best solution. The container is of a standard size, occupying a small area of space/land which is currently disused space, given it is segregated from the primary recreation grounds via fencing.

Antisocial Behaviour and Crime: Palisade Security fencing with a controlled gated access is already present around the pavilion and fully encloses the site to enable controlled public access. It does not appear that the current building has been subject to graffiti or vandalism, which suggests the security measures in place are effective.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan - XX\_01\_1000 received on 9th April 2021.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the approved plans, within 3 months of the date of this consent the container shall be painted in a colour to be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area and in order to ensure compliance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 04) The development hereby approved shall be used for purposes ancillary and incidental to the Sports Pavilion, Aneurin Park, Penyrheol at all times.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the commencement of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

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**Application Number:** 21/0564/COU

**Date Received:** 01.06.2021

**Applicant:** Ace Properties & Developments Ltd

**Description and Location of Development:** Change the use of part of the building to HMO temporary accommodation - Unit 2 Victoria House Victoria Road Rhymney Tredegar

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: The application site is located off Victoria Road and to the rear of High Street, Rhymney.

Site description: The application property is a pre-fabricated single storey concrete building with a flat roof and a car park to the side. The building is accessed via a lane off Victoria Road and to the rear of High Street and is currently in a mixed use as a HMO, cafe and office and training facilities.

Development: The application seeks full planning consent for the change of use of part of the building to provide an additional 6 HMO bed sits together with a communal living room, bathroom and kitchen. There would be no external alterations to the building.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: Three additional parking spaces would be provided within the curtilage of the site.

## PLANNING HISTORY 2010 TO PRESENT

140268/CLEU - Obtain a Lawful Development Certificate for the existing D1 use - Granted 23.06.2014.

15/1241/FULL - Redevelop site with 8 residential units (3 No. 3 bed units & 5 No. 2 bed units) and associated parking - Granted 12.07.2016.

18/0904/COU - Change the use of part of building to A3 cafe/takeaway - Granted 07.01.2019.

## POLICY

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

Policies: SP31 (Development in the Heads of the Valleys Regeneration Area), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), and CW15 (General Locational Constraints).

Supplementary Planning Guidance Supplementary Planning Guidance LDP5 - Car Parking Standards.

NATIONAL POLICY Planning Policy Wales;  
Welsh Government Houses in Multiple Occupation: Practice Guidance (March, 2017).

### 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

Transportation Engineering Manager – No comment.

Head Of Public Protection - No objection.

### ADVERTISEMENT

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

Response: 212 letter of objection and a petition containing 1397 signatures were received.

### Summary of observations:

1. Life in Rhymney has already become unbearable with the influx of people from outside of the area.
2. The building is not fit for purpose and not suitable for people with mental health issues.
3. There are already a lot of HMO's in Rhymney leading to an increase in crime and anti-social behaviour.
4. The proposal would lead to a reduction in house prices.

5. The proposal would increase the risk of Covid 19.
6. There has been an increase in rats and vermin since the cafe opened in the building.
7. The appearance of the building is unattractive.
8. The proposal would have a detrimental impact on the conservation area.

### SECTION 17 CRIME AND DISORDER ACT

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

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as the building has been in lawful use for six months within the past 36 months.

### 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 proposal comprises the change of use part of Victoria House from a cafe, office and training facility to a House of Multiple Occupation (C4). The application site is within the defined settlement boundary and the proposal is acceptable in principle conforming with the requirements of Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries).

In respect of housing delivery the national planning guidance document Planning Policy Wales (PPW) acknowledges that there must be "sufficient sites suitable for the full range of housing types to address the identified needs of communities" (paragraph 4.2.11). Caerphilly County Borough currently has a severe shortage of this type of property and heavily relies on bed and breakfast accommodation to meet the shortfall. It is therefore considered that the proposal will assist with the provision of emergency accommodation and contribute to meeting the needs of the community in line with Planning Policy Wales.

The Welsh Government published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMOs provide a source of

accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties." (Paragraph 1.3 WG HMO practice guidance note).

