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Date: 1st October 2014

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 8th October, 2014** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

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

To approve and sign the following minutes: -

- 3 Planning Committee held on the 10th September 2014 (minute nos. 1-14).
- 4 To receive any requests for a site visit.

To receive and consider the following reports: -

A greener place Man gwyrdach

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



- 5 Site Visit Code No. 14/0070/FULL - St David's Service Station, Pengam Road Industrial Estate, Pengam, Blackwood.
- 6 Site Visit Code No. 14/0152/FULL - 14 Brynheulog Road, Newbirdge, Newport.
- 7 Site Visit - Land Opposite Brooklands, Nelson, Consideration of the Expediency of Enforcement Action.

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

- 8 Preface Item Code No. NA/14/0011 - Land to the South (0.15m) of Cefn Fforest Farm, Twyngarreg, Treharris.
- 9 Preface Item Code No. PE/14/0459 - Gwerthonor Place, Gilfach, Bargoed.
- 10 Preface Item Code No. 14/0363/COU - Markham Post Office, 53 Abernant Road, Markham, Blackwood.
- 11 Code No. 12/0550/CON - The Rectory and School Site, High Street, Nelson, Treharris.
- 12 Code No. 12/0571/FULL - The Rectory and School Site, High Street, Nelson, Treharris.
- 13 Code No. 13/0353/FULL - 17 Homeleigh, Newbridge, Newport.
- 14 Code No. 14/0411/OUT - Land at Ton y Felin, Croespenmaen, Newport.
- 15 Code No. 14/0513/NCC - Bargoed Retail Plateau, East of Hanbury Road/West of Angel Way/A469 Bargoed.
- 16 Code No. 14/0529/RET - Luton House, Aeron Place, Gilfach, Bargoed.
- 17 Code No. 14/0558/FULL - 24 Highland Crescent, Springfield, Pontllanfraith, Blackwood.
- 18 Code No. 14/0568/FULL - 51-54 Cardiff Road, Bargoed.
- 19 Code No. 14/0569/RET - Land at Garage Workshop, Hillside Terrace, Blackwood.

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

- 20 Code No. P/97/0981 - Blaengwynlais Quarry, Near Caerphilly
- 21 Code No. 13/0820/FULL - Fferm Pont Carreg - Land, Rhyd y Gwern Lane, Machen.
- 22 Code No. 14/0364/FULL - 6 Heol y Garth, Rudry, Caerphilly.
- 23 Code No. 14/0536/RET - 37 Lon yr Ysgol, Bedwas, Caerphilly.

To receive and note the following information items: -

- 24 Applications determined by delegated powers.
- 25 Applications which are out of time note/not dealt with within 8 weeks of date of registration.
- 26 Applications awaiting completion of a Section 106 Agreement.
- 27 Outstanding and decided appeals.

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth, J. Bevan, D. Bolter, D.G. Carter (Chair), W. David (Vice Chair), H.R. Davies, J.E. Fussell, Mrs J. Gale, L. Gardiner, N. George, R.W. Gough, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, Mrs E. Stenner, Mrs J. Summers and J. Taylor

And Appropriate Officers

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PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 10TH SEPTEMBER 2014 AT 5:00PM

PRESENT:

Councillor W. David - Vice Chair

Councillors:

M. Adams, Mrs E.M. Aldworth, H.R. Davies, J.E. Fussell, Mrs J. Gale, A. Lewis, Mrs G.D. Oliver D. Rees, Mrs E. Stenner and J. Taylor.

Together with:

P. Elliott (Head of Regeneration and Planning), J. Rogers (Principal Solicitor), L. Cooper (Engineer Transportation and Engineering), C. Boardman (Senior Planner), C. Powell (Senior Planner), G. Lewis (Team Leader), P. Den-Brinker (Team Leader) and E. Sullivan (Democratic Services Officer).

1. APOLOGIES

Apologies for absence were received from Councillors J. Bevan, D. Bolter, D. Carter, A.G. Higgs, N. George, R. Gough, K. Lloyd, J. Summers and Mr T. Stephens (Development Control Manager) and Mrs C. Davies (Senior Environmental Health Officer).

Having received apologies from Councillor D.G. Carter (Chair), Councillor W. David (Vice Chair) presided as Chair for the meeting.

2. DECLARATIONS OF INTEREST

Declarations of interest were received as follows: - Councillors M. Adams, K. James, A. Lewis and D.W.R. Preece - 13/0520/OUT details are minuted with the respective item.

3. MINUTES – 6TH AUGUST 2014

RESOLVED that the minutes of the Planning Committee held on the 6th August 2014 be approved and signed as a correct record.

4. TO RECEIVE ANY REQUESTS FOR A SITE VISIT

Requests for site visits were received and by a show of hands unanimously accepted by

Members of the Planning Committee, as follows: -

- (1) 14/0070/FULL - St David's Service Station & Unit C Pengam Road Industrial Estate, Pengam Road, Pengam.
- (2) 14/0152/FULL - 14 Brynheulog Road, Newbridge.

5. SITE VISIT CODE NO. 13/0520/OUT - ERECT A 4 BEDROOM DETACHED DWELLING WITH INTEGRAL GARAGE, GRAIG COTTAGE, THE GRAIG, CWMCARN, NEWPORT.

Councillor K. James having previously declared an interest in that a family member lives opposite the proposed development did not attend the Site Visit or the Planning Committee meeting.

Councillor D.W.R. Preece having previously declared an interest in that one of the main objectors to the application is well known to him did not attend the Site Visit or the Planning Committee meeting.

Councillors M. Adams and A. Lewis declared an interest in that one of the main objectors is well known to them and left the Chamber when the application was discussed.

Mr S. Lyons spoke on behalf of local residents in objection to the application and Mr M. Lennon the applicant's agent spoke in support of the application.

Following consideration of the Site Visit and Officer's report it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands this was agreed by the majority present with one abstention.

RESOLVED that: -

- (i) the site visit report be noted.
- (ii) subject to the conditions contained in the Officer's report and the following additional conditions this application be granted.

Condition (16)

Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of any retaining walls/structures on site full engineering details and structural calculations for the proposed retaining walls/structures together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining walls/structures additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.

Reason:

In the interests of highway safety

Condition (17)

Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed on site. The treatment of Japanese Knotweed shall be carried out in accordance with the approved details.

Reason:

It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act." Japanese Knotweed (*Fallopia Japonica/Polygonum Cuspidatum*) is included within this schedule. All Japanese Knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

Condition (18)

Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.

Reason:

To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.

- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Head of Public Protection, Transportation Engineering Manager, Senior Engineer (Land Drainage), Council's Ecologist and The Coal Authority.
- (iv) 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: Policy CW2 and CW3.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - EAST AREA

6. **CODE NO. 14/0152/FULL - ERECT DETACHED FOUR BEDROOM DWELLING, DROP KERB TO FRONT FOR VEHICLE ACCESS AND PROVIDE RETAINING WALL TO REAR TO LEVEL GARDEN, INCORPORATING THE REMOVAL OF THE FRONT PRIVET HEDGE, 14 BRYNHEULOG ROAD, NEWBRIDGE, NEWPORT, NP11 4RG.**

Having regard to the impact of the development of residential amenity it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (All Members).

7. **CODE NO. 14/0509/NCC - VARY CONDITION 12 OF PLANNING PERMISSION P/98/0690 TO CONVERT INTEGRAL GARAGE INTO A HABITABLE ROOM, 23 PEN-Y-GROES, OAKDALE, BLACKWOOD, NP12 0ER.**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted.
- (ii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are is relevant to the conditions of this permission.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - NORTH AREA.

8. PREFACE ITEM - ERECTION OF A SINGLE WIND TURBINE (UP TO 77M BLADE TIP HEIGHT) WITH ASSOCIATED ACCESS TRACK, CRANE HARDSTANDING SUBSTATION/TRANSFORMER AND BOUNDARY FENCING, LAND TO THE NORTH EAST OF BLAEN MORLAIS FARM, PENGARNDDU, MERTHYR TYDFIL.

Following consideration of the Officer's report it was moved and seconded that the recommendation contained therein be approved and by a show of hands this was agreed by the majority present with one abstention.

RESOLVED that Merthyr Tydfil County Borough Council be advised that this Council raises no objection to the application and the comments contained within the Officer's report be forwarded to Merthyr Tydfil County Borough Council for their consideration.

9. PREFACE ITEM CODE NO. 14/0297/RET - RETAIN DETACHED TWO-STOREY TRAINING FACILITY AND GYMNASIUM, GELLI-HAF BUNGALOW, ROCK VILLAS, ARGOED, BLACKWOOD NP12 0AD.

Having considered the Officer's preface and original report: -

It was moved and seconded that the application be approved subject to the conditions contained in the Officer's Preface Report.

An amendment was moved and seconded that the application be refused in accordance with the recommendation in the Officer's Report.

By a show of hands the amendment was lost and as such the motion was declared carried.

RESOLVED that subject to the conditions contained in the Officer's Preface Report this application be granted.

10. CODE NO. 14/0070/FULL - ERECT EXTENSION TO RETAIL SECTION OF SERVICE STATION AND RELOCATE VALETING AND CAR WASH FACILITIES, ST DAVID'S SERVICE STATION & UNIT C PENGAM ROAD, PENGAM, BLACKWOOD, NP12 3QY.

Having regard to the impact of the development of residential amenity it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (All Members).

11. CODE NO. 14/0363/COU - CHANGE THE USE FROM POST OFFICE TO DWELLING

TOGETHER WITH THE REPLACEMENT OF THE EXISTING SHOP FRONT WITH DOMESTIC FRONTAGE, MARKHAM POST OFFICE, 53 ABERNANT ROAD, MARKHAM, BLACKWOOD, NP12 0PR.

It was reported that the application had been deferred pending further information from the applicant.

12. CODE NO. 14/0507/FULL - ERECT SINGLE-STOREY EXTENSION TO SIDE OF PROPERTY, MALVERN HOUSE, NYDFA ROAD, PENGAM, BLACKWOOD, NP12 1SX.

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 subject to the conditions contained in the Officer's report this application be granted.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - SOUTH AREA.

13. CODE NO. 13/0803/FULL - ERECT AGRICULTURAL WORKERS DWELLING, PEN YR HEOL LAS FARM, HEOL LAS, ENERGLYN, CAERPHILLY, CF83 2TT.

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 for the reasons given in the Officer's report this application be refused.

14. ITEMS FOR INFORMATION.

The following items were reported 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) Outstanding appeals and Appeal Decisions;

The meeting closed at 17.52p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 8th October 2014, they were signed by the Chair.

CHAIR

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PLANNING COMMITTEE – 8TH OCTOBER 2014

SUBJECT: SITE VISIT - CODE NO. 14/0070/FULL - ST DAVID'S SERVICE STATION AND UNIT 9 PENGAM ROAD INDUSTRIAL ESTATE, PENGAM.

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

PRESENT:

Councillor D.G. Carter – Chair
Councillor W.H. David - Vice Chair

Councillors H. Davies, L. Gardiner and A. Lewis.

Councillor D.V. Poole having previously declared an interest in that his son is related to the applicant by marriage did not attend the site visit.

1. Apologies for absence were received from Councillors Mrs E.M. Aldworth, N. George, Mrs J. Summers and J. Rogers (Principal Solicitor)
2. The Planning Committee deferred consideration of this application on 10th September 2014 for a site visit. Members and Officers met on site on Wednesday, 24th September 2014.
3. Details of the application to erect an extension to the retail section of the service station and relocate the valeting and car wash facilities at St David's Service Station and Unit C Pengam Road Industrial Estate, Pengam, Blackwood, NP12 3QY were noted.
4. Those present walked the site from both Pengam Road and St David's Industrial Estate and examined the plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note that the rear of the application site lies partly within the identified employment site at St David's Industrial Estate but the majority of the site is outside of that allocation. The site consisted of a petrol filling service station, shop, commercial vehicle sales showroom together with a two-bay jet wash and valeting business 9 starter units and three industrial units within the identified employment site. Members were advised that the relocation of the car wash facility adjacent to the existing petrol service station building and the construction of a three bay valeting building within the existing curtilage of Unit C2, C2A and C2B of St David's Industrial Estate had already been undertaken without the necessary planning consents. All works had now ceased on the site pending the determination of the Planning Committee. Officers confirmed that access and egress to the site could be obtained from both Pengam Road and St David's Industrial Estate.
6. Concerns were raised in relation to the noise levels generated by the car wash facility and the impact that its relocation had on the turning head to the rear of the site within the St David's Industrial Estate, which had been blocked by vehicles using the car wash. The Officer confirmed that the applicant had written to the operators of the car wash and advised that their lease would be withdrawn should they fail to keep the turning head clear and this practice had

stopped. The Officer also confirmed that the application would be conditioned to ensure that all activities remained within the confines of the site.

In relation to noise levels the Environmental Health Officer confirmed that when considering the sites existing use and its position within an industrial estate the levels of noise generated were considered to be acceptable, subject to condition, and therefore they raised no objection to the application. It was also noted that roller shutter doors would be attached to the back of the jet wash in order to secure the facility at night and discourage any anti-social behaviour.

7. Members discussed the impact of noise nuisance on neighbouring properties and the position of the nearest dwelling in relation to the jet wash facility was noted to be 72m away from the application site. The possible erection of acoustic fencing was discussed as a way to mitigate noise levels and Members requested that this option be discussed with the applicant and an update provided at the next Planning Committee meeting.
8. Officers confirmed that following advertisement to 9 neighbouring properties and a site notice being posted, 11 letters and 2 emails of objection (9 letters and 2 emails from the same person) had been received. Details of the objections are within the Officer's report.
9. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
10. A copy of the report submitted to the Planning Committee on 10th September 2014 is attached. Members are now invited to determine the application.

Author:	E. Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	M. Davies	Team Leader (Planning)
	G. Mumford	Senior Environmental Health Officer
	R. Crane	Solicitor
	L. Cooper	Engineer (Highway Development Control)

Appendices:

Appendix 1 Report submitted to Planning Committee on 24th September 2014

APPENDIX 1

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0070/FULL 10.02.2014	Capels & Sons Sales Mr C Capel The Car Store Pengam Road Pengam Blackwood NP12 3QY	Erect extension to retail section of service station and relocate valeting and car wash facilities St David's Service Station & Unit C Pengam Road Industrial Estate Pengam Road Pengam Blackwood NP12 3QY

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The site is located within the settlement boundary for Blackwood and is situated on the western side of the A469, Pengam Road. Part of the application site also falls within the St. David's Industrial Estate, Pengam protected secondary employment site as identified by Policy EM2.17 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site description and proposed development: The petrol filling service station and shop are one part of a larger commercial and industrial site operated by the developer comprising a commercial vehicle sales showroom together with a public, two-bay, car jet wash and valeting business to the south of the site, the petrol filling station and shop in the centre of the site, and 9 starter units to the north. A large detached, industrial unit and its curtilage, located within the St. David's secondary employment site, is located immediately to the rear (west) of the site and has been acquired by the developer. This industrial unit is currently sub-divided into three units. It is the curtilage of this sub-divided industrial unit, which is included in this application and will accommodate the proposed three-bay, detached, valeting building and the extension to the rear of the petrol filling service station shop. It is proposed to relocate the existing public car jet wash facility, located to the front of the petrol filling station, to the western side of the petrol filling station shop. In addition the valet building to serve the existing commercial vehicle sales showroom is proposed within the curtilage of the industrial building located on the St. David's Industrial Estate, immediately to the rear of the petrol filling station.

Cont....

Application No. 14/0070/FULL Continued

Finally, an extension is proposed to the rear of the existing petrol filling station shop, which also falls within the curtilage of the industrial building on the St. David's Industrial Estate.

Vehicular access to the existing petrol filling station site and shop is obtained off the main highway, the A469 New Road and this will not change. Vehicular access to the valeting building to be used ancillary to the commercial vehicle sales business will be obtained off the existing internal St. David's Industrial Estate road via an existing gated entrance. Vehicular access to the public car wash is obtainable either through the existing petrol filling station site or off the turning head at the end of the internal estate road.

The topography of the site is flat.

Dimensions: Extension to petrol service station measures 18.8m long x 5m wide x 3.4m high with a flat roof, to match the existing flat roof and comprises retail area, 2 toilets and staffroom. Public car wash building, comprising 2 car wash bays, store, staffroom and toilet and has maximum dimensions of 13m width x 9.2m depth x 4.5m high with a flat roof. Proposed valeting building comprises 3 bays and has a maximum footprint of 15.2m width x 8.8m depth x 5.4m high with a flat roof.

Materials: Extension to petrol filling station - external walls in painted render with white upvc fascias, roller shutters in blue paint finish and colour coated steel sheeting roof. Car wash - external walls in painted render with the north facing elevation comprising perspex panels, white upvc fascias, roller shutters in blue paint finish and colour coated steel sheeting roof. Valeting building - external walls in painted render with white upvc fascias, roller shutters in blue paint finish and colour coated steel sheeting roof.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

2/02622 - Extension to existing factory - Granted 30.01.79.

2/04327 - Car showroom - Granted 09.10.81.

2/11286 - Car wash - Granted 29.01.93.

Cont....

Application No. 14/0070/FULL Continued

P/96/0845 - Extend existing B2 use to include the manufacture of transit packaging components of both wood and cardboard - Granted 16.01.97.

P/98/0348 - Erect toilet facilities to south of existing petrol kiosk and above garage - Granted 04.06.98.

P/98/0400 - Retain shed for external assembly of pallets - Granted 10.07.98.

P/99/0032 - Retain shed for external assembly of pallets (Renew P/98/0400) - Granted 26.02.99.

P/99/0976 - Erect 2 No. illuminated free standing petrol signs - Refused 03.03.00.

P/00/0727 - Erect signage - Granted 21.09.00.

P/00/0989 - Erect seven advertisement flags - Refused 02.02.01.

P/01/0239 - Erect 2.4m high steel paling fence and garden area - Granted 03.05.01.

07/1283/FULL - Construct portal frame building for manufacturing and retail area - Granted 13.12.07.

08/0489/ADV - Erect one internally illuminated, double sided, free standing display unit - Refused 18.06.08. Dismissed on Appeal 28.10.08.

09/0473/ADV - Rebrand existing Texaco illuminated image on the forecourt canopy, forecourt stanchions and primary identifier display (PID or Pole Sign) - Granted 05.08.09.

12/0511/OUT - Not yet determined.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary and Policy EM2.17, St. David's, Pengam protected secondary employment site.

Cont....

Application No. 14/0070/FULL Continued

Policies:

Strategic Policies

SP2 - Development Strategy in the Northern Connections Corridor, SP6 - Place Making, SP16 - Managing Employment Growth, SP21 - Parking Standards, Countywide Policies.

Policy CW2 - Amenity, CW3 - Design considerations - highways, CW13 - Use Class Restrictions - Business and CW15 - General locational constraints, CW16 - Locational constraints retailing.

Supplementary Planning Guidance LDP5 - Parking Standards.

NATIONAL POLICY

Planning Policy Wales, 6th Edition, February 2012, Chapter 4 - Planning for sustainability, Chapter 7 - Economic Development and Chapter 8 - Transport.

TAN 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes.

The Coal Authority (CA) considered that coal-mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to the development in order to establish the exact situation regarding coal mining legacy issues on the site.

The CA recommends that the Local Planning Authority impose a planning condition should planning permission be granted for the proposed development requiring these site investigation works prior to the commencement of development.

Cont....

In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings to ensure the safety and stability of the proposed development, this should be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to the commencement of the development.

The CA considers that the content and conclusions of the Geo-Environmental Report submitted by the applicant are broadly sufficient for the purposes of the planning system and meets the requirements of the PPW in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The CA therefore has no objection to the proposed development subject to the imposition of the above condition.

CONSULTATION

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent requiring details of a swept path analysis demonstrating that a vehicle transporter can both enter and leave the site in a forward gear at all times, the provision of parking in accordance with LDP5 - Car Parking Standards including an amended scheme for vehicles waiting to use the car wash. He provides advice to be conveyed to the developer that no water from the car wash shall be allowed to discharge into the highway surface water drainage system and all parking spaces should measure a minimum of 2.6m x 4.8m in accordance with LDP5.

Head Of Public Protection - Has no objection to the development subject to the uses being confined to within the application site, a restriction on the hours of operation together with standard contamination conditions, which address any contamination of the site.

Senior Engineer (Land Drainage) - Requests a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of land drainage matters.

Dwr Cymru - Confirms the site is crossed by a public sewer and provide advice to be conveyed to the developer in respect of drainage matters. They confirm that both foul water and surface water discharges shall be drained separately from the site and no surface water shall be allowed to connect, either directly or indirectly, to the public foul/combined sewerage system and no land drainage run-off shall be permitted to discharge into the public sewerage system.

Natural Resources Wales - No adverse comments.

Cont....

Application No. 14/0070/FULL Continued

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 9 neighbouring properties have been consulted.

Response: 11 letters and two e-mails (nine letters and two e-mails are from the same person).

Summary of observations:

- unauthorised development;
- over-development of the site in terms of the proposed extension to the shop, which will require more deliveries resulting in noise nuisance and disturbance;
- removal of boundary fence creating a thoroughfare onto estate turning head and making the estate road an integral part of the applicant's redevelopment plans, and will cause detriment to highway safety;
- use of estate turning head by car wash business as well as customer parking/waiting area;
- noise nuisance as a result of the proposed car wash and valet building being relocated nearer to residential properties,
- request the turning head is restored to its former configuration, customers should enter and leave the car wash site from within the existing garage premises, provision of proper sound insulation and screening (construction of high wall to contain garage operations, reduce noise and eliminate potential for the turning head to be used for unauthorised activities, restriction on hours of operation;
- presence of Japanese Knotweed may spread into woodland between industrial estate and residential properties.

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.

Cont....

Application No. 14/0070/FULL Continued

COMMUNITY INFRASTRUCTURE LEVY The retail aspect of this development is CIL liable and the amount payable would be £2138.50.

ANALYSIS

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

In terms of the proposed development, it should be noted that the developer has already commenced development. The existing public car wash has been relocated next to the existing petrol filling station shop and an existing boundary fence to the rear of this has been removed, which allows access, both pedestrian and vehicular onto a turning head at the end of the St. David's Industrial internal estate road. The public car wash is in operation. The developer has also constructed the three bay valeting building within the existing curtilage of Unit C2, C2A and C2B St. David's Industrial Estate and again this is in operation and is used ancillary to the commercial vehicle sales business operating to the south of the petrol filling station site. Complaints have been received in respect of this unauthorised development. The erection of the public car wash facility and three-bay valeting business prior to obtaining planning consent is unauthorised in planning terms and amounts to a breach of planning control. The matter has been referred to this Council's Enforcement Officer and is being monitored pending the determination of this planning application. Officers have visited the site and advised the developer the works are unauthorised. This has also been confirmed in writing and the developer requested to cease any further works. He has also been advised that failure to adhere to this request may result in enforcement action where considered expedient to remedy a breach of planning control. The unauthorised works have also been referred to this Council's Building Control Section for investigation.

In terms of the planning application submitted the main issues are considered to be the compatibility of the uses; with surrounding land uses; amenity, particularly in terms of noise sensitive development; design, and highway safety.

Objection has been raised alleging the proposal is over-development of the site. Policy SP6 - Place making of the LDP considers amongst other things design, and criterion 'B' of Policy CW2 - Amenity considers over-development of a site. It is considered the proposed development is acceptable in terms of scale, layout and form and does not have an adverse visual impact on the existing buildings within the site or upon the character of the surrounding area and as such is in accordance with policies SP6 and CW2.

Cont....

Application No. 14/0070/FULL Continued

An objection has been raised suggesting the increase in size of the shop will mean increased deliveries, which in turn will result in noise nuisance if deliveries are made early morning or late evening. The current petrol filling station shop has been operating for many years and is not subject to restricted hours of opening in terms of customers or deliveries. Therefore it would not be appropriate to attach any conditions to a consent, which remove the benefits currently enjoyed in terms of the operation of the retail element of the business. The increase in retail space would not justify such limitations.

In terms of the proposed uses, consideration has to be given to Policy CW13 - Use Class Restrictions of the LDP because part of the proposed development i.e., the three bay valet building and shop extension, is proposed within the St David's Industrial secondary employment site as identified by Policy EM2.17 of the LDP. In this respect development will only be permitted if (i) it is within use classes B1, B2 or B8, (ii) an appropriate sui generis use, (iii) to provide an ancillary facility or service to the primary employment use or (iv) an acceptable commercial service unrelated to class B uses. The proposal for the valeting building is a B1 use in planning terms and therefore meets with criterion (i) of Policy CW13. The extension to the shop meets criteria (iii) and (iv) of Policy CW13 referred to above.

In addition, criterion 'B' of Policy CW2 of the LDP requires any proposed use should be compatible with surrounding land uses. It is considered the proposed uses are compatible with the existing commercial and industrial use of the whole site and in relation to the neighbouring St. David's Industrial Estate. Criterion 'A' of Policy CW2 requires that any development should not have an unacceptable impact on the amenity of adjacent properties or land. Objections have been received that the development will result in loss of amenity by residents of neighbouring residential properties as a result of noise nuisance caused by the operation of the public car wash and valeting bays. It is claimed the particular activities of the site include industrial vacuum cleaners and jet washers, which are noisy when in operation and result in the quiet enjoyment currently experienced by neighbouring residents being adversely affected. The public car wash building is a two-bay, open-ended building with Perspex side panels. The objector advises the noise nuisance caused by the jet wash operating is exacerbated by the operation of the jet wash hitting the Perspex side panels of the car wash bay. Also, complaints have been received regarding the use of the turning head at the end of the industrial estate road in association with the public car wash. It is alleged customers are parking and cars are being cleaned in this area, which results in noise nuisance and also obstructs the free flow of the highway. It is also claimed the relocated location of the public car wash is nearer to dwellings at Woodland Place than its original position to the front of the petrol filling station site.

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Application No. 14/0070/FULL Continued

In terms of the proximity of dwellings to the proposed public car wash, the nearest dwelling is located some 71m to the northwest at 3 Woodland Place. The original position of the car wash was located 66m away from this dwelling. This residential property has a large garden and it is not known specifically where the rear boundary of this garden is situated, however it is estimated the public car wash is located some 35m from the rear boundary of the property, which is situated on lower ground beyond the industrial estate road. The recently constructed three-bay valeting building is new and is located some 69m away from the nearest dwelling, being 3 Woodland Place. This valeting building is orientated such that the front entrances to the three bays face east and so are side on to the nearest dwellings at Woodland Place. This building is made of blockwork and has a roller shutter door providing access to each bay.

Noise is a material consideration and it will be hard to reconcile some land uses, such as residential, which is a noise sensitive development with industrial activities which generate high levels of noise. LPAs must ensure that development does not cause an unacceptable degree of disturbance. Also consideration has to be given to the resultant intensification of uses of a site, which may result in a greater intrusion in terms of the amenity of residents of neighbouring residential properties. In this respect this Council's Head of Public Protection and planning officers have visited and monitored the site and the neighbouring properties in terms of the objections and noise nuisance complaints received. Whilst, the noise of the operation of the public car wash has been witnessed at Woodland Place by officers, consideration has to be given to the existing relationship between the industrial and commercial site with the nearest residential properties and the current situation regarding noise levels. In this respect given the B1, B2 and B8 uses permitted on the St David's Industrial Estate and the number of years the petrol filling station site has been operating, it has to be expected that there will be an element of industrial and commercial noise emanating from both the existing industrial and commercial activities. In addition, it is noted the busy and noisy, A469 road is in close proximity to these dwellings, which will also add to the background noise experienced by residents along Woodland Place. Therefore, consideration has to be given to whether or not the harm that may already be experienced by the residents of neighbouring dwellings as a result of noise nuisance will significantly increase as a result of the proposed development. In this respect, this Council's Head of Public Protection indicates the noise from the new car wash and valet facilities is of marginal significance, and he has raised no objection to the development subject to the imposition of conditions, which prevents any car washing or valeting outside of the designated car wash and valeting bays, and restricting the hours of operation during evenings and weekends.

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Complaints have been received regarding the encroachment of the public car wash facility into the industrial estate turning head, as a result of customer parking and cleaning of vehicles by the car wash operatives. This unauthorised activity may interfere with the free flow of traffic by causing obstruction for those drivers wishing to legitimately use the turning head, as has been witnessed by officers. The developer has been made fully aware that all activities associated with the public car wash and valet should be confined within the dedicated car wash bays, within the boundaries of the industrial and commercial sites. Monitoring of the site has been undertaken and recent unannounced site visits by officers of both the Planning and Environmental Health Division confirm the turning head is not now being used by the car wash operatives. The developer has also submitted a copy of a letter sent to the public car wash operators instructing that no vehicles are to be cleaned on the highway and that if they breach this requirement their lease will be revoked. As suggested by the complainants and based upon initial visits to the site, the potential does exist for the operatives to revert to this unacceptable use of the estate road turning head. However, any obstruction of the highway falls within the jurisdiction of Gwent Police Authority. This Council's Transportation Engineering Manager does not object to the development subject to appropriate conditions. In this respect it is necessary, in the interests of highway safety, to ensure that certain matters are provided and maintained within the site. These comprise customer parking spaces/waiting bays and clear manoeuvring space to and from these areas, together with signage and markings to ensure unobstructed and safe movement of vehicles within the site, including the exit point. These matters may be addressed by attaching appropriate conditions to any consent.

Complaints have been received that the public car wash bays are constructed and orientated such that vehicular access is available both from within the petrol filling station site and off the industrial estate road because an existing boundary fence has been removed. The removal of the boundary fence and creation of this vehicular access onto the internal unclassified estate road does not require planning permission. In addition this Council's Transportation Engineering Manager has confirmed that there is no breach of highway regulations regarding the provision of this access. Any obstruction of the turning head would fall within the jurisdiction of Gwent Police to enforce as indicated above.

Comments from consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Cont....

Application No. 14/0070/FULL Continued

Comments from public: The matters raised by the objectors are discussed above. Noise monitoring by both Environmental Health Officers and Planning Officers visiting Woodland Place, confirm the operation of the public car jet wash and the detached valet building may be heard but it is considered the noise emanating from the site is of marginal significance. However, because the noise is likely to be more intrusive during the evenings and at weekends it is considered appropriate to attach conditions to any consent restricting the hours of operation to the following times - 0800hrs to 1800hrs Monday to Friday, 0900hrs to 1700hrs Saturdays and 1000hrs to 1600hrs on Sundays. It is also considered appropriate to attach a condition to any consent restricting the use of the public car jet wash and valet buildings to the dedicated bays within each building. This will ensure that there should be no encroachment onto the highway in terms of the uses and also confine any noise within the buildings. Members are advised that there are a number of public car jet wash and valet facilities granted planning approval within the borough that are nearer to dwellings than the circumstances of this application, some in fact operate side by side. Also, this Council has lost both a planning and enforcement appeal in respect of a proposed car wash facility at Pontygwindy Road Service Station, Caerphilly where there are several residential dwellings adjoining or in close proximity to the application site. The Inspector considered the main issue to be the impact upon the amenities of residents but concluded any adverse impact may be controlled by the imposition of conditions being attached to any consent.

Other material considerations: None.

In conclusion it is considered the proposed development does not conflict with local plan policies and subject to the imposition of appropriate conditions is acceptable in planning terms.

This application was submitted before the Council adopted the Community Infrastructure Levy (CIL). The applicant has not submitted all the information necessary to comply with the CIL regulations. That does not affect the planning merits of this proposal, but should be resolved before a permission is issued.

RECOMMENDATION that (A) appropriate CIL information is secured from the applicant following which (B) Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 14/0070/FULL Continued

- 02) Within one month of the date of this consent, a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 03) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 04) The use hereby permitted shall not be open to customers outside the following times 0800hrs - 1800hrs Monday to Friday, 0900hrs - 1700hrs Saturday and 1000hrs - 1600hrs Sundays and Public Holidays.
REASON: In the interests of residential amenity.
- 05) 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.
- 06) Within one month of the date of this consent, a swept path analysis demonstrating that a vehicle transporter can both enter and leave the site in a forward gear at all times; shall be submitted for consideration and approval in writing with the Local Planning Authority. The agreed vehicle transporter path shall be maintained free of obstruction at all times.
REASON: In the interests of highway safety.

Cont....

Application No. 14/0070/FULL Continued

- 07) Notwithstanding the submitted plans, within one month of the date of this consent, details shall be submitted to and approved in writing by the Local Planning Authority, providing parking and operational space in line with LDP5 Car Parking Standards in respect of all the uses operating at the site, including:
- the existing van sales element of the site;
 - the proposed extension to the existing petrol filling station shop;
 - retained and existing valeting workshops;
 - public car wash;
 - Units C1, C2A and C2B
- The approved scheme shall be marked out on site within one calendar month following approval of details and permanently retained and kept available at all times for the respective uses identified.
REASON: In the interests of highway safety.
- 08) Within one calendar month of the date of this consent, notwithstanding the submitted plans, a revised scheme for vehicles waiting to use the retained public car wash shall be submitted for consideration and approval in writing with the Local Planning Authority. The approved scheme shall be implemented within one month of the details being approved.
REASON: In the interests of highway safety.
- 09) The use of any powered equipment or tools associated with the public car jet wash and three-bay valet building shall be confined to within those buildings hereby approved for those uses and shall not extend to any outside areas.
REASON: In the interest of highway safety.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, any gates shall be located and fitted so as not to open outwards towards the highway.
REASON: In the interests of highway safety.
- 11) Notwithstanding the details submitted, within one month of the date of this consent, details of intrusive site investigation works to establish the exact situation regarding coal mining legacy issues including any remedial works considered necessary on the site shall be submitted for consideration and approval in writing with the Local Planning Authority. Where the site investigations confirm the need for remedial works to treat areas of shallow mine workings these remedial works shall be carried out within six months of the details being agreed.
REASON: To ensure the safety and stability of the proposed development.

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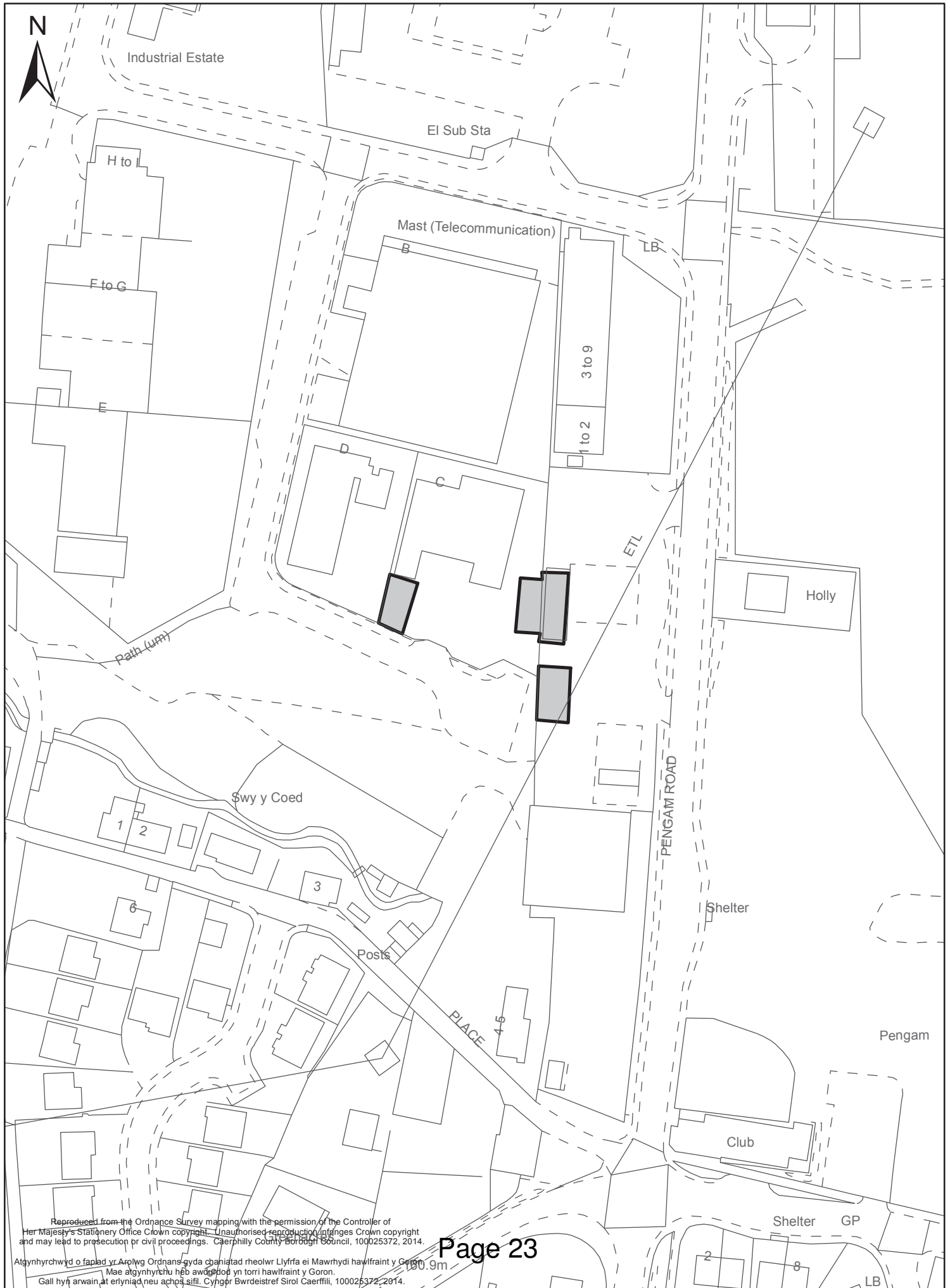
Application No. 14/0070/FULL Continued

- 12) Within one month of the date of this consent, a comprehensive scheme showing how surface water and land drainage flows from the site will be dealt with shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be implemented within six months of the date of the agreed details.
REASON: To ensure the development is served by an appropriate means of drainage.
- 13) Within one month of the date of the approval of details in respect of conditions 07) and 08) above, details of directional signage in respect of the provision of customer parking at the site shall be submitted for consideration and approval in writing. the agreed details shall be implemented within one month of the details being agreed and maintained in place at all times thereafter.
REASON: In the interests of highway safety.

Advisory Note(s)

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

The applicant is advised of the comments of Transportation Engineering Manager, Dwr Cymru/Welsh Water, The Coal Authority and Senior Engineer (Land Drainage).



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Atgynhychwyd o fapiau yr Arlywng Ordnans gyda chaniatod rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae atgynhychu heb awddorod yn torri hawffraint y Goron. Gall hyn arwain at erlyniad neu achos sifil. Cyhgor Bwrdeistref Sirol Caerffili, 100025372, 2014.

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PLANNING COMMITTEE – 8TH OCTOBER 2014

SUBJECT: SITE VISIT - CODE NO.14/0152/FULL - 14 BRYNHEULOG ROAD, NEWBRIDGE, NP11 4RG.

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

PRESENT:

Councillor D.G. Carter – Chair
Councillor W.H. David - Vice Chair

Councillors Ms L. Ackerman, H. Davies, G. Johnston and A. Lewis.

1. Apologies for absence were received from Councillors Mrs E.M. Aldworth, N. George, Mrs J. Summers and Mr J. Rogers (Principal Solicitor)
2. The Planning Committee deferred consideration of this application on 10th September 2014 for a site visit. Members and Officers met on site on Wednesday, 24th September 2014.
3. Details of the application to erect a detached four bedroom dwelling, drop kerb to front for vehicle access and provide retaining wall to rear to level garden, incorporating the removal of the front privet hedge at 14 Brynheulog Road, Newbridge, Newport, NP11 4RG were noted.
4. Those present viewed the site from the curtilage of 14 Brynheulog Road and from the garden of Shangri-la bungalow and examined the amended plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note the dimensions of the proposed development and its position and approximate height in comparison with the adjacent dwellings was discussed at length. The Officer confirmed that the amended plans included a lower ridge level and lesser roof mass in order to mitigate the impact of the development on the neighbouring property (Shangri-la). Whilst the proposed dwelling might cast a shadow during the evening hours of the summer months this would be limited to part of the rear curtilage of the Shangri-la property and would not affect any of its habitable rooms. The proposed balcony would include privacy screens on either edge maintaining existing privacy levels and would be ensued by condition.

It was noted that the development would have the appearance of a dormer bungalow to its front elevation level to the highway and 2¹/₂ storeys on its rear elevation including a basement level. The design being in-keeping with the topography of the land and the required highway access from Brynheulog Road. Members were advised that privacy distances between habitable window to habitable window was 21m and it was between 1-3m from the boundary fence with Shangri-la, due to the angled nature of the boundary and as such was acceptable in planning terms.

6. The Local Ward Member raised concerns in relation to the length of the property and the position of the balcony, which he considered would have an overbearing impact on the

neighbouring property, causing a loss of light and privacy. The Officer reiterated that there were no windows facing the proposed development and any overshadowing would be limited to a portion of the rear curtilage of that property. In terms of the window placement on the proposed dwelling these would be conditioned so that only obscure glass could be used on the windows facing south onto Shangri-la. The Member was concerned that the bathroom and backdoor of the neighbouring dwelling were at the rear of property and would be affected by the loss of light. The Officer confirmed that these would not be classed as habitable rooms.

7. The height difference between the proposed development and Shangri-la was discussed at length and the Officer agreed to clarify the measurements and provide the information at Planning Committee in order to afford Members a better perspective of its size and any possible overshadowing effect. Members noted that this portion of the rear garden of Shangri-la property was already overshadowed by a line of trees.
8. Members welcomed the condition in relation to obscure glass and to further improve privacy levels between the two properties requested that an additional condition in relation to the opening method of those windows be considered. The Officer confirmed that this would be suitable for condition and would provide further information at Planning Committee.
9. Officers confirmed that following advertisement to 11 neighbouring properties and a site notice being posted, 8 neighbouring properties raised objections. Details of the objections are within the Officer's report.
10. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
11. A copy of the report submitted to the Planning Committee on 10th September 2014 is attached. Members are now invited to determine the application.

Author:	E.Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	C. Boardman	Senior Planning
	M. Noakes	Senior Engineer (Highway Development Control)
	R. Crane	Solicitor

Appendices:

Appendix 1 Report submitted to Planning Committee on 10th September 2014

APPENDIX 1

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0152/FULL 17.03.2014	Mr J Tilley 14 Brynheulog Road Newbridge Newport NP11 4RG	Erect detached four bedroom dwelling, drop kerb to front for vehicle access and provide retaining wall to rear to level garden, incorporating the removal of the front privet hedge 14 Brynheulog Road Newbridge Newport NP11 4RG

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is located on Brynheulog Road, Newbridge.

Site description: Side garden of existing two-storey detached dwelling.

Development: Construction of detached dormer bungalow, including basement level, within existing side curtilage.

Dimensions: The proposed dwelling has a footprint measuring 12.1 metres in width, 15.1 metres in depth, with a height of 7.4 metres to ridge level when viewed from Brynheulog Road, i.e. the front elevation, and 10.1 metres to ridge level when viewed from rear garden, i.e. the rear elevation.

A rear balcony off ground floor level is also proposed. This measures 3.5 metres in depth, 11.0 metres in width, with a height 2.7 metres above ground level.

Materials: Face brickwork and interlocking concrete roof tiles.

Ancillary development, e.g. parking: Parking provision for 3 vehicles within the curtilage of the site.

PLANNING HISTORY

No previous planning history.

Cont....

Application No. 14/0152/FULL Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways), Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010), Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site is not in an area considered to be at risk of coal mining legacy. However any issues will be controlled through the building regulations.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - Provides advice to the developer.

ADVERTISEMENT

Extent of advertisement: Eleven neighbouring properties were consulted and a site notice displayed near the application site.

Response: Eight neighbouring properties raised objection.

Cont....

Application No. 14/0152/FULL Continued

Summary of observations:

- Loss of privacy;
- Proposed dwelling would not integrate with existing street scene;
- Overpowering effect on property to north-east, i.e. Shangri-la;
- Over-development of site;
- Overshadowing and overbearing impact on Shangri-la;
- Overlooking of neighbours from proposed balcony;
- Building works resulting in damage to neighbouring properties;
- Disruption to movement along Brynheulog Road during construction works;
- Removal of hedgerow would destroy character of entrance to Brynheulog Road.

SECTION 17 CRIME AND DISORDER ACT

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

Is this development Community Infrastructure Levy liable? Yes. New residential build at a rate of £25 per sq. metre of internal floor space.

ANALYSIS

Policies: The application seeks permission to erect a detached dormer bungalow with basement level within the side curtilage of the property known as Braeside, which is located on the junction of Brynheulog Road and the unnamed lane leading to Park Road. The side curtilage of Braeside slopes from the site frontage, i.e. the western edge of the site, down to the east. 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.

Cont....

Application No. 14/0152/FULL Continued

Policy CW2 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:-

i) proposals must have no unacceptable impact on the amenity of adjacent properties or land - The proposed development has been designed to ensure that it does not have an unacceptable overbearing or overshadowing impact on the properties that adjoin the application site. The property most impacted by the development is that known as Shangri-la that immediately adjoins the application site to the north. Whilst there are no south facing windows in the side elevation of Shangri-la, it was considered that the development as originally proposed, i.e. a larger dwelling, would have resulted in an unacceptable overshadowing impact on the rear garden of Shangri-la during the evening hours of summer months. However, the scheme has been amended to include a lower ridge level and lesser roof mass thereby overcoming this concern. Whilst the dwelling may cast a shadow over part of the rear curtilage of Shangri-la during summer month evening hours, such an impact is not considered to warrant a refusal of planning permission. In terms of the impact on the privacy of Shangri-la, the proposed rear balcony is shown to include privacy screens on either edge therefore maintaining existing levels of privacy. Such privacy screens will be ensured by way of condition.

Given the proposed ridge level, and difference in ground levels, it is considered that the proposal will not result in an unacceptable impact on amenity of the property to the west, on the opposite side of Brynheulog Road, i.e. the property known as Kimberley, and adequate privacy distances are maintained. The main impact on Kimberley will be a loss of view, but this is not a material planning consideration.

The edge of the proposed rear balcony will be located approximately 20 metres from the boundary with the property to the east, known as Ardachu, and therefore the proposal will not have an unacceptable impact on the privacy of this property. Given this distance between Ardachu and the application property, as well as the orientation, there will be no loss of sunlight or daylight as a result of the development.

In terms of the potential impact of the proposal on the existing property, i.e. Braeside, given the design of the proposed dwelling, as well as the open aspect to the rear of Braeside, it is not considered that the proposed dwelling will result in an overbearing impact to a degree to warrant a refusal of planning permission.

Cont....

Application No. 14/0152/FULL Continued

In terms of the impact of the proposed dwelling in the existing street scene it is noted that a variety of dwelling types exist along Brynheulog Road including two-storey detached dwellings, dormer bungalows and bungalows. Therefore it is considered that the proposed dormer bungalow would be acceptable in design terms given this existing street scene. Furthermore, the proposed dwelling has a ridge level 1.0 metre lower than that of Braeside in order to 'step down' in respect of the topography of the street. As parking is to the front of the dwelling, it must be at approximately road level to facilitate acceptable access gradients to the proposed garage and parking spaces. Due to this factor coupled with the sloping topography of the site to the east, the dwelling will be three-storeys on its rear elevation to include a basement level. However this massing of the rear elevation will not impact on the existing street scene, and therefore the proposal is considered acceptable in terms of its impact on the visual amenity of the area.

ii) proposals would not result in the over-development of the site - Although the majority of the garden serving Braeside is to the east of the property, as the site can only safely be accessed in highway terms off Brynheulog Road, the proposed dwelling is sited to the north of Braeside. The proposed dwelling will be sited 2 metres off the side elevation of Braeside, and 1-3 metres off the boundary with Shangri-la (due to the angled boundary between the properties). Several properties along Brynheulog Road are set a similar distance off their boundaries and therefore it is not considered that the proposal would result in an over-development of the site frontage. Furthermore, a large garden area is proposed to the east of the proposed dwelling.

iii) the proposed use is compatible with surrounding land uses - The site is bounded to the north, east, south and west by existing residential properties and 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 to the proposed development subject to conditions, and therefore it is considered that the proposed development satisfies Policy CW3.

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

Comments from consultees: No objection subject to conditions.

Cont....

Comments from public:

- Loss of privacy - The proposed privacy screens along either edge of the proposed balcony will ensure there is no loss of privacy. The proposed windows in the north facing elevation to a study and bathroom will not impact on Shangri-la which has no south facing windows.
- Proposed dwelling would not integrate with existing street scene - The existing street scene is a mixture of dwelling types and it is considered that subject to the use of the most appropriate materials, a dormer bungalow is an acceptable dwelling type for this infill plot.
- Overpowering effect on property to north-east, i.e. Shangri-la - The scheme as originally proposed has been amended, i.e. reduced in overall height and massing to overcome this issue from a planning point of view.
- Over-development of site - This issue has been addressed above.
- Overshadowing and overbearing impact on Shangri-la - This issue has been addressed above.
- Overlooking of neighbours from proposed balcony - This issue has been addressed above.
- Building works resulting in damage to neighbouring properties - It is the responsibility of the developer to ensure this does not occur. However if any damage did occur during works this would be a private legal matter between the interested land owners.
- Disruption to movement along Brynheulog Road during construction works - A degree of disruption is to be expected but it would be the responsibility of the developer to ensure the road is not blocked.
- Removal of hedgerow would destroy character of entrance to Brynheulog Road - Several of the properties along Brynheulog Road have open frontages and therefore it is not considered that the removal of the existing hedgerow would have a significant impact on the existing street scene.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

Cont....

Application No. 14/0152/FULL Continued

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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.
- 03) The balcony hereby approved shall not be used until screening has been erected in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed screening shall remain in place at all times.
REASON: To prevent a loss of privacy.
- 04) 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.
- 05) Prior to the commencement of works on site a scheme of land drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

Cont....

Application No. 14/0152/FULL Continued

- 06) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.
- 07) Prior to its first use the garage, sited as shown on the submitted plan, shall be fitted with inward-opening doors or roller shutter, which will not open out over the highway.
REASON: In the interests of highway safety.
- 08) The entrance apron shall be constructed prior to the first use of the garage hereby approved and in materials as approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 09) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 10) 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.
- 11) 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.
- 12) The development hereby approved relates to the details received on 12.08.2014 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.

Cont....

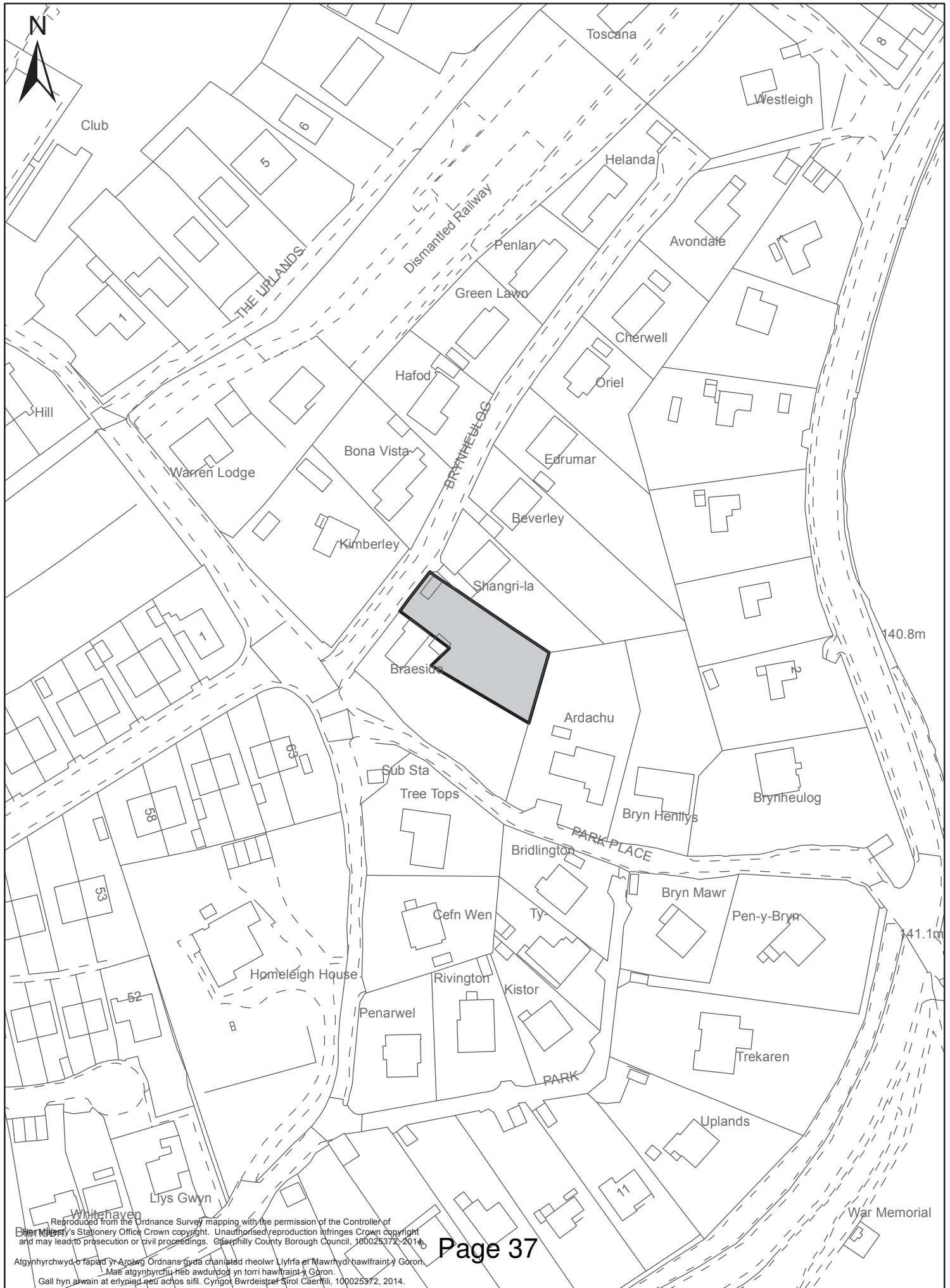
Application No. 14/0152/FULL Continued

- 13) Unless otherwise agreed in writing with the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the ground floor kitchen window facing south shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.

Advisory Note(s)

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

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PLANNING COMMITTEE – 8TH OCTOBER 2014

SUBJECT: SITE VISIT - LAND OPPOSITE BROOKLANDS, NELSON, CONSIDERATION OF THE EXPEDIENCE OF ENFORCEMENT ACTION.

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

PRESENT:

Councillor D. G. Carter – Chair
Councillor W. H. David - Vice Chair

Councillors H. Davies, L. Gardiner, A. Lewis and S. Morgan

1. Apologies for absence were received from Councillors E.M. Aldworth, Mrs A. Blackman, N. George, Mrs J. Summers and Mr J. Rogers (Principal Solicitor)
2. The Planning Committee deferred consideration of this application on 10th September 2014 for a site visit. Members and Officers met on site on Wednesday, 24th September 2014.
3. Details of the Officer's report and its recommendations were noted.
4. Those present walked the site and viewed the cesspits and surrounding area in order to fully appreciate the issues under consideration.
5. Members were asked to note that the site is opposite a cul-de-sac of houses at Brooklands, Nelson and contains the four cesspits that serve those properties. The history of the site was highlighted and the issues of concern as noted in the Officer's report outlined. Concerns had been expressed by residents that the landfill activities had damaged the integrity of the cesspits causing sewage to flood out onto the surrounding area. The Officer confirmed that this was a private matter between the developer and the local residents.

The level of landfill brought onto the site was queried and it was confirmed that the levels were slightly higher than that approved but not to such an extent that they would be actionable on grounds of visual amenity. Members were advised that due to recent good weather the extent of the flooding experienced was difficult to gauge and the intention was for Officers to monitor the site over a period of inclement weather in order to gather evidence and then consider if enforcement action was required.

6. The Local Ward Member agreed that the site was visual acceptable, but felt that the levels being tipped on to the site were not. Clarification was sought with regard to the permitted levels of landfill and whether these had been exceeded by the owner. The Officer confirmed the site benefitted from an exemption under Waste Licensing Regulations and advised that a tonnage limit would have been specified in the exemption however any alleged breach would be a matter for Natural Resources Wales (NRW). It was also noted that residents had received a letter from NRW with regard to the sewage overflow problems. This letter had requested they identify and remedy the cesspit causing the problem. At this time a resident of Brooklands had also contacted the Council directly with the same concerns.

7. The Local Ward Member expressed the opinion that the Council, in granting planning permission to allow tipping on the land and for not adequately controlling the development have a responsibility to ensure that the applicant abides by its terms and rectifies the problems with the cesspits. The Legal Officer confirmed that the cesspits would be a private matter between residents and the landowner, and the landowner should have made appropriate arrangements in this regard. He advised that if residents wished to, they did have a legal right to seek an injunction against the landowner to up hold their third party rights, stop interference with the cesspits and claim damages for costs and expenses incurred . It was noted that the legal action costs would be a matter for the cesspit owners however if successful they would be recoverable. The Development Control Manager confirmed that the Local Planning Authority could not act on issues that were not material planning considerations.
8. Members viewed the two accessible cesspits and noted the amount of soil surrounding one which had a collapsed area to one side. At the second cesspit it was noted that this had been built up by several levels to accommodate the landfill process without the permission or knowledge of the cesspit owner. The Local Ward Member was of the opinion that the water pooling, overflow of sewage and the loss of the natural soakaways had been a result of the damage caused to the cesspits by the overfilling of the site.
9. A copy of the report submitted to the Planning Committee on 10th September 2014 is attached. Members are now invited to consider the recommendations contained in the Officer's report.

Author:	E.Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	T. Stephens	Development Control Manager
	G. Mumford	Senior Environmental Health Officer
	R. Crane	Solicitor

Appendices:

Appendix 1 Report submitted to Planning Committee on 10th September 2014



PLANNING COMMITTEE – 6TH AUGUST 2014

**SUBJECT: TOWN AND COUNTRY PLANNING ACT 1990
LAND OPPOSITE BROOKLANDS, NELSON - CONSIDERATION OF THE
EXPEDIENCY OF ENFORCEMENT ACTION**

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 On 2nd June 2005 conditional planning permission (Ref: P/04/0221) was granted to import waste material to improve the condition of land and provide a paddock on land opposite Brooklands, Nelson. The planning application was submitted following the commencement of tipping on the site without the benefit of planning permission.
- 1.2 The site comprises an area of land of approximately 8 hectares located at the western end of the settlement of Nelson between the houses in the cul-de-sac of Brooklands and the watercourse to the north that forms the administrative boundary with Merthyr Tydfil County Borough Council. Within the site are four cesspits that serve the houses in Brooklands.
- 1.3 During the period between November 2009 and July 2010 Officers addressed various issues with the developer including hours of operation, concerns regarding the type of material being tipped on the site, temporary storage, creation of access, removal of skips, wheel cleaning, as well as the discharge of conditions imposed on planning permission P/04/0221.
- 1.4 The Environment Agency (EA – now Natural Resources Wales – NRW) advised at the application stage that the site benefited from an exemption under the Waste Licensing Regulations. There was a tonnage limit specified in the exemption and this would have been a matter for the EA to regulate.
- 1.5 In June 2012, a local Member contacted the Council advising that a resident of Brooklands had received a letter from the EA about the land in front of the houses claiming that water and sewage was leaking and causing pollution of the land, and requesting that the resident establish whether their cesspit was causing the problem. The Member raised several matters about the site, including that the operation of importing waste onto the land around the cesspits may well have had an adverse effect on the integrity of the cesspits, and that the levels of the site which appeared to be above the road at Brooklands could be causing a risk of flooding of the road and also the cesspits themselves, making them inaccessible for maintenance. A resident of Brooklands also contacted the Council directly about the same concerns.
- 1.6 Bearing in mind the existence of the planning permission Planning Officers met with the EA to discuss the background to the concerns. The EA confirmed that it was pursuing the matter regarding the cesspits and requested that the Council defer any action that they may be considering regarding the site until it had concluded its investigations into the cesspits.
- 1.7 In September 2012 the EA confirmed that investigations were ongoing and in December 2012 advised that they were considering their legal position regards possible action. However, in January 2013 the EA advised that the legislation that governs the management of cesspits is

within the Council's remit (Building Act 1984) and therefore the EA was unable to pursue the matter any further. The Council's Environmental Health Department therefore became formally involved with the cesspits and has been considering a way forward. Environmental Health Officers (EHO) arranged two meetings with the residents of Brooklands, one in July 2013 and another in October 2013, at which a specialist drainage company, UKDP, presented information on possible types and costs of a solution to the cesspits. EHO also arranged and paid for a camera survey of the connections from the individual houses under the road to the boundary of the site and all were found to be in an acceptable condition.

- 1.8 During that time Planning Officers awaited the outcome of that exercise to see whether the residents and/or the landowner would proceed with a scheme to rectify the problems with the cesspits. However, no scheme was forthcoming because it became clear that neither the residents nor the landowner consider that they are responsible.
- 1.9 In December 2013 Officers met with the local Member and some residents and in February 2014 met with the land owner/developer.
- 1.10 It is alleged by residents that the tipping on the site, approved by planning permission P/04/0221, has damaged the cesspits. The landowner denies that this is the case and suggests that some of the tanks were in poor condition prior to tipping. Council Officers have never witnessed damage to the cesspits and cannot therefore corroborate the allegations of the residents. A company that has been emptying three cesspits at Brooklands for many years has stated "prior to the landfilling operation starting the cesspits were working in a satisfactory manner, but that during the landfilling two of the side walls on two of the cesspits collapsed and two manhole lids are broken leaving the cesspits not fit for purpose".
- 1.11 The local Member and the residents are of the opinion that the Local Planning Authority, in granting planning permission for the development allowing tipping on the land and also for not adequately controlling the development, have a responsibility to ensure that the applicant abides by the terms of the planning permission and advice from Consultees and rectify the problems with the cesspits.
- 1.12 They have identified the following main issues:-
 - (i) The cesspits have been damaged by the landfill operations as evidenced by the third party statement.
 - (ii) The level of the landfill has exceeded the level granted planning permission.
 - (iii) The developer has not complied with advice given by the Transportation Engineering Manager, Senior Engineer (Land Drainage) and the Environment Agency at the time of the planning application in terms of preventing surface water and debris discharging onto the highway, and ensuring the integrity of groundwater and surface water.
 - (iv) Raising the level of the land above the tops of the cesspits has resulted in the cesspits being in depressions. These depressions have become ponds consisting of surface water flowing from the higher adjoining ground and water and sewage leaking from the damaged cesspits. It is suggested that if the level of the ground around the cesspits is reduced then this would assist in mitigating the problems with the ponds.
 - (v) The drainage of Brooklands has been changed as a result of the filling of an open culvert on the western edge of the site, which has resulted in flooding of the road and a risk of flooding to one of the houses.
 - (vi) A Method Statement required under the terms of the planning permission made no reference to safeguarding the cesspits
 - (vii) A drainage layer proposed beneath part of the tip may not have been installed.
- 1.13 Having met with the residents the Assembly Member has also written to express concern about the damage to the cesspits and that the ponds are completely unprotected and a person could fall into them.

2. CONSIDERATION OF THE ISSUES

- 2.1 Planning permission was granted against the background of comments expressed by the applicant and a spokesperson for the residents at the time of the consideration of the planning application. The applicant said that he would where necessary modify the existing manhole covers if there were differences in ground levels to make up and also seek to ensure that no damage was caused to the cesspits as a result of the filling operations. However, he did point out that some of the cesspits were in need of urgent repair, these repairs being the responsibility of the individual householders. He commented that whether or not planning was granted the cesspits could not remain in their present condition, because they leaked, smelled in summer, and were a health hazard as well as a danger.
- 2.2 This information was passed to the residents of Brooklands. In response, they asked whether Brooklands could be connected to the mains sewerage system, but commented that if mains connection was not a possibility, there were some issues with individual residents regarding damage to the existing cesspits. It was, however, accepted by them that these were matters for the landowner and the individual residents to resolve. In addition they commented that with regard to the cesspits, whilst sometimes smelly and an irritation to both the landowner and the residents, their existence was a fact of life, and for all the residents and the landowner they must ensure that nothing hinders the working of the cesspits as that would make life very unpleasant and difficult for everyone concerned in Brooklands, and they trusted that the landowner and the other residents could work together amicably to resolve any difficulties relating to this area.
- 2.3 The comments of the applicant and the residents were referred to in the report of the application to the Planning Committee, at which time conditional consent was granted. It should be noted that there are no conditions of the planning permission that specifically relate to the cesspits.
- 2.4 It is the opinion of Officers that the cesspits are a private matter between the landowner and the householders, and the comments of the local residents at the time of the planning application appeared to reflect that. The Head of Legal Services has advised that if the owners of the properties connected to the cesspits consider that the landowner has interfered with their rights or caused damage, they should seek their own independent advice. If there has been any infringement of their legal rights they would be in a position to take legal action against the landowner. This is essentially a private matter and the Authority should not become involved.
- 2.5 Notwithstanding this opinion, Officers have been giving consideration to the terms of the planning permission, whether they have been complied with, and in the event of non-compliance, whether it is expedient to take enforcement action and whether such action could result in the problems with the cesspits being rectified. Welsh Government guidance advises that in considering enforcement action the decisive issue for the Local Planning Authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest.
- 2.6 With regards to the levels of the site, condition 2 of planning permission P/04/0221 requires the vertical and lateral extent of the landfill to comply with the approved drawings. Whilst the site has not been surveyed it is evident that the current levels are generally higher than the approved levels. Since the approved levels have been exceeded and no further waste materials can be imported to the site, the site is ready for restoration. However, it is considered that it would be prudent if the problems with the cesspits are rectified before any restoration. Even if action is taken at this stage with the site not yet restored, it is considered that the current general levels of the site, with the exception of some mounds of material that would need to be spread out over the site, do not have a negative visual impact and do not unacceptably affect public amenity. Taking these factors into account it is not considered expedient to enforce the planning condition in respect of the levels. In any event the Authority could only enforce the approved levels, which are higher than the levels of the cesspits.

- 2.7 In addition, it is considered that the ground area of the land fill extends beyond the limits shown on the approved drawings in that the northern limits are closer to the watercourse than approved and the western limits may well be closer to the adjoining land to the west, with an open culvert having been filled in part particularly where it is close to the boundary with the western end of the road fronting Brooklands. The extent of tipping along the northern edge had been drawn to the applicant's attention in the past. The reason for the limits were to protect trees closer to the watercourse and along the western edge of the site and to protect a wet area of nature conservation interest.
- 2.8 Planning Officers and the Council's Arboricultural Officer have very recently inspected the site accompanied by the landowner. Based on that visual inspection it would appear that in parts the tip is closer to the watercourse on the northern boundary than approved, although the landowner disagreed, suggesting that it does comply and that he had adjusted the limits as advised by Officers previously. The limit of tipping along the western boundary appeared to comply with the approved plans. It is not possible to be entirely accurate about the limits without a topographical survey, but it is considered that it is not essential to require one bearing in mind that the general appearance of the site is not detrimental to the character of the area. With regards to the impact of the tipping on the trees, the Arboricultural Officer's assessment was not available at the time of report preparation, but a verbal update will be provided at the Committee.
- 2.9 The developer would have been responsible for controlling the development in line with the advice issued by statutory Consultees. It is standard practice to issue such advisory notes which draw attention to matters covered by other legislation.
- 2.10 The Council's Senior Engineer (Land Drainage) has visited the site, but has advised that in order to assess any run off either across or from the site he would have to attend the site during heavy rainfall. He noted that there is only one gully serving the complete length of the highway and that should the site have been lower than the highway prior to filling, it is possible that the surface water run off from the highway discharged onto the site. He noted that this informal situation happens in many areas throughout the borough where there is no or insufficient drainage. Should the developer's actions have interrupted the informal drainage situation then he could be made aware, but it is doubtful whether the Authority would take action against him. In respect of the filling of the open culvert to the north west he has commented that he would inspect this when he visits during a wet period, at which time he would look at the run-off in and around the site in order to establish an understanding of any actual or potential flooding.
- 2.11 There was no specific requirement for the cesspits to be included in the Method Statement required by a planning condition. The requirement for the statement was based on a comment from the Senior Engineer (Land Drainage) on the planning application: "the filling, which should be with inert material, should ensure that no contamination of the existing watercourse occurs, the earthworks should proceed in a manner that does not affect the free flow of the stream and causes no silt to run into the stream". The statement addressed that requirement. The applicant was aware of the location of the cesspits and it would have been his responsibility to abide by the statements he made to protect the integrity and functioning of the cesspits.
- 2.12 Officers cannot confirm whether the drainage layer under part of the landfill area was installed since it was not inspected and not witnessed during any of the inspections undertaken. Nevertheless, there is no evidence that the reprofiled land in general is not draining properly. There are some ponds above some of the cesspits, but the cesspits should not be draining to the ground in any case. The applicant has advised that the drainage layer was installed.
- 2.13 Regards the security of the site, there is currently a physical barrier to prevent access to the site, namely a fence with a barbed wire top and lockable gate.
- 2.14 The Environment Health Officer considers that the site security is acceptable and the landowner has been reminded of the need to ensure that the pond areas are securely fenced

to avoid any risk to members of the public.

3. CONCLUSIONS

- 3.1 Notwithstanding that the cesspits are within the site granted planning permission for tipping, the problems regarding the integrity and functioning of the cesspits are private matters between the landowner and householders as confirmed by the Head of Legal Services. This position was also confirmed by both parties at the time of the consideration and determination of the planning application. There is nothing under planning legislation that the authority can do to force the developer to remediate the cesspits. Any enforcement action either in respect of the height of the reprofiled land, or if considered expedient (following further investigation) in respect of the extent of the reprofiled land and also land drainage, would not result in the problems with the cesspits being rectified.
- 3.2 Environmental Health Officers consider that the cesspits are not fit for purpose in their current state. In the absence of any actions by either the owner of the land, or the owners of the cesspits, to repair the cesspits, the Environmental Health Department would have the option of serving a legal notice on the owners of the cesspits requiring that they be repaired / made fit for purpose.

4. RECOMMENDATIONS

- 4.1 A. That Committee endorse the opinion that the problems regarding the integrity and functioning of the cesspits are private matters between the owners of the cesspits and the owner of the land and are not matters in which the Council has any involvement.
- B. That it is not expedient to take enforcement action in respect of the current general levels of the land referred to above on the grounds of visual amenity.
- C. That as a result of the inspection by the Arboricultural Officer in relation to the trees and following the result of the inspection by the Senior Engineer (Land Drainage) in relation to the drainage at an appropriate time of the year that Officers report further to Planning Committee on the expediency of enforcement action in respect of those matters.

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PREFACE ITEM

APPLICATION NO.	NA/14/0011
APPLICANT(S) NAME:	G2 Energy Renewable Developments Ltd
PROPOSAL:	Erect a single 500 kw wind turbine (blade tip height 102m) with associated track, crane hardstanding, substation and temporary construction compound
LOCATION:	Land To The South (0.15m) Of Cefn Fforest Farm Twyngarreg Treharris

The application is for the construction and operation of a single wind turbine with an anticipated installed capacity of 500kw. The proposed wind turbine would be 102 metres in height to the tip of the blade and other infrastructure integral to the construction and/or operation of the turbine. The site is located approximately 150m to the south of Cefn Fforest Farm, Twyngarreg, Treharris and is located in Merthyr County Borough. The application is supported by a number of documents including a landscape and visual impact assessment and other information.

The application site is some 2.2km from the administrative boundary of Caerphilly County Borough with the community of Nelson some 2.5km away and Gelligaer is some 3.8km away.

CCBC's Landscape Architect has been consulted on the proposal and it is considered that the site is visually distant from this county borough, such that there would be no detrimental visual impact from this single wind turbine. The turbine would only be visible from high points within the County Borough such as Gelligear Common and no sensitive receptors such as dwellings or leisure/tourism facilities would be unduly affected.

The proposal has also been considered by this Council's Head of Public Protection and it is considered that the site lies too far away for impacts such as noise or flicker to have an effect on residents of this County Borough. It is for Merthyr County Borough Council to determine whether it has any impacts on the residents within its administrative boundary and their consideration should take into account any cumulative impact from this proposal and the solar farm which was recently approved at Hendai Farm, Heol Adam, Gelligaer.

It is therefore recommended that CCBC offers no objections in view of the distance that lies between it and the application site.

RECOMMENDATION: That Merthyr County Borough Council be advised that this Council has no objections to the scheme.

NA/14/0011

Land To The South (0.15m) Of Cefn Fforest Farm Twyngarreg Treharris



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PREFACE ITEM

APPLICATION NO. PE/14/0459

APPLICANT(S) NAME: BT Payphones

PROPOSAL: Remove public payphone

LOCATION: Gwerthonor Place Gilfach CF82 8JQ

The Council has been consulted in respect of the above matter in accordance with Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction'). The public call box (PCB) at this location has been damaged beyond economic repair and as it is not used on a regular basis it is proposed to remove the facility.

The final decision as to whether or not the PCB should be removed rests with central government but as the Relevant Public Body (as defined in the legislation) this Council has to provide a First Notification setting out its draft decision on the matter. As the Relevant Public Body (as defined in the legislation) the Council is charged with assessing whether the removal of the PCB is acceptable having regard for the following factors.

Housing type in the area

The area surrounding the PCB is characterised by mainly owner occupied dwellings where there is likely to be a high level of ownership of mobile and fixed telephones. As such it is not felt that the removal of the PCB would have an undue impact on the residents of the area.

Number of households in the area

Gilfach is a relatively densely populated area and as such there is likely to be access to alternative provision in the area as discussed above. It should also be noted that there is an alternative PCB some 660m to the north of the site.

PCB revenue

British Telecom have confirmed that the PCB has been used for 189 chargeable calls, 78 free calls and 2 emergency calls in the last two years. This is an average of 0.37 calls per day, which is considered to be a very low level of usage. In that regard it is not felt that retention of the PCB is justified in terms of this factor.

Emergency calls

As stated above, there has been a very low level of emergency calls over the last two years and as such it is not felt that retention is justified on this ground.

Mobile phone coverage

Mobile phone coverage in this area is considered to be very good across all networks.

In conclusion it is considered that having regard for the factors listed above no objection should be raised to the removal of the PCB and a First Notification be issued accordingly.

RECOMMENDATION: That BT Payphones are advised that no objections are raised to the removal of this telephone box

PREFACE ITEM

APPLICATION NO. 14/0363/COU

APPLICANT(S) NAME: Mrs S Carpenter

PROPOSAL: Change of use from Post Office to dwelling together with the replacement of the existing shop front with a domestic frontage

LOCATION: Markham Post Office 53 Abernant Road Markham Blackwood NP12 0PR

The Planning Committee deferred this application on the 10th September 2014, to enable the applicant to submit further information to justify the loss of this important community facility.

The applicant has now submitted financial information, which together with information from Post Office Ltd, adequately indicates that the post office would no longer be financially viable and as such the proposal now complies with criterion B of Policy CW9 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

As such the application is now recommended for approval subject to the following conditions: -

1. 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.
2. The development hereby approved shall be carried out in accordance with the amended plans submitted on 24th July 2014.
REASON: In order to clarify the development approved.
3. The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Location Plan, PL01A, PL01B, PL01C and PL01D.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Members are now invited to determine the application.

RECOMMENDATION: That planning permission is granted subject to the conditions set out above.

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0363/COU 24.07.2014	Mrs S Carpenter 53 Abernant Road Markham Blackwood NP12 0PR	Change of use from Post Office to dwelling together with the replacement of the existing shop front with a domestic frontage Markham Post Office 53 Abernant Road Markham Blackwood NP12 0PR

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application property is situated on the south west side of Abernant Road.

House type: The application property are established Post Office premises with the shop to the front and living accommodation to the rear and above and as such it is a mixed-use property. There is a relatively new traditional style shop front to the ground floor of the frontage with a rendered domestic frontage with two windows to the first floor. The property is situated on the end of a terrace with residential properties either side but it is situated in a mixed use area with a number of shops in the street.

Development: The application seeks full planning consent for the change of use of the property from a mixed-use shop and dwelling to a dwelling. The existing shop area is to be converted into a living area with the shop front being replaced with a domestic frontage. The domestic frontage will have one window and one door.

Materials: To match the host dwelling.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

Cont....

Application No. 14/0363/COU Continued

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW9 (Protection of Rural Commercial Facilities) and CW15 (General Locational Constraints).

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

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

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "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 12 - Design is also relevant.

CONSULTATION

None.

ADVERTISEMENT

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

Cont....

Application No. 14/0363/COU Continued

Response: None.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is whether the loss of the post office would have a detrimental impact on the sustainability and viability of this rural community. In that regard Policy CW9 of the Local Development Plan requires developers for such applications to comply with the following criteria in order to establish that there would be no such harm:-

- A The local community would continue to be served by another existing and comparable facility that is located within easy and convenient access by foot or bicycle; or
- B There is evidence that the current use is not, and could not reasonably be expected to become, financially viable; and
- C The developer can demonstrate that the premises, if non-operational, has been vacant for over a year and that the premises have been actively marketed for that use for lease or sale over a similar period of time at a reasonable rental or purchase price.

The applicant has provided a letter stating that:-

"Now that I have reached the age of 70 and with 45 years working in the Post Office I have decided with effect from 13th August 2014 to close the business and retire. The Post Office has tried with little success to find other premises to accommodate the business, but so far has had no success."

Cont....

Application No. 14/0363/COU Continued

Whilst the circumstances of the applicant are noted, Members are reminded that personal circumstances should only be taken into account in exceptional cases. It is not considered that the personal circumstances of the applicant should outweigh the policy considerations in this case.

In that regard it is considered that the applicant has not complied with the requirements of the criteria set out in Policy CW9 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and as such has failed to show that the loss of the post office would not have a harmful impact on the sustainability and vitality of this rural community.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

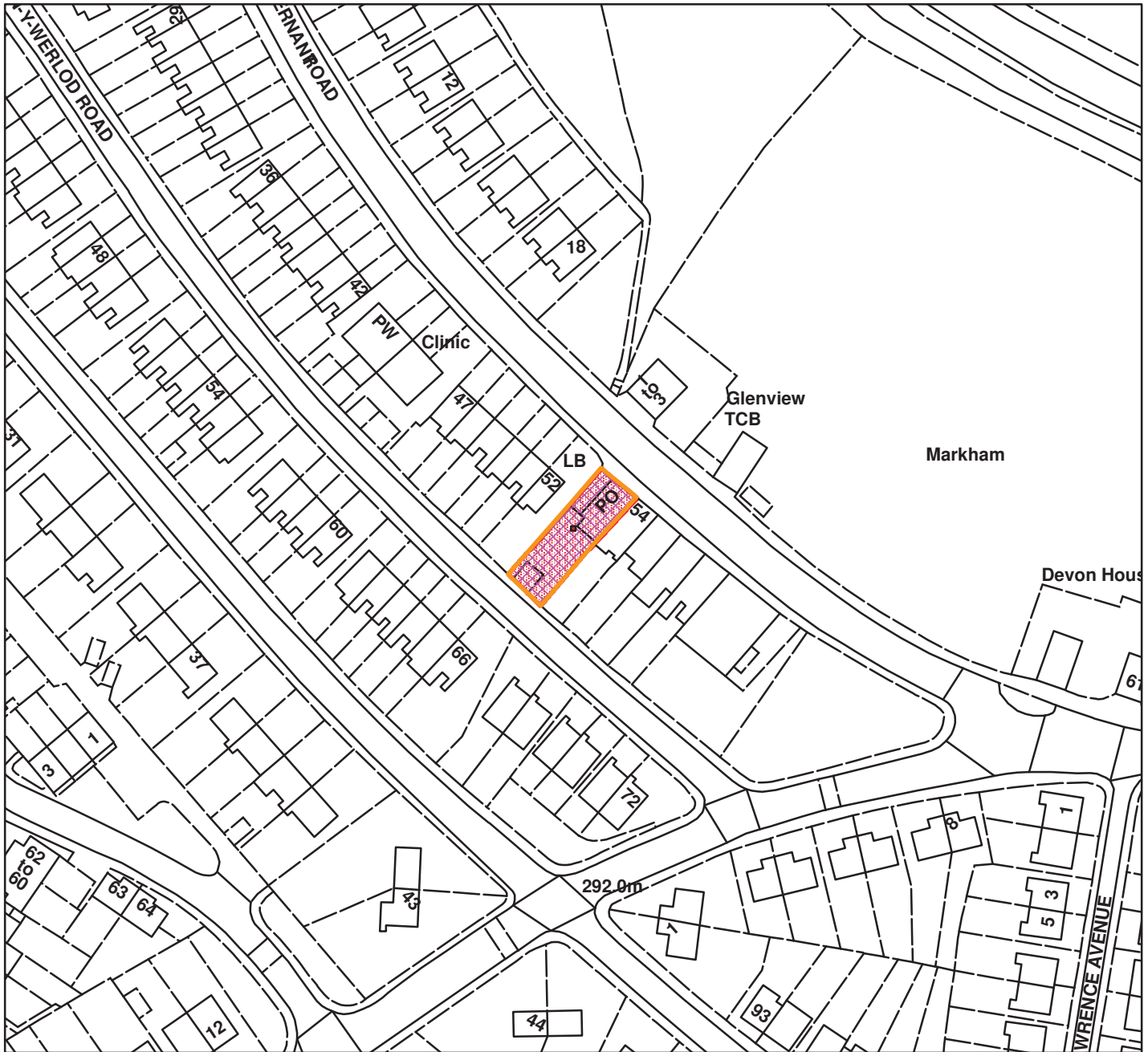
RECOMMENDATION that Permission be REFUSED

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

- 01) The applicant has failed to comply with the requirements of the criteria set out in Policy CW9 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and as such has failed to show that the loss of the post office would not have a harmful impact on the sustainability and vitality of the rural community of Markham.