In terms of this application the proposed building has an established mixed use as a HMO (C4) with 7 bedrooms, a cafe and offices and training rooms and therefore this use has an existing impact on the nearby residential properties. The proposed change of use would increase the capacity of the building to a total of 13 bedrooms. It is not considered that the change of use of the cafe and offices would lead to a significant increase in activities at the property over and above that which could occur with the lawful use of the building.

In terms of the impact on surrounding residential properties, it is considered that the lawful cafe use would give rise to significant movements of vehicles and people to and from the premises and this is alluded to be objectors' who allege that there are vermin and waste issues associated with that use. It should also be noted that there are already 7 HMO's units at this property and the additional 6 units would not significantly change the character of the building. As such it is not considered there will be a significantly greater impact on the amenity of neighbouring dwellings as a result of this proposal.

With regard to the above concerns contained in the Welsh Government practice guidance it should be noted that it is stated that these issues can arise when there are concentrations of HMO's in a particular area. The research document suggested that 10% is a general 'tipping point' beyond which the evidence indicates that a concentration of HMOs can begin to have an adverse impact on the character and balance of a community. This tipping point is described as a threshold beyond which a community can 'tip' from a balanced position in terms of demographic norms and impacts, towards a demographic that is noticeably more mixed in terms of shared and family households. In this instance it should be noted that there are 10 licensed HMO's and in the region of 200 unlicensed HMO's in the Caerphilly County Borough and that these are spread throughout the area. In that context, therefore, it cannot be argued that there is a high concentration of Houses of Multiple Occupation in the immediate vicinity of the application site or within Caerphilly County Borough as a whole and therefore it is not considered that a cumulative impact of such HMOs would have an unacceptable impact upon the character and amenity of the area. The proposal in itself would not significantly change the character of the area and as such the development accords with adopted Local Development Plan Policy CW2 (Amenity).

The proposal has including sufficient parking and the Highway Authority has raised no objection to the development. It accords with adopted Local Development Plan Policy CW3 (Highways).

Comments from public:

1. Life in Rhymney has already become unbearable with the influx of people from outside of the area - This is not a material planning consideration.
2. The building is not fit for purpose and not suitable for people with mental health issues - It is for the Housing Department to consider whether a property of this type is fit for purpose. They have been consulted on this application and no objection has been raised in this regard.
3. There are already a lot of HMO's in Rhymney leading to an increase in crime and anti-social behaviour - This issue is discussed above. Whilst it is noted that there are two separate buildings in use as HMO's in the Rhymney Town Centre, it is not considered that represents a tipping of the balance as discussed above as this does not meet the 10% threshold referred to in government guidance.
4. The proposal would lead to a reduction in house prices - This is not a material planning consideration.
5. The proposal would increase the risk of Covid 19 - This is not a material planning consideration.
6. There has been an increase in rats and vermin since the cafe opened in the building - This application would lead to the loss of the cafe use and as such any such issues are not material to the determination of this application.
7. The appearance of the building is unattractive - There are no amendments to the external appearance of the building proposed and as such this is not material to the determination of this application.
8. The proposal would have a detrimental impact on the conservation area - Local Planning Authorities are charged with having special regard for preserving the character of the conservation area. The conservation area seeks to protect the traditional architectural character of the area and of the traditional buildings within it. The application property is a modern structure built as a Health Centre in the 1960's and as such it has no architectural merit. As no external alterations to the building are proposed there would be no impact on the character of the area. With regard to the use of the building it is not considered that the additional use for HMO accommodation would have any impact on the historic character of the area.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

In conclusion it is considered that the proposal is acceptable in planning terms and as such is recommended for approval.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Location Plan and Proposed Floor Plan.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the approved plans before the development hereby approved comes into beneficial use 3no additional off-street parking spaces shall be provided within the curtilage of the site in accordance with a scheme to be agreed in writing with the Local Planning Authority and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to the occupation of the dwelling(s) hereby approved all hard surfacing within the curtilage(s) shall have been:
  - 1) constructed in porous or permeable materials, or
  - 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse, and
  - 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials, and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.

REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 05) Prior to the commencement of the development a scheme for on-site refuse storage (including any open air storage facilities) and for waste material awaiting disposal (including details of any screening) shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the agreed details prior to the first occupation of the development.