DEFERRED FOR FURTHER INFORMATION

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	24/09/2014
MSA Number	100023572

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0550/CON 23.07.2012	Llandaff Diocesan Board Of Finance 39 Cathedral Road Cardiff CF11 9XF	Convert former rectory into two affordable houses and erect residential development of six dwellings The Rectory And School Site High Street Nelson Treharris CF46 6HA

APPLICATION TYPE: Conservation Area Consent

SITE AND DEVELOPMENT

Location: The application property is situated on the southern side of High Street opposite St John's Church.

Site description: The application site comprises the curtilage of the former rectory and the site of the former Llanfabon School. This is a relatively flat site with the curtilage of the rectory to the front of the site and the school to the rear. The rectory building is sited approximately 20m back from the road frontage and in the middle of the garden area with all of the former school buildings having been demolished some time ago. The rectory is bounded by a dry stone wall with separate pedestrian and vehicular access gates whilst the former school has a concrete block wall to the exterior.

This is a mainly residential area with a mixture of bungalows and two storey dwellings surrounding the site with the church to the north on the opposite side of High Street. The properties to the west at Rose Cottages are at the same ground level as the application site whilst the dwellings to the south at High Close and to the east at High Street are at lower ground levels.

Development: The application seeks Conservation Area consent for the demolition of the front and rear boundary walls of the Rectory together with the demolition of a WC and store annexe to the detached garage of the Rectory in order to accommodate the residential development of the site. The development will incorporate the conversion of the rectory into two affordable housing units and the erection of 6 dwellings on the site of the former school.

Cont....

Application No. 12/0550/CON - Continued

The site will be accessed using the existing gated access to the rectory with a new access road curving around the retained rectory and serving the new dwellings to the rear of the site. The access will necessitate the demolition of the front and rear stone boundary walls to the Rectory in order to provide access to the site.

The former rectory is to be converted into two two-bedroom affordable units with lounge, WC and kitchen/dining room on the ground floor and two bedrooms and a bathroom on the first floor. A small annexe containing a WC and storeroom which is attached to the detached garage to the side of the garage is also to be demolished.

Dimensions: The site has overall measurements of 105m deep by 55m wide. The front boundary wall measures 30m long in total whilst the rear wall measures 16m long in total. The annexe measures 3.6m by 2m by 2.7m high.

Materials: Not applicable.

Ancillary development, e.g. parking: The stone from the demolished structures is to be retained to be used in the new walls to be erected as part of the redevelopment of the site.

PLANNING HISTORY

5/5/91/0601 - Construct an access onto the public highway - Granted 04.12.91.

5/5/92/0522 - Cut down, top and lop trees - No objection 09.10.92.

5/5/93/0701 - Erect three detached houses - Granted 08.12.93.

P/05/1228 - Construct two groups of three detached private dwellings - Refused 15.02.06.

07/1333/TCA - Fell Tree - Prior approval not required - 27.11.07.

12/0571/FULL - Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) - Not Yet Determined.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Cont....

Application No. 12/0550/CON - Continued

Policies

Local Development Plan: SP2 (Development Strategy in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage), SP15 (Affordable Housing Target) CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP6 Building Better Places to Live gives advice on all levels of development.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: -

"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 (TAN) 2 Planning and Affordable Housing and TAN 12 - Design.

CONSULTATION

Transportation Engineering Manager - No objection.

Conservation & Design Officer - No objection subject to conditions.

Nelson Community Council - No objection.

Countryside And Landscape Services - No objection subject to conditions.

ADVERTISEMENT

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

Response: 13 letters of objection and a petition containing 17 signatures were received in respect of the application.

Cont....

Summary of observations:

1. Objection to the demolition of the former rectory,
2. The creation of the new access road through the curtilage of the former rectory would have a detrimental impact on the historical character of that building and its setting,
3. The proposal would have a detrimental impact on the ecology of the area,
4. The access to the site lacks adequate visibility,
5. Use of the access would create dangers to highway safety,
6. Loss of privacy to neighbouring dwellings,
7. The proposed access would have a detrimental impact on the amenity of The Maples, High Street,
8. Renovation of the former rectory is unworkable,
9. The proposal will exacerbate existing drainage problems in Nelson,
10. The creation of the landscaped area would lead to anti social behaviour in the 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? None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A bat survey has been carried out in respect of this development and it has been discovered that the former rectory is a roost for bats. In that regard the Local Planning Authority has to assess the application against the following tests: -

- Test i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment. As part of the proposal two affordable housing units are to be provided. This is in accordance with Policy SP15 and Key Components 1 and 3 of the Caerphilly County Borough Local Development Plan. As such the derogation is in the interests of overriding public interest of a social or economic nature.

Cont....

Test ii) There is no satisfactory alternative. In order to satisfy test no 2, at least two alternative options can be considered: Option 1 do nothing, Option 2 converting the building in a way that does not affect the existing roost. The Rectory building has been vacant for approximately 6 years and is slowly falling into a state of disrepair. To leave the building as it is would only result in the building eventually becoming derelict and in need of demolition. Indeed the applicants originally proposed to demolish the building as part of this development but its retention and conversion into two affordable units has now been secured as part of the accompanying application for residential development. As such doing nothing with the building is not an option in this instance.

It should also be noted that because of the state of disrepair of the building extensive works are required in order to bring it back into beneficial use. Those works would inevitably involve an affect on the roost and again it is considered that other options for conversion are not available in this instance.

Test iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. Brown long eared and soprano pipistrelle bats emerged from the building during the bat survey carried out by a competent ecologist with proven experience in bat surveying at an appropriate time of year. The survey report concludes that the building is a maternity roost for brown long eared bats with soprano pipistrelle roosting in the rear south chimney base. The proposed development will therefore result in disturbance to bats; however, adequate mitigation, compensation and monitoring recommendations have been put forward in the Method Statement, such as undertaking and completing the works when the bats are not using the building, replacing like for like when renewing the existing roof structure, retaining the existing entry points to the roosts and conditions can be placed on the application to ensure that the mitigation will be implemented. The favourable conservation status of the species is therefore unlikely to be affected by this development, as the mitigation measures will maintain and enhance the roosting opportunities for brown long eared and soprano pipistrelle bats at this location.

Cont...

Application No. 12/0550/CON - Continued

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The demolition of the front and rear boundary walls and the annexe to the detached garage would not have a detrimental impact on the historic character of the building and would not be harmful to the character of the conservation area. The replacement of the front boundary wall with a new stone wall utilising the stone from the existing walls would also mitigate the loss of that feature and as such it is considered that the development is acceptable in planning terms.

Comments from consultees: No objections raised.

Comments from public: The concerns raised by residents relate mainly to the redevelopment of the site for residential purposes and those objections have been dealt with in respect of application 12/0571/FULL. With regard to the demolition of the rectory this is no longer part of the proposal and as such that objection is no longer relevant. In respect of the demolition of the structures the subject of this application, as stated above it is not considered that this would have a detrimental impact on the character of the conservation area and as such the proposal is acceptable.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The works hereby permitted shall be begun before the expiry of five years from the date of this permission.
REASON: To comply with the provisions of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: PA-01T2016-PA-02, T2016-PA-03A, T2016-PA-24A, TP/2016-PA-27, Bat Survey from The Countryman: Wildlife Consultancy dated October 2013, Adendum to the Bat Survey from The Countryman: Wildlife Consultancy dated 7th February 2014, Draft Timetable for Conversion and Restoration.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont....

Application No. 12/0550/CON - Continued

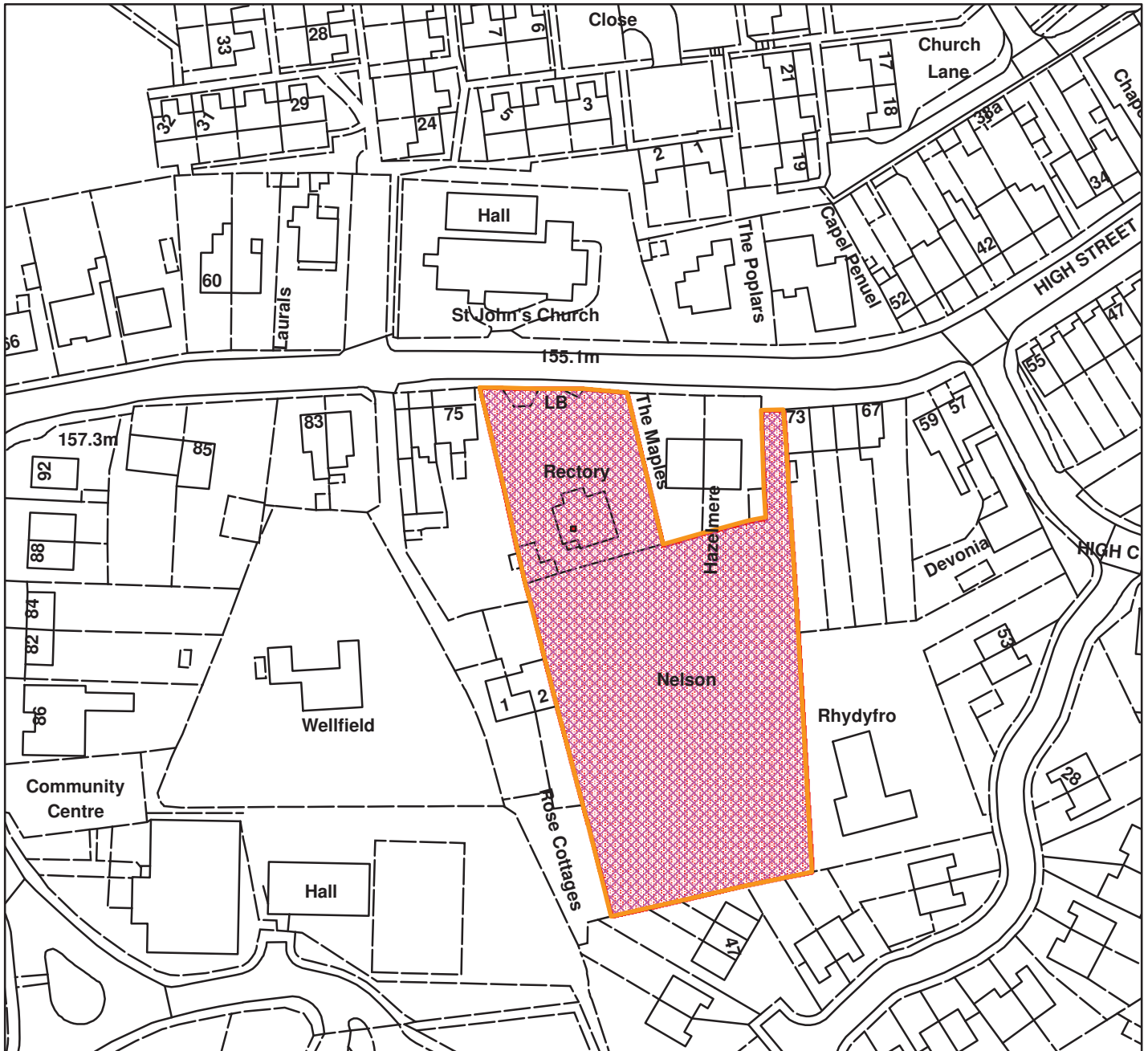
- 03) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 04) 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.

Advisory Note(s)

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

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	25/09/2014
MSA Number	100023572

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0571/FULL 24.07.2012	Llandaff Diocesan Board Of Finance 39 Cathedral Road Cardiff CF11 9XF	Convert former rectory into two affordable houses and erect residential development of 6 dwellings The Rectory And School Site High Street Nelson Treharris CF46 6HA

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the southern side of High Street opposite St John's Church.

Site description: The application site comprises the curtilage of the former rectory and the site of the former Llanfabon School. This is a relatively flat site with the curtilage of the rectory to the front of the site and the school to the rear. The rectory building is sited approximately 20m back from the road frontage and in the middle of the garden area with all of the former school buildings having been demolished some time ago. The rectory is bounded by a dry stonewall with separate pedestrian and vehicular access gates whilst the former school has a concrete block wall to the exterior.

This is a mainly residential area with a mixture of bungalows and two storey dwellings surrounding the site with the church to the north on the opposite side of High Street. The properties to the west at Rose Cottages are at the same ground level as the application site whilst the dwellings to the south at High Close and to the east at High Street are at lower ground levels.

Development: The application seeks full planning consent for residential development of the site. The development will incorporate the conversion of the rectory into two affordable housing units and the erection of 6 dwellings on the site of the former school. The site will be accessed using the existing gated access to the rectory with a new access road curving around the retained rectory and serving the new dwellings to the rear of the site. The access will necessitate the demolition of the front and rear stone boundary walls to the rectory and this is the subject of a separate application for conservation area consent. The access will be 5.5m wide with a 2m footway for the first 15m then reducing down to a 4.8m wide shared surface with a hammerhead at the southern end.

Cont....

Application No. 12/0571/FULL - Continued

The former rectory is to be converted into two two-bedroom affordable units with lounge, WC and kitchen/dining room on the ground floor and two bedrooms and a bathroom on the first floor. Two small modern, lean-to extensions to the rear of the building are to be demolished as part of the proposal with a small two-storey extension being erected in order to 'square the building off' internally.

The new dwellings will be large five bedroom dwellings on three storeys with accommodation in the roof space. All of the plots will have sunroom extensions to the rear (with Plots 1 and 2 being to the side) and Plots 3, 5 and 6 having first floor extensions above the sunrooms. Plots 1 to 4 have single detached garages with Plots 5 and 6 having double garages and Plots 7 and 8 having car-parking areas.

Plots 1 to 6 are to have 1100mm high dwarf walls with metal railings attached to the front boundaries with 1500mm high brick screen walls to garden areas. A new stonewall is to be erected to the site frontage and to the front boundary of the former rectory and the side boundary of Plot 6. A number of existing trees on site are to be retained with new shrub planting also being provided to highway verges.

An open space area will also be created to the front of the site, which will be enclosed within a dry stonewall and landscaped in order to provide a buffer between the dwellings and the highway.

Dimensions: The site has overall measurements of 105m deep by 55m wide. The Rectory measures 12.5m long by 9.7m wide by 7.3m high with the two-storey extension measuring 4m long by 1.8m wide. The new dwellings measure 8.5m long by 8.6m wide by 8.5m high. The sun rooms/extensions measure 3.6m by 3.3m.

Materials: The new dwellings are to be finished in render with man made riven black slates and clay brick chimneys with hardwood windows and doors and metal rainwater goods.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

5/5/91/0601 - Construct an access onto the public highway - Granted 04.12.91.

5/5/92/0522 - Cut down, top and lop trees - No objection 09.10.92.

5/5/93/0701 - Erect three detached houses - Granted 08.12.93.

Cont....

Application No. 12/0571/FULL - Continued

P/05/1228 - Construct two groups of three detached private dwellings - Refused 15.02.06.

07/1333/TCA - Fell Tree - Prior approval not required - 27.11.07.

12/0550/CON - Demolish former rectory and erect residential development of 8 dwellings (including two affordable houses) - Not yet determined.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP2 (Development Strategy in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage), SP15 (Affordable Housing Target) CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP6 Building Better Places to Live gives advice on all levels of development.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: -

"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 (TAN) 2 Planning and Affordable Housing and TAN 12 - Design.

Cont....

Application No. 12/0571/FULL - Continued

CONSULTATION

Nelson Community Council - No objection.

Dwr Cymru - No objection subject to conditions.

Police Architectural Liaison Officer - No objection.

Glam/Gwent Archaeological Trust - No objection.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Conservation & Design Officer - No objection subject to conditions.

CCBC Housing Enabling Officer - No objection subject to 25 % affordable housing being provided as part of the scheme, secured by a Section 106 Agreement.

Countryside And Landscape Services - No objection subject to conditions.

Natural Resources Wales - No objection subject to conditions.

ADVERTISEMENT

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

Response: 13 letters of objection and a petition containing 17 signatures were received in respect of the application.

Summary of observations:

1. Objection to the demolition of the former rectory,
2. The creation of the new access road through the curtilage of the former rectory would have a detrimental impact on the historical character of that building and its setting,

Cont....

Application No. 12/0571/FULL - Continued

3. The proposal would have a detrimental impact on the ecology of the area,
4. The access to the site lacks adequate visibility,
5. Use of the access would create dangers to highway safety,
6. Loss of privacy to neighbouring dwellings,
7. The proposed access would have a detrimental impact on the amenity of The Maples, High Street,
8. Renovation of the former rectory is unworkable,
9. The proposal will exacerbate existing drainage problems in Nelson,
10. The creation of the landscaped area would lead to anti social behaviour in the 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? None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A bat survey has been carried out in respect of this development and it has been discovered that the Former rectory is a roost for bats. In that regard the Local Planning Authority has to assess the application against the following tests: -

- Test i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment. As part of this application two affordable housing units are to be provided. This is in accordance with Policy SP15 and Key Components 1 and 3 of the Caerphilly County Borough Local Development Plan. As such the derogation is in the interests of overriding public interest of a social or economic nature.
- Test ii) There is no satisfactory alternative. In order to satisfy test no 2, at least two alternative options can be considered: Option 1 do nothing, Option 2 converting the building in a way that does not affect the existing roost. The Rectory building has been vacant for approximately 6 years and is slowly falling into a state of disrepair. To leave the building as it is would only result in the building eventually becoming derelict and in need of demolition. Indeed the applicants originally proposed to demolish the building as part of this application but its retention and conversion into two affordable units has now been secured as part of this application. As such doing nothing with the building is not an option in this instance.

Cont....

It should also be noted that because of the state of disrepair of the building extensive works are required in order to bring it back into beneficial use. Those works would inevitably involve an affect on the roost and again it is considered that other options for conversion are not available in this instance.

- Test iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. Brown long eared and soprano pipistrelle bats emerged from the building during the bat survey carried out by a competent ecologist with proven experience in bat surveying at an appropriate time of year. The survey report concludes that the building is a maternity roost for brown long eared bats with soprano pipistrelle roosting in the rear south chimney base. The proposed development will therefore result in disturbance to bats, however, adequate mitigation, compensation and monitoring recommendations have been put forward in the Method Statement, such as undertaking and completing the works when the bats are not using the building, replacing like for like when renewing the existing roof structure, retaining the existing entry points to the roosts and conditions can be placed on the application to ensure that the mitigation will be implemented. The favourable conservation status of the species is therefore unlikely to be affected by this development, as the mitigation measures will maintain and enhance the roosting opportunities for brown long eared and soprano pipistrelle bats at this location.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This site is located within settlement limits on land that is not allocated for any use in the Local Development Plan and as such the principle of development is considered to be acceptable. With regard to the conversion of the former rectory building into two affordable units it is considered that this has been proposed in a manner that respects the character of the original building and allows it to be retained and brought into use for future generations. The demolition of the front and rear boundary walls and the small annexes would not have a detrimental impact on the historic character of the building and would not be harmful to the character of the conservation area.

The proposed dwellings, whilst being taller than the former rectory building share many characteristics with that dwelling and others in the Nelson Conservation Area. The dwellings are double fronted with a strong vertical emphasis to the openings with chimney stacks to reflect the character of traditional dwellings in the area.

Cont....

The windows and doors are to be timber to match the rectory with glazing bars that also reflect its character. There is variety in the materials to be used in the porches to the dwellings and also variety in the height and location of the sun rooms/extensions.

The site has been set out such that there is adequate privacy distance between each of the dwellings within the site and ample off street car parking in the form of hardstands and detached garages. The scheme has also been designed as a home zone with a shared vehicular and pedestrian surface and this, together with the setting back into the plots of the car parking and the garages, has reduced the dominance of the car within the site. Landscaping has also been provided to soften the edges of the highway together with differing materials for hard surfaces and also providing a dark commuting route for bats on the east and west boundaries of the site.

Comments from consultees: No objections raised.

Comments from public: Each of the objections raised are dealt with in turn below:

-

- 1 The former rectory is no longer proposed to be demolished and as such that objection is no longer relevant.
- 2 It is not felt that the creation of the new access road would have a detrimental impact on the character of the rectory and hence the conservation area. At present the former rectory is sited side on to the highway and screened from the road by mature trees. This proposal would open up views of the front of the building and increase its impact on the conservation area. Whilst the new road would be directly in front of the building it is not felt that this would be detrimental to its character or that of the conservation area. A stone wall is to be reconstructed (using the stone salvaged from the original wall) along the boundary with High Street, but allowing for the new access into the site. A sense of enclosure will therefore be reintroduced along the frontage of the site.
- 3 A bat survey was submitted with the application from an Ecologist stating that there was evidence of bats in the former rectory building. The report and supporting documents set out a method statement for the works together with mitigation measures for dealing with the protected species. This has been checked by the Council's Ecologist and no objection is raised to the proposal. It is also felt that the conversion of the building would not have a detrimental impact on any protected species by virtue of the nature of the works, which do not require conversion of the roof space. It is also acknowledged that a mature tree will need to be removed in order to create the access into the site, but this tree has been surveyed by the Council's Arboriculturalist who has confirmed that the tree is not worthy of retention due to its expected short lifespan as a result of poor maintenance.

Cont....

- 4 The access to the site has been considered by the Transportation Engineering Manager and he is satisfied that adequate visibility is provided.
- 5 A number of objections have been received relating to this matter and photographs have also been submitted showing congestion resulting from weddings and funerals at St John's Church. Whilst these concerns are noted it is not felt that it would be reasonable to refuse this application on the basis of these sporadic traffic incidents, which are related to another land use. Moreover, adequate off street car parking is provided as part of this proposal and therefore it is difficult to see how this proposal would lead to increased congestion on High Street. Indeed as vehicles would no longer be able to park opposite St John's Church should the development go ahead then this should lead to a reduction in any congestion in this area.
- 6 As with the dwellings within the site the proposal has been carefully considered in terms of the impacts on surrounding dwellings. As a result of this none of the habitable room windows within the proposal would have a clear and unobstructed view of any habitable room windows in surrounding dwellings at a distance of less than 21m. There are oblique angled views into the rear gardens of some dwellings and also into habitable room windows of others but it is not felt that this would result in an unacceptable loss of privacy.
- 7 It is acknowledged that the access to the site would be very close to the side boundary of the bungalow at The Maples, High Street which is immediately to the east of the site. However, it is felt that, given the difference in levels between the two sites and the proposed shrub planting adjacent to that boundary the proposal would not have an unduly detrimental impact on the amenity of that property.
- 8 The viability of the conversion of the former rectory to two dwellings is a matter for the developer, but it has to be assessed against the viability of the site as a whole. The Local Planning Authority has made a conscious effort to try and ensure the retention of the building as part of this scheme and its conversion enables this to happen. The applicant has confirmed that they are happy to proceed with the application on that basis.
- 9 Dwr Cymru/Welsh Water have been consulted on the application and they have confirmed that "No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site". As such it is considered that the proposal is acceptable with regard to drainage subject to a condition attached to any consent granted requiring the submission of a comprehensive drainage scheme which would also require written approval of the drainage from the statutory bodies.

Cont....

Application No. 12/0571/FULL - Continued

- 10 With regard to possible anti social behaviour it should be noted that the open space area to the front of the site has now been amended. Previously it was proposed to enclose the area with a stonewall and to provide a hard surfaced area and a bench. However, as it was considered that this could provide a potential area for anti social behaviour the scheme has been amended to remove the hard surface and the bench. In that regard it is not felt that the proposal would have a detrimental impact on the amenity of the area.

Other material considerations: In conclusion, it is considered that the proposal is acceptable in planning terms as the scheme is acceptable with regard to design and layout, there would be no detrimental impact on the amenity of the neighbouring dwellings, the site can be adequately drained and there would be no harmful impact on highway safety issues.

In order to secure the provision of the affordable housing on site it is recommended that the application be approved subject to the developer entering into an agreement under Section 106 of the Town and Country Planning Act 1990.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 12/0571/FULL - Continued

- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: PA-01, T2016-PA-02, T2016-PA-03A, T2016-PA-04C, T2016-PA-05B, T2016-PA-06, T2016-PA-07, T2016-PA-08, T2016-PA-09, T2016-10, T2016-PA-11, T2016-PA-12, T2016-PA-14, T2016-PA-15, T2016-PA-16, T2016-PA-17, T2016-PA-18, T2016-PA-19, T2016-PA-20B, T2016-PA-21C, T2016-PA-22, T2016-PA-23, T2016-PA-24, T2016-PA-24A, T2016-PA-25, T2016-PA-26, T2016-PA-27, T2016-PA-28, T2016-PA-29, Bat Survey from The Countryman: Wildlife Consultancy dated October 2013, Adendum to the Bat Survey from The Countryman: Wildlife Consultancy dated 7th February 2014, Draft Timetable for Conversion and Restoration.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans a method statement for the renovation and conversion of the former rectory shall be submitted for the written approval of the Local Planning Authority prior to any construction works commencing at that property. The method statement shall indicate the repair work to all windows and doors together with details of any which are to be replaced and details of the replacements, specification for the rain water goods to be used, the type of render finish to be used for the extension and details of any replacement roofing including the locations of any new slates. The development shall thereafter be carried out in accordance with the approved details.
REASON: In the interests of the historic character of the Nelson Conservation Area.
- 04) Prior to the occupation of the development hereby approved a scheme for the drainage of foul, land and surface water shall be carried out in full and in accordance with a scheme that shall have been submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure the development is served by an appropriate means of drainage.
- 05) 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.

Cont....

- 06) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. Those details shall include:
- (a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and
 - (b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and
 - (c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. 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 the interests of the visual amenity of the area.

- 07) The proposed managed amenity areas as shown on Plan T2016-PA-05B shall be managed in accordance with a scheme which shall be approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved.

REASON: In order to ensure that the area is maintained in a proper fashion in the interests of residential amenity.

- 08) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. 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: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.

Cont....

Application No. 12/0571/FULL - Continued

- 09) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 10) 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.
- 11) 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 dwellings 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.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected or planted without the approval of the Local Planning Authority other than those indicated on the approved plans.
REASON: To retain the open character of the development in the interests of visual amenity.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

Cont...

Application No. 12/0571/FULL - Continued

- 14) 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.
- 15) 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.
- 16) 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.
- 17) Notwithstanding the submitted plans the dwellings on Plots 2 and 4 shall be sited in accordance with a revised plan which will show them moved in order to provide a total drive width of 6m. That revised plan shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of work on those plots.
REASON: In the interests of highway safety.
- 18) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.
REASON: In the interests of highway safety.
- 19) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.

Cont....

Application No. 12/0571/FULL - Continued

- 20) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 21) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 43 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 22) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 23) The mature trees to be removed as part of the development shall be replaced with a hazel hedgerow (in accordance with paragraph 2 of the updated bat survey report and plan T2016-PA-05B). The hedgerow shall be planted within 1 month of the removal of the trees from site unless otherwise agreed in writing with the Local Planning Authority.
REASON: To maintain important flight lines for bats.
- 24) A 2m high stone wall with cock and hen coping shall be erected around the perimeter of the Rectory in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site in order to exclude some of the lighting and noise.
REASON: To ensure adequate mitigation for bats.
- 25) Prior to the commencement of development, a detailed lighting plan shall be submitted to the Local Planning Authority for approval that includes details of any external lighting including the siting and type of existing and new street lighting and security lighting on the new properties and at the Rectory. The development shall be carried out in accordance with the agreed scheme.
REASON: To ensure adequate mitigation for bats.

Cont....

- 26) 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.
- 27) Before the commencement of works on site, details of bat surveys to monitor the new bat roosts within the development hereby approved for a minimum of 5 years following the completion of the development shall be submitted to and agreed in writing with the Local Planning Authority. The monitoring shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The results of the monitoring surveys shall be submitted to the Local Planning Authority annually along with details of any proposed remedial measures to improve the mitigation scheme arising from the survey results. The approved remedial measures shall be implemented in accordance with the agreed details.
REASON: To provide information on the success of the bat roost mitigation and to make amendments to ensure the success of the scheme where necessary, in the interests of biodiversity.
- 28) 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 to the rear of The Rectory 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 provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) and TAN 5 Nature Conservation and Planning (2009).
- 29) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species into the new properties to the rear of the Rectory, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new dwellings hereby approved are first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales (2012) and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning (2009).

Cont....

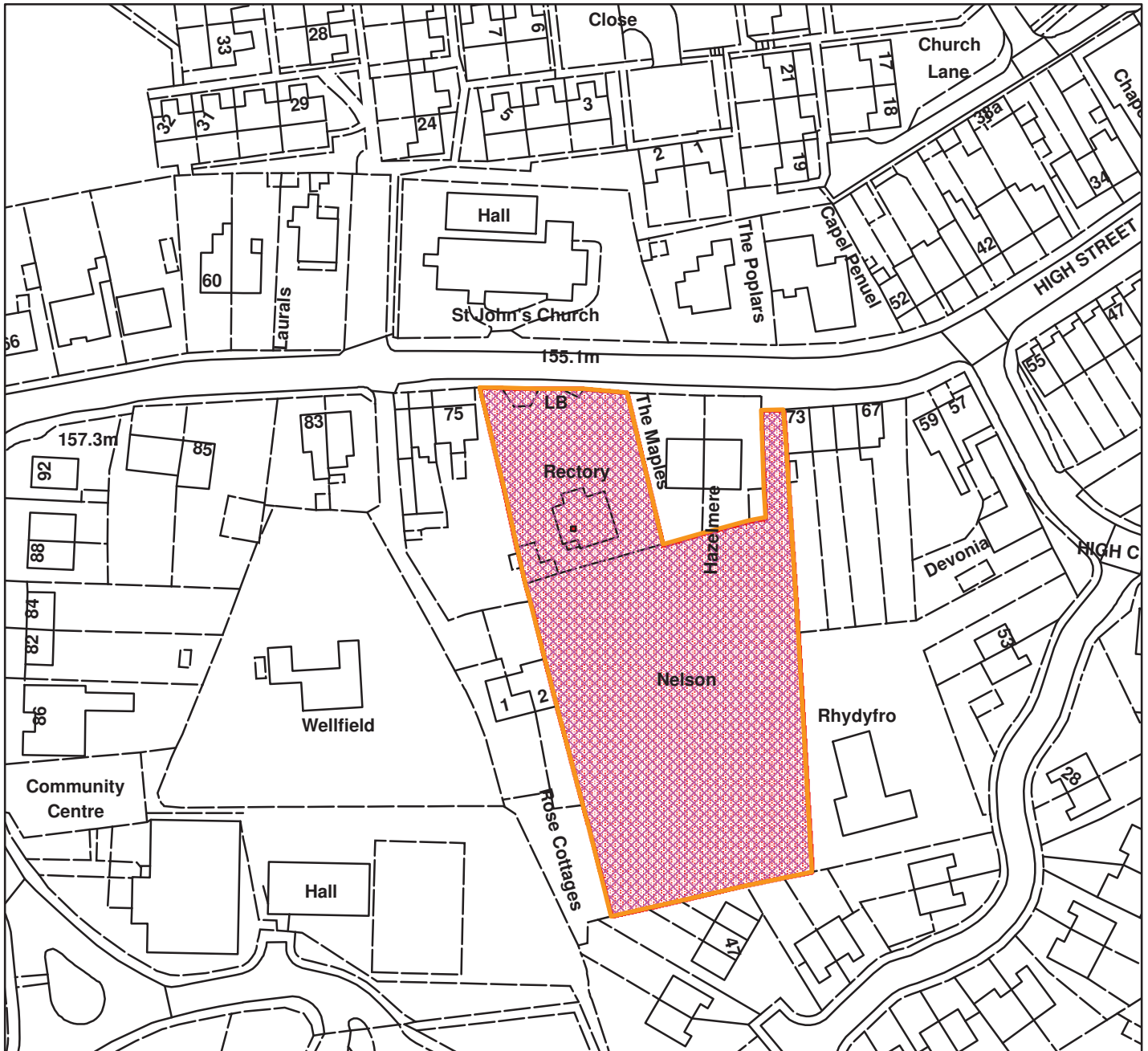
Application No. 12/0571/FULL - Continued

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3 and CW15.

Please find attached comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Police Architectural Liaison Officer and Council's Ecologist.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	Not Set
Date	25/09/2014
MSA Number	100023572

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Agenda Item 13

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0353/FULL 04.07.2013	Mr R Dowden 17 Homeleigh Newbridge Newport NP11 4RQ	Erect a four bedroom detached house and a pair of three bedroom semi-detached houses 17 Homeleigh Newbridge Newport NP11 4RQ

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located at the western end of Homeleigh, Newbridge.

Site description: Residential curtilage of 17 Homeleigh.

Development: Erection of three dwellings. It is proposed to erect one detached dwelling on land to the west of the application property, and two semi-detached properties on the land to the north of the application property.

Dimensions: The proposed detached dwelling has a footprint measuring 12.5 metres in width, 12.1 metres in depth, with a height of 8.1 metres to ridge level.
The proposed semi-detached block measures 17.6 metres in width, 10.3 metres in depth, with a height of 6.7 metres to ridge level.

Materials: Facing brickwork and artificial slate.

Ancillary development, e.g. parking: Parking provision for 3 cars per dwelling, as well as 3 car parking spaces for the application property.

PLANNING HISTORY

2/08639 - Loft conversion - Granted 10.03.89.

2/11767 - Change of use of reclaimed railway land to use as extended garden land - Granted 30.03.94.

Cont....

Application No. 13/0353/FULL - Continued

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The proposed detached dwelling is located within the settlement boundary and the two proposed semi-detached dwellings are located outside the settlement boundary.

Policies: Policy SP5 (Settlement Boundaries), Policy CW2 (Amenity), CW3 (Design Considerations - Highways), Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010), Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY Planning Policy Wales, TAN1 (Joint Housing Land Availability Studies (2006) and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. The applicant has submitted a Coal Mining Risk Assessment, on the basis of which the Coal Authority has no objection subject to a condition requiring intrusive site investigation works, and remedial works if necessary, prior to the commencement of development.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - No objection subject to condition.

Cont...

Application No. 13/0353/FULL - Continued

Strategic & Development Plans - Comment that as two of the proposed dwellings are located outside of the settlement boundary the proposal is contrary to policy. However, the implications of a lack of a 5-year housing supply in accordance with TAN1 are a material planning consideration.

The Coal Authority - No objection subject to condition

Principal Valuer - Provides advice to developer regarding restrictive covenant relating to the land.

ADVERTISEMENT

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

Response: Four letters of objection were received.

Summary of observations: -

- Increased risk of flooding to nearby properties;
- Overlooking of neighbouring properties;
- Subsidence to neighbouring properties;
- Overbearing impact on properties to south.

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

Is this development Community Infrastructure Levy liable? Yes. New residential build at a rate of £25 per sq. metre of internal floor space. At the time of report preparation full details of floor areas had not been confirmed by the applicant and this should be addressed before a decision is issued.

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ANALYSIS

Policies: Although the application is for three dwellings, given the position of the detached dwelling within the settlement boundary and the pair of semi-detached properties outside the settlement boundary, they will be considered separately in this report for the purposes of clarity. Turning first to the proposed two storey detached property that is located within the side curtilage of the application property, i.e. to the west, the proposal is sited within the settlement boundary and therefore the principle is in favour of development provided material planning considerations do not indicate otherwise. The area surrounding the application site is defined by two storey dwellings, bungalows and dormer bungalows. The applicant has respected this existing context by virtue of designing a dormer bungalow style dwelling with dormer windows cut into the roof space. Subject to the use of appropriate materials, this dwelling will integrate well within the area.

In terms of the potential impact of the dwelling on the amenity of neighbouring properties, the properties most affected by the proposal are those to the south, i.e. Nos. 26-29 Homeleigh. The windows on the rear elevation of the proposed detached dwelling are located a minimum of 26 metres from No. 26 Homeleigh, 25.5 metres from 27 Homeleigh, and 20 metres from 28 Homeleigh. Although the distance between the proposed detached dwelling and 28 Homeleigh is less than the 21 metres usually requested, given the angle between the properties this is considered acceptable in this instance. This angle is even more acute with No. 29 Homeleigh and therefore the development will not have a significant impact from a planning point of view on existing levels of privacy to No. 29. Although the application site is at a higher level than the properties to the south, given a separation of 20-26 metres, it is considered that the proposed dwelling will not result in an unacceptable overbearing impact on the properties to the south, and given this orientation, no shadow will be cast in the direction of the properties to the south as a result of the development.

The proposed detached dwelling contains four bedrooms, and parking provision for three off-street parking spaces is provided within the curtilage of the site, including an integral garage. Such parking provision is in accordance with the adopted parking guidelines. For the above reasons the proposed detached dwelling is considered acceptable in planning terms subject to conditions.

It is also noted that as the proposed development would lead to a loss of off-street parking for the application property, i.e. No. 17 Homeleigh, the proposal includes the creation of 3 off-street parking spaces to serve No. 17 thereby not reducing available parking for the application property.

Cont...

Application No. 13/0353/FULL - Continued

Turning to the proposed pair of semi-detached properties located within the northern section of the existing garden of No. 17 Homeleigh. Planning permission was granted in 1994 for the change of this land from former railway land to residential curtilage/gardens (Ref: 2/11767). Since that date, although the owners of Nos. 6-11 and No. 14 and No. 17 have extended their residential curtilage into this area, such a change of use was not reflected when the settlement boundary was drawn for the adopted Local Development Plan. Furthermore, according to aerial photographs, the area in question has been used as garden curtilage for at least 10 years, and therefore although technically outside the settlement boundary, it is not considered to be open countryside.

In terms of national planning policy, Section 4.8 of Planning Policy Wales states that previously developed land should be developed, wherever possible, in preference to greenfield sites, particularly those of high agricultural or ecological value. Many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites in and around existing settlements where there is vacant or under used land, commercial property or housing, in suburban areas close to public transport nodes. It is considered that the application site is under used land that supports the above objective.

Technical Advice Note 1 relates to Joint Land Availability Studies which are required in order to monitor the provision of market and affordable housing, provide an agreed statement of residential land availability for development control purposes and set out the need for action in situations where an insufficient supply is identified. Under TAN 1 Local Planning Authorities have a duty to ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing. The results of the Joint Housing Land Availability Studies should be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies. In addition, local planning authorities must take steps to increase the supply of housing land.

The Council's housing land supply, as agreed in the latest 2013 Joint Housing Land Availability Schedule is only 2.9 years, compared with the requirement in Planning Policy Wales and TAN 1 to maintain a 5 year supply. The housing land supply is a material consideration in planning applications and the deficit in Caerphilly County Borough Council's housing land supply and remedying this shortfall should be considered a high priority in determining suitable planning application, such as this one.

Cont....

Application No. 13/0353/FULL - Continued

For these reasons, although the two proposed semi-detached dwellings are located outside of the defined settlement boundary, the lack of a 5 year housing land supply is a material planning consideration, and adds weight in support of the proposed development.

Other factors that support an approval in this case are the use of the site as domestic garden, and the relationship of the land with the existing development in the locality. The development is clearly a rounding off of the existing settlement.

In terms of the proposed dwellings themselves, as for the proposed detached dwelling, they have been designed to respect the character of the surrounding area, and external finishes will be controlled by way of condition. Appropriate off-street parking is proposed and the dwellings will not have an unacceptable impact on the amenity of surrounding properties by way of any overlooking, overbearing or overshadowing impact. Conditions will be attached to the permission requiring details of finished floor levels and any associated retaining works in light of the sloping topography of the site, and in the interests of the visual and residential amenity of the area.

Comments from consultees: No objection is raised by the Head of Public Protection, the Transportation Engineering Manager, the Senior Engineer (Land Drainage), Welsh Water, or the Coal Authority, subject to conditions.

The Strategic & Development Plans team raise a policy objection to the two proposed semi-detached properties on the basis that they are located outside of the defined settlement boundary. They raise no objection to the proposed detached dwelling on the basis that it is located within the settlement boundary. This issue is addressed above.

Comments from public: Increased risk of flooding to nearby properties - A condition will be attached to the permission requiring a comprehensive scheme showing how land drainage will be disposed of.

Overlooking of neighbouring properties - The windows on the rear elevation of the proposed detached dwelling are located a minimum of 26 metres from No. 26 Homeleigh, 25.5 metres from 27 Homeleigh, and 20 metres from 28 Homeleigh. Although the distance between the proposed detached dwelling and 28 Homeleigh is less than the 21 metres usually requested, given the angle between the properties this is considered acceptable in this instance. The proposed semi-detached properties will have no impact in terms of existing levels of privacy.

Cont....

Application No. 13/0353/FULL - Continued

Subsidence to neighbouring properties - This would be a private legal matter between the interested land owners.

Overbearing impact on properties to south - Given the distance between the proposed detached dwelling and the nearest property to the south, i.e. No. 28 Homeleigh is at least 20 metres, it is not considered that a two-storey dwelling would have an overbearing impact at this distance. The proposed semi-detached properties will have no impact in terms of existing levels of any overbearing impact.

Other material considerations: None.

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 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 drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Prior to the commencement of the development 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 the occupation of the dwellings hereby approved.
REASON: In the interests of the visual amenities of the area.

Cont....

Application No. 13/0353/FULL - Continued

- 05) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 06) 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.
- 07) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 08) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining works on site full engineering details and structural calculations for the proposed retaining works, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining works additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.
REASON: In the interests of highway safety.

Cont...

Application No. 13/0353/FULL - Continued

- 09) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 10) The development hereby approved relates to the details received on 28.04.2014 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 12) 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.
- 13) Notwithstanding the submitted plans prior to the occupation of the development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority which provide 3 off-street parking spaces per property including No. 17 Homeleigh. Such provision shall be completed in accordance with the agreed details prior to beneficial occupation of the dwellings hereby approved and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.
REASON: In the interests of highway safety.
- 14) The proposed shared private driveway and turning area shall be constructed in permanent materials to be agreed in writing by the Local Planning Authority and be completed prior to beneficial occupation of the development. The turning area shall be maintained free of obstruction so that vehicles can both enter and leave the site in a forward gear at all times.
REASON: In the interests of highway safety.

Cont....

Application No. 13/0353/FULL - Continued

- 15) Any gates shall be fitted so as not to open out over the highway.
REASON: In the interests of highway safety.

- 16) Notwithstanding the provisions of the Town & Country Planning Act (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) the garage approved as part of this development shall not be physically altered or converted to any other domestic purpose without prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.

- 17) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.
REASON: To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.

Advisory Note(s)

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

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0411/OUT 23.06.2014	The Trustees Of Llanover Estates C/O Asbri Planning Ltd Miss L Hughson-Smith 1st Floor Westview House Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect residential development and associated works Land At Ton Y Felin Croespenmaen Newport

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application parcel of land is located on the northern edge of Croespenmaen, and is bounded to the south by the B4251, which is the main road linking Oakdale to Crumlin, and to the west by Parkway industrial estate road. To the north of the site is Pen-y-Fan Industrial Estate and to the east is open countryside. The site measures approximately 140 metres west to east, and 150 metres north to south, and has an area of 1.68 hectares.

Site description: Grazing land bounded by hedgerows.

Development: Outline planning permission is sought for the residential development of the site with all matters reserved for approval. However, plans have been submitted showing the following details.

38 dwellings are proposed. This includes four 1-bed flats, four 2-bed houses, eight 3-bed houses, and twenty-two 4-bedroom houses.

The proposed dwellings are laid out around a 'H' shaped residential estate road. The vehicular access into the site is located in the north-west corner of the site, off the lane that serves the existing properties to the north east of the application site. The centre of this access is approximately 25 metres off Parkway Industrial estate road.

Pedestrian footpath access points are also proposed in the north-east, south-west, and south-east corners of the site.

Cont....

Application No. 14/0411/OUT - Continued

Dimensions: The site has an area of 1.7 hectares.

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

Affordable units (25% of development):

1-bedroom flats: width 15 - 17m, depth 8.5 - 10.5m, ridge height 7.5 - 9.5m (to top of block).

2-bedroom house: width 5 - 7m, depth 8.2 - 10.2m, height 7.5 - 9.5m (to ridge height).

3-bedroom house: width 5 - 7m, depth 8.5 - 11.5m, height 7.5 - 9.5m (to ridge height).

Market units (75% of development):

3-bedroom house: width 7.5 - 9.5m, depth 5.5 - 7.5m, height 7.5 - 9.5m (to ridge height).

4-bedroom house: width 9 - 11m, depth 10 - 12m, height 7.5 - 9.5m (to ridge height).

Materials: Red brick and render walls and dark grey roof tiles to match the nearby Parc Bevin development.

Ancillary development, e.g. parking: A village green/area of public open space is proposed across the northern portion of the site measuring 110 metres in width and between 17 - 35 metres in depth.

A Local Area of Play (LAP) is also proposed along the eastern boundary of the site under the TPO beech tree that sits on the boundary.

PLANNING HISTORY

2/11452 - Proposed Mixed Use Development to include Business and Science Park and Associated Residential Development - Refused 15.09.93.

2/11848 - Extension to existing factory and alteration to offices - Granted 13.07.94.

2/12099 - Proposed mixed-use development to include business & science park and associated residential development - Refused 16.08.95.

Cont....

Application No. 14/0411/OUT - Continued

2/12217 - Construct industrial link road - Refused 16.08.95.

P/97/0586 - Erect estate directory board - Granted 21.08.97.

07/0549/FULL - Erect odour abatement chimney - Granted 21.06.07.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The proposed development is located outside the settlement boundary and in a sand stone protection area.

Policies:

Policy SP2 (Development Strategy - Development in the Northern Connections Corridor)

Policy SP5 (Settlement Boundaries)

Policy SP7 (Planning Obligations)

SP14 (Total Housing Requirements)

SP15 (Affordable Housing Target)

Policy CW2 (Amenity)

CW3 (Design Considerations - Highways)

CW6 (Trees, Woodland and Hedgerow Protection)

CW10 (Leisure and Open Space Provision)

CW11 (Affordable Housing Planning Obligation)

Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010)

Supplementary Planning Guidance LDP7: Householder Development (November 2010)

CW22 (Minerals)

NATIONAL POLICY Planning Policy Wales, TAN1 (Joint Housing Land Availability Studies (2006) and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont....

Application No. 14/0411/OUT - Continued

COAL MINING LEGACY

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

CONSULTATION

Senior Arboricultural Officer (Trees) - No objection subject to the retention and enhancement of existing boundary hedgerows.

Principal Valuer - No objection regarding the proposed footpath link in the south-west corner of the site subject to necessary legal agreements.

CCBC - 21st Century Schools - No objection. Data has been obtained from the Education Department that show capacity in the local primary school to accommodate the likely increase in pupils as a result of the proposed development.

Head Of Public Protection - There is concern about the impact of noise from the neighbouring industrial estate on the residents of the proposed housing, and on the restrictions that the development would place on the neighbouring existing use.

CCBC Housing Enabling Officer - Requests provision of 25% affordable housing to include elements of social rented houses and assisted home purchase properties.

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

Head Of Public Services - Requests details of refuse collection points away from unadopted sections of highway.

Transportation Engineering Manager - No objections subject to conditions.

Dwr Cymru - No objection subject to condition, and advice to the developer regarding a public sewer that crosses the application site.

Police Architectural Liaison Officer - No objection.

Cont...

Application No. 14/0411/OUT - Continued

Countryside And Landscape Services - No objection subject to conditions. The Council's Ecologist surveyed the hedgerows surrounding the site and the existing hedgerows along the northern and western boundaries of the site qualify as 'important' hedgerows in accordance with the criteria used in the Hedgerow Regulations 1997. The presumption of the Hedgerow Regulations is that an important hedgerow should be retained wherever possible and taken into account as a material consideration in the planning process. Therefore it will be a requirement that the hedgerows are retained as part of the development. It should be noted that the proposed vehicular access into the site is located in approximately the same position as the existing gate entrance, and therefore this entrance will cause the minimum amount of disturbance to the hedgerow. As well as conditions to protect and enhance these hedgerows of importance, conditions will be attached to the permission in the interests of biodiversity, at the request of the Council's Ecologist.

ADVERTISEMENT

Extent of advertisement: 39 neighbouring properties were consulted and a site notice was displayed near the application site.

Response: Two objections were received.

Summary of observations: -

- Loss of countryside;
- Highway network unable to cope with additional traffic;
- Highway safety implications to walkers using the existing lane along northern boundary of 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 an issue for this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, but several conditions will be attached to the permission to protect and enhance the hedgerows surrounding the site, and provide bat roost and breeding bird provisions within the proposed dwellings.

Cont...

Application No. 14/0411/OUT - Continued

Is this development Community Infrastructure Levy liable? Yes. New residential development at a rate of £25 per sq. metre of internal floor space. This will be calculated accurately at the reserved matters stage.

ANALYSIS

Policies: This is an outline application with all matters reserved for the erection of 38 houses on the northern edge of Croespenmaen. The application has been considered in accordance with local plan policies and national planning guidance as referred to above. The main issues considered to be relevant to the determination of this planning application are the relationship of the application site to the existing settlement boundary, its compatibility with surrounding land uses, and highway safety.

The application site is located outside of the defined settlement boundary, that bounds the site along its southern, western and northern boundary. Therefore the site is currently classed as open countryside, and therefore the development is contrary to Policy SP5 of the Local Development Plan (LDP).

Policy SP5 (Settlement Boundaries) states:

"The Plan defines settlement boundaries in order to:

- A Define the area within which development would normally be allowed, taking into account material planning considerations;
- B Promote the full and effective use of urban land and thus concentrate development within settlements;
- C Prevent the coalescence of settlements, ribbon development and fragmented development;
- D Prevent inappropriate development in the countryside."

The site is on the edge of a sandstone safeguarding area but it is highly unlikely in view of the proximity of neighbouring housing that this area would be developed for that purpose.

Technical Advice Note (TAN) 1 relates to Joint Land Availability Studies which are required in order to monitor the provision of market and affordable housing. Under TAN 1 Local Planning Authorities have a duty to ensure that sufficient land is genuinely available to provide a 5-year supply of land for housing.

Cont....

Application No. 14/0411/OUT - Continued

Paragraph 5.1 of TAN1 states:

"The results of the Joint Housing Land Availabilities Studies should be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies. In addition, local planning authorities must take steps to increase the supply of housing land."

The Council's housing land supply, as agreed in the latest 2013 Joint Housing Land Availability Schedule is only 2.9 years, compared with the requirement in Planning Policy Wales and TAN 1 to maintain a 5 year supply. The housing land supply is a material consideration in planning applications and the deficit in Caerphilly County Borough Council's housing land supply and remedying this shortfall should be considered a high priority in the determining suitable planning application, such as this one. For these reasons, although the 38 proposed dwellings are located outside of the defined settlement boundary, the lack of a 5-year housing land supply is a material planning consideration, and add weight in support of the proposed development.

In reference to the criteria contained in Policy SP5, given the location of the application site, and it being bounded on three sides by the existing settlement boundary, it is not considered to represent ribbon development or fragmented development, and would not lead to the coalescence of settlements.

Policy SP2 (Development Strategy - Development in the Northern Connections Corridor) states:

"Development proposals in the Northern Connections Corridor will promote sustainable development that:

- A Focuses significant development on both brownfield and greenfield sites that have regard for the social and economic functions of the area;
- B Reduces car borne trips by promoting more sustainable modes of travel;
- C Makes the most efficient use of the existing infrastructure;
- D Protects the natural heritage from inappropriate forms of development;
- E Capitalises on the economic opportunities offered by Oakdale/Penyfan Plateau."

Cont....

Application No. 14/0411/OUT - Continued

The application site is well served by existing infrastructure in terms of its relationship to the highway network and the employment opportunities afforded at the Oakdale/Pen-y-Fan Industrial Plateaus. Furthermore, several footpath links have been included as part of the proposals to encourage non-car borne trips to local shops and facilities.

Policy SP7 (Planning Obligations) states:

"The Council will seek to secure Planning Obligations (S106 Agreements) where they are necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Such obligations will include:

- A Infrastructure for walking, cycling, public transport, parking;
- B Schools and ancillary facilities;
- C Community facilities;
- D Strategic highway improvements in the Northern and Southern Connections Corridors;
- E Flood defence measures required to mitigate the risk of flooding;
- F Formal and informal open and leisure space;
- G Affordable housing; and
- H Other facilities and services considered necessary."

A Section 106 Agreement will form part of any planning permission to secure the required element of affordable housing, 25% in this instance (10 dwellings depending on the scale of development approved at reserved matters). The development site is also CIL liable at a rate of £25 per sq. metre of internal floor area. Such monies will contribute to the above local needs.

SP15 (Affordable Housing Target). The Council will seek to deliver through the planning system at least 964 affordable dwellings between 2006 and 2021 in order to contribute to balanced and sustainable communities. The proposed development will contribute 10 dwellings (depending on the reserved matters) towards this target.

Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) states:

"Development proposals that are likely to generate a significant number of trips will only be permitted provided:

A Walking and cycling are modes of travel which have been actively encouraged for short trips to and within the development and to nearby services and facilities, including public transport nodes, through the provision of appropriate infrastructure."

Cont....

Application No. 14/0411/OUT - Continued

The applicant has included pedestrian access points in the south-west, south-east, and north-east corners of the site. Such links will provide future occupiers of the site will good access to the facilities in Croespenmaen and Oakdale, as well as public transport.

Policy CW2 (Amenity) states that

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

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

The proposed development is bounded to the west and south by existing residential development, and the development of the site will not have an unacceptable impact on the amenity of these surrounding residential developments. Furthermore, the site benefits from established hedgerows of high quality along its southern and western boundary. The retention of such boundary treatments will soften the impact of the proposed development in the landscape. The proposed development is of a reasonable low density, which is appropriate given its edge of settlement location, and therefore it is not considered that the development represents an over-development of the site.

The site is bounded to the north by a Use Class B8 storage and warehousing operation. Based on the current operation of this unit, there is not considered to be an unacceptable impact on the future residents of the proposed houses to warrant a refusal of planning permission. However, residential development at the application site may constrain future potential uses at the neighbouring industrial site, i.e. noisy B2 uses for example. However, the proposed development would not constrain development beyond this unit, and the lack of housing land adds considerable weight to the positive determination of the current application.

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Application No. 14/0411/OUT - Continued

There is already housing close to both the neighbouring industrial and warehousing units, and the B1, B2, B8 land use allocation in the LDP. On balance it would be difficult to sustain an objection to the current proposal, which includes a buffer zone of between 17 and 34m in depth along its northern side. Any further applications for planning permission at the industrial estate would have to take account of the presence of the houses, and any disturbance caused by existing use could be controlled under Environmental Health Legislation.

CW3 (Design Considerations - Highways) states:

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

The Transportation Engineering Manager is satisfied with the proposed access to the development site, and road network within the development, and raises no objection subject to conditions. Furthermore, the provision of several pedestrian access points will encourage modes of transport other than that of private car to accord with this policy.

CW10 (Leisure and Open Space Provision) states:

"All new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3ha in gross site area will be required to make adequate provision for:

- A. Well-designed useable open space as an integral part of the development; and
- B. Appropriate formal children's play facilities either on or off site and
- C. Adequate outdoor sport provision either on or off site,
- D. To meet the needs of the residents of the proposed development."

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Application No. 14/0411/OUT - Continued

As part of the development, a large 'Village Green' is proposed across the northern portion of the site. This area measures over 100 metres in width and between 17-34 metres in depth, and will provide a relatively large amenity area for future occupiers of the development, as well as residents of the surrounding area, on land that is currently privately owned and therefore not accessible to the public. A Local Area of Play (LAP) is also proposed along the eastern boundary of the site, and incorporates the retention and protection of a tree protected by a TPO along this boundary.

CW11 (Affordable Housing Planning Obligation) states:

"Legal agreements will be required to ensure that there is provision of an element of affordable housing, in accordance with an assessment of local need, for all allocated and windfall housing sites that:

- A Accommodate 5 or more dwellings or
- B Exceed 0.15ha in gross area."

The application site is located within the area defined as the Northern Connections Corridor, which has an affordable housing target of 25%.

A Section 106 Agreement will be required to secure the requirement of the Housing Enabling Officer, i.e. the provision of 25% affordable housing onsite, which equates to 10 dwellings on the basis of the submitted plans, and must meet the following tests:

- (a) It is necessary to make the development acceptable in planning terms.

Policy CW11 requires the provision of affordable housing and that can only be secured through a S106 Agreement.

- (b) It is directly related to the development.

The affordable housing can only be secured as part of a housing development.

- (c) It is fairly and reasonably related in scale and kind to the development.

The amount of affordable housing is based on the requirements set out in the LDP which has been through an examination and been adopted.

Cont....

Application No. 14/0411/OUT - Continued

Comments from consultees: No objection is raised by those consulted, although several conditions are requested in order to satisfy the various Consultees. The concerns of the Head of Public Protection are addressed above.

Comments from public:

Loss of countryside - This has been addressed above.

Highway network unable to cope with additional traffic, and highway safety implications to walkers using the existing lane along northern boundary of site - the Transportation Engineering Manager raises no objection to the proposed development.

Other material considerations: To conclude the results of the Joint Housing Land Availabilities Study should be treated as a material consideration in determining planning applications for housing. The 2013 Joint Housing Land Availability Schedule shows a supply of only 2.9 years. That, and the location of the site relative to the defined settlement boundary, within the Northern Connections corridor defined in the LDP, weigh considerably in favour of this scheme. Furthermore, there will not be a significant encroachment on open countryside, ribbon development on the coalescence of settlements.

RECOMMENDATION: (A) That the application is DEFERRED to allow the applicant to enter into a Section 106 Agreement. On completion of the agreement that (B) Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 14/0411/OUT - Continued

- 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.
- 05) Ton-Y-Felin Farm Lane shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on site. The improvement works shall provide for a carriageway widening to 5.5m, provision pedestrian facilities, street lighting and surface water drainage system. The agreed improvements shall be carried out prior to the occupation of the first dwelling at the site.
REASON: In the interests of highway safety.
- 06) Prior to its first use the proposed means of access into the site shall be laid out, constructed and maintained thereafter with vision splays of 2.4m x 43m. No obstruction or planting when mature exceeding 900mm in height shall be placed or allowed to grow in the required splays.
REASON: In the interests of highway safety.
- 07) Prior to its first use visibility splays of 2.4m x 70m shall be provided at the junction of Ton-Y-Felin Farm with Parkway. No obstruction or planting when mature exceeding 900mm in height shall be placed or allowed to grow in the required splays.
REASON: In the interests of highway safety.
- 08) The level of car parking provision throughout the residential development shall be in accordance with the requirements of the Local Planning Authority's adopted supplementary planning guidance LDP5 Car Parking Standards.
REASON: In the interests of highway safety.

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Application No. 14/0411/OUT - Continued

- 09) 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 eggs and nests (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) Prior to the commencement of works associated with the development hereby approved, a 5-year hedgerow management plan, which shall include details of the timing of its implementation shall be submitted to the Local Planning Authority for approval. That plan shall include the timing of its implementation and shall be complied with.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 11) Prior to the commencement of work on site details of hedgerow enhancement, planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up existing gaps, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the hedgerow planting shall be carried out within 12 months of the completion of the development.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 12) Prior to the commencement of works on site details of the garden boundary fence to be erected along the inside of the existing hedgerow, in order to exclude the hedgerow from within the garden boundaries, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and shall be implemented before the new dwellings hereby approved are first occupied.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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- 13) Unless otherwise agreed in writing with the local planning authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted within 12 months of the completion of the development.

REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

- 14) The development hereby approved shall be carried out fully in accordance with the recommendations made in Section 5 of the Extended Phase 1 Habitat Survey Report dated June 2014, prepared by Soltys Brewster unless otherwise agreed in writing by the Local Planning Authority. The details shall be implemented before the development hereby approved is first occupied.

REASON: To ensure adequate protection for protected habitats.

- 15) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 80%, native and local provenance tree, shrub and wildflower species and species that are rich in pollen and nectar shall be submitted to the Local Planning Authority for approval. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five 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 biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

Cont...

Application No. 14/0411/OUT - Continued

- 16) 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 development at Ton y Felin, Croespenmaen, 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 provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales (2010) and Tan 5 Nature Conservation and Planning (2009).
- 17) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new development at Ton y Felin, Croespenmaen, 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 provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales (2012) and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning (2009).
- 18) 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.
- 19) Prior to the commencement of works on site a scheme of land drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

Cont....

Application No. 14/0411/OUT - Continued

- 20) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual of the area.
- 21) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.
- 22) 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.
- 23) 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.
- 24) 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,

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- 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,
- 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,

Cont...

Application No. 14/0411/OUT - Continued

- 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.
REASON: In the interests of visual amenity.
- 25) Prior to the occupation of the buildings hereby permitted the land shown on the plan number 1395 sk04 as Village Green and LAP shall be laid out in accordance with that plan as amenity land, and that area shall not thereafter be used for any purpose other than as amenity land.
REASON: To secure the provision of adequate amenity areas.
- 26) None of the dwellings hereby approved shall be occupied until the footpath links to the existing highway network shown on Drawing No. 1395 sk04 have been completed in accordance with the details of which shall have been submitted to and agreed in writing with the Local Planning Authority.
REASON: To promote the interests of pedestrians, cyclists and public transport before that of the private car.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2, CW3, CW4, CW6 and CW10.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0513/NCC 25.07.2014	CCBC (Urban Renewal Department) Tredomen Business And Technology Centre Parc Tredomen Tredomen Ystrad Mynach Hengoed CF82 7FN	Vary condition 46 of planning permission 11/0259/OUT to extend the expiry date for the approval of reserved matters by a period of five years Bargoed Retail Plateau East Of Hanbury Road/West Of Angel Way/A469 Bargoed

APPLICATION TYPE: Development without complying with conditions

SITE AND DEVELOPMENT

Location: The application site, 2.76 hectares in size, includes both the plateau site in Bargoed town centre on which the main redevelopment scheme has been located and an area of land at the Angel Way roundabout in the valley floor to the east of the plateau site and upon which the petrol filling station has been located.

Site description: The main plateau site (which was created between 2007 and 2008 as part of the construction of the A469 relief road - Angel Way) is in part used to provide surface car parking serving existing retail uses on Hanbury Road and the recently constructed Morrisons Superstore and car park, whilst the remainder is retained as open unused land. Hanbury Road and commercial/residential properties fronting Hanbury Road (to the north) and Cardiff Road (to the south) form the western boundary. Beyond the eastern boundary the valley side descends steeply to the railway line which runs north/south, beyond which is the smaller parcel of land on which the petrol filling station has been located between the railway line and the Angel Way roundabout. Bargoed bus station is located at the A469/Bristol Terrace roundabout. Hanbury Road is one way northbound. Vehicular access to the main plateau site is provided by the existing A469/retail plateau access road signal junction immediately east of Gilfach Street. The A469 is connected to Angel Way. The Petrol filling station site originally comprised a grassed/landscaped area with tarmac footpaths and cycle way providing access to the Parc Coedtir Country Park in the river valley to the north, south and east.

Development: This an application to vary condition 46 of planning permission 11/0259/OUT to allow the submission of reserved matters within 5 years of the date of approval. Although the original application was an outline application for development proposals split into two phases, full details were submitted in respect of Phase 1 and outline information for Phase 2.

Cont....

Application No. 14/0513/NCC - Continued

In summary the Phase 1 development (which, with the exception of the petrol filling station, occupies the northern half of the plateau site) comprises:

- engineering works and sewer diversions.
- new Morrisons food store 5,147 sqm gross.
- 7 new retail units 1921 sqm gross for uses within Class A1 (retail), Class A2 (financial and professional services) or Class A3 (restaurant and cafe).
- 412 car parking spaces - 256 on level 1 and 156 on level 2.
- new public square
- new pedestrian links.
- new vehicular access and servicing.
- landscaping and boundary treatments. Landscaping comprises a planted 'green wall' on the east facing elevation of the car park, an area at the northern end of the service yard at the bottom of the Hanbury Road steps and an area along the southern elevation of the car park.
- petrol filling station with forecourt shop 71sqm, car wash 62 sqm, jet wash, underground fuel tanks, realigned footpath / cycleway, new vehicular access, diversion of existing otter tunnel, landscaping and boundary treatment.

Phase 1 of the development has now been completed, the Morrisons store (and petrol filling station) is operational and a number of the new retail units in Hanbury Road have been occupied or let to tenants. As such, this application seeks consent to allow the submission of reserved matters for Phase 2 of the development.

In summary the Phase 2 development (which is located on the southern part of the plateau site) comprises:

- cinema 2165 sqm gross.
- restaurant/cafe 558 sqm.
- car parking for the cinema and cafe with access also to the car parking in phase 1.
- new access

The application is supported by a Town Planning and Retail Statement, Design and Access Statement, Transport Assessment, Interim Travel Plan, Noise Assessment, Air Quality Assessment, Phase 1 Habitat Survey, Flood Risk and Drainage Feasibility Statement, and a Geo-Environmental Overview Report.

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Application No. 14/0513/NCC - Continued

The Town Planning and Retail Statement describes how the redevelopment scheme accords with policies at national and local level. It addresses the retail planning issues and notes that since the development is proposed within the defined town centre the sequential approach to site selection for new retail development (as referred to in Planning Policy Wales and Technical Advice Note 4) is not required. However, in accordance with guidance an Impact Assessment has been provided. This assessment reviews the retailing background set out in documents prepared to support the allocation of the site in the Adopted Local Development Plan, including the assessment of convenience trade diversion, comparison trade diversion, cumulative impact and impact on Bargoed Town centre.

The Design and Access Statement (DAS) appraises the site, considers the policy context, describes how the design concept and character developed, and also considers matters of access, community safety, environmental sustainability and movement to, from and within the site.

The second phase of the development comprises a cinema, several A3 units and car parking. The main access to the cinema (which itself is located at the northern end of the phase 2 area, approximately in the middle of the whole plateau site) will be from the lower car park deck on Level 1, or the sloping rear lane to the adjoining Cardiff Road properties. It is envisaged that there will be an A3 use associated with the cinema. The cinema will use the car parking created by the Phase 1 development. The remaining land, to the west of the access road will be used for a public car park

Vehicular access to the site would be gained via the existing traffic light controlled junction from the A469 onto the plateau, with access into the car parks taken from the road that runs along the eastern edge of the plateau. Permeability has been an important aspect of the development, the aim being to enable the car park to double up as town centre parking and allow pedestrian access throughout the development operating independently of the supermarket. The spine of this access principle is the stair and lift core which is fully and inclusively accessible from all three levels, two lower parking levels and the public square at level 3. While this provides access to the supermarket it is operable outside supermarket hours to a management strategy for use of the town centre and access to Phase 2 facilities. Access to the service yard at the northern end of the building is via a single set of gates. The old steps from Hanbury Road down to the car park in this area have been modified slightly and a route created through a landscaped area at the northern end of the service yard. The car park is managed by Morrisons and is designed to enable the northern portion (behind the travelator) to be closed off when the supermarket is closed.

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Application No. 14/0513/NCC - Continued

The southern portion of the car park will be for the use of the cinema. The northern car park and upper deck will be primarily for the supermarket and the upper deck can be opened after hours if the management agreement with the supermarket allows. The development will require the stopping up of part of the lane to the rear of Hanbury Road.

The whole development has been designed with sustainability in mind, a key requirement of national and local policy. The main upper plateau development has been designed to achieve BREEAM (Excellent) Retail 2008. The petrol filling station at the lower level is being assessed separately with an aspiration to achieve 'Excellent' although it is likely to be lower than this. The DAS sets out what is proposed to both the buildings and the site during construction and subsequent occupation to ensure the development is sustainable in the widest sense.

The Geo-Environmental Report assesses the ground conditions specifically with respect to the management of contaminated land. It considers the development history of the site, its environmental setting in terms of geology, hydrogeology, hydrology, coal mining, mineral extraction and subsidence, landfill and waste management activity, ecological considerations. It then considers contamination sources and assesses the risk of pollution. The report concludes that in general the risks from ground contamination to the proposed developments are low.

The Noise Assessment determined how noise that may be generated as a result of the proposals would affect the amenities of local residents and how the noise environment would affect the amenities of future residents within the development itself. The assessment concludes that the development could proceed without causing harm to the amenity of existing or future residents subject to the following recommendations:

1. No deliveries at night between 2300-0700 hours.
2. Acoustic screening where appropriate around the service yard.
3. Noise output from mechanical services plant to be limited.
4. Building construction to limit noise breakout from the cinema and A3 uses.

A supplementary noise assessment was submitted in response to comments from the Head of Public Protection.

The Air Quality Assessment describes existing local air quality conditions (2011) and the predicted air quality in the future assuming that the proposed development does or does not proceed. The assessment of construction dust impacts focuses on the anticipated duration of the works.

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The assessment concludes that existing conditions within the study area show mainly good air quality, concentrations of nitrogen dioxide PM10 and PM2.5 would remain below the objectives at all receptor locations, the overall air quality impacts of the development are judged to be insignificant. Road traffic emissions do not provide any constraints to the proposed scheme. The construction works have the potential to create dust so it will be necessary to apply a package of mitigation measures to minimise dust emission.

The Flood Risk and Drainage Feasibility Statement notes that, although the current Environment Agency flood map shows the development site to be at risk of flooding from the River Rhymney, it has been established that this does not take into account recent development works in substantially raising ground levels locally and the culverting of the river under the Bargoed roundabout. The Environment Agency has acknowledged that the flood map is inaccurate for this location and that a Flood Consequence Assessment is not required as the risk of fluvial flooding is low. River levels are 19 metres below the proposed development level at its lowest point. The risk of other forms of flooding from the fluvial, groundwater, public sewers, site drainage and tidal is considered low and does not expose the local neighbourhood to an increase in flood risk.

An extended Phase 1 Habitat Survey was undertaken of the application site, both the plateau area and the area on which the petrol filling station is proposed. The habitats present on the sites and on land immediately surrounding the sites were noted. Precautions should be taken to ensure that any disturbance of all habitats deemed suitable for nesting birds is only carried out outside the bird-nesting season. Taking into account the guidance in TAN 5 'Nature Conservation and Planning' and the need to ensure that all planning decisions should protect wildlife and ecological features and seek new opportunities for the enhancement of nature conservation, it is recommended that any landscape areas should include native plant species sourced from local nurseries.

The Transport Assessment demonstrates that the site is accessible by a choice of travel modes, including walking, cycling and public transport and therefore that the proposals are consistent with local and national planning policy. The car parking provision at the site has been compared and been found to be broadly in line with the standards set out in the CCBC Supplementary Planning Document LDP 'Car Parking Standards'. A car parking accumulation study has been completed which shows that during the busiest time period the proposed two level car park will reach approximately 87% capacity, suggesting that the proposed car parking is appropriate to the development. The accident data does not show that there is either a high incident rate or pattern of accidents in the locality of the site and consequently it is considered that with the well conceived access works to the proposed development it is unlikely that there would be a significant increase in the risk of accidents.

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Application No. 14/0513/NCC - Continued

The assessment provides a worst-case assessment of the traffic impact of the proposed development. Computer modelling of the site access junction and other relevant junctions on the local highway network shows that the junctions will operate within their capacity in the design year of 2028. Overall, the assessment concluded that the proposed development is acceptable from a transport perspective and will lead to benefits in terms of reduced trip lengths and increases potential for shopping trips to be undertaken by non-car travel modes, while not resulting in any identifiable transport related difficulties.

It is proposed to set up a Travel Plan, which sets out ways in which the use of non-car modes by staff working on the site can be encouraged. Its primary objective is to reduce the number of single occupancy, single purpose car trips to the development by increasing awareness of the advantages and potential for travel by more environmentally friendly modes of transport. The travel plan will be overseen by a Travel Administrator and implemented by a Travel Plan Co-ordinator. It will be regularly monitored to ensure that the objectives are being met and to gauge progress towards the targets.

Materials: No materials have been specified for Phase 2 and all matters not referred to above are reserved for future consideration.

Ancillary development, e.g. parking: Car parking is incorporated into the development as described above. In addition, secure cycle parking facilities will be provided in convenient locations including 10 spaces on the new public square and 36 spaces in the car park near to the food store entrance.

PLANNING HISTORY

P/01/0631 - Redevelop to provide car parking and retail/leisure development A1 & A3 use, re-align proposed by pass and station road - Granted 29.08.01.

P/03/0437 - Construct approx. 3.6 km of new highway with assoc. junctions & structures, a new retail dev. plateau & bus station as part of Bargoed Town Centre Regeneration - Granted 12.06.03.

07/0345/LA - Construct maintenance access track and a public viewing platform as part of the Greater Bargoed Community Regeneration Scheme - Granted 17.05.07.

09/0061/LA - Change the use of land for temporary car parking - Granted 25.03.09

11/0830/LA - Change use from bus station to public space. Granted 26.01.12.

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Application No. 14/0513/NCC - Continued

12/0276/ADV - Install advertising/marketing board on site of proposed petrol filling station. Granted 06.06.12.

12/0869/ADV - Erect advertising/marketing board. Granted 28.01.13.

12/0901/RM - Seek approval of the appearance, landscaping, layout and scale of Phase 2 car park. Granted 07.02.13.

13/0044/ADV - Erect illuminated signage to canopy, kiosk & carwash and erect a new Morrisons totem pole. Granted 21.03.13.

13/0135/LA - Seek approval of the reserved matters of access, appearance, landscaping, layout and scale approved under planning consent 11/0259/OUT to construct a new five screen cinema and associated landscaping works. Granted 11.04.13.

13/0139/ADV - Erect illuminated and non-illuminated signage to new supermarket store. Granted 22.04.13.

13/0142/LA - Develop access road into site for future development by a private developer (future proposals for a restaurant and parking area). Granted 24.04.13.

13/0317/LA - Vary condition 60 of Planning Permission 11/0259/OUT so that the use of the cinema shall not be open to customers between the hours of 0100 hours and 0700 hours. Granted 13.06.13.

13/0866/FULL - Install new aluminium shop front. Granted 14.02.14.

13/0867/ADV - Erect fascia sign and two internal window graphics on suspended Tagi system. Granted 14.02.14.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The main plateau site is located within the Principal Town Centre boundary (CM1.1) allocated for a food superstore, retail, cinema and residential (CM4.2 and HG1.19). The site of the petrol filling station is located outside settlement limits and in the Greater Bargoed Country Park (LE3.3)

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Application No. 14/0513/NCC - Continued

Policies:

SP1 (Development Strategy in the Heads of the Valleys Regeneration Area), SP4 (Settlement Strategy), SP5 (Settlement boundaries), SP6 (Place Making), SP7 (Planning obligations), SP8 (Mineral safeguarding), SP10 (Conservation of natural heritage), SP17 (Promoting commercial development), CW1 (Sustainable transport, accessibility and social inclusion), CW2 (Amenity), CW3 (Design considerations - highways), CW5 (Protection of the Water environment), CW10 (Leisure and open space provision), CW14 (Use class restrictions - retail), CW15 (General locational constraints), CW16 (Locational constraints - retailing), CW22 (Locational constraints - minerals), HG1.19 (Allocated housing site), CM1.1 (identification of the boundary for the Principal Town Centre in the Heads of the Valleys Regeneration Area - Bargoed), CM4.2 (Principal town and local centre development sites), LE3 (Protection of country parks).

NATIONAL POLICY:

Wales Spatial Plan. Bargoed is located in the 'Heads of the Valleys Plus' Strategic Opportunity Area identified in the 2008 update to the Wales Spatial Plan.

Planning Policy Wales 7th edition July 2014 seeks to promote mixed-use development and locate development in locations accessible by sustainable forms of transport, by the re-use of previously developed sites in built up areas and also in town centres; promotes sustainability through good design which should include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings; requires Local Planning Authorities to develop through their community strategies and development plans a clear strategy and policies for retail development which seek to achieve vital, attractive and viable centres and to set out a framework for the future of town, district, local and village centres in their area which promotes a successful retailing sector supporting existing communities and centres; in determining planning applications to take account of the risk and impact of potential pollution from the development insofar as this might have an effect on the use of other land and the surrounding environment.

Technical Advice Notes: TAN 4 (Retailing and Town Centres), TAN 5 (Nature Conservation and Planning), TAN 11 (Noise), TAN 12 (Design) 2009 , TAN 22 (Planning for sustainable buildings).

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Application No. 14/0513/NCC - Continued

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

CONSULTATION

Senior Engineer (Land Drainage) - No objection.

Principal Valuer - No objection.

Dwr Cymru - No objection subject to conditions.

Natural Resources Wales - No objection.

Wales & West Utilities - No objection.

Police Architectural Liaison Officer - No objection.

Network Rail - No objection.

ADVERTISEMENT

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

Response: None.

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? This application relates to the cinema phase of the development. All such facilities where people congregate in the evenings have the potential to cause some anti-social behaviour. That should not preclude the grant of planning permission in this case for what is clearly a town centre use. Any problems can be addressed by the Police.

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Application No. 14/0513/NCC - Continued

EU HABITATS DIRECTIVE

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

ANALYSIS

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

The principle of the development on the plateau site is fully in accord with Policy CM1.1 (identification of Bargoed as a Principal Town) and Policy CM4.2 (allocation of the site for a food superstore, retail, cinema and residential) in the Adopted Local Development Plan and also with guidance and policy in Planning Policy Wales.

Strategic Planning and Urban Renewal Manager has concluded that the retail impact section of the Town Planning and Retail Statement demonstrates that the development is in accord with the LDP and with Welsh national guidance. However, it is noted that the application will need to be referred to the Secretary of State in accordance with the Town and Country Planning (Shopping Development)(England and Wales)(No.2) Direction 1993.

Group Manager Transportation Planning has raised no objection subject to conditions dealing with detailed access arrangements for both vehicles and pedestrians.

Head of Public Protection has considered the environmental impacts of the development, in particular noise, air quality and contamination. He considers that air quality and contamination impacts are acceptable subject to any permission granted including conditions to mitigate and/or control those impacts.

The overall design philosophy of the development, in particular Phase 1, as described in the Design and Access Statement is considered to be acceptable and has been the subject of discussions between the applicant, their consultants and officers, This dialogue is continuing in respect of some detailed design matters and where there are still some outstanding matters it is considered appropriate and reasonable to reserve their final approval by conditions.

Comments from Consultees: These are dealt with in the policy section above.

Comments from public: None.

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Other material considerations: None.

In conclusion it is not felt that circumstances have changed since the original grant of outline planning consent for this development and as such the proposal is acceptable in planning terms. The application is therefore recommended for approval. The conditions recommended below reflect the fact that Phase 1 has been carried out, and also the sustainable construction of the building is now addressed by the Building Regulations. Conditions that impose on-going restrictions such as hours of operation have been repeated.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Notwithstanding the submitted plans no development of Phase 2 of the development hereby approved (residential, cinema, A3 uses) shall commence until approval of the details of the layout, scale, appearance and landscaping of that part of the development (hereinafter called the Reserved Matters) has been obtained in writing from the Local Planning Authority.
REASON: To ensure the satisfactory development of the site.
- 02) Application for approval of any 'reserved matter' shall be made to the Local Planning Authority not later than the expiration of five years beginning with the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) The development of Phase 2 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.
- 04) Prior to the commencement of Phase 2 a scheme to deal with the contamination of that part of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include a ground investigation and risk assessment to identify the extent of contamination and the measures to be taken to avoid risks to the occupants of the development when the site is developed.
REASON: In the interest of public health.

Cont....