REASON: In the interests of public health and the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

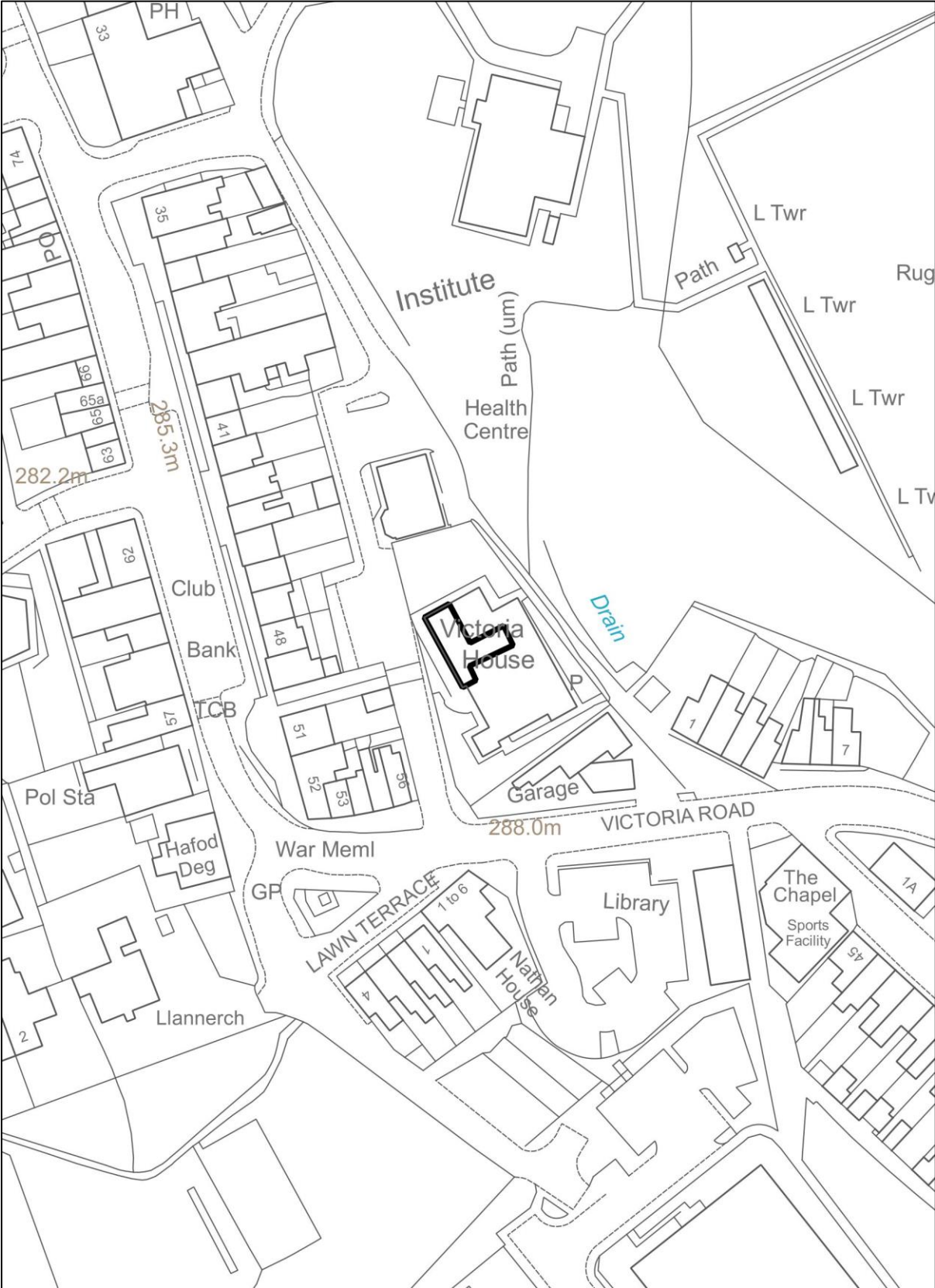
- 06) The development shall not be occupied until covered and secure cycle parking facilities have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development is accessible by all modes of transport in the interests of sustainability in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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