Application No. 14/0513/NCC - Continued

- 05) No building approved by this permission in Phase 2 shall be occupied until a report has been submitted to and approved in writing by the Local Planning Authority that verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: In the interests of public health.
- 06) If, during development of Phase 2, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until written approval has been obtained from the Local Planning Authority on the method of dealing with the contamination.
REASON: In the interest of public health.
- 07) Prior to the commencement of development of Phase 2 a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include provision of a grease trap in connection with any proposed A3 use. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 08) Prior to the commencement of any development in Phase 2 a construction phase noise scheme (to include proposed hours which the developer intends to work) and a construction phase dust mitigation scheme shall be submitted to and approved by the Local Planning Authority. Thereafter the agreed scheme shall be employed to deal with any noise and dust arising from the construction of the development.
REASON: In the interest of public amenity.
- 09) Prior to the commencement of any works on the proposed cinema use in Phase 2 a noise insulation scheme for the building to ensure that noise break-out from this use is designed to either not exceed or be well below the background noise climate shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the Approved Scheme.
REASON: In the interest of public amenity.
- 10) The use of the cinema hereby permitted shall not be open to customers between the hours of 0100 hours and 0700 hours.
REASON: In the interest of residential amenity.

Cont....

Application No. 14/0513/NCC - Continued

- 11) Any A3 uses that occupy Units 1-7 in Phase 1 shall not be open to customers outside the following times:
(a) 0700 hours to midnight Sundays to Thursdays and (b) 0700 hours to 0030 hours on Friday and Saturday.
REASON: In the interests of residential amenity.
- 12) The use of the car wash and jet wash at the petrol filling station within Phase 1 shall not be open to customers between the times of 2200 and 0700 hours.
REASON: In the interest of residential amenity.
- 13) No development shall take place within Phase 2 until a detailed lighting scheme for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, inter alia, the position, height and type of lighting columns. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of visual and public amenity.
- 14) The use of the car parks shall be managed in accordance with a Management Plan, the details of which shall have first been submitted to and approved in writing by the Local Planning Authority. Where appropriate the Plan shall make provision for the car parks to be closed by lockable barriers when the parking facilities are not available for public use.
REASON: To deter use of the car parks when they are closed in the interest of public amenity.
- 15) Prior to the commencement of the use of any A3 use permitted in Phase 2 of the development hereby approved, a scheme of odour/effluvia/fume control (including noise) shall be implemented in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be retained for the duration of the approved uses.
REASON: In the interest of amenity.
- 16) No more than two of Units 1-7 shall be occupied for purposes falling within Class A3 of the Town and Country Planning (Use Classes) Order 1987 as amended. Once two of those units have been occupied for Class A3 purposes, no more of those units shall be occupied for purposes falling within that class without the approval of the Local Planning Authority.
REASON: To retain control of the use of the units in the interests of the vitality of the town centre, and crime and disorder.

Cont....

Application No. 14/0513/NCC - Continued

- 17) Before any soils or hardcore are brought onto 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.
- 18) Prior to the commencement of any building work on site with the exception of preliminary works, full engineering details of the car park circulation areas and ramps between levels shall be submitted to the Local Planning Authority for the agreement of the Local Planning Authority in writing. They shall then be constructed in accordance with the agreed details prior to any beneficial occupation of the development and shall be maintained thereafter free of obstruction for the safe passage of vehicles.
REASON: In the interests of highway safety.
- 19) The proposed means of access/egress to/from the car parking areas shall be laid-out, constructed and maintained thereafter with the following vision splays:
Northern egress - 2.4m x 43m to the south, 2.4m x 33m to the north as measured to the nearest kerb line:

Southern egress - 2.4m x 43m to the north, 2.4m x 27m to the south side to accommodate the slower speed of approaching traffic from the south.

No obstruction or planting exceeding 0.9m in height when mature above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas
REASON: In the interests of highway safety.
- 20) Any gates shall be located and fitted so as to not open out over the highway.
REASON: In the interests of highway safety.

Cont....

Application No. 14/0513/NCC - Continued

- 21) Other than preliminary works within Phase 2 no development shall take place until a plan showing details of the provision of integral self-contained roosts to the outer walls of the new buildings in Phase 2 has been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the new buildings in Phase 2 hereby approved are first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 22) Site clearance operations that involve the destruction and removal of vegetation, including felling clearing or removal of trees and shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Local Planning Authority prior to their removal/felling/clearing to ensure that breeding birds are not adversely affected.
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.
- 23) Prior to the commencement of the use of the supermarket and/or any A3 use in Units 1-7 hereby approved a scheme of odour/effluvia/fume control (including noise) shall be implemented in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be retained for the duration of the approved uses.
REASON: In the interest of amenity.
- 24) The rating level of noise from all external and roof mounted plant/machinery installed at the site shall not exceed the existing background noise level by more than 5dB at any time when measured or calculated at 1 metre from the facade of the nearest existing and proposed noise sensitive properties. The measurement and assessment shall be made in accordance with BS4142:1997, or the most current British Standard if applicable.
REASON: In the interests of residential amenity.
- 25) No deliveries shall be taken at or dispatched from the uses permitted in Phase 1 and Phase 2 outside the hours of 0700 and 2200 hours.
REASON: In the interests of residential amenity.

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Application No. 14/0513/NCC - Continued

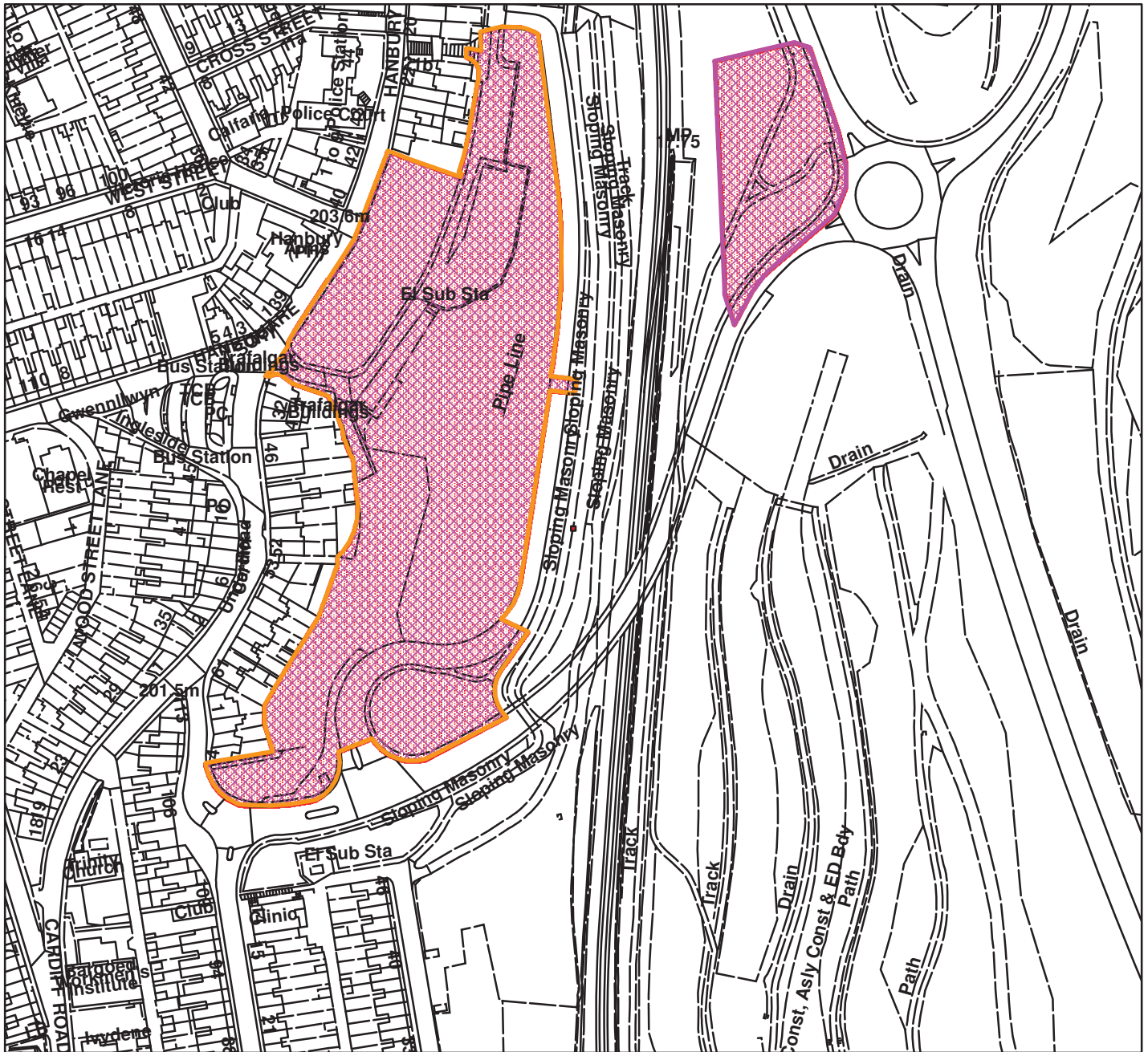
- 26) Prior to the commencement of the uses hereby-approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.
REASON: In the interest of public health.
- 27) No compaction shall take place within the service delivery yard unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interest of public amenity.
- 28) Unless otherwise agreed in writing with the Local Planning Authority reversing alarms shall not be used within the service delivery yard between the following times: 0700 and 0900 hours on Saturdays; 0700 and 1000 hours and 1700 and 2200 hours on Sundays and Bank Holidays. In the absence of reversing alarms details of an alternative system for managing risks with reversing vehicles during those times shall be submitted to and approved by the Local Planning Authority. The approved system shall thereafter be used at all times.
REASON: In the interests of public amenity and health and safety.
- 29) Music noise levels associated with any of the commercial/retail/leisure uses within both Phase 1 and 2 shall not exceed the external background noise levels up to 2300 hours and the music noise levels must be inaudible (10dB below background noise levels) at the nearest sensitive noise receptor after 2300 hours.
REASON: In the interest of public and residential amenity.
- 30) The occupancy of the petrol filling station hereby approved shall be restricted to the retailer that occupies the Primary A1 retail unit on the Bargoed Plateau hereby approved.
REASON: To ensure that the vitality and viability of the proposed retail development and thus the Principal Town of Bargoed is not undermined.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW1, CW2 and CW3.

On this decision notice the expression 'Preliminary Works' shall mean only any of the following: site clearance, demolition work, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	25/09/2014
MSA Number	100023572

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Agenda Item 16

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0529/RET 01.08.2014	Mr M Brown Luton House Aeron Place Gilfach Bargoed CF81 8JA	Retain decking Luton House Aeron Place Gilfach Bargoed CF81 8JA

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of Aeron Place.

House type: The application property is a mid terraced dwelling with an existing two storey annexe to the rear and a terraced rear garden that steps down from the rear of the house. The rear annexe is two thirds of the width of the dwelling such that there is a small yard area between the annexe and the annexe to the rear of the adjacent dwelling. The small yard area is at ground floor level up to the rear of the annexe and then it steps down to the first garden level, which is 1m lower.

Development: The application seeks full planning consent for the retention of decking in the rear garden of the property. The yard area to the side of the annexe has been covered with decking and new steps have been created down to the garden level. The remainder of the garden has then also been covered in decking with a small artificial grass area on the middle garden level. The application is reported to Committee because the applicant is related to an Officer of the Council.

Materials: Timber.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

Cont....

Application No. 14/0529/RET - Continued

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

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

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

Guidance Note 8 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on raised decks and balconies.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "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 12 - Design.

CONSULTATION

None.

ADVERTISEMENT

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

Response: None.

Summary of observations: None.

Cont...

Application No. 14/0529/RET - Continued

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.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The proposed decking is considered to be acceptable from a design perspective and there would be no overbearing impact on the amenity of the neighbouring dwellings. As such the main point to consider in the determination of this application is whether the decking would have an impact on the privacy of the neighbouring dwelling.

In that regard it should be noted that the decking the subject of this application has been altered from that which was the subject of complaints received by the Council. The result is that the most elevated part of the deck next to the annexe is now only marginally above the former yard area and therefore it is not felt that there is any marked increase in overlooking in this area, over and above that which was evident previously. With regard to the remainder of the garden it is felt that the newly erected close boarded fence on the boundary provides an effective means of screening the adjacent garden without having a detrimental impact on the amenity of that dwelling.

In conclusion it is not considered that the decking has a detrimental impact on the privacy of the neighbouring dwelling and as such it is acceptable in planning terms.

Comments from consultees: No objections raised.

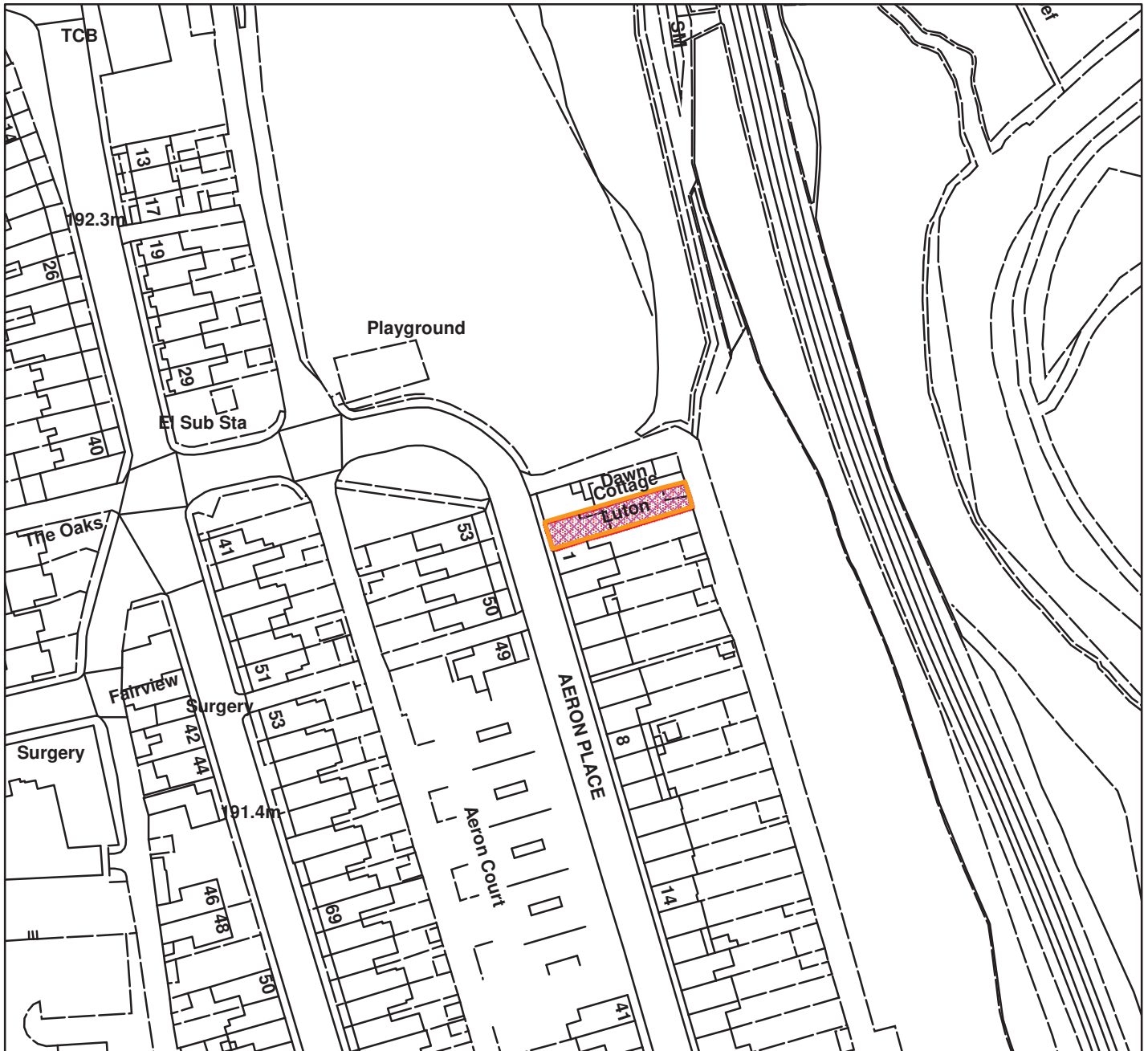
Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	25/09/2014
MSA Number	100023572

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Agenda Item 17

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0558/FULL 18.08.2014	Mr & Mrs Hobden 24 Highland Crescent Springfield Pontllanfraith Blackwood NP12 2NE	Erect conservatory to rear and entrance porch to front of property 24 Highland Crescent Springfield Pontllanfraith Blackwood NP12 2NE

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is located on Highland Crescent, Springfield, Pontllanfraith.

House type: Two storey semi-detached property.

Development: Front porch and rear conservatory.

Dimensions: The proposed porch measures 3.0 metres in width, 2.2 metres in depth, with a height of 2.5 metres to eaves level and 3.8 metres to apex ridge level.

The proposed conservatory measures 3.9 metres in width, 4.0 metres in depth, with a height of 3.5 metres to ridge level.

The application is reported to Planning Committee because the agent is related to an Officer of the Council.

Materials: Porch - Painted render and roof tiles.
Conservatory - UPVC

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

PLANNING HISTORY

No previous planning history.

Cont....

Application No. 14/0558/FULL - Continued

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy CW2 (Amenity) and advice contained in Supplementary Planning Guidance LDP7: Householder Developments (November 2010).

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Any coal mining issues will be controlled by way of the building regulations.

CONSULTATION

Dwr Cymru - Provide advice to the developer.

ADVERTISEMENT

Extent of advertisement: Six neighbouring properties were consulted and a site notice was displayed near the application site.

Response: None.

Summary of observations: Not applicable.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Cont....

Application No. 14/0558/FULL - Continued

Is this development Community Infrastructure Levy liable? Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

ANALYSIS

Policies: It is considered that the proposed front porch development has been well designed in terms of its setting, scale and materials, and will integrate with the host dwelling. The development will have no impact on the amenity of neighbouring properties by way of any overbearing or overshadowing impact, and there will be no loss of privacy as a result of the development. Therefore this element of the proposal is considered acceptable in planning terms.

It is also considered that the proposed conservatory is acceptable in terms of its setting, scale and design, and will not have an overbearing or overshadowing impact on neighbouring properties. Given the relatively low boundary treatment between the application property and the neighbouring property to the east, i.e. No. 26 Highland Crescent, a condition will be attached to the permission requiring obscure glazing in the east facing elevation of the proposed conservatory to protect the privacy of the neighbouring property.

Comments from consultees: Dwr Cymru/Welsh Water provides advice to the developer.

Comments from public: None.

Other material considerations: None.

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 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.

Cont....

Application No. 14/0558/FULL - Continued

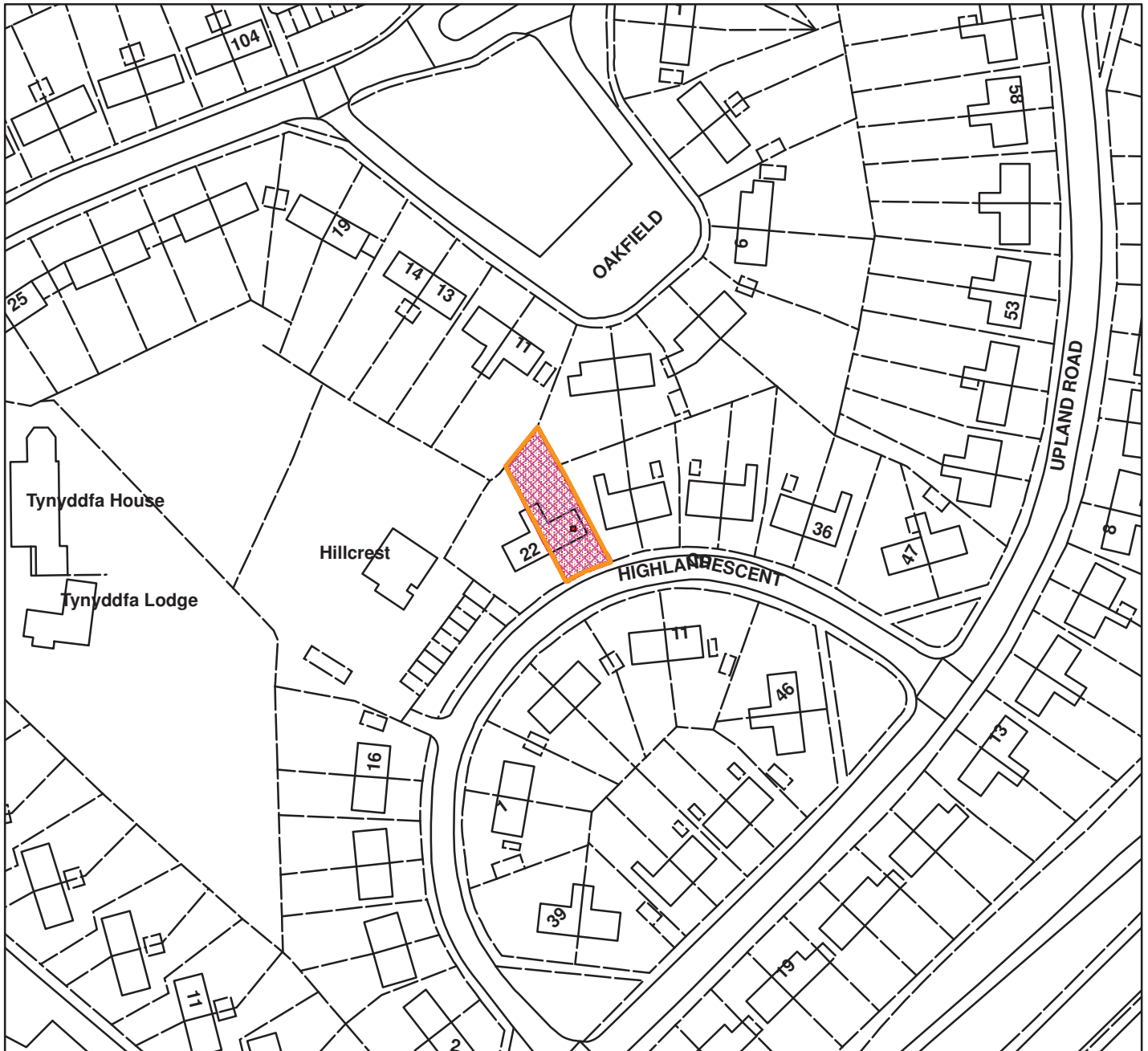
- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the conservatory window facing east shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.

Advisory Note(s)

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

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

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	Not Set
Date	24/09/2014
MSA Number	100023572

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0568/FULL 18.08.2014	CCBC - Urban Renewal Mr A Dallimore Tredomen Business Park Tredomen Hengoed CP82 7PG	Demolish 51-54 Cardiff Road and reprofile the site area to include the realignment and reconstruction of a stepped access ramp linking Cardiff Road to the rear lane (Colliers Walk) and construct a highway link road on Colliers Walk for potential future A3 retail development 51- 54 Cardiff Road Bargoed CF81 8YD

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated on the eastern side of Cardiff Road and on the land between Cardiff Road and the access road to Bargoed Development Plateau.

Site description: The application site comprises four terraced buildings along Cardiff Road, which have been most recently used as solicitors' offices. The buildings are two storeys to the front and three storeys to the rear with sloping rear gardens. There are four properties within the site and they are separated in the middle by a set of steps that lead from Cardiff Road to the retail plateau to the east.

The application site also includes a part of the retail plateau that is currently used for informal car parking and it also includes the rear lane to the properties in Cardiff Road. This parcel of land is relatively flat with a slight difference in levels between the informal car park and the rear lane.

The site also encompasses a small retail plateau at the southern end of Cardiff Road.

Development: The application seeks full planning consent for the demolition of the buildings on Cardiff Road, the realignment of the steps, landscaping of the site, improvement to the rear lane access and the creation of a new formal car park.

Cont....

Application No. 14/0568/FULL - Continued

The demolition works include making good of the pine ends of the adjacent dwellings together with any necessary underpinning, replacement and repair of boundary walls and removal of the demolition materials from the site.

Consent is also sought to remove the existing steps, which are in the middle of the site and relocate them to the northern boundary adjacent to number 50 Cardiff Road. This would then open up the site, which will be landscaped and grassed, to enable it to be marketed as a development plot adjacent to the existing retail plateau and cinema site.

The final part of the development is engineering works to create a new access to the site from the main access into the retail plateau, improve access into the rear lane together with the creation of a turning head, improve access onto Colliers Walk and to provide a new formal car park which will serve the development plot at the southern end of the site (this plot is earmarked for a possible A3 hot food retail unit). 15 car parking spaces will be created in total.

The application is supported by a number of plans which detail how the demolition works and making good of the adjacent dwellings will be carried out, a bat survey for the buildings to be demolished, and engineering drawings for the new steps and highway works.

Materials: The gable ends of the adjacent dwellings are to be finished in render.

PLANNING HISTORY

5/5/88/0568 - Reclaim land with mineral recovery to provide landform for highway, recreational, housing, employment, educational use - Granted 26.05.89.

5/5/90/0437 - Replace existing LV overhead line with aerial bunched conductor - Granted 21.09.90.

5/5/93/0773 - Erect illuminated sign - Granted 07.02.94.

5/5/94/0276 - Vary condition (G) of planning consent 5/5/88/0568 - Granted 10.08.94.

5/5/94/0700 - Change of use from retail outlet to solicitors office - Granted 29.11.94.

P/97/0284 - Construct Bargoed By-Pass - Granted 03.07.97.

P/01/0631 - Redevelop to provide car parking and retail/leisure development A1 and A3 use, re-align proposed by pass and station road - Granted 29.08.01.

Cont....

Application No. 14/0568/FULL - Continued

P/03/0437 - Construct approx. 3.6 km of new highway with assoc. junctions & structures, a new retail dev. plateau and bus station as part of Bargoed Town Centre Regeneration - Granted 12.06.03.

07/1330/ADV - Erect advertising hoarding 10 ft x 8 ft - Granted 18.12.07.

07/1342/FULL - Erect development of five residential apartments with four office/retail units including external and drainage works - Granted 14.12.07.

11/0259/OUT - Redevelop including engineering works (cut and fill) and sewer diversions to facilitate erection of retail units (Use Class A1), restaurants and cafes (Use Class A3), financial and professional services (Use Class A2), Cinema (Use Class D2), residential apartments (Use Class C3) with associated undercroft and surface car parking, new public square, new pedestrian links, new vehicular access and servicing (including highway improvements), landscaping and boundary treatments; and petrol filling station comprising forecourt shop (Use Class A1), canopy, car wash, jet wash and underground fuel tanks with realigned footpath/cycleway, new vehicular access, diversion of existing otter tunnel, landscaping and boundary treatments - Granted 28.07.11.

12/0869/ADV - Erect advertising/marketing board. Granted 28.01.2013.

13/0135/LA - Seek approval of the reserved matters of access, appearance, landscaping, layout and scale approved under planning consent 11/0259/OUT to construct a new five screen cinema and associated landscaping works. Granted 11.04.2013.

13/0139/ADV - Erect illuminated and non-illuminated signage to new supermarket store. Granted 22.04.2013.

13/0142/LA - Develop access road into site for future development by a private developer (future proposals for a restaurant and parking area). Granted 24.04.2013.

13/0317/LA - Vary condition 60 of Planning Permission 11/0259/OUT so that the use of the cinema shall not be open to customers between the hours of 0100 hours and 0700 hours. Granted 13.06.2013.

14/0513/NCC -Vary condition 46 of planning permission 11/0259/OUT to extend the expiry date for the approval of reserved matters by a period of five years - Not Yet Determined.

Cont....

Application No. 14/0568/FULL - Continued

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The site is located within the Principal Town Centre boundary (CM1.1).

Policies:

SP1 (Development Strategy in the Heads of the Valleys Regeneration Area), SP4 (Settlement Strategy), SP5 (Settlement boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage), SP17 (Promoting Commercial Development), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations - Highways), CW5 (Protection of the Water Environment), CW14 (Use Class Restrictions - Retail), CW15 (General Locational Constraints), CW16 (Locational Constraints - Retailing), CW22 (Locational Constraints - Minerals), HG1.19 (Allocated Housing Site), CM1.1 (Identification of the Boundary for the Principal Town Centre in the Heads of the Valleys Regeneration Area - Bargoed), CM4.2 (Principal Town and Local Centre Development Sites).

NATIONAL POLICY:

Wales Spatial Plan. Bargoed is located in the 'Heads of the Valleys Plus' Strategic Opportunity Area identified in the 2008 update to the Wales Spatial Plan.

Planning Policy Wales seeks to promote mixed-use development and locate development in locations accessible by sustainable forms of transport, by the re-use of previously developed sites in built up areas and also in town centres; promotes sustainability through good design which should include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings; requires Local Planning Authorities to develop through their community strategies and development plans a clear strategy and policies for retail development which seek to achieve vital, attractive and viable centres and to set out a framework for the future of town, district, local and village centres in their area which promotes a successful retailing sector supporting existing communities and centres; in determining planning applications to take account of the risk and impact of potential pollution from the development insofar as this might have an effect on the use of other land and the surrounding environment.

Cont....

Application No. 14/0568/FULL - Continued

Technical Advice Notes: TAN 4 (Retailing and Town Centres), TAN 5 (Nature Conservation and Planning), TAN 11 (Noise), TAN 12 (Design) 2009.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - No objection subject to conditions.

ADVERTISEMENT

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

Response: None.

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The submitted bat survey has not identified any protected species within the site, but bat roost provision is recommended within the report.

Cont...

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The demolition of these buildings and the landscaping of the area together with the highways works is sought in order to open up the site to future development potential in association with the ongoing Bargoed Retail Plateau development. The buildings are on the periphery of the aforementioned site with the backs of the buildings facing the car parking areas for the cinema and the area identified for the A3 use at the southern end of the site.

The buildings have been vacant for some time and are rapidly falling into a state of disrepair, which would have a detrimental impact on the visual amenity of the retail plateau. As such the loss of the buildings would have no impact on the vitality and viability of the town centre and the removal of them would have a positive impact on the area by virtue of improving its visual appearance and providing another potential development plot. Therefore it is considered that the principle of the development is supported by national planning guidance and local plan policy.

With regard to the relocation of the steps to the northern edge of the site it is considered that this would result in an improvement to the current situation. The existing steps are in a poor state of repair and do not comply with current guidance with regard to disabled access. The replacement steps would be in an equally accessible location to enable access from Cardiff Road to the development site and they would also comply with current legislation.

The highways works would improve access to the rear lane serving Cardiff Road and also to Colliers Walk and as such these are acceptable in highway safety terms. A new car park to serve the A3 development plot would also be created and this would make the site more attractive to any potential investors.

In conclusion it is considered that the proposals are acceptable in planning terms and would contribute to the ongoing regeneration of Bargoed Town Centre, which is in line with national planning guidance and local plan policy.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

Cont....

Application No. 14/0568/FULL - Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: TH1049-PL01, TH1049-PL02, TH1049-PL03, TH1049-PL04, TH1049-PL05, TH1049-PL06, TH1049-PL07, TH1049-PL08, TH1049-PL09, TH1072-PL100, TH1072-PL101, TH1072-PL102, TH1072-PL103, TH1072-PL104, TH1072-PL105, TH1072-PL106, TH1072-PL107, TH1072-PL108, TH1072-PL109, TH1049-PW02, TH1049-PW04, TH1049-PW05, TH1049-PW07, TH1049-PW08, TH1049-PW09 and Survey for Bats by David Clements Ecology Ltd dated May 2014.
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 drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) Prior to the commencement of the development hereby approved, a construction/demolition phase noise scheme (to include proposed hours which the developer intends to work) must be submitted to and agreed, in writing, with the Local Planning Authority. Thereafter, this agreed scheme shall be employed to deal with any noise arising from the development.
REASON: In the interests of public health.
- 05) Prior to the commencement of the development hereby approved, a demolition/construction phase dust mitigation scheme must be submitted to and agreed, in writing, with the Local Planning Authority. Thereafter, this agreed scheme shall be employed to deal with any dust arising from the development.
REASON: In the interests of public health.

Cont....

Application No. 14/0568/FULL - Continued

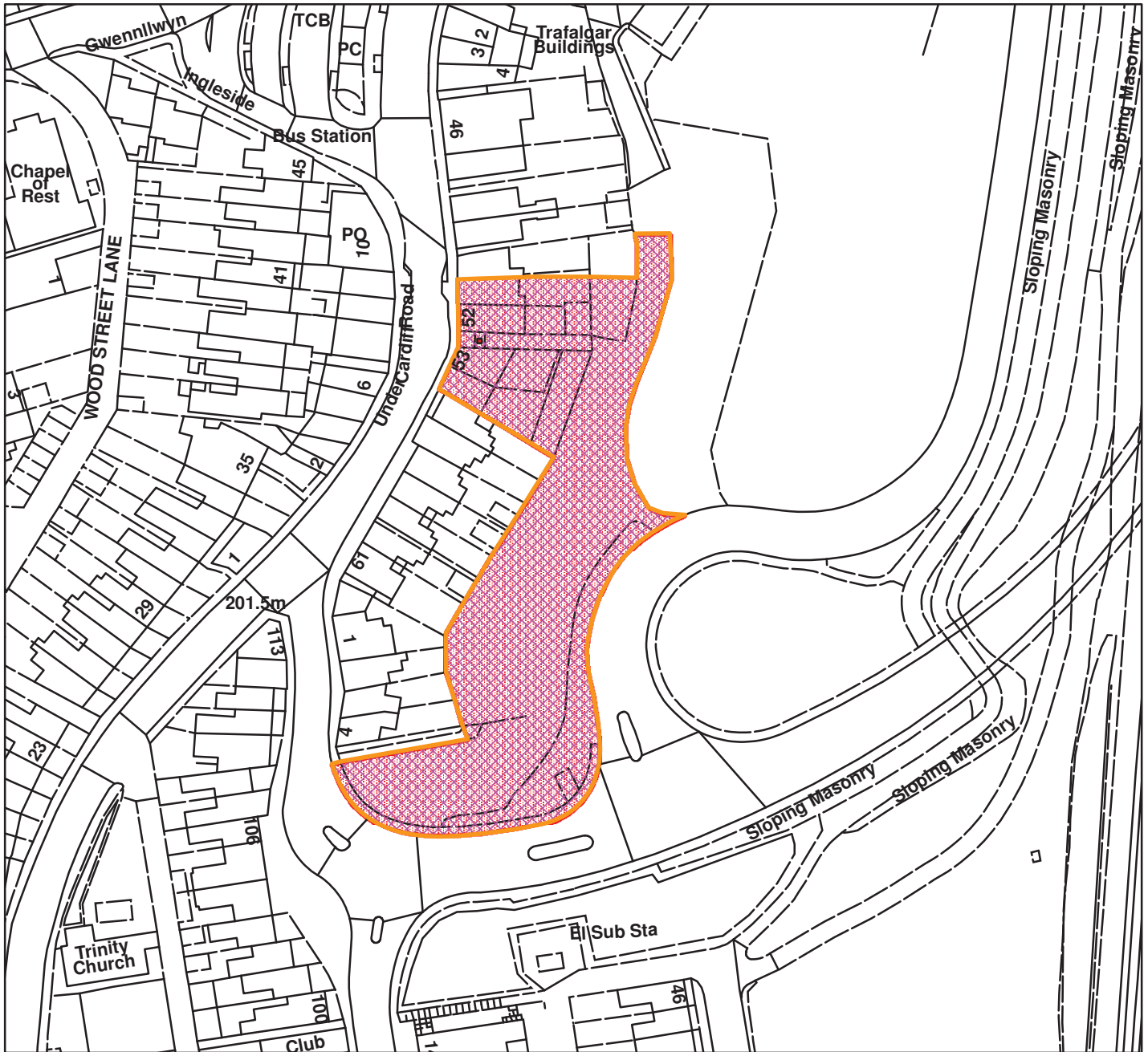
- 06) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout together with the new steps from Cardiff Road, with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.

Advisory Note(s)

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

Please find attached comments from Transportation Engineering Manager, Head of Public Protection, Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	23/09/2014
MSA Number	100023572

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Agenda Item 19

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0569/RET 18.08.2014	Mr D Gore Glan-y-nant House Stanley Street Blackwood NP12 1PT	Retain and complete partially constructed detached garage Land At Garage Workshop Hillside Terrace Blackwood NP12 1PT

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application site is located on the lane to the rear of Stanley Street, Blackwood.

Development: Retention/completion of detached garage.

Dimensions: The garage measures 11.4 metres in length, 4.0 metres in width, with a maximum height of 3.8 metres to ridge level.

Materials: Render walls and concrete roof tiles.

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

PLANNING HISTORY

2/08983 - Conversion to Office - Refused 30.01.90.

P/05/1025 - Erect detached garage - Granted 13.03.06.

11/0354/FULL - Erect detached garage - Granted 04.08.11.

11/0359/FULL - Carry out works to rebuild/repair garage/workshop - Granted 04.08.11.

POLICY

LOCAL DEVELOPMENT PLAN:

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

Cont....

Application No. 14/0569/RET - Continued

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways) and guidance contained within Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY: Planning Policy Wales and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Any coal mining issues will be controlled by way of the Building Regulations if appropriate.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Principal Valuer - No comments.

ADVERTISEMENT

Extent of advertisement: Twelve neighbouring properties were consulted and a site notice displayed near the application site.

Response: Two letters of objection were received.

Summary of observations: - Concern that the applicant has applied to retain development on several occasions in the past as opposed to constructing what originally had planning permission.

- Overall height of 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? Crime and disorder are not considered to be an issue for this application.

Cont....

Application No. 14/0569/RET - Continued

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

ANALYSIS

Policies: The application is for the retention of a garage originally approved under planning reference 11/0354/FULL. The originally approved structure measured 12.6 metres in length, 4.0 metres in width, with a front elevation height of 2.5 metres from ground to roof level at lower lane level, and 3.2 metres from ground to roof level at upper lane level. Given the sloping topography of the site these heights can be increased by 0.8 metres along the rear elevation in each instance.

The current application is to retain and complete the garage as built. The structure now measures 11.3 metres in length (i.e. 1.3 metres shorter than that approved), 4.0 metres in width (i.e. the same as that approved), with a front elevation height of 3.2 metres from ground to roof level at lower lane level (0.7 metres higher than originally approved), and 3.8 metres from ground to roof level at upper lane level (0.6 metres higher than originally approved). Given the sloping topography of the site these heights can be increased by 0.6 metres along the rear elevation in each instance. This difference at the rear elevation is due to the 'new' structure being 1.3 metres shorter.

The proposed development should be assessed in terms of its impact on the visual amenity of the area, as well as its impact on highway safety along the rear lane. In visual terms it is considered that the proposed garage is acceptable in terms of its setting, scale and materials, and incorporates an appropriately mono-pitched roof type. The development is sited along an existing rear lane which is defined by such domestic garage type structures, and therefore it is not considered to be out of keeping with its surroundings subject to a condition ensuring it is completed in appropriate external finishes.

In light of the domestic nature of the rear lane, a condition preventing the use of the garage for the parking of commercial and business vehicles will be attached to the permission to control use of the development. The possible impact on highway safety has been assessed by the Transportation Engineering Manager, who considers the imposition of suitable conditions will overcome any impact on highway safety.

Cont....

Application No. 14/0569/RET - Continued

Comments from Consultees: Transportation Engineering Manager raises no objection to the proposed development subject to condition.

Comments from public: Concern that the applicant has applied to retain development on several occasions in the past as opposed to constructing what originally had planning permission - Notwithstanding that the garage has not been built in accordance with the originally approved plans (Ref: 11/0354/FULL), the application should be determined on materials planning considerations and its own merits.

Overall height of structure - Given the difference in levels between the upper and lower lane, as well as the structure having little impact on the outlook from the properties along Stanley Street, the height of the building is considered acceptable.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) 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.
- 02) Notwithstanding the submitted plans, prior to further construction work being carried out on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and approved by the Local Planning Authority. Following construction of the approved retaining walls, additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to beneficial occupation of the approved development.
REASON: In the interests of highway safety.
- 03) The required garage entrance apron shall be constructed in materials, as approved in writing by the Local Planning Authority, before the garage is brought into beneficial use.
REASON: In the interests of highway safety.

Cont....

Application No. 14/0569/RET - Continued

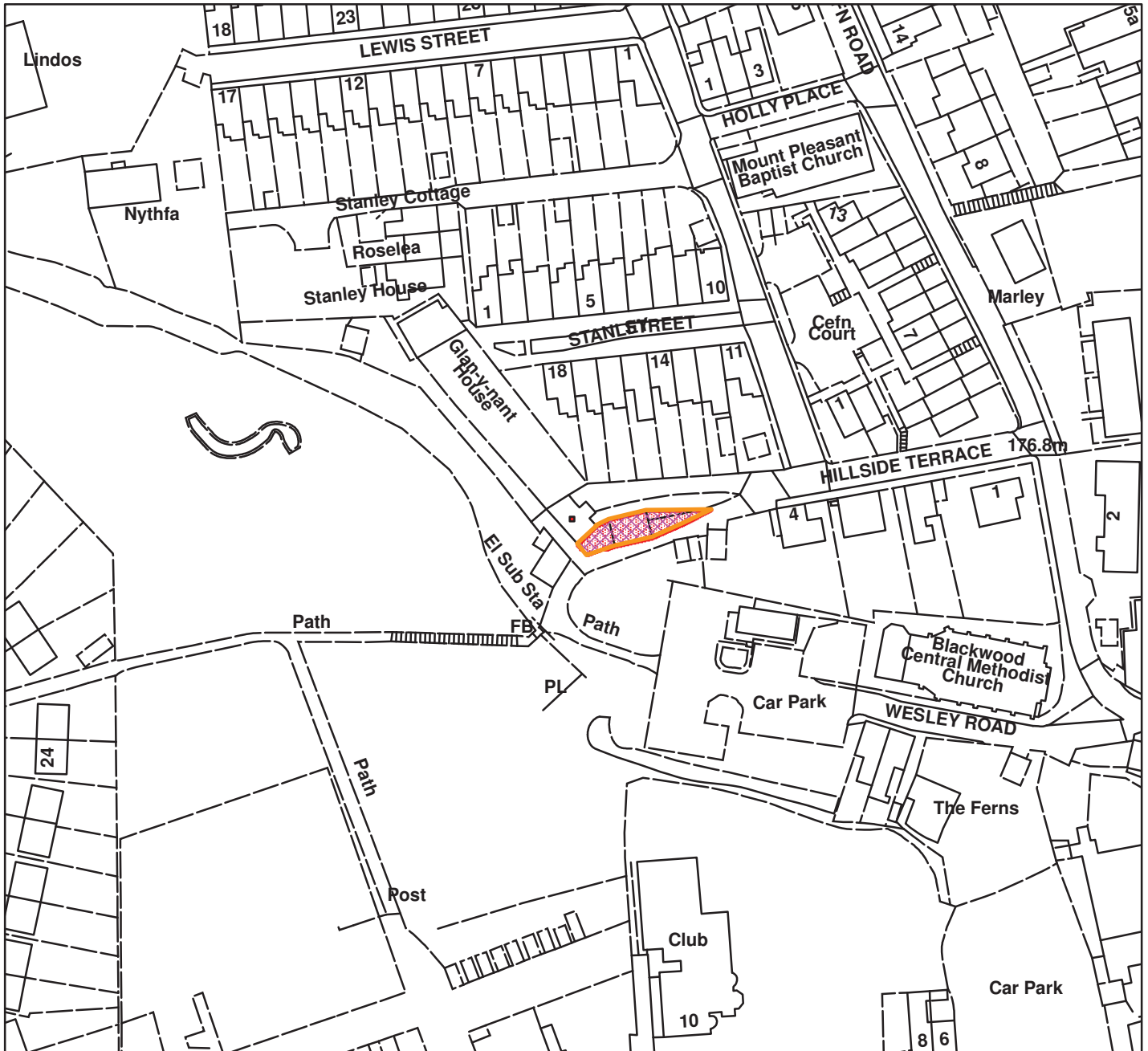
- 04) Prior to its first use the proposed access to the garage shall be completed in materials as agreed in writing with the Local Planning Authority, to ensure loose stones or mud etc. are not carried on to the public highway.
REASON: In the interests of highway safety.
- 05) The garage hereby approved shall not be used for any commercial or business purpose.
REASON: To retain effective control over the development.
- 06) Prior to its first use the garage, sited as shown on the submitted plan, shall be fitted with inward-opening doors or roller shutter, which will not open out over the highway.
REASON: In the interests of highway safety.

Advisory Note(s)

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

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	24/09/2014
MSA Number	100023572

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
P/97/0981 31.10.1997	Tarmac Heary Building Materials UK Ltd Millfields Road Ettingshall Wolverhampton	Undertake initial review of planning conditions under the Environment Act 1995 for resumption of quarrying Blaengwynlais Quarry Near Caerphilly CF83 1NG

APPLICATION TYPE: Minerals Application

SITE AND DEVELOPMENT

Location: Blaengwynlais Quarry is located on the northern edge of Cardiff with access from Rhiwbina Hill. The southern part of the quarry is within the administrative district of Cardiff but the northern part of the site is within Caerphilly county borough. The site lies approximately 12km north west of Cardiff town centre and 3km south west of Caerphilly town centre. Access to the site is via narrow country lanes with steep gradients either south to the A470 through residential areas in Rhiwbina or to the A469 2.5km to the north.

Site description: Blaengwynlais Quarry is a limestone quarry surrounded by agricultural land and woodland with several isolated houses and farms nearby. The quarry is a single unit based on three planning permissions. The southernmost and central sections of the quarry lie within Cardiff but the northern section falls within Caerphilly and contains the majority of the unworked reserves. Floor levels vary from 200m AOD at the northern end to 170m AOD adjacent to the site entrance.

The quarry is made up of exposed faces, benches and stripped areas with screening vegetation blocks on the periphery. The plant area contains a wheelwash, demountable office building, workshops and storage buildings. The area that has been quarried, amounting to around 12 hectares, has not been restored but there is some natural regeneration on the bare rock faces.

To the south and east of the quarry there is established beech woodland, part of the Cardiff Beechwoods SSSI and SAC. To the north and east are areas of mixed woodland and pasture. A network of footpaths exist within the woodland areas to the south and east.

Cont....

Application No. P/97/0981 - Continued

Development: The development proposed is the continuation of winning and working of minerals subject to updated conditions governing working, restoration and aftercare. Three phases are proposed; phase one would extend the quarry into the currently unworked north east corner of the permission boundary. Phase two would involve the sinking of two further 15 metre benches to 170m AOD. The final phase involves working between 170m AOD and 140m AOD with a further two sinkings of 15m benches. In addition, mineral would be won from a water lagoon system in the south of the quarry to provide storm water capacity and water for dust suppression within the site. The quarry development scheme was amended in 2010 to take account of environmental information gathered by the company. In order to make the review meaningful, the applicant company has assumed that quarrying will recommence, although the quarry is currently mothballed and the timescale for resumption of operations is unclear, as is the rate of output and the markets to be served. Mineral was last taken out of the site in the mid 1990s to supply a contract in Cardiff.

The applicant expects that overall the three phases of development would release up to 6 million tonnes of rock and would take place over a period of 20 years. An extraction rate of 300,000 tonnes per annum has been assumed, consistent with historic operations at the quarry. Future quarrying operations would utilise mobile plant for crushing and screening, which provides versatility to be relocated within the quarry to suit the ongoing development. The key focus is likely to be on producing 10mm and 20mm aggregate which can be used for a variety of purposes in the construction industry.

The quarry would continue to use the existing access onto Rhiwbina Hill and would be likely to generate approximately 55 loads a day or 110 HGV movements. It is likely that vehicles would travel both north and south from the access, although the ES considers a "worst case scenario" where all vehicles travelled in only one direction, and the actual directional split would depend on the markets served.

Dimensions: The site area within Caerphilly County Borough extends to 11.8 hectares.

PLANNING HISTORY

CC.2386 Cardiff Rural District Council - Extension of quarrying rights - Approved 7 April 1961 subject to conditions

E.14596 Caerphilly Urban District Council - Extension - Approved 28 March 1961 subject to conditions

Cont...

Application No. P/97/0981 - Continued

CC3888 Cardiff Rural District Council - Vary conditions to allow increase in explosives weight - Approved 11 December 1963

0391 South Glamorgan County Council - Request to vary amount of explosive charge- Resolved to take no action to enforce previous restriction 26 October 1978

55/77/1270 tree planting screen - Approved 6 January 1978.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within a Special Landscape Area (SLA), a Limestone Safeguarding Area and partially within a Site of Importance for Nature Conservation (SINC).

Policies: NH1.5 (SLA), NH187 (SINC), Limestone safeguarding area, County wide policies CW2 - Amenity, CW3 - Highways, CW4 - Natural heritage protection, CW5 - Protection of water environment, CW6 -Tree/woodland protection, CW15 - General locational constraints.

NATIONAL POLICY Minerals Planning Policy Wales 2000, Minerals Technical Advice Note 1: Aggregates 2001, MPG 14 1995.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Yes.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is outside the coalfield.

CONSULTATION

Dwr Cymru - No objection.

Cont...

Application No. P/97/0981 - Continued

Natural Resources Wales - No objection in principle.

Western Power Distribution - No objection in principle.

Head Of Public Protection - No objection.

Transportation Engineering Manager - Traffic management difficulties are likely to be experienced due to narrow carriageway width on the route northwards via Heol Pen Y Bryn and Waunwaelod Way to Heol Cae Barra. There is a stretch of some 275 metres between passing places where there is also poor forward visibility due to carriageway alignment. A passing bay would be desirable along this stretch but would require land acquisition. Further stretches of road would also benefit from passing places where the fence line is set back from the edge of the carriageway.

The transport statement indicates that Blackbrook Road will not be used but a weight limit should be applied and signs erected as a reminder to drivers.

Health & Safety Executive – No comment.

Rhondda Cynon Taf Council - No objection subject to highway improvements being implemented; a condition survey of local roads being undertaken to inform compensation arrangements via a section 106 agreement and a restriction on HGVs before 09.00 and after 16.30 on weekdays and before 09.30 or after 13.00 on Saturdays in the interests of the free flow and safety of traffic.

Glam/Gwent Archaeological Trust - The supporting information in the EIA meets the current professional standards and details the wider archaeological resource as well as known features within the site boundary and included a site walk over. There is the potential for archaeological features to be encountered but they are unlikely to be of national significance. A condition should be attached in line with advice in WO circular 60/96 Section 22 to ensure that a watching brief takes place conducted by a qualified archaeologist to the standards of the Institute of Archaeologists.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and in the press and by individual notification to the nearest houses. The proposals were re-advertised in January 2012 in line with the requirements of the regulations, when the environmental statement and revised schedule of conditions were received.

Response: No representations were received.

Cont...

Application No. P/97/0981 - Continued

Summary of observations: Not applicable.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? It is not considered that the proposed development will have a material effect on crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species have been identified by a survey

The Local Authority must apply the following three tests to the planning application:

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative.
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:

- (i) Beneficial economic effects may result from resumed quarrying.
- (ii) Quarrying at the site has a valid permission expiring in 2042. Revoking the permission would have compensation implications which would not be in the public interest.
- (iii) If the mitigation measures are carried out in accordance with the application, the harm to protected species would not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

Cont...

ANALYSIS

Policies: Guidance in MPG 14: Environment Act 1995 sets out that the government sees the review as an important opportunity to secure improved operating and environmental standards but that for active sites the LPA should not need to impose conditions, other than restoration and aftercare conditions, which would restrict working rights to the extent that either the economic viability of operating the site or the asset value of the site would be prejudiced adversely to an unacceptable degree. Conditions dealing with measures to prevent dust and spillages on the highway will be appropriate to all sites and a working programme should be produced to ensure that operations are designed to protect areas of environmental and ecological importance. Working hours and noise conditions should be attached to permissions and aftercare can be used to bring the land to a required standard according to the intended after-use.

The proposed scheme of conditions meets those requirements and complies with national and local policy. A discussion of the particular issues is set out below.

Comments from Consultees: No objections have been received from statutory Consultees.

Rhondda Cynon Taf Council requests a restriction on HGVs before 09.00 and after 16.30 on weekdays and before 09.30 and after 13.00 on Saturdays in the interest of the free flow and safety of traffic. This would reduce the hours of operation by 2 hours on weekday mornings, two and a half hours on weekday evenings and two and a half hours on Saturday mornings. Such a restriction is considered to be unreasonable and likely to affect the economic viability of the site. Traffic and transportation issues are considered below.

NRW originally objected to the proposal, and has made detailed comments on the application in correspondence dated 8 February 2012, 1 August 2012, 14 October 2013 and 10 December 2013. The comments related to protected species, including bats and dormice, protected sites including Fforest Ganol and Cwm Nofydd SSSI and other matters. The applicant has worked with NRW to reach an agreed position and on 29 July 2014 NRW confirmed that the revised bat mitigation strategy (30 April 2014) now addressed its original concerns. The wording of several conditions was also revised, culminating in a schedule of conditions dated 10 December 2013, which the applicant saw as being its final position.

Cont...

Application No. P/97/0981 - Continued

NRW has not maintained an objection to that schedule of conditions although it wished to incorporate wording in condition 30 to clarify that mitigation may necessitate the permanent or temporary cessation of pumping. The condition requires an annual ecological survey of Forest Ganol and Cwm Nofydd SSSI to inform any mitigation measures that may be required and it is considered that this could include cessation of pumping on either a temporary or permanent basis if necessary. There is, therefore, no need to include the additional wording.

Comments from public: None.

Other material considerations:

History

Quarrying commenced on a small scale at the beginning of the twentieth century to supply construction material for local needs and limestone for lime burning. Production reached approximately 120,000 tonnes a year in 1970 but then quarrying became an intermittent operation. The first permission was granted in 1948 under the Interim Development Order legislation and further permissions were granted in 1961. A tree planting scheme for land on the eastern boundary of the quarry was approved in 1978. The quarry was last worked in 1996 when limestone was excavated to supply a major contract in Cardiff. The stone was processed using mobile plant. The unworked reserves remaining in the quarry, mostly within Caerphilly county borough, are estimated by the applicant to amount to six million tonnes of limestone.

Legislative background

This application is for the review of the conditions attached to an existing, valid permission for quarrying operations at Blaengwynlais Quarry. Although it is a temporary use of land mineral working can last for many years during which time the impact of the operation can change and the standards and expectations of society may also change. Acting on recommendations in the report of the Stevens Committee (1976) the government introduced new provisions for reviewing permissions in the Town and Country Planning (Minerals) Act 1982 and it was intended that the industry should bear reasonable costs arising from the modernisation of old permissions. However, the provisions of the 1981 Act did not work as well as intended and the government sought to improve them, initially through the Planning and Compensation Act 1991, which dealt with permissions granted between 1943 and 1948. The Environment Act 1995 introduced new requirements for an initial review and updating of old mineral planning permissions granted after 1948 and for the periodic review of all mineral planning permissions thereafter.

Cont...

Application No. P/97/0981 - Continued

Blaengwynlais Quarry was a phase 1 active site for the purposes of the review because the substantive permission was granted between 30 June 1948 and 1 April 1969 and minerals development had been carried out at the site between 22 February 1982 and 6 June 1995.

The procedure is that the mineral operator submits to the planning authority a schedule of modern conditions for working, restoration and aftercare and the Local Planning Authority (LPA) may modify, add to or replace those conditions. New conditions should be necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable in all other respects. Applicants have a right of appeal to the secretary of state if different conditions are imposed to those submitted in their application if they consider the condition to be unreasonable. The LPA is required to consider whether the conditions imposed would adversely affect to an unacceptable degree either the asset value of the site or the economic viability of operating it and if they do a liability for compensation will arise. The exception to this rule is restoration and aftercare conditions. At the time of submission of the application, a decision had to be made within three months unless the applicant agreed to an extension of time otherwise the applicant's submitted conditions took effect.

After the submission date in October 1997, case law (R v. North Yorkshire County Council ex parte Brown and Cartwright) 1999 established that ROMP applications were "development consents" for the purposes of the 1985 EEC directive on environmental impact assessment and that the directive had not been properly transposed into UK law. As a result the EIA regulations were amended in 2000 so that ROMP applications received after 15 November 2000 were subject to consideration of the need for EIA in the same way as an application for planning permission. However, the regulations could not be applied retrospectively. Welsh Government guidance issued in 1998 urged operators and local planning authorities to voluntarily apply the principles of the EIA regulations as amended to ROMP applications received before the regulations came into force. It was generally accepted that the directive had direct effect and, therefore, any application determined without an EIA where the development was likely to have significant environmental effects could be challenged.

Cont...

Application No. P/97/0981 - Continued

In 2001, Tarmac asked the LPAs whether EIA screening had taken place and the two authorities responded that it had not but that further consideration needed to be given to the need for additional environmental information because of the potential impacts of deeper quarry extraction on Cardiff Beechwoods SAC, Cwm Nofydd SSSI and Blaengwynlais Meadows SINC, which had features that could be adversely affected by changes in groundwater levels. When the application was submitted in 1997 the Environment Agency (now NRW) initially objected to the proposed conditions because of the potential groundwater impact. The company indicated its willingness to undertake a water environment protection study to assess what mitigation measures may be necessary but progress was slow due to ongoing discussions relating to the scope and implementation of the study.

In effect, any determination of the application was not sound without environmental information but the LPA could not require its submission and the quarry could re-open at any time working under the old conditions, which were not in line with modern standards. In 2009 the Welsh Government, recognising that there were several sites throughout Wales where progress on updating conditions had stalled, introduced new legislation in the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009 to set a statutory timeframe for determining the applications. Sanctions, in the form of an automatic suspension of minerals development, were also introduced where any step of the new procedure was missed. Once suspended nothing other than the compliance with every requirement of the regulations had been complied with and only the final determination of conditions allowed mineral development to proceed. If the permission remained suspended for more than two years the LPA was required to consider whether to make a Prohibition Order preventing the resumption of minerals development.

The regulations provided that all development that was the subject of a stalled ROMP application was deemed to be EIA development, subject to a three week period when the applicant could apply to Welsh ministers for a screening direction. Tarmac chose not to apply for a screening direction which meant that the LPAs were required to adopt a scoping opinion within 8 weeks of the regulations coming into force. Caerphilly County Borough Council adopted a scoping decision on 22 June 2010. A draft ES was submitted on 8 November 2011 and CCBC confirmed on 28 November 2011 that the ES was consistent with the scoping opinion. The environmental statement was submitted on 2 December 2011, together with an updated schedule of conditions reflecting the recommendations for mitigation set out in the ES and replacing the conditions submitted in 1997.

Cont...

Application No. P/97/0981 - Continued

The conditions that are presented for approval are set out in the appendix to this report.

The main issues are considered below:

Landscape

The quarry is well screened by peripheral vegetation and by the surrounding undulating landform. The area to the south of the quarry is an important local and national site comprising ancient woodland and contains some of the most westerley beech woodland in the country. This area is designated as Cardiff Beech Woods SAC. Within Caerphilly county borough, the area to the north of the site is designated as a Special Landscape Area and a SINC, both local designations. Overall the ES assessed that the future development of the quarry would have a neutral impact on the landscape character of the surrounding impact zones compared to the baseline situation. There were both beneficial and adverse impacts on local landscape receptors but the fully restored landscape would have a negligible/slight beneficial impact through the reduction of visible rock faces.

The council's landscape architect is in general agreement with the findings of the Landscape and Visual Impact Assessment and believes that the adverse impacts of the proposed development are predominantly localised within the Zone of Visual Influence and can largely be mitigated by the proposals contained within the restoration plan. He raises no objection to the proposal.

Cultural Heritage

Two areas of old quarry workings dating from the 18th - 19th century exist within the application boundary. One will not be affected but the other may be removed. It is considered to be of minor importance and GGAT has not raised objection to the proposals. Condition 46 provides for a watching brief to be carried out by a competent archaeological contractor during soil stripping in the unworked area and for the recording of any features of interest.

Environmental effects

Noise, dust, air quality and blast vibration have been considered in the environmental statement and the results used to inform the proposed conditions. The limits proposed in the conditions are consistent with guidance in MPG14 and TAN1: Aggregates. The Head of Public Protection has been consulted and has not raised any objection to the proposed conditions.

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Traffic

The quarry is served by a network of minor rural roads. Depending on the markets served, lorries would travel south via Rhiwbina Hill to the A470 or north via Heol Pen Y Bryn towards the A469. South of the junction with Blackbrook Road to a point approximately 150m south of the entrance to Mountain Lakes Golf Club, the road lies within the administrative district of Rhondda Cynon Taf council. The transport statement indicates that Blackbrook Road will not be used. However, the remaining routes have varying carriageway widths and are, in places, less than the 5.5m necessary for lorries travelling in opposite directions to pass one another. While the road has constraints both to the north and south and is not ideal to carry traffic generated by the quarrying operation, there is only one highway serving the site and the company have no alternative but to utilise the routes that are available in order to implement the permission.

The traffic data was reviewed as part of the environmental assessment and based on a worse case scenario where all the traffic from the quarry travels either north or south, the additional traffic (10 movements an hour) falls within the day to day variations during the peak hours of the network when the capacity is most limited.

Conditions 9 - 11 provide for wheel cleaning and off site highway improvements.

Ecology

An extended phase 1 habitat survey of the quarry and adjacent areas has been undertaken and the site was inspected for its potential to support notable protected or rare species of flora and fauna. Specialist surveys were conducted for bats, hazel dormouse, reptiles, schedule 1 birds, great crested newts and badger.

To compensate for the removal of vegetation within Blaengwynlais Meadows SINC, the applicant proposes an ecological mitigation area (EMA) extending to nearly 2ha. The EMA would be created in advance of the impacts occurring and would provide a similar habitat mix of bare rock, scree, calcareous grassland, scrub and woodland. The ecological assessment also concluded that there was a potential for dewatering to have a detrimental effect on flushes within Cwm Nofydd and Fforest Ganol SSSIs and measures are proposed to mitigate against such impacts, including pumping water into a trench to ensure the features of interest do not dry out. Detailed ecological monitoring of the flushes would take place to ensure the mitigation was working.

Cont...

Application No. P/97/0981 - Continued

The removal of habitat within Blaengwynlais Meadows SINC would have a negative effect on protected species, namely hazel dormice, foraging bats, reptiles and breeding birds and in order to comply with the legislative protection afforded to those species the applicant proposes to create alternative habitats in advance of any vegetation removal.

The EMA has been carefully designed to reflect the habitats currently present. Reptiles would be translocated to the EMA, while dormice would be encouraged by making the habitats within the quarry boundary less suitable and providing a better alternative. Quarrying would result in a short term, temporary disturbance to bats roosting in a small cave until the quarrying activities moved away from the cave. Measures to protect the bats are proposed, including the installation of a grill and careful monitoring of the use of the cave by bats.

Peregrine Falcons are unlikely to be adversely affected as the ledges they use will remain and this species has proved adaptable and able to co-exist with quarry operations. Annual surveys would ensure that the presence of the birds is taken into account when quarrying activities were planned.

The restoration scheme would create a new water body and areas of calcareous grassland, which would contribute to the Caerphilly BAP.

NRW has been consulted on the application and does not object to the proposed conditions.

Hydrology and hydrogeology

The proposed development involves working to a depth of 140m AOD, which would require pumping. This has the potential to cause changes to the water environment in the surrounding area and could cause drier conditions in Blaengwynlais Meadows SINC, as well as the SSSI and SAC in Cardiff if they were found to be reliant on groundwater. The applicant, while accepting that in limestone areas there is always an element of uncertainty about the scale of impacts associated with quarry dewatering, considers that, due to re-infiltration and direct discharge of pumped water locally, there will be no net effect on the water balance of the springs and seepages in the area. Dewatering requires a discharge consent from NRW.

The ES has considered the potential risk of groundwater pollution, derogation of springs to the east feeding the Nant Cwmnofydd and of increased flow in the Nant y Fforest and has proposed monitoring of the effects and mitigation measures to be implemented if identified trigger levels are reached. NRW has reviewed the mitigation measures and has not objected.

Cont...

Restoration and aftercare

The proposed conditions include provisions for the submission of a detailed restoration and aftercare scheme to be submitted for approval when quarrying ceases, based on the concept restoration plan B111/15 showing the site restored with a nature conservation bias. Aftercare would be provided for five years. The concept restoration scheme is designed to create a bio-diverse environment, including deciduous woodland, acidic grassland, open water bodies, ephemeral wetland, scree slopes and areas of natural regeneration on bare quarry floor. Geological features and remnant quarry faces would be preserved and the scheme promotes ecological enhancements on additional land to the north east of the quarry.

The current planning permissions do not incorporate restoration or aftercare conditions.

Duration of development

The permissions for the site are not time limited. The proposed conditions introduce an expiry date of 21 February 2042 in line with the provisions introduced in the Town and Country Planning (Minerals) Act 1981. Any attempt to bring forward the expiry date is likely to restrict working rights. There is also some uncertainty as to the legal position. In *Earthline v. Secretary of State and West Berkshire Council* the High Court held that a review of an Interim Development Order permission under the Planning and Compensation Act 1991 could not introduce an earlier end date than 22 February 2042. However, for reviews under the Environment Act 1995 it has been held on appeal that the *Earthline* decision was not applicable. One of the permissions for Blaengwynlais is an IDO permission and the end date for all permissions needs to be consistent.

Working rights

If the Local Planning Authority determine conditions different to those submitted by the applicant, it is required to consider whether the effect of the conditions, other than restoration and aftercare conditions, is to further restrict working rights and if so, whether the effect of the restriction would be to prejudice to an unreasonable degree either the economic viability of the operation or the asset value of the site.

Cont....

Application No. P/97/0981 - Continued

The conditions put forward for approval vary only marginally from those submitted by the applicant in December 2013. The proposed conditions do not restrict the depth of working, the site area, the height of waste heaps, the rate of mineral extraction, the period of expiry of the permission or the total quantity of mineral to be extracted and therefore, it is considered that working rights are not restricted.

Conclusion

The applicant's proposed conditions as set out in Annexe B, with minor revisions to drafting as set out in Appendix C, are considered to be a positive contribution to updating the existing conditions, which date from 1961 in Caerphilly and earlier in Cardiff. The existing nine conditions would be replaced with a comprehensive schedule of 48 conditions informed by an environmental impact assessment. Those conditions will ensure that future working takes place in accordance with modern standards and controls.

RECOMMENDATION: That the conditions set out in the attached appendix are approved.

_BLAENGWYNLAIS QUARRY ROMP P/97/0981.**A. Definition of Terms**

For the purposes of these planning conditions the following words and phrases shall have the meaning given to them below:

- (i) “Dormant Quarry Application” means the application submitted to City of Cardiff Council in accordance with the requirements of Section 22 of the Planning and Compensation Act 1991 (ref 97/1990N)
- (ii) “ROMP Applications” means the applications submitted to City of Cardiff Council and Caerphilly County Borough Council under the provisions of Schedule 13 of the Environment Act 1995 for a Review of the planning conditions regulating quarrying operations at Blaengwynlais Quarry (ref 97/1967N and P/97/0981/RA/CD).
- (iii) “Date of Determination” means the date upon which new conditions subsequent to the applications are finally determined, i.e. the date upon which all proceedings on the applications, including appeals to the Secretary of State and the High Court have been determined, and the time period for any further appeal has expired.
- (iv) “Emergency” means any circumstances in which the operator has a reasonable cause for apprehending injury to persons or serious damage to property.
- (v) “Mineral Planning Authority, (MPA)”, means City of Cardiff Council and Caerphilly County Borough Council, or any successor mineral planning authority.
- (vi) “Mining Site”, means all that land at Blaengwynlais Quarry which is currently within the permitted area of Blaengwynlais Quarry, comprising the Dormant Quarry Application area (97/1990N), and the Romp Application areas (97/1967N and P/97/0981/RA/CD).
- (vii) “Substantive recommencement of quarrying” means a resumption of quarrying involving an output of 50,000 tonnes within any 6 month period, to be verified by returns to be submitted to the MPA upon request.
- (viii) “Resumption of quarrying” means the commencement of any quarrying activities at the mining site.

B. Recital

The conditions set out in the schedule below, numbered 1 – 49 inclusive, shall apply to the full Mining Site which is the subject of the Dormant Quarry Application (ref 97/1990N), and the ROMP Applications (ref 97/1967N and P/97/0981/RA/CD).

C. Time Limits

1. Unless otherwise agreed in writing with the MPA, planning permission for the winning and working of minerals or the depositing of mineral waste within the Mining Site shall cease no later than 21 02 2042.
2. Following the expiry of the mineral permissions all extraction, processing and stockpiling of minerals within the Mining Site shall cease.
3. No later than 12 months following the expiry of the planning permissions, or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and MPA, all plant, machinery and structures shall be dismantled and removed from the site.
4. No later than 12 months following the expiry of the mineral permissions or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and MPA, the sale and transportation of any residual stocks from the Mining Site shall cease.

D. Quarry Development

5. Mineral extraction shall proceed in a phased manner and, unless otherwise agreed in writing by the MPA, development shall take place in accordance with the details illustrated on plan reference B111/12: Phase 1; B111/13: Phase 2; and B111/14: Phase 3. The quarry shall be developed to achieve but not exceed the approved limits of excavation shown on plan B111/14.
6. In the event that a substantive recommencement of operations has not occurred within 5 years of the date of determination, updated quarry development plans shall be submitted to the MPA showing any changes to the anticipated quarrying programme for the remainder of the Environment Act First Periodic Review period.

E. Hours of Operation

7. Except in the case of emergencies, or unless the MPA has previously agreed otherwise in writing, no operations other than those associated with the water pumping, servicing, environmental monitoring, maintenance and testing of plant or machinery or other similar work shall be carried out at the site on Sundays, Bank or National Holidays, or except between the following times on any other day:

0700 - 1900 Mondays to Friday

0700 - 1300 Saturday.

8. Except in the case of Emergency, blasting operations shall only be carried out between 10:00 – 16:00 Monday – Friday, and not at any time on Saturdays, Sundays or Bank/ Public holidays.

F. Access, Traffic and Protection of Highway

9. Details of the design and location of a wheel wash facility shall be submitted to the MPA for approval within 1 month of the date of a resumption of quarrying. No HGVs shall leave the mining site unless their wheels have been cleaned in accordance with the approved details.
10. No HGV accessing or leaving the site shall travel via Heol-y-fforest due to the existing road alignment, in perpetuity or unless otherwise agreed in writing by the LPA.

G Off Site Highway Improvements

11. Where there is a substantive recommencement of quarrying at the Mining Site and the required 6 monthly output returns confirm an output of 100,000 tonnes in any 12 month period, a route assessment shall be undertaken and off site highway improvement scheme shall be submitted for the approval of the MPA setting out details of works to Rhiwbina Hill between the quarry entrance and the M4 motorway bridge to the south and to Heol Pen Y Bryn and Waunwaelod Way to the north of the quarry entrance. The scheme shall comprise the formalisation / surfacing of informal passing places within the defined Highway Boundary (excluding a requirement for any alterations to services or drainage within or adjoining the Highway), together with signage for vehicles and pedestrians in locations to be confirmed in the submitted scheme. The submitted scheme shall include measures for a programme of implementation. The development shall thereafter be implemented only in accordance with the approved scheme, unless otherwise agreed in writing by the MPA.

H. Environmental Protection

Noise

12. Except for temporary operations, the free-field Equivalent Continuous Noise Level L_{Aeq1hr} due to operations at the site shall not exceed $55dB_{L_{Aeq1hr}}$ measured at any existing noise sensitive property in the vicinity of the site.

13. The free-field Equivalent Continuous Noise Level L_{Aeq1hr} due to temporary operations such as site preparation and soil and overburden stripping shall not exceed 67 dBL_{Aeq1hr} at any existing noise sensitive property in the vicinity of the site. The duration of such temporary operations shall not exceed a total of 8 weeks in any calendar year for work close to any individual noise sensitive property where the suggested noise limit for routine operations is likely to be exceeded.
14. Noise monitoring shall be undertaken at representative properties to be agreed with the MPA, annually for the first two years from a substantive recommencement of quarrying. Thereafter, the frequency of any further monitoring shall be agreed with the MPA. The results of monitoring shall be submitted to the MPA within two months of the first anniversary of the substantive recommencement of quarrying, and within a similar two month period from the second anniversary of the substantive recommencement of quarrying, and shall confirm any action which is to be taken to remedy any noise levels exceeding the limits set out in conditions 11 and 12 above. In the event of noise levels exceeding the specified limits, further noise monitoring shall be undertaken within three months of that event to assess the success of the remedial action.

Blast Vibration

15. Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6mms^{-1} in 95% of all blasts measured over any six month period, and no individual blast shall exceed a peak particle velocity of 10mms^{-1} measured at any vibration sensitive location, which is defined as any residential property in the vicinity of the quarry existing at the Date of Determination. The measurements shall be the maximum of three perpendicular directions taken at the ground surface.
16. All individual blasts shall be designed, managed and implemented to minimise the extent of air overpressure resulting from blasts.
17. Each individual blast shall be monitored by the Operators, to include provision for recording the details and location of the monitoring station; the location of the blast holes within the Quarry Site; weather conditions; specification of the blast in terms of MIC; and total charge weight. Records of blast monitoring shall be made available to the MPA upon request. In the event that monitoring indicates that the vibration levels set out in condition 14 above have been exceeded, then the Operator shall inform the MPA within two working days, with written confirmation of the steps to be taken to ensure compliance with condition 14.
18. Blasting times shall be clearly advertised at the Quarry, and an audible warning shall be sounded prior to any blasting operations taking place, and shall be sounded again immediately after blasting has finished.
19. There shall be no secondary breakage of stone by the use of explosives.

Dust

20. The best practicable means shall be used to restrict the generation of dust within the Mining Site, and shall include provision for haul roads and access roads to be watered during dry weather to lay any surface dust.
21. At all times during the carrying out of operations, a water bowser or similar equipment shall be available on site, and be used to minimise the emission of dust from haul roads within the Mining Site.
22. Measures shall be taken to minimise dust emissions from quarrying operations, in accordance with the following protocol:
 - (i) Soils and overburden shall not be handled during extreme dry conditions unless the working areas are first dampened down;
 - (ii) Drilling of shot holes shall be undertaken using drilling rigs fitted with a suitable dust collection system;
 - (iii) Site roads within the quarry shall be dampened down as appropriate, in accordance with the requirement of Conditions 20 and 21;
 - (iv) The site entrance road shall be maintained by use of a road sweeper which shall operate as required to maintain the surface of the road free of mud and other detritus.
 - (v) All lorries, once loaded, shall be sheeted prior to leaving the site, with the exception of any load carrying plus 75mm size stone.
 - (vi) The speed of haulage vehicles at the site will be restricted to 10mph.
 - (vii) All site vehicles will be fitted with upswept exhausts and radiator fan shields.
 - (viii) Lorries will be loaded so as to avoid spillages.
 - (ix) All site traffic will be kept to the designated haul routes
 - (x) Any plant spillages will be cleared to avoid accumulations.
 - (xi) Drop heights will be minimised at loading and discharge points.

Drainage and Water Pollution

23. Any facilities for storage of oils, fuels or chemicals on the site shall be sited in impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of inter-connective tanks, plus 10%. All filling points, vents, gauges and site glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipe-work shall be located above ground and protected from accidental damage. Details and layout of these installations to be submitted and approved by the MPA prior to construction.
24. Measures shall be taken to minimise the risk of groundwater pollution from quarrying operations, in accordance with the following protocol:
- (i) All fuel and chemicals should be stored in bunded areas in accordance with current Natural Resources Wales (formerly the Environment Agency) guidelines.
 - (ii) All mobile plant using fuel should be located on hard standing when not in use.
 - (iii) All immobile plant using fuel should be located on hard standing. Drip trays should also be appropriately placed under all relevant plant.
 - (iv) All refuelling activities should be undertaken on areas of hard standing, using appropriate care and attention and in accordance with the correct procedures. Hard standing areas used by any plant to be positively drained with flows being passed through an approved oil separator before final discharge. Details of incident reporting and waste management procedures to be available to the MPA on request.
 - (v) An incident reporting procedure should be maintained for reporting all site incidents, including pollution events. Suitable emergency responses should also be in place in the event of an incident and shall be available to the MPA on request.
 - (vi) Appropriate spill kits or other means of controlling accidental spills should be made available on site. Adequate training in the use of such equipment should also be provided.
 - (vii) A maintenance and inspection programme should be followed in order to check the condition of site equipment and provide early warning of any potential leaks or spills.
 - (viii) Suitable waste management procedures should be followed to prevent surface pollution resulting from any waste products, fuel containers, chemical drums etc.

- (ix) During site restoration all hazardous plant and equipment should be removed from the quarry.
- (x) The use of herbicides and other related chemicals should be restricted both during quarry working and post restoration. Chemical applications should be made at appropriate times, in suitable quantities, so to avoid sub surface contamination.

25. Settlement ponds at the site shall be regularly emptied and maintained so as to keep them in good and effective order, and the discharge of waste, oil or other pollutant to any settlement pond, ditch, stream, watercourse or other culvert is not permitted. A record of any maintenance work or emptying of settlement ponds to be kept and shall be made available to the MPA on request.

Ground and Surface Water

26. Monthly Flow monitoring in the Nant Cwmnofydd and Nant y Fforest streams shall continue at the flow gauging stations illustrated on figure 8.3 within the ES (or such other locations as may be agreed with the MPA), and the results shall be made available to the MPA upon request.

27. Prior to the commencement of dewatering in phase 2 of the quarry development programme, a monitoring scheme shall be submitted for the approval of the MPA. This Scheme shall be reviewed annually and a report submitted for approval of the MPA by 1st June each year. Each review shall demonstrate, that;

- (i) The quarry operations are not having or are likely to have a significant adverse impact on the special interest of Fforestganol a Chwm Nofydd SSSI and Blaengwynlais Grasslands SINC;
- (ii) The Monitoring Scheme remains fit-for-purpose in detecting any potential significant adverse impacts on the special interest of the Fforestganol a Chwm Nofydd SSSI.
- (iii) The Monitoring Scheme continues to describe a fit-for-purpose mitigating action to be undertaken should a significant adverse impact be detected on the special interests of the SSSI.

28. The Monitoring Scheme as defined in Condition 27 above shall include, inter alia, details of:

- (i) The location and construction of all monitoring locations within the monitoring network, including stream, spring, borehole and ecological monitoring locations, and the nature of monitoring at those locations;
- (ii) The dewatering pumping arrangements and the means of recording pumped volumes, together with the methodology for assessing the groundwater component of the pumped water;

- (iii) The discharge arrangements for the water pumped from the Mining Site;
- (iv) All monitoring devices, techniques and frequencies of data acquisition. Frequencies of monitoring will include as a minimum; annual ecological monitoring; monthly stream and spring flow monitoring; re-active quarry face monitoring, and; monthly borehole monitoring;
- (v) Quality assurance procedures including protocols for identifying anomalous data and how this data will be addressed within datasets and analyses;
- (vi) The nature and timetable for the annual reporting to the MPA;
- (vii) The method of data analysis and interpretation to be employed, including the means by which it will be demonstrated at any time that quarrying and/ or dewatering is not having significant adverse affect on the special interests of Fforestganol a Chwm Nofydd SSSI;
- (viii) The template for reports to be submitted to the MPA, including the provision of raw data, and the graphical representation of data;
- (ix) The protocol and timescales to be followed in the event that a monitoring device in the monitoring network becomes inoperable. This should include inter alia the timescale for both reporting failures and implementing agreed remedial actions to ensure the integrity of the monitoring network;
- (x) The means by which the requirement for mitigating action is triggered, and the nature of such action required to mitigate any significant adverse affects on the special interests of Fforestganol a Chwm Nofydd SSSI. This should include, inter alia; the timescales in which such a trigger is reported to the MPA; the timescales for the implementation of agreed further investigation and mitigating action;
- (xi) The details of mitigating actions to be taken in the event of a trigger as defined in x above, including an assessment of their efficacy and ongoing monitoring of their effectiveness.

29. No dewatering of the quarry shall be undertaken until at least two consecutive years of baseline monitoring has been submitted to the MPA, in accordance with the Monitoring Scheme as set out in Conditions 27 and 28.
30. The Monitoring Scheme shall operate, as outlined in Conditions 27 and 28, for as long as quarry dewatering continues. Once quarrying, and therefore dewatering, has permanently ceased, the Monitoring Scheme shall continue to operate, as outlined in Conditions 27 and 28 until such time as the MPA agrees that groundwater levels have returned to their natural level, and for a further five years thereafter.

Ecology

31. 12 months prior to the commencement of dewatering in phase 2, a repeat botanical survey (higher and lower plants) shall be undertaken of the Fforestganol a Chwm Nofydd SSSI, with particular reference to the flush and spring features. The results of the survey shall be used to inform an interpretive report, to be submitted for the approval of the MPA, which shall set out:
 - (i) Following the hydrological monitoring undertaken as a requirement of conditions above, the identification of trigger levels to monitor changes in the ecological conditions associated with the wet woodland springs and seepages
 - (ii) Proposals for mitigation measures to be implemented in the event of any derogation in the ecological conditions associated with the wet woodland springs and seepages.
32. During the period of dewatering, an ecological survey shall be carried out 1, 3 and 5 years after the commencement of dewatering within the Fforestganol a Chwm Nofydd SSSI, to compliment the spring flow observations, and inform any mitigation measures which may be required. The results of a monitoring and interpretation report shall be submitted to the MPA annually on dates to be agreed prior to the commencement of dewatering.
33. Within 3 months of the Date of Determination, a scheme shall be submitted for the approval of the MPA setting out the details of the proposed Ecological Mitigation Area (EMA) to be created within 1.99 hectares of land shown on plan 1 and figure 1 within Appendix 7.9 accompanying the Environmental Statement (ES). The scheme shall include the principles of target habitat establishment set out in section 2.1 of Appendix 7.9, and shall provide details of the management to be undertaken to foster the biodiversity value of the defined area, drawing upon the principles set out in Appendix 7.9 to the ES. The scheme shall be implemented as agreed.
34. Within 3 months of the Date of Determination, a scheme shall be submitted for the approval of the MPA setting out the details of the proposed enhancement of the plantation woodland situated between the EMA and the eastern boundary of the quarry, as illustrated on drawing 1 and figure 2 within Appendix 7.9 accompanying the Environmental Statement (ES). The scheme shall be implemented as agreed.
35. The scheme of bat mitigation at the cave submitted on 30th April 2014 setting out proposals for the provision of a grill at the entrance to a cave within the quarry area, monitoring of activity by bats, and mitigation measures, if required, shall be implemented in full and in accordance with the timescale for implementation set out in the submitted scheme.
36. Prior to the felling of any trees within the mining site, a repeat bat survey shall be carried out to verify that the baseline study has not changed. In the event of bat roosts being identified, then mitigation measures shall be submitted for the approval of the MPA and implemented as approved.

37. Within 12 months of the Date of Determination or prior to a resumption of quarrying, whichever is the later, a Hazel Dormouse Mitigation Strategy shall be submitted for approval by the MPA setting out proposals for appropriate mitigation, as outlined in Appendix 7.9 accompanying the Environmental Statement (ES). The strategy shall be implemented as agreed.
38. Within 12 months of the Date of Determination or prior to a resumption of quarrying, whichever is the later, a Reptile Mitigation Strategy shall be submitted for approval by the MPA setting out proposals for the capture and transfer of any reptiles from the operational area to the EMA as outlined in Appendix 7.9 accompanying the Environmental Statement (ES). The scheme shall be implemented as agreed.
39. Prior to operations taking place within the undisturbed area of phase 1, shown on plans B111/11 and /12, a survey for badgers will be undertaken to verify that the baseline study has not changed in respect of setts. In the event of setts being identified, then mitigation measures shall be implemented in accordance with a scheme to be agreed by the MPA.
40. Within 12 months of the Date of Determination or prior to a resumption of quarrying, whichever is the later, an Invasive Plant Species Survey shall be undertaken to verify that the baseline study has not changed in respect the distribution of Schedule 9 plant species. The findings of the survey shall be used to ensure that any vegetation removal associated with quarry development is compliant with the provision of the Wildlife and Countryside Act 1981 (as amended in April 2010).
41. Any clearance of trees and scrub shall only take place outside the main bird nesting season of February to August or whilst under the supervision of a suitably qualified ecologist, to minimise the risk of accidental destruction or disturbance of nests, eggs, and nestlings.
42. During operational periods of quarry development that take place within the bird breeding season, a cliff nesting bird survey shall be conducted to determine the status and location of cliff nesting birds, in particular peregrine falcon. Where nest site(s) are identified, a 100m buffer area shall be implemented until such a time that an ecologist confirms nesting has ended and any young have fully fledged.
43. Prior to the installation of lighting at the quarry, a 'lighting plan shall be submitted for the approval of the MPA. The plan shall include measures to monitor lux levels as part of a need to minimise light pollution and minimise ecological impacts, particularly on bats. The scheme shall be implemented as agreed.
44. No materials, waste, arisings or plant shall be stored or operated within the Blaengwynlais Quarry Fields SINC, or allowed to fall, be washed or blown into it.

Landscaping

45. Within 3 months of the Date of Determination, a scheme shall be submitted for the approval of the MPA setting out the details of the tree and shrub planting, and beating up of existing trees along the western boundary of the site. The scheme shall include locations for planting / beating up, species composition, planting details, and maintenance provision, cross referencing the ecological proposals in conditions 33, 34 and 37. The scheme shall be implemented in the first planting season following approval.

Cultural Heritage

46. Prior to the commencement of any soil stripping in the currently undisturbed north eastern area of the mining site, a scheme shall be submitted for the approval of the MPA setting out proposals for a watching brief, to be carried out by a competent archaeological contractor, who should be present during soil stripping operations. The scheme shall make provision for any archaeological interest to be recorded and reported, and for contingency measures to be implemented in the event of identifying any currently unforeseen features of archaeological interest.

H. Restoration

47. Not later than 21.02 2040, or the expiry of six months following the permanent cessation of the winning and working of minerals, whichever is the sooner, the Operator shall submit for the written approval of the MPA, a detailed final restoration scheme, including drawings to illustrate the proposals for the final restoration of the quarry. The final restoration scheme shall be based upon the concept restoration plan ref B111/15, and provide for the Mining Site to be restored as a nature conservation bias, with restoration treatment of the benches and faces, and subject to ground conditions, the provision of ponds / ephemeral areas at the base of the restored quarry. The remainder of the Quarry Site shall be cleared of all plant, machinery, buildings and apparatus in accordance with the requirements of Condition 3. The restoration scheme shall include details of the final re-profiling works for the Quarry Site, the soil /soil forming material profiles to be established; tree and shrub planting schedules; seeding, fencing and drainage; and a programme and timetable for the implementation of the works.

I. Aftercare Management

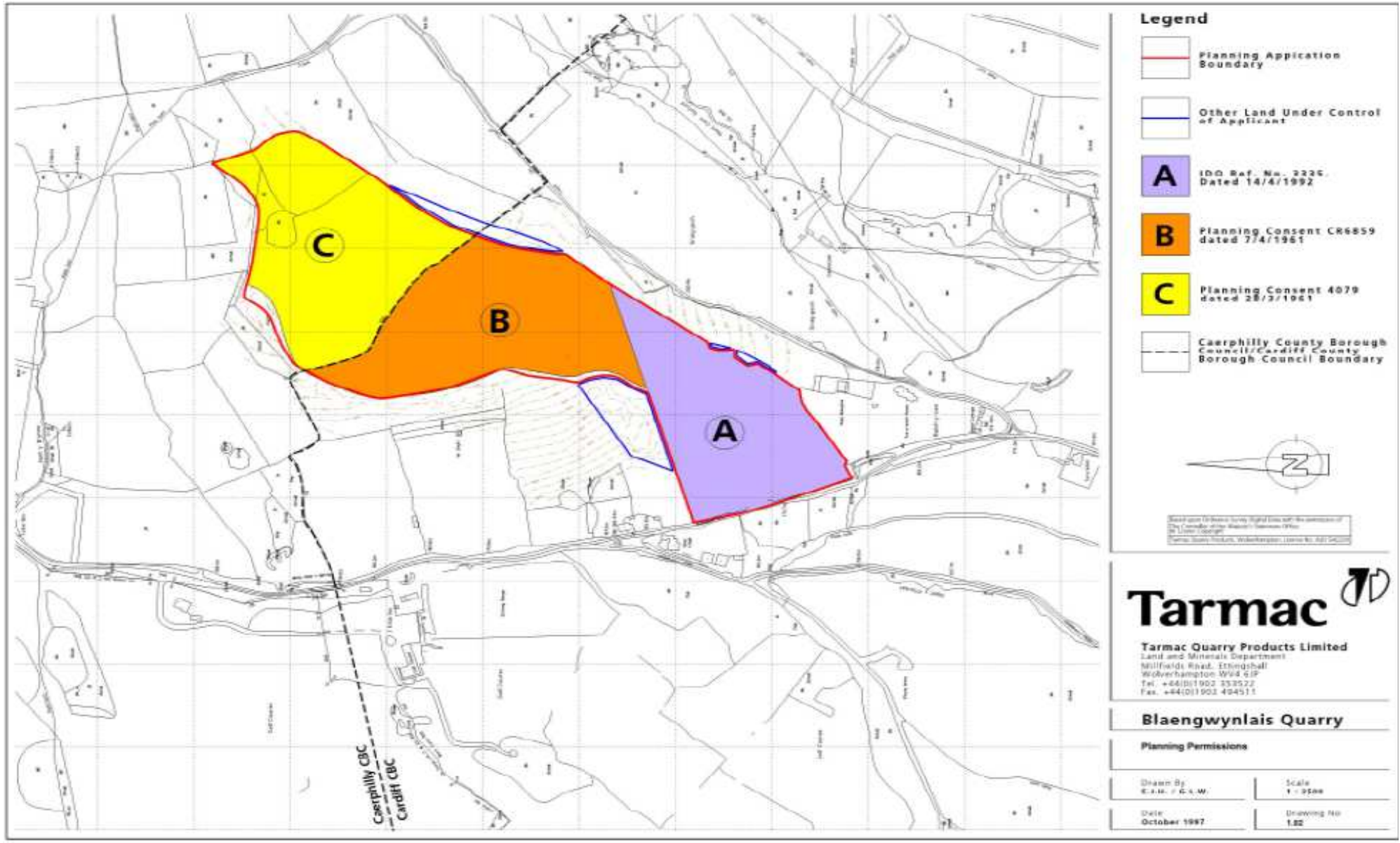
48. Within 3 months of the Date of Determination, a scheme shall be submitted for the approval of the MPA setting out the details of management within the proposed Ecological Mitigation Area (EMA). The scheme shall include provision for management to be undertaken over a minimum period of 10 years, and shall include the management principles set out in section 6.0 within Appendix 7.9 accompanying the Environmental Statement (ES).

49. An aftercare scheme for the mining site, covering a period of 10 years, specifying such steps as may be necessary to bring the mining site to a condition fit for the proposed after use shall be submitted for the approval of the MPA not less than 6 months prior to the date at which it is expected that the restoration works will be completed.

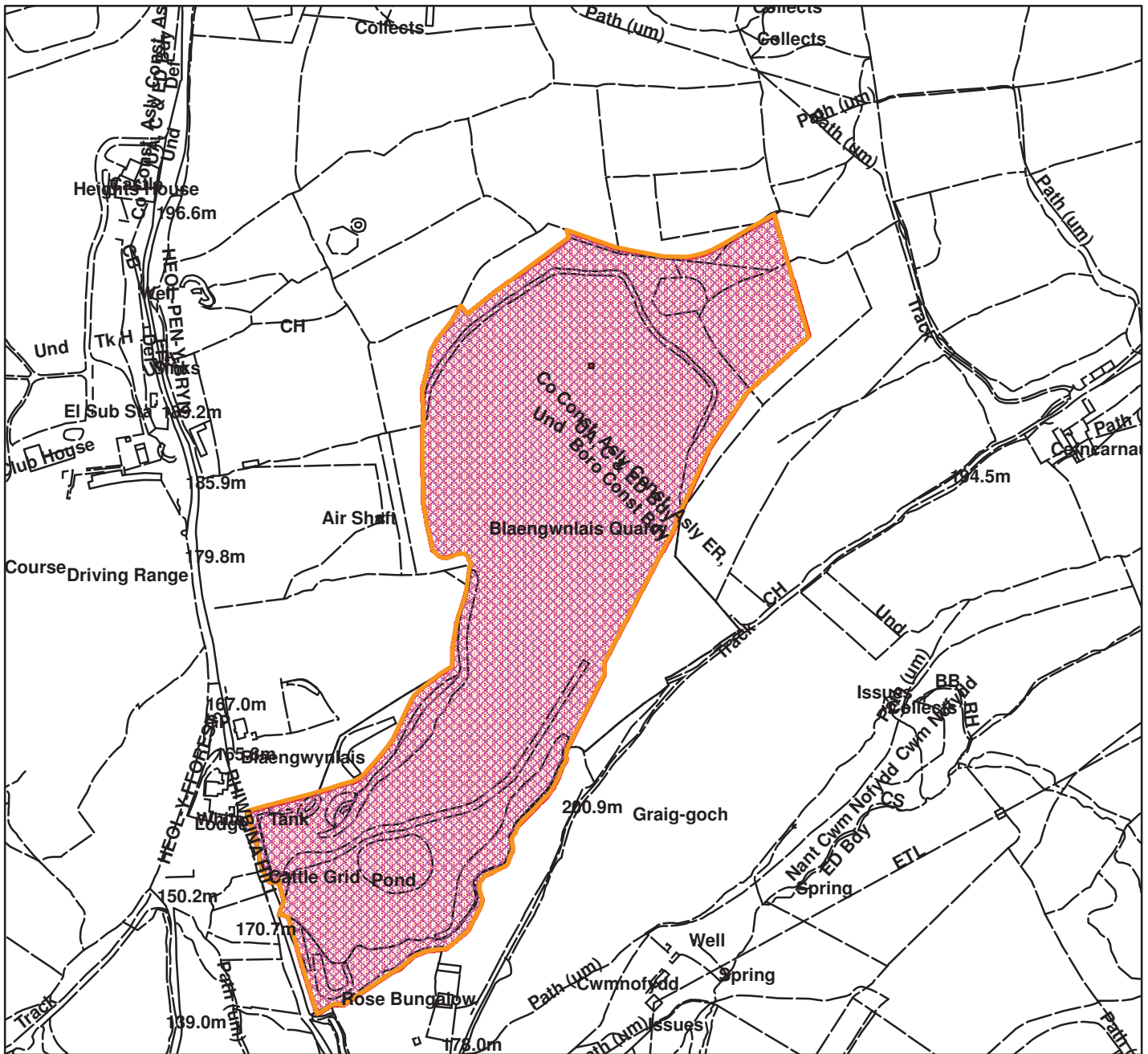
REASONS

1. To ensure that the development is completed in accordance with the plans approved by the Council.
- 2-4 To allow the re-assessment of the impact of the quarry once the development hereby permitted has been substantially completed, and to avoid doubt as to the extent and period of the development hereby permitted.
- 5-6 To facilitate future landscaping and restoration works, to control the height and form of quarry faces in the interests of public safety and amenity, and to protect the safety and amenity of nearby residential areas
- 7-8 To protect the amenity of nearby residential areas.
- 9-10 To reduce the risk of dust nuisance in the vicinity of the quarry and to thereby lessen the environmental impact of the operation.
- 11 In the interests of safe access and highway safety
- 12-14 To reduce the risk of noise nuisance in the vicinity of the quarry and to thereby lessen the environmental impact of the operation.
- 15-19 To limit blasting operations so as to protect the amenities of local residents and users of nearby land or premises from the impact of excessive ground vibration, air blast, dust and flying debris, to give reasonable warning of blasting operations in the interests of public safety and amenity, to ensure the satisfactory planning of the surrounding area, and to ensure the assimilation of quarrying into the area at minimum social and environmental cost.
- 20-22 To reduce the risk of dust nuisance in the vicinity of the quarry and to thereby lessen the environmental impact of the operation.

- 23-25 To protect against the pollution of water-courses and water supplies in the interests of the amenity of the surrounding land and to ensure quarrying operations do not adversely affect the quality or quantity of groundwater supplies in the surrounding area.
- 26-32 To monitor and protect the nature conservation interests of Fforestganol a Chwm Nofydd Site of Special Scientific Interest
- 33-43 To monitor, protect and enhance features of Ecological Importance.
- 44 To protect the features of interest for nature conservation for which the SINC has been designated.
- 45 To ensure the proper landscaping of the area in the interests of visual amenity.
- 46 To identify, protect and enhance the setting of features and artefacts of archaeological interest.
- 47-49 To provide for the early restoration of the excavated area to some other productive use once limestone extraction has ceased.



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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	24/09/2014
MSA Number	100023572

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Agenda Item 21

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0820/FULL 20.11.2013	Pont Carreg Mr A Stallard 10 Redbrook Court Caerphilly CF83 1ED	Erect a commercial stable block and tack room/food store on agricultural land including all engineering and associated works Fferm Pont Carreg - Land Rhyd Y Gwern Lane Machen

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The site is located in a small field parcel, which is part of a larger 'agricultural unit' of 5 hectares, adjacent to the road between Machen and Draethen. The field is on the south west side of the road, and the building would be erected near the northern boundary of the whole unit.

Site description: The field is triangular in shape, and has been used as grazing land.

Development: The proposal is to construct a stable block and tack room.

Dimensions: Proposed stables would be a total length of 21.3 metres, 3.5 metres in depth, and a maximum 3.4 metres in height.

Materials: The stables and tack room would be constructed of concrete block and Yorkshire boarding and a coated profiled steel sheet roof.

Ancillary development, e.g. parking: The applicant has indicated a total of eleven vehicle parking spaces to be provided for all the uses at the site.

PLANNING HISTORY

P/05/1613 - Alter existing vehicular site entrance, create farm track site access and erect barn - Refused 26.01.06.

06/0041/FULL - Erect 2.5m high boundary fence and gates to make secure enclosure for deer farming - Granted 05.10.06.

Cont....

Application No. 13/0820/FULL - Continued

07/0172/FULL - Erect retaining wall to retain soil bank and carry out associated engineering works to batter back bank on existing entrance/agricultural land/track/railings - Granted 10.05.07.

09/0975/FULL - Erect a 360 sq metre barn on agricultural land of 5 hectares or more to house deer calves, to include all engineering works and hardcore road to proposed barn from existing track and include cut and fill to site barn and all landscaping, parking areas and turning area - Granted 10.05.10.

10/0399/FULL - Erect a 50 square metre pig farrowing unit on agricultural land of 5 hectares or more to include all associated works and engineering works - Granted 04.08.10.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: Outside settlement limits.

Policies: SP5 (Settlement Boundaries), CW2 (Amenity), and CW3 (Design Considerations Highways), CW4 (Natural Heritage Protection), CW19 (Locational Constraints: Rural Development and Diversification), NH1.5 (Special Landscape Area).

NATIONAL POLICY: Planning Policy Wales (2014).
National Planning Guidance contained in Technical Advice Note 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No coal mining risk assessment is necessary, but an advice note should be forwarded to the applicant.

Cont...

Application No. 13/0820/FULL - Continued

CONSULTATION

Head Of Public Protection - No objection subject to conditions and makes comments of which the applicant should be advised.

Senior Engineer (Land Drainage) - No objection subject to conditions and makes comments of which the applicant should be advised.

Countryside And Landscape Services - No objection.

Minerals Officer - No objection.

Transportation Engineering Manager - No objection subject to conditions.

ADVERTISEMENT

Extent of advertisement: One neighbour was notified by letter and a site notice was erected.

Response: None.

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? This is not an issue in this case.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? This is not an issue in this case.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: Policy CW2 of the LDP states that development beyond the settlement boundary will only be permitted for certain categories of use; these include recreation and leisure proposals and the development is, therefore, considered to be in accordance with this policy.

Cont...

Application No. 13/0820/FULL - Continued

Policies CW4 (the strategic policy in respect of natural heritage protection) and NH1.5 (special landscape area) of the LDP would allow development in the countryside only where it would not harm the character, amenity, landscape and nature conservation value of the area.

The siting of the stables block would be near the northern field boundary, set back approximately 13 metres from the highway, Rhyd y Gwern Lane. Buildings in the countryside usually fit better into the landscape where they form groups of buildings. This stable block would be located near to a proposed deer shelter/barn, thus would result in less harm to the landscape than if it was located in an isolated position.

The development is considered to comply with local plan policies relating to rural development by virtue of the siting, scale and design of the proposal. It is considered that the development would not have any adverse impacts upon the character of the Special Landscape Area.

There are no existing neighbouring properties in close proximity, thus there would be no impact upon the residential amenity of neighbouring properties. However, planning permission was refused earlier this year for the erection of a temporary dwelling under the provisions of Technical Advice Note 6: Planning for Sustainable Rural Communities. It is not unreasonable to think that a dwelling may be justified here at some point in the future if the rural enterprise at this location proves to be successful. Therefore, the Head of Public Protection has suggested conditions to control storage of waste products and feedstuffs in order to protect residential amenity. The proposed stable block would be constructed of more substantial building materials than stables often are in rural areas, but the submitted details would be in keeping with agricultural buildings and, more particularly, those of the proposed deer shelter, and it is therefore considered that there would not be any adverse effects upon the character of the proposed buildings, or the visual amenity of the rural surroundings. There are no privacy issues. The building would be constructed to an acceptable design. It is appropriate to attach to the grant of any consent conditions relating to drainage, waste storage and disposal, and use limitations in order to control the development. The Applicant has indicated that the stables are intended to be used for a low-key commercial purpose, i.e. rental of individual stables to horse owners, in the form of livery, but self maintenance, and not for use as a riding school. Subject to conditions, the proposals are therefore compliant with development plan policies and design guidance.

Cont...

Application No. 13/0820/FULL - Continued

Comments from Consultees: The Transportation Engineering Manager indicates the need for conditions, one of which is to provide passing bays along Rhyd Y Gwern Lane; however, the site frontage is a relatively straight length of road where the access point is visible in both directions for some distance. The volume of construction works necessary to achieve a lay-by is difficult to justify when it is clear that vehicles may pull into the existing access to allow oncoming traffic to pass. The comments of the other Consultees are discussed in the analysis above.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

02) Notwithstanding the submitted plans, prior to the first use of the development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority which provide one parking space per stable and 1 operational parking space within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to beneficial use of the stables commencing and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.

REASON: To ensure that adequate parking facilities provided within the curtilage of the site in the interests of highway safety.

03) Notwithstanding the submitted plans, prior to the first use of the development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority which provides a turning area within the curtilage of the site which enables all vehicles, including horseboxes, to enter and leave the site in a forward gear. Such provision shall be completed in accordance with the agreed details prior to beneficial use of the stables commencing and shall be maintained thereafter free of obstruction for the turning of vehicles only.

REASON: In the interests of highway safety.

Cont...

Application No. 13/0820/FULL - Continued

- 04) Provision shall be made for calling vehicles, including horseboxes, to stand clear of the carriageway, details of which shall be agreed in writing with the Local Planning Authority and completed prior to beneficial use of the stables commencing.
REASON: In the interests of highway safety.
- 05) Prior to the first use of the development hereby approved a scheme for the management of feed and waste including waste feedstuffs and manure shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the site shall be operated in accordance with the agreed scheme.
REASON: In the interests of public health.
- 06) Prior to the commencement of works on site a scheme of land drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage) that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP5, CW2, CW3, CW4, CW19 and NH1.5.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	24/09/2014
MSA Number	100023572

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Agenda Item 22

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0364/FULL 10.06.2014	Mrs E Dixon 6 Heol-y-garth Rudry Caerphilly CF83 3DQ	Erect a flight cage for the purpose of rehabilitating bats 6 Heol-y-garth Rudry Caerphilly CF83 3DQ

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: On the south-western side of Heol-y-garth, Rudry.

House type: The host dwelling is an end-of-terrace house.

Development: Erect a flight cage for the purpose of rehabilitating bats.

Dimensions: 3.0 metres wide, by 6.0 metres deep and 2.5 metres high.

Materials: The bat flight cage would be constructed of aluminium mesh panels with one third of the cage covered in clear corrugated plastic sheeting.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies:

CW2 (Amenity).

CW3 (Design Considerations - Highways).

Guidance Note 3 of Supplementary Planning Guidance LDP7.

Cont....

Application No. 14/0364/FULL - Continued

NATIONAL POLICY:

Planning Policy Wales (2014).
Technical Advice Note 12: Design (2009).

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 report required, standing advice to be forwarded to applicant.

CONSULTATION

Draethen, Waterloo & Rudry Community Council - Advise that they are supportive of the proposal.

Head Of Public Protection - Raises no objection subject to conditions regarding waste and the storage of foodstuffs.

Gwent Wildlife Trust - Advises that they support the application.

ADVERTISEMENT

Extent of advertisement: Six neighbours notified, site notice posted.

Response: Three responses received as well as a petition with thirty-three signatures.

Summary of observations: The local residents' comments are as follows:

1. The proposal would de-value the price of neighbouring houses making it difficult to sell them in the future.
2. There are concerns that bats would get in to the neighbouring properties which would then be difficult to remove as they are a protected species.
3. The size of the flight cage is unreasonable.

Cont...

Application No. 14/0364/FULL - Continued

4. The garden of the property is overlooked which means that the flight cage and in turn the bats will be visible from neighbouring properties.
5. The proposed coordinated project and educational uses would cause issues with regards to parking, access and disruption caused by people calling to the property day and night to attend to the bats.
6. It is disputed that the bat cage needs to be located on the applicant's property for the bats to be checked twice daily as many residents within the village have stables with horses that require a similar care regime. A location away from an overlooked residential property would be considered a better solution.

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 issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The development itself would not give rise to any European protected species implications and therefore no comments required from Council's Ecologist. However, it is noted that the proposal is for the benefit of such a protected species.

Is this development Community Infrastructure Levy liable? Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

ANALYSIS

Policies: The proposed bat flight cage is in proportion to the scale of the site and its design and materials are in keeping with its surroundings. The flight cage does not impact on the space about the host dwelling or the neighbouring property and it is smaller in scale and subservient to the main dwelling. The flight cage would not be over dominant in relation to the existing and surrounding properties, therefore when considering the context of the existing and surrounding properties and the resulting development it is felt that the proposed building would be acceptable in this instance.

Cont...

Application No. 14/0364/FULL - Continued

It should also be noted that there would be no unacceptable impact on the amenity of the adjacent properties or land, when considering the attachment of conditions relating

to the control of waste and the storage of foodstuffs, and the proposal would not result in the over-development of the site or have a greater impact on the safe, effective and efficient use of the transportation network subject to a condition restricting its use.

Therefore the proposal is compliant with policies in the Adopted Local Development Plan, Supplementary Planning Guidance LDP7, Planning Policy Wales (2012) and TAN 12: Design.

Comments from consultees: Draethen, Waterloo and Rudry Community Council advise that they are supportive of the proposal.

Head of Public Protection raises no objection subject to conditions regarding waste and the storage of foodstuffs.

Gwent Wildlife Trust advises that they support the application.

Comments from public: The Council's response to the local residents' comments is as follows:

1. This is not a material planning consideration.
2. It should be noted the bat flight cage is proposed to exercise and train bats that are already cared for and will continue to be cared for at the applicant's property. The cage gives the adult bats and hand-reared baby bats the opportunity to fly in captivity, to learn to fly, to learn to catch food and to develop the stamina required for release. Hand reared bats also need exposure to natural weather condition, and time spent in a flight cage will give them the best possible chance of survival upon release. Moreover when released bats are taken back to where they found. The concern that the bats would enter neighbouring properties would not justify the refusal of the proposal.
3. It is considered that the flight cage would be of scale that is akin to a domestic garage and would be reasonable at a domestic property.
4. Many domestic outbuildings are visible from neighbouring properties. This would not be a justifiable reason for refusal.

Cont....

Application No. 14/0364/FULL - Continued

5. Further to the neighbouring residents' comments the applicant has amended the scheme so that the bat flight cage will only be used by themselves for the bats that they continue to care for at their dwelling, removing any co-ordinated or educational uses.
6. Whilst other locations may be possible the Council must consider the submitted proposal. When considering the proposed bat flight cage it is felt that its scale and size would be in keeping with that of other domestic outbuildings, whilst its wire mesh construction would limit the impact on the amenities of the adjoining property. In relation to the use of the flight cage it should be noted that bats are already cared for at the property and the cage provides the applicant with a controlled, contained facility to exercise and train the bats prior to release. It should be noted that the need for the close proximity of the flight cage to the applicants property is supported by the comments received from Gwent Wildlife Trust.

Other material considerations: The development is considered acceptable in all other aspects.

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 development commencing a scheme for the control of waste at the site, including foodstuffs and animal waste, shall be submitted to and agreed in writing with the Local Planning Authority. The approved use shall be carried out in accordance with the agreed scheme.
REASON: To minimise the attraction of pests to the site, and to prevent any nuisance to the surrounding houses from pests and odour.
- 03) Prior to the development commencing a scheme for the storage of foodstuffs on site shall be submitted to and agreed in writing with the Local Planning Authority. The approved use shall be carried out in accordance with the agreed details.
REASON: To minimise the attraction of pests.

Cont...

Application No. 14/0364/FULL - Continued

- 04) The bat flight cage hereby approved shall only be used for the care of bats under the control of and/or in the care of the occupants of 6 Heol-Y-Garth, Rudry only and in accordance with details contained in the applicant's supporting statement, received 26th July 2014, and for no other purpose.
REASON: For the avoidance of doubt as to the extent of this consent, and in the interests of residential amenity.
- 05) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Supporting Information received 26th July 2014 and ED/05/14/PA/100/B, ED/05/14/PA/101/B, ED/05/14/PA/102/B, ED/05/14/PA/103/B received 18th August 2014.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP6, CW2 and CW3.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	23/09/2014
MSA Number	100023572

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Agenda Item 23

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0536/RET 13.08.2014	Mrs P Rees 9 Golwg Y Coed Hendredenny Caerphilly CF83 2UA	Retain detached dwelling 37 Lon Yr Ysgol Bedwas Caerphilly CF83 8PE

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: On the north-eastern side of Pandy Road, at the junction with Lon Yr Ysgol, Bedwas.

Site description: The host site is a corner garden plot that at the entrance of Lon Yr Ysgol, Bedwas, on the northern side of Pandy Road. The site forms part of the road frontage of both Lon Yr Ysgol and Pandy Road and is surrounded on all sides by existing residential development. The land falls from north to south and from east to west with the proposed parking provision located to the rear.

Development: The proposal is for a four-bedroom dormer bungalow with an attached garage.

Dimensions: The proposed dwelling measures approximately 12.9 metres wide by 10.0 metres deep and 7.3 metres high to the roof apex (2.5 metres to eaves). The proposal also includes a single-storey rear projection housing the attached garage that measures 6.7 metres wide by 6.25 metres deep and 4.4 metres high to the roof apex (2.5 metres to the eaves). The proposal also includes two front and one rear dormer projection and each dormer measures 1.8 metres wide by 3.1 metres deep, by 2.7 metres tall and 6.35 metres high to the roof apex (5.2 metres to the eaves).

Materials: External finishes of the proposal are facing brickwork walls, concrete roof tiles, upvc windows and doors. The proposed boundary treatment would be feather edged fencing. Vehicle Access and hardstanding would be interlocking paviors.

Ancillary development, e.g. parking: None.

Cont....

Application No. 14/0536/RET - Continued

PLANNING HISTORY

5/5/89/0794 - Erect 8'3" boundary wall - Granted 09.11.89.

P/00/0019 - Erect residential and ancillary development - Refused 02.03.00.

P/00/1094 - Erect 36 residential units - Granted 29.03.01.

P/99/0270 - Erect residential and ancillary development - Refused 23.09.99.

13/0014/FULL - Erect detached dwelling and garage - Granted 02.08.13.

13/0615/FULL - Erect detached dormer bungalow - Granted 27.03.14.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies: SP6 (Place Making), SP7 (Planning Obligations), CW2 (Amenity), CW3 (Design Considerations - Highways), CW15 (General Locational Constraints), Supplementary Planning Guidance LDP6: Building Better Places to Live and Supplementary Planning Guidance LDP5: Car Parking Standards.

NATIONAL POLICY:

Planning Policy Wales (2014).
Technical Advice Note 12: Design (2009).

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 report required, standing advice to be forwarded to applicant.

Cont....

Application No. 14/0536/RET - Continued

CONSULTATION

Transportation Engineering Manager - Raises no objection subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

Head Of Public Protection - Has no adverse comments to make with respect to the development.

Senior Engineer (Land Drainage) - Raises no objection subject to a condition regarding surface water and land drainage.

Dwr Cymru - Raises no objection subject to conditions regarding foul, surface water and land drainage.

ADVERTISEMENT

Extent of advertisement: Seven neighbours notified, site notice posted.

Response: Three.

Summary of observations: The local residents' comments are as follows:

1. There are concerns that the proposed pedestrian access on to Pandy Road will become the main delivery point, a more convenient access for the occupants of the property who will choose to park on Pandy Road, having a detrimental impact on highway safety due to its proximity to the junction with Lon-Yr-Ysgol.
2. The submitted Design and Access Statement contains contradictions as it claims that the existing boundary wall would remain intact which would not be the case should the pedestrian access be implemented. This also raises questions over the accuracy of the remainder of the statement.
3. The proposed pedestrian access would lead to increased on-street parking which would exacerbate existing highway safety issues including congestion of traffic on a frequently used bus route.

Cont....

Application No. 14/0536/RET - Continued

4. Clarification is sought regarding drainage. The applicant's builder has advised that there would be new drains to this property and that it would not be sharing drainage with the neighbouring property. This is not clear on the plans and mention is made of a connection being made to the adjoining property. There are issues with the drains in this area so assurance is required that the new house's waste would not be drained through the neighbouring property.
5. The build appears rather large for the size of the site and its unfortunate that the height is wrong, as this has reduced the light in a neighbour's garden more than was expected.

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 issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, 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? This development is liable for CIL in this instance, the total being £8600.

ANALYSIS

Policies: The application seeks permission to retain, as built, a single dwelling house on land adjacent to 62 Pandy Road, Bedwas. It should be noted that the principle of residential development at this site has previously been established under planning consent 13/0615/FULL. As such the main consideration of this application is the increase in height of the proposed dwelling by approximately 400mm.

Policy CW2 of the Plan states that on such windfall sites within the settlement boundary, neighbouring land uses should not detract from the residential amenity of the proposed development, and the development should not result in an insensitive infilling which would spoil the character of the area.

Cont...

Application No. 14/0536/RET - Continued

The submitted layout provided illustrates that the dwelling can be accommodated within the site, when considering the differing levels, with adequate privacy distances and separation from the existing dwellings. It is considered that the adjoining land uses would not detract from the residential amenity of the proposed property, as existing residential development is located to the north, south, east and west of the application site. It is considered that given the size of the application site, this development comprising of a four-bedroom dormer bungalow with an attached garage, does not represent an overdevelopment of the site, with a moderate amount of private amenity space and an appropriate level of off-street parking. Furthermore, a condition will be attached to any permission restricting the conversion of the proposed garage in the future.

In terms of the potential impact of the development on properties adjoining the application site, the development is surrounded by residential dwellings on all sides, albeit at varying distances and levels from the site. When considering the difference in levels between the application site and the property to the east of the site on Pandy Road it is felt that the development will not result in any overshadowing impact as the main body of the house would be positioned within the existing building line of 62 Pandy Road to the north-west of the property. Furthermore the proposed garage would be set off the boundary with a low-level pitched roof that falls to its lowest point at eaves level at the point where it is closest to the neighbouring property. As such the attached garage would not have a detrimental impact on the amenities of the neighbouring property at 62 Pandy Road.

In relation to the proposed privacy distances to the property to the north, although less than 21 metres, when taking account of the difference in levels, the location of a single first floor ensuite bathroom window in the gable wall facing the proposal, the existing boundary treatment and the angle of the proposed dwelling when facing the existing conservatory, it is considered that the development would not detract from existing levels of privacy currently enjoyed by the property. With regard to the properties to the south of the site on Pandy Road it should be noted that the distance from the windows in the front elevation to these properties exceeds the required 21 metres.

With respect to the property to the west on Lon Yr Ysgol it should be noted that there are no windows facing the application site. Despite the difference in levels between the site and the neighbouring properties it is also felt that the proposed development would not result in an overbearing impact on adjoining properties to a degree to warrant a refusal of planning permission.

Cont...

Application No. 14/0536/RET - Continued

Policy CW3 states that development should have regard for the safe, effective, and efficient use of the transportation network. The applicant proposes to access the development off Lon Yr Ysgol to the western boundary. The Transportation Engineering Manager has assessed the proposal with regard to highway safety and found it to be acceptable subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

It is considered that the dwelling has been well designed in terms of its scale, siting and materials, and will integrate well with the surrounding area. Whilst the property at 62 Pandy Road would appear to be left with very little useable amenity space it should be noted that any land transaction relating to the splitting of the application site from 62 Pandy Road falls outside the realms of planning legislation. In view of the above the Local Planning Authority must assess the site on its own merits therefore it is not considered that the proposal would detract from the residential amenity of neighbouring properties, or the visual amenity of the area generally. Appropriate parking, access and amenity will be provided for the development, and it is considered that the proposal represents an appropriate development of the site.

Therefore when considering the proposal as a whole as well as its increase in height by 400mm it is felt that the proposal would be compliant with policies in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, Supplementary Planning Guidance LDP5 and LDP6, Planning Policy Wales (2014) and TAN 12: Design.

Comments from consultees: Transportation Engineering Manager raises no objection subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

Head of Public Protection has no adverse comments to make.

Senior Engineer (Land Drainage) raises no objection subject to a condition regarding surface water and land drainage.

Dwr Cymru raises no objection subject to conditions regarding foul, surface water and land drainage.

Comments from public: The Council's response to the local residents' comments is as follows:

1. Following the local residents' comments the applicant has amended the proposals to remove pedestrian access from the scheme.

Cont....

Application No. 14/0536/RET - Continued

2. Following the local residents' comments the applicant has amended the Design and Access Statement to address the issues raised.
3. Following the local residents' comments the applicant has amended the proposals to remove pedestrian access from the scheme.
4. Following the local residents' comments the applicant has amended the proposals to indicate that the proposed drainage would connect in to the existing main public sewer.
5. As highlighted above it is not considered that the proposed dwelling is too large for the site; however, notwithstanding these comments it should be noted that the principle of residential development at this site has been previously established. With regard to the increased ridge height of the proposal it is considered that the impact of the additional 400mm of roof height on the amenities of the neighbouring properties would not be to a level that warrant refusal of the application in this instance.

Other material considerations: The development is considered acceptable in all other aspects.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Prior to the commencement 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.
- 02) Prior to the occupation of the development 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 the dwelling is first occupied
REASON: In the interests of the visual amenities of the area
- 03) Prior to the occupation of the development a scheme of land drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

Cont....

Application No. 14/0536/RET - Continued

- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.
- 05) Prior to its first use the proposed parking area shall be completed in materials as agreed with the Local Planning Authority, to ensure loose or mud etc is not carried onto the public highway.
REASON: In the interests of highway safety.
- 06) The development shall not be beneficially occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 07) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 3.3 metres. No obstruction or planting when mature exceeding 0.6 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 08) The gates hereby approved shall not open outwards over the public highway.
REASON: In the interests of highway safety.
- 09) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

Cont....

Application No. 14/0536/RET - Continued

- 10) 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.
- 11) 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 residential 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.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected or planted without the approval of the Local Planning Authority other than those indicated on the approved plans.
REASON: To retain the open character of the development in the interests of visual amenity.
- 14) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Location Plan, 01, 02, 05A and 06 received 5th August 2014 and Design and Access Statement and SK1 received 17th September 2014.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont...

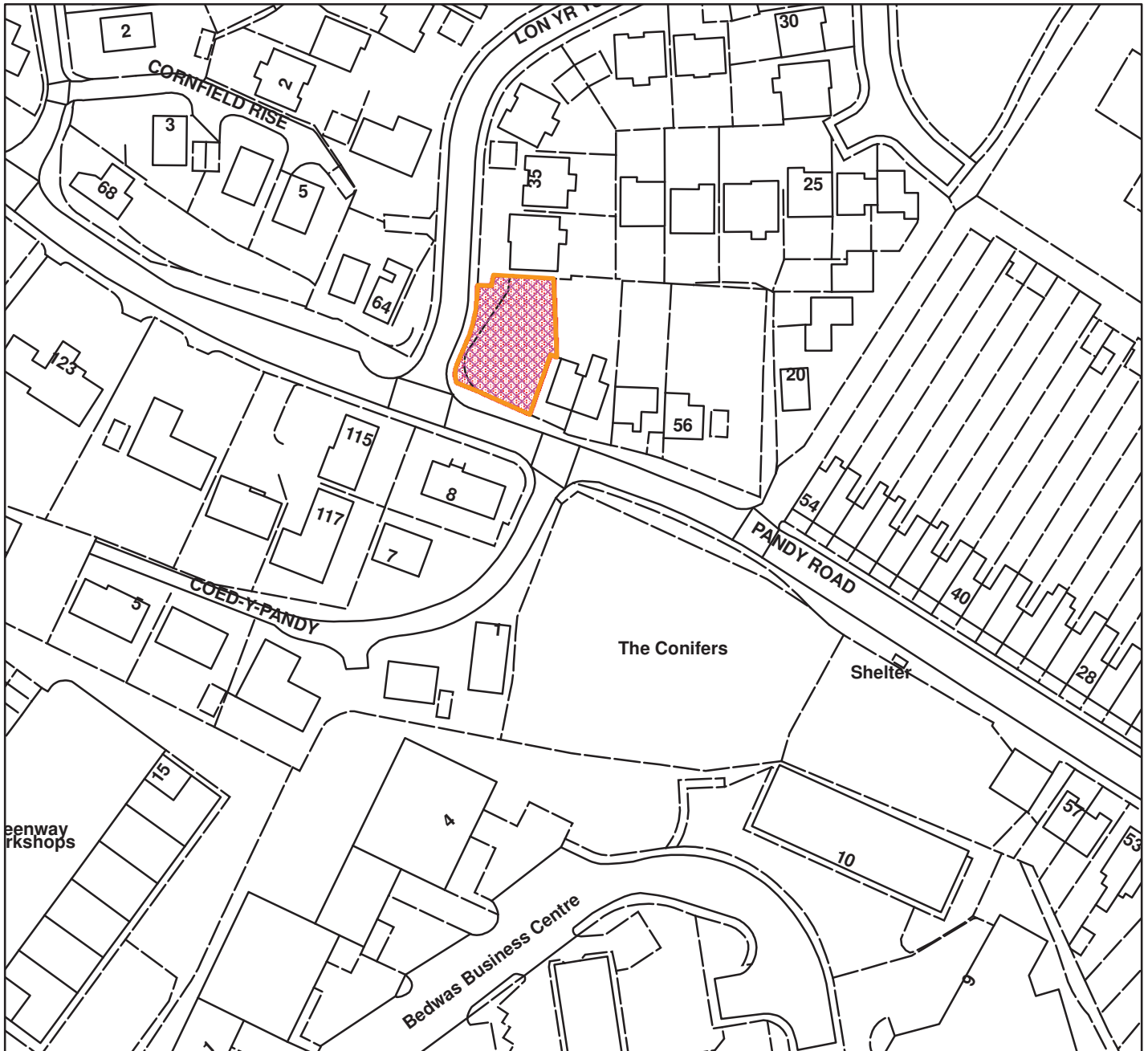
Application No. 14/0536/RET - Continued

Advisory Note(s)

Please find attached the comments of Transport Engineering Manager and Dwr Cymru/Welsh Water that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP6, CW2 and CW3.

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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	23/09/2014
MSA Number	100023572

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APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
14/0202/FULL 01.04.2014	Ms M Smalley 30 Hanbury Street Glan-y-nant Blackwood NP12 3XW	Erect extension and alterations to existing house 30 Hanbury Street Glan-y-nant Blackwood NP12 3XW	Granted 27.08.2014
14/0271/FULL 30.04.2014	Broadoak International Investments Ltd Mr P Purnell 11 Bronrhiw Avenue Caerphilly CF83 1HF	Erect a dwelling Land Adjacent To 10 Coed-Y- Pica Abertridwr Caerphilly CF83 4ET	Granted 27.08.2014
14/0370/FULL 03.06.2014	Mr J Philpot 33 James Street Markham Blackwood NP12 0QN	Erect detached garage to the rear 33 James Street Markham Blackwood NP12 0QN	Granted 27.08.2014
14/0470/FULL 30.06.2014	Mr P Thomas 17 Fflorens Road Treowen Newport NP11 3ED	Erect two-storey rear extension 17 Fflorens Road Treowen Newport NP11 3ED	Granted 27.08.2014
14/0475/FULL 02.07.2014	Mr G Williams 33A Cwrt Coch Street Aberbargoed Bargoed CF81 9EZ	Erect garage in rear garden 33A Cwrt Coch Street Aberbargoed Bargoed CF81 9EZ	Granted 27.08.2014
14/0476/FULL 02.07.2014	Mr D Williams 33B Cwrt Coch Street Aberbargoed Bargoed CF81 9EZ	Erect garage in rear garden 33B Cwrt Coch Street Aberbargoed Bargoed CF81 9EZ	Granted 27.08.2014

14/0478/RET 04.07.2014	Seren Group Mr N Taylor Exchange House The Old Post Office High Street Newport NP20 1AA	Retain the change of use from bed & breakfast establishment to a mixed use facility comprising bed & breakfast, support and training facilities for young people needing temporary accommodation, for a temporary period of 2 years The Countryman Hotel Countryman Court Heol Tynewydd Bedwellty	Granted 27.08.2014
14/0487/FULL 11.07.2014	Mr & Mrs K Reardon 41 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Construct a single-storey extension to the rear and side of the existing dwelling 41 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Granted 27.08.2014
14/0432/FULL 14.07.2014	Mr G Banwell 31 Park Street Cwmcarn Newport NP11 7EL	Demolish existing single-storey addition and erect two-storey extension to rear of property 31 Park Street Cwmcarn Newport NP11 7EL	Granted 27.08.2014
14/0436/FULL 15.07.2014	Mr D & Mrs M Hodge 18 Grove Road Risca Newport NP11 6GN	Demolish existing utility building, and erect double storey rear extension 18 Grove Road Risca Newport NP11 6GN	Granted 27.08.2014
14/0473/RET 03.07.2014	Mrs D Hooper 75 Greenfield Newbridge Newport NP11 4QZ	Retain raised decking at the rear of the property 75 Greenfield Newbridge Newport NP11 4QZ	Granted 28.08.2014
14/0419/COU 04.07.2014	Done Brothers (Cash Betting) Limited C/o I D Planning Mr R Irving Atlas House 31 King Street Leeds LS1 2HL	Change the use from Class A1 to Class A2 and amalgamate with 40 - 42 to form a single unit with associated external alterations 38 & 40 - 42 Tredegar Street Risca Newport	Granted 29.08.2014
14/0480/FULL 04.07.2014	Mr J Parry 59 Charles Street Abertysswg Tredegar NP22 5AY	Erect detached garage 59 Charles Street Abertysswg Tredegar NP22 5AY	Granted 29.08.2014

14/0481/FULL 04.07.2014	Blackwood Town Cricket Club Mr E Reardon 35 Grange Hill Blackwood NP12 3PE	Install primary drainage and surface renovation Blackwood Cricket Club Gordon Road Blackwood NP12 1DS	Granted 29.08.2014
14/0482/FULL 04.07.2014	Mr M Hook 21 Clos Carolyn Blackwood NP12 3QT	Erect extension over existing garage and erect conservatory to rear 21 Clos Carolyn Blackwood NP12 3QT	Refused 29.08.2014
14/0381/FULL 10.06.2014	Mr D Thomas The Kingsdown 18 Moriah Hill Risca Newport NP11 6PZ	Erect masonry retaining walls The Kingsdown 18 Moriah Hill Risca Newport	Granted 01.09.2014
14/0463/FULL 30.06.2014	Mrs E Hudspeth 8 Griffiths Street Ystrad Mynach Hengoed CF82 7AW	Erect extension to form bedroom over existing single- storey extension 8 Griffiths Street Ystrad Mynach Hengoed CF82 7AW	Granted 01.09.2014
14/0479/FULL 04.07.2014	Mrs A Jones 5 Clos Gwernydd Caerphilly CF83 2UD	Erect single-storey extension to the rear of the existing dwelling 5 Clos Gwernydd Caerphilly CF83 2UD	Granted 01.09.2014
14/0420/FULL 07.07.2014	Mr M Gambold 20 Highfield Crescent Pontllanfraith Blackwood NP12 2ED	Erect single-storey extension to side and two-storey extension to rear 20 Highfield Crescent Pontllanfraith Blackwood	Granted 01.09.2014
14/0421/TPO 07.07.2014	Pendragon Design And Build Mr D Johanson Pendragon House General Rees Square Torfaen Cwmbran NP44 1AJ	Lift crown and directionally prune oak tree by four to five metres (tree T1) and section fell beech tree to ground level (tree T2) all within area W1 of Tree Preservation Order 54/83/RVDC. 3 Clos Trefeddyg Machen Caerphilly CF83 8PL	Granted 01.09.2014
14/0424/FULL 08.07.2014	Mr Yeates 27 Skomer Island Way Caerphilly CF83 2DB	Erect orangery style conservatory 27 Skomer Island Way Caerphilly CF83 2DB	Granted 01.09.2014
14/0426/FULL 08.07.2014	Mr R Price 49 Grove Road Risca Newport NP11 6GN	Demolish existing garage and erect new detached garage 49 Grove Road Risca Newport NP11 6GN	Granted 01.09.2014

14/0523/NOTA 29.07.2014	P Edwards & Co Wern Isaf Farm Heol Las Nelson Treharris CF46 6PW	Excavate and form a lagoon, install lagoon liner, spread and re-contour spoil and form a hard standing for access Wern Isaf Farm Heol Las Nelson Treharris	Prior Approval Not Required 01.09.2014
14/0025/OUT 13.01.2014	Mr M Bond 2-4 Coed Moelfa Road Abercarn Newport NP11 5LF	Erect dwelling 2-4 Coed Moelfa Road Abercarn Newport NP11 5LF	Granted 02.09.2014
14/0299/COU 07.05.2014	Mr J Williams Little Acre 10 New Bryngwyn Road Newbridge Newport NP11 4NF	Change the use from detached garage to two-bedroom dormer bungalow Little Acre 10 New Bryngwyn Road Newbridge Newport	Granted 02.09.2014
14/0373/FULL 04.06.2014	Ms K Booth & Mr J White Clover Hill Summerfield Hall Lane Maesycwmmmer Hengoed CF82 7RG	Erect single-storey and two- storey rear extensions Clover Hill Summerfield Hall Lane Maesycwmmmer Hengoed	Refused 02.09.2014
14/0477/ADV 04.07.2014	Tesco Stores Ltd New Tesco House Delamare Road Cheshunt Hertfordshire EN8 9SL	Provide various signage Tesco Express 1-2 Cae Meillion Caerphilly CF83 1SN	Granted 02.09.2014
14/0486/FULL 09.07.2014	GLJ Recycling Ltd Mr G Jones Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn Newport NP11 7NL	Erect two-storey reception/office/accounts building GLJ Recycling Ltd Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn	Granted 02.09.2014
14/0429/FULL 11.07.2014	Mr H Jenkins 74 Greenacre Drive Bedwas Caerphilly CF83 8HH	Erect garage and gymnasium to rear 74 Greenacre Drive Bedwas Caerphilly CF83 8HH	Refused 02.09.2014

14/0489/FULL 14.07.2014	Mr J Stokes 8 Coopers Place Caerphilly CF83 1SJ	Construct a single-storey rear extension 8 Coopers Place Caerphilly CF83 1SJ	Granted 02.09.2014
12/0379/FULL 18.05.2012	Trustees Of Tab Life Tab Life Centre Assembly Of God Pentecostal Church Tram Road Pontllanfraith Blackwood NP12 2JF	Erect two-storey side extension and front gable, rear balcony and revised car parking arrangement Tab Life Centre Tram Road Pontllanfraith Blackwood	Granted 03.09.2014
14/0315/FULL 12.05.2014	Mr S Titley The Gables Southend Terrace Pontlottyn Bargoed CF81 9RL	Erect two-storey extension to rear of property The Gables Southend Terrace Pontlottyn Bargoed	Granted 03.09.2014
14/0490/NOTT 15.07.2014	Openreach Mrs B Pithia 192 South Street Romford South Ate Romford Essex RM1 1HL	Install a new PCP type green cabinet Land Opposite 5 Ty-Llwyd Place Newbridge Newport NP11 4FP	Prior Approval Not Required 03.09.2014
14/0439/FULL 16.07.2014	Mr L Jenkins 1 Wood View Road Pontymister Risca Newport NP11 6QJ	Erect first floor accommodation above existing ground floor extension 1 Wood View Road Pontymister Risca Newport	Granted 03.09.2014
14/0493/FULL 16.07.2014	Mr G Neal Tree Tops Mountain Road Bedwas Caerphilly CF83 8ES	Demolish the existing single-storey garage and replace with a new single-storey double garage Tree Tops Mountain Road Bedwas Caerphilly	Granted 03.09.2014
14/0495/FULL 16.07.2014	Ms V Salimeni 19 Railway Terrace Caerphilly CF83 1HX	Erect part first floor extension above existing ground floor rear annexe 19 Railway Terrace Caerphilly	Granted 03.09.2014
14/0446/FULL 18.07.2014	Mr R Young Rowanlea 6 Tuckers Villas Blackwood NP12 1QH	Erect double garage at rear of property Rowanlea 6 Tuckers Villas Blackwood NP12 1QH	Granted 04.09.2014

14/0499/FULL 16.07.2014	Mrs Bermanski C/o South Wales UPVC Mr H Evans Unit A5 Garth Works Taffs Well Cardiff CF15 7RN	Erect conservatory to rear 14 Ynys Bery Close Caerphilly CF83 2AZ	Granted 05.09.2014
14/0464/FULL 01.07.2014	Mr & Mrs C Yeo 19 Lon-Y-Dderwen Nelson Treharris CF46 6HS	Erect single-storey garage extension to side of existing dwelling 19 Lon-Y-Dderwen Nelson Treharris CF46 6HS	Granted 08.09.2014
14/0433/RET 14.07.2014	Mr H Owens 6 Beatty Street Tir-y-berth Hengoed CF82 8AP	Retain pigeon cote in rear garden 6 Beatty Street Tir-y-berth Hengoed CF82 8AP	Granted 08.09.2014
14/0488/FULL 14.07.2014	Mr M Halliday Caerau House Pengam Road Penpedairheol Hengoed CF82 8BX	Convert existing garage and workshop into ancillary living accommodation (including porch and garden room extension) and erect a detached double garage and hobby room Caerau House Pengam Road Penpedairheol Hengoed	Granted 08.09.2014
14/0500/FULL 17.07.2014	Mr R Treherne 18 Tollgate Close Porset Caerphilly CF83 3AY	Demolish conservatory and replace with single-storey extension 18 Tollgate Close Porset Caerphilly CF83 3AY	Granted 08.09.2014
14/0449/FULL 18.07.2014	Ms L Dray 78 St David's Way Watford Caerphilly CF83 1EZ	Erect a two-storey rear extension comprising an enlarged main bedroom, additional bedroom, enlarged kitchen/dining, WC and utility room and erect a single-storey porch to the front of the property 78 St David's Way Watford Caerphilly CF83 1EZ	Refused 08.09.2014

14/0501/FULL 21.07.2014	SJM Architectural Services Mr S Mayley Old School House Stanley Road Garndiffaith Pontypool Torfaen NP4 7LH	Erect a double-storey side extension to existing dwelling 8 Denbigh Court Hendredenny Caerphilly CF83 2UN	Granted 08.09.2014
14/0428/FULL 09.07.2014	Mr & Mrs J Jones 1 Alexandra Road Hengoed CF82 7NE	Erect extensions to rear and side of dwelling 1 Alexandra Road Hengoed CF82 7NE	Refused 09.09.2014
14/0311/FULL 09.05.2014	Mr N Cooke 11 Marsh Court Aberbargoed Bargoed CF81 9BF	Erect detached garage in rear garden 11 Marsh Court Aberbargoed Bargoed CF81 9BF	Granted 10.09.2014
13/0803/FULL 08.11.2013	Mr T Jones Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly CF83 2TT	Erect agricultural workers dwelling Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly	Refused 11.09.2014
14/0498/FULL 15.07.2014	Mr J Phillips The Glen New Road Pengam Blackwood NP12 3QZ	Demolish existing single garage and replace with double garage and add a first floor extension to existing single storey extension The Glen New Road Pengam Blackwood	Granted 11.09.2014
14/0507/FULL 24.07.2014	Mr A Porter Malvern House Nydfa Road Pengam Blackwood NP12 3SX	Erect single-storey extension to side of property Malvern House Nydfa Road Pengam Blackwood	Granted 11.09.2014
14/0509/NCC 24.07.2014	Mr S Gammage 23 Pen-Y-Groes Oakdale Blackwood NP12 0ER	Vary Condition 12 of planning permission P/98/0690 to convert integral garage into a habitable room 23 Pen-Y-Groes Oakdale Blackwood NP12 0ER	Granted 11.09.2014
13/0669/FULL 13.09.2013	Mr S Roberts Three Firs New Road New Inn Pontypool Torfaen NP4 0PZ	Erect new dwelling 23 Commercial Road Machen Caerphilly CF83 8NB	Granted 12.09.2014

14/0118/FULL 03.03.2014	Mr A James 11 Corbett Crescent Caerphilly CF83 1HP	Erect ground floor and first floor extension to provide a first floor to the bungalow, change the use of 101 square metres of pasture land to create a driveway, remove and replant 15 metres of hedgerow and install photovoltaic roof panels Brynteg Pandy Lane Llanbradach Caerphilly	Granted 12.09.2014
14/0448/FULL 18.07.2014	Mr A Ashcroft 33 Heol Cattwg Gelligaer Hengoed CF82 8EZ	Erect a two-storey side and rear extension and demolish garden shed 33 Heol Cattwg Gelligaer Hengoed CF82 8EZ	Granted 12.09.2014
13/0253/FULL 09.04.2013	E M Morris Partnership E R Morris, S L Morris & R M Morris Ty Canol Farm Hendredenny Caerphilly CF83 2RL	Construct a second rural enterprise dwelling Ty Canol Farm Hendredenny Caerphilly CF83 2RL	Granted 15.09.2014
14/0503/FULL 22.07.2014	Mr & Mrs N Billingham 44 Brynawel Penyrheol Caerphilly CF83 2EX	Construct a single-storey side garage and fitness area 44 Brynawel Penyrheol Caerphilly CF83 2EX	Granted 15.09.2014
14/0505/FULL 23.07.2014	Mr J Griffiths Ty Newydd 49 Newport Road Bedwas Caerphilly CF83 8AA	Erect bedroom above the existing garage Ty Newydd 49 Newport Road Bedwas Caerphilly	Granted 15.09.2014
12/0518/FULL 09.07.2012	Mr G Olteanu Barry Bungalow Brynhyfryd Energlyn Caerphilly CF83 2QQ	Erect dormer bungalow based on previously lapsed outline permission (P/04/1637) Barry Bungalow Brynhyfryd Energlyn Caerphilly	Granted 17.09.2014
14/0452/FULL 23.07.2014	Norgine Ltd 7 Tir-y-berth Industrial Estate New Road Tir-y-berth Hengoed CF82 8SJ	Construct warehouse extension to existing building complete with internal site roads and associated plant rooms Norgine Ltd 7 Tir-y-berth Industrial Estate New Road Tir-y-berth	Granted 17.09.2014

14/0333/FULL 20.05.2014	Mr J Doyle 23 Hillside Park Bargoed CF81 8NJ	Erect new dwelling Plot 23 Old Brewery Lane Rhydney Tredegar	Granted 18.09.2014
14/0416/FULL 26.06.2014	Mrs A Parry 8 Bryngolau Rudry Caerphilly CF83 3DN	Erect single-storey side extension and balcony to first floor rear elevation 8 Bryngolau Rudry Caerphilly CF83 3DN	Granted 18.09.2014
14/0468/FULL 02.07.2014	Mr J Hyde Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood NP12 2BJ	Replace dwelling and associated access and groundworks Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood	Granted 18.09.2014
14/0494/FULL 16.07.2014	Tesco Stores Ltd New Tesco House Delamare Road Cheshunt Hertfordshire EN8 9SL	Install a new fence line and canopy to create a secure rear service yard Tesco Express 1-2 Cae Meillion Caerphilly CF83 1SN	Granted 18.09.2014
14/0450/LA 18.07.2014	Caerphilly County Borough Council Ms H Simmonds Directorate Of The Environment Tredomen Business And Technology Centre Tredomen Business Park Ystrad Mynach Hengoed CF82 7FN	Provide a temporary contractor's site compound and storage facility Aberbargoed Tip Access Aberbargoed Bargoed	Granted 18.09.2014
14/0510/FULL 25.07.2014	Mr D Armstrong 25 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Erect side and rear extensions to existing dwelling 25 Glyn Eiddew Llanbradach Caerphilly CF83 3PH	Granted 18.09.2014
14/0521/FULL 29.07.2014	Mr N Thomas 65 The Crescent Bedwas Caerphilly CF83 8AG	Erect a single-storey mono- pitched extension to the rear of the property 65 The Crescent Bedwas Caerphilly CF83 8AG	Granted 18.09.2014
14/0525/FULL 29.07.2014	Mr G Rogers 8 Bryngwyn Watford Caerphilly CF83 1ET	Carry out alterations and erect extensions to the front and rear 8 Bryngwyn Watford Caerphilly CF83 1ET	Granted 18.09.2014

14/0511/FULL 25.07.2014	Mrs S Nutland 40 Bloomfield Road Blackwood NP12 1LX	Install external lift and reposition entrance for use by a disabled person 40 Bloomfield Road Blackwood NP12 1LX	Granted 19.09.2014
12/0296/FULL 17.04.2012	Mr W Powell Station House Bedwas Caerphilly CF83 8QZ	Erect a pair of semi-detached houses Land Adjacent To Old Station House Old Station Yard Bedwas Caerphilly	Granted 22.09.2014
13/0797/FULL 07.11.2013	Mr & Mrs G Atkins 9 Coed-Yr-Eos Caerphilly CF83 2RS	Erect detached dwelling with off road parking and associated works 9 Coed-Yr-Eos Caerphilly CF83 2RS	Granted 22.09.2014
14/0514/RET 28.07.2014	Mr I Fox 32 Sunnybank Road Blackwood NP12 1HZ	Retain garden shed 32 Sunnybank Road Blackwood NP12 1HZ	Granted 22.09.2014
13/0875/COU 24.12.2013	Trustees Of Greenhaf Family And Davina & Gary Greenhaf C/o CLC The Design Office 19 Heol Y Deri Rhiwbina Cardiff CF14 6HA	Convert barn into dwelling Gwern-y-Domen Gwern-y-Domen Farm Lane Rudry Caerphilly	Granted 23.09.2014
14/0205/COU 02.04.2014	Mr G Richards & Miss E Jones Cheywoone Machen Caerphilly CF83 3EH	Change the use to a five tent glamping site Land At Cheywoone Machen Caerphilly CF83 3EH	Granted 23.09.2014
14/0362/RET 30.05.2014	Mr P Morgan 48 Heol Edward Lewis Gelligaer Hengoed CF82 8ES	Retain a two horse stable and erect a hay barn Hafan Tawel Caravan Storage Park Heol Adam Gelligaer Hengoed	Granted 23.09.2014
14/0453/TCA 24.06.2014	Mr M Szary 39 Napier Street Mountain Ash Rhondda Cynon Taf CF45 3HW	Remove three limbs of a sycamore tree, remove an ash tree and coppice nine trees Land North Of Maesycwmmmer Viaduct Viaduct Lane Maesycwmmmer Hengoed	No objection raised 23.09.2014

14/0531/NOTD 31.07.2014	Coleg Gwent (Estates & Facilities) Mr C Edwards The Rhadyr Usk Campus Monmouthshire NP15 1XJ	Demolish A Block, B Block, C Block and D Block Crumlin Mining School Site Mining School Hill Crumlin Newport	Prior Approval Required 24.09.2014
14/0491/FULL 15.07.2014	Mr K Stockley 19 Old Parish Road Hengoed CF82 7HU	Erect front and side extension 19 Old Parish Road Hengoed CF82 7HU	Granted 25.09.2014
14/0526/FULL 31.07.2014	Mrs B Saunders 14 North Avenue Maesycwmmmer Hengoed CF82 7RY	Erect external stair lift to the front of the property 14 North Avenue Maesycwmmmer Hengoed CF82 7RY	Granted 25.09.2014

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**LIST OF PLANNING APPLICATIONS WHICH ARE OUT OF TIME/NOT DEALT WITH
WITHIN 8 WEEKS OF DATE OF REGISTRATION**

APPLICATION NUMBER DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/02/0265 13.03.02	First periodic review of planning conditions (Environment Act 1995) at Cae Glas Small Mine, Fochriw.	Seeking clarification about the status of the application.
10/0518/FULL 16.07.2010	Erect single detached dwelling and garage at Old Mill House, Draethen, Newport, NP10 8GB	Subject to further discussion and consideration.
11/0594/OUT 27.10.11	Erect residential development on Land Adj To Groeswen Farm, Groeswen Road, Groeswen, Cardiff.	Awaiting comments of consultees.
11/0630/NCC 01.09.11	Vary conditions (3) and (4) of previous planning consent 06/0172/OUT (erect residential development) to extend permission beyond expiration dates on Land West Of Coronation Terrace, Senghenydd, Caerphilly.	Awaiting information on road layout.
12/0157/FULL 29.02.12	Sub-divide property to make two semi-detached two bedroom bungalows at Nantygledyr, 231 Bedwas Road, Caerphilly.	Seeking CIL details.
12/0394/FULL 22.05.12	Erect extension to form a children's playroom and bedroom at Rhoswen, Sunnybank Road, Blackwood.	Awaiting amended plans.
12/0511/OUT 03.07.12	Erect housing development at Willow Court & Surrounding Area, Pengam Road, Pengam.	Awaiting views of consultees.
12/0575/FULL 04.10.12	Erect a mansard roof incorporating a 1 bed flat at Manchester House, 1 Clifton Street, Caerphilly.	Awaiting views of consultees.
12/0637/OUT 20.09.12	Erect residential development for two detached houses with garages on Land Rear Of 46 Commercial Road, Machen, Caerphilly.	Subject to further discussion and consideration.
12/0735/RM 12.10.12	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale approved under planning application 08/1210/OUT (Erect eight dwellings) at Site Of Former All Saints Church, Pencerrig Street, Llanbradach, Caerphilly.	Subject to further discussion and consideration.

13/0196/OUT 15.03.13	Erect up to four three bedroom houses in two semi-detached blocks on land being used for occasional vehicle storage on Land Adjacent To Riverside House Penmaen Road, Pontllanfraith, Blackwood.	Awaiting noise survey.
13/0227/FULL 02.04.13	Construct dwelling on Plot Adjacent To Twyn House, Draethen, Newport	Seeking CIL details.
13/0364/COU 16.05.14	Change use from church to residential dwelling at Saron Congregational Church Pandy Road, Bedwas, Caerphilly.	Seeking CIL details.
13/0548/CLEU 23.07.13	Obtain a Lawful Development Certificate for an existing use as a property for car/vehicle sales and display at Senator House, 6 Sir Alfred Owen Way, Pontygwindy Industrial Estate, Caerphilly.	Subject to discussion concerning additional information.
13/0646/COU 03.09.13	Change use of ground floor from cafe/shop to apartment at 24 Church Street, Bedwas, Caerphilly	Seeking CIL details.
13/0667/NCC 13.09.13	Vary Condition 1 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) to extend the period within which the development can commence at Suflex Estate Newport Road Pontymister Risca	Awaiting information about flooding.
13/0674/RET 19.06.13	Retain change of use from petrol filling station to hand car wash at Star Hand Car Wash, Nant Court, Glenview Terrace, Llanbradach.	Considering site uses and their impact.
13/0705/OUT 27.09.13	Erect residential development at Wimpole Gordon Road, Blackwood.	Awaiting wildlife survey.
13/0725/RET 07.10.13	Retain retaining wall at 97 Caerphilly Road, Senghenydd, Caerphilly.	Awaiting structural calculations.
13/0726/FULL 08.10.13	Erect two bay extension to existing storage building at Robert Price (Builders Merchants) Ltd, 145 Pontygwindy Road, Caerphilly.	Considering impact on neighbouring houses.
13/0732/MIN 10.10.13	Mine approximately 6 million tonnes of coal from the Nant Llesg Surface Approximately 478.1 Ha Of Land West And South-West Of Rhymney, North And West Of Pontlottyn And Fochriw And Wholly Within The County Borough Of Caerphilly	Subject to further discussion and consideration.

13/0782/NCC 29.10.13	Vary condition 7 of planning consent 08/0310/FULL (Convert Grade II listed roofless ruin into 2 two-bedroom cottages) to revise the caravan park access location at Beddau Farm 2 St Cenydd Road, Trecenydd, Caerphilly	Seeking CIL details.
13/0793/OUT 06.11.13	Erect two detached dwellings at Land Adjacent To 23 Kingswood Close, Hengoed.	Subject to further discussion and consideration.
13/0799/CLEU 08.11.13	Obtain a Lawful Development Certificate for the existing use of storing and servicing company vehicles, plant and mining machinery and as a heavy goods vehicle operating licensing centre at Caeglas Colliery, Fochriw Road, Fochriw, Bargoed.	Awaiting additional information.
13/0809/CLEU 19.11.13	Obtain Lawful Development Certificate for the commencement of works to implement planning consent for 87 houses with associated garaging and car parking (reference 07/1524/FULL) at Former Suflex Estate, Newport Road, Pontymister, Risca.	Subject to further discussion and consideration.
13/0820/FULL 20.11.13	Erect a commercial stable block and tack room/food store on agricultural land including all engineering and associated works at Fferm Pont Carreg – Land at Rhyd Y Gwern Lane, Machen.	Awaiting comments from Consultees.
13/0824/FULL 25.11.13	Erect a single 500kW wind turbine, access track and associated transformer enclosure at Land At Pen-y-fan Industrial Estate, Pen-y-fan, Newport.	Awaiting additional information.
13/0830/FULL 26.11.13	Erect extension to existing garage at Highwinds New Bryngwyn Road Newbridge	Subject to further discussion concerning impact on neighbour.
14/0019/FULL 10.01.14	Erect detached dormer bungalow and car port on Land Adjoining Ty'n Derwen White Hart, Machen, Caerphilly	Seeking CIL details.
14/0024/FULL 13.01.14	Erect new residential development of four 6 bedroom dwellings with associated external works, parking and new garden areas, plus new access road and footpaths at Fwrrwm Ishta Inn 68 Commercial Road, Machen Caerphilly.	Subject to further discussion and consideration.

14/0030/RM 14.01.14	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale reserved under planning application 13/0219/NCC to construct three new dwellings on Land South Of Alma Cottages, Bedwas, Caerphilly	Awaiting amended plans with regard to levels.
14/0045/NCC 17.01.14	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale reserved under planning application 13/0219/NCC to construct three new dwellings on Land South Of Alma Cottages Bedwas Caerphilly	Awaiting sections.
14/0072/FULL 23.06.14	Carry out alterations and extension works at Pantglas Bach Cottage, Cefn-Onn Farm Lane, Rudry, Caerphilly.	Awaiting ecological survey.
14/0088/FULL 10.02.14	Erect extension to retail section of service station and relocate valetting and car wash facilities at St David's Service Station & Unit C Pengam Road Industrial Estate, Pengam Road, Pengam	Awaiting amended plans concerning highway matters.
14/0091/FULL 11.02.14	Erect a one bedroom agricultural dwelling to replace temporary caravan at Hill View Poultry, Caerllwyn Farm, Abertridwr Caerphilly	Awaiting additional information concerning viability.
14/0120/FULL 28.02.14	Erect ground floor and first floor extension to provide a first floor to the bungalow, change the use of 101 square metres of pasture land to create a driveway, remove and replant 15 metres of hedgerow and install photovoltaic roof panels at Brynteg, Pandy Lane Llanbradach, Caerphilly	Awaiting amended plans concerning highway matters.
14/0129/NCC 06.03.14	Erect single-storey garage with storage area on Land Opposite 8 Fields Park Terrace, Crosskeys, Newport	Awaiting amended plans concerning design.
14/0133/RET 07.03.14	Retain the allotment site with numerous allotment plots, parking provisions, storage sheds and boundary fencing at Graig-y-rhacca Community Allotments, Addison Way, Graig-y-rhacca, Caerphilly.	Awaiting details about extent of site.

14/0136/RET 10.03.14	Retain an air filtration unit and associated changes to car park including the relocation of a disabled parking space at PHS, Unit 14B, Greenway Bedwas House Industrial Estate, Bedwas, Caerphilly	Awaiting further details of equipment.
14/0169/RET 24.03.14	Retain garage at Knightswood St David's Avenue Woodfieldside Blackwood	Subject to further discussion and consideration.
14/0216/FULL 07.04.14	Change the use from Goldmine Bar to form four dwellings at The Goldmine Bar And Grill Bridge Street Newbridge	Awaiting information from NRA.
14/0224/NOT 09.04.14	Demolish single-storey stone/block built building with corrugated sheet roof at Rhydri Primary School Machen Caerphilly	Awaiting method statement.
14/0227/COU 15.04.14	Change the use of vacant A1 shop to a beauty, hair and tanning salon to be 'sui generis' at 1 Ffrwd Terrace Llanbradach Caerphilly	Subject to discussion concerning parking.
14/0239/NCC 16.04.14	Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters on Land At Albertina Road Treowen, Newport	Seeking CIL details.
14/0289/FULL 02.05.14	Redecorate the store frontage, install a new plant condenser, relocate existing AC condensers and install a new timber fence 1.8 metres in height at The Co-operative Food, 51-53 Church Street Bedwas, Caerphilly	Awaiting further information about the plant.
14/0310/FULL 09.05.14	Erect 2 two-bedroom semi-detached houses on Land Adjacent To 1 Pantycelyn Street , Ystrad Mynach Hengoed	Subject to further discussion concerning highways.
14/0328/FULL 19.05.14	Erect a detached six bedroom dwelling on Land Adjacent To Brook House Pandy-Mawr Road, Bedwas, Caerphilly	Seeking CIL details.
14/0334/COU 20.05.14	Change the use from police station to residential dwelling at 37 Maindee Road Cwmfelinfach, Newport	Seeking CIL details.
14/0338/OUT 22.05.14	Demolish part of the existing club and change the use from A3 (Food and Drink) to A1 (Retail) and erect 3 No. residential dwellings at The Majors, 1 Fair View, Pengam, Blackwood	Awaiting highway details.
14/0342/FULL 29.05.14	Erect garage to rear at 22 Edmund Place, Pentwyn-Mawr, Newport, NP11 4HR	Awaiting correct certification.

14/0350/FULL 04.06.14	Demolish existing hospital building plus associated outbuildings and erect three two-storey terraced houses, two semi-detached houses and one dormer bungalow at Redwood Memorial Hospital, The Terrace, Rhymney, Tredegar, NP22 5LY	Awaiting amended plans regarding design of dwellings.
14/0351/CON 27.05.14	Demolish existing hospital building plus associated outbuildings at Redwood Memorial Hospital, The Terrace Rhymney, Tredegar	Subject to further discussion and consideration.
14/0359/RET 29.05.14	Retain summerhouse and use of land as domestic garden in association with West Lodge at West Lodge, Ruperra Castle Estate, Rudry, Caerphilly, NP10 8GG	Subject to further discussion and consideration.
14/0365/FULL 02.06.14	Erect development of 3 new houses consisting of two houses of two-storeys, a single-storey house, associated garaging to each property and an access road at Mountain House, 41 Mountain Road, Caerphilly	Awaiting further highway details.
14/0376/FULL 19.06.14	Erect new build property at Plot 9 The Meadows, Machen, Caerphilly.	Awaiting amendments concerning parking.
14/0383/RM 13.06.14	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with the detached dwelling approved under planning application 13/0839/NCC at 271 Bedwas Road, Caerphilly, CF83 3BL	Awaiting views of Consultees on amended plans.
14/0387/FULL 19.06.14	Erect three houses at Craig Bach, Penrhiw Lane, Machen, Caerphilly.	Awaiting additional information.
14/0402/FULL 19.06.14	Erect detached dwelling with detached garage plus associated access and groundworks on Land Adjoining Touchwood, Pennar Lane, Pentwyn-mawr, Newport.	Carrying out additional neighbour consultation.
14/0411/OUT 23.06.14	Erect residential development and associated works on Land at Ton y Felin, Croespenmaen, Newport.	Awaiting information concerning noise.
14/0422/NCC 07.07.14	Vary condition 6 of planning permission P/04/1912 to extend the hours of operation on Saturdays until 16:00 and on Bank Holidays from 07.30 to 13.00 at Gelliargwellt Uchaf Farm, Gelligaer Road Gelligaer, Hengoed	Subject to further discussion and consideration.

14/0425/FULL 07.07.14	Erect raised timber decking to rear and side and provide new vehicular and pedestrian site entrance at 11 Mount Road, Gelli Park, Risca, Newport	Awaiting neighbour consultation.
14/0434/FULL 14.07.2014	Erect garage to rear of property at 9 Twyn Gwyn Terrace, Newbridge, Newport	Awaiting amended plans.
14/0440/FULL 16.06.2014	Erect two residential dwellings and provide associated road and landscaping on Land Adjacent To Pontypandy Lane Caerphilly	Considering ecological information.
14/0445/FULL 18.07.2014	Change the use from empty land to garden on Land To The Rear Of 17 Glyn Derwen, Llanbradach Caerphilly	Considering flood consequences assessment.
14/0457/FULL 27.06.2014	Erect new dwelling at 19 Meadow Crescent, Caerphilly	Awaiting parking information.
14/0472/OUT 02.07.2014	Erect residential development (15 plots) on Land To The Rear Of Ty Fry Road Aberbargoed, Bargoed	In discussion about affordable housing.
14/0512/FULL 28.07.2014	Install ground mounted photo voltaic solar arrays to provide circa 8.5MW generation capacity together with power inverter systems, transformer stations, internal access tracks, landscaping, deer fencing and associated access gate at Penrhiwarwydd Farm, Mynyddislwyn Mountain Road, Mynyddislwyn, Newport	Awaiting views of consultees.

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**APPLICATIONS AWAITING COMPLETION OF A SECTION 106
AGREEMENT**

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Planning in discussions with developers over new terms; waiting to hear from Planning.
09/0243/OUT 31.03.09	Erect residential development and associated recreation space on Land At Former Windsor Colliery, Ty'n Y Parc, Abertridwr, Caerphilly.	On hold pending outcome of meeting with Housing Association. File closed due to no progress.
11/0191/OUT 11.03.11	Demolish existing farmhouse and farm buildings and construct new two-storey residential units at Gelli Pystyll Farm, Elm Drive, Ty Sign, Risca.	Moving forward with S106 as we need to keep separate from covenant issue. Draft with Solicitors for comments. Chased.
12/0269/NCC 03.04.12	Vary Condition 2 of Planning Permission 08/0539/OUT (erect residential development and associated access) to provide a further three years for the submission of Reserved Matters at Land At Gellideg Industrial Estate, Gellideg Lane, Maesycwmmmer, Hengoed.	New instructions through. Sent new draft for comments internally and to Solicitors.
12/0371/FULL 15.05.12	Erect two detached three-bedroom houses on Land Adjacent to 88 Abernant Road, Markham, Blackwood.	Draft agreed; in discussions over Methodology Report. Applicant requested changes. Sent to Ecologist.
13/0212/NCC 25.03.13	Vary Condition 11 of planning permission P/04/1500 to amend the internal layout at Glan Y Nant Draethen, Newport.	In discussions as to how best to proceed in light of CIL.
13/0479/FULL 02.04.13	Erect new house at Former Holly House Nursing Home, Victoria Road Fleur-de-lis, Blackwood.	Waiting advice from Ecologist. Told works have been undertaken. Planning said to hold file in abeyance while they investigate.

13/0511/OUT 08.07.13	Demolish Goodrich Hotel and erect residential development and associated works at Goodrich Hotel, Van Road, Caerphilly	Considering amendments to S106 agreement in view of introduction of CIL.
13/0688/COU 24.09.13	Convert old stone barn/old coaching house into a four bedroom dwelling and integrated livery yard office at Cwm Farm, Caerphilly.	File closed as did not complete before CIL deadline.
13/0784/FULL 19.11.13	Demolish former primary school and develop site for 26 affordable residential units, access arrangements and associated works at Former Aberbargoed Primary School, Heol Ysgol Newydd, Aberbargoed.	Sent engrossments for signature. Missed CIL deadline; awaiting return of engrossments so new documents can be provided. Chased.
13/0805/NCC 12.11.13	Remove reference to the electricity substation in Condition 26 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) at Suflex Estate, Newport Road, Pontymister, Risca.	Considering amendments to S106 agreement in view of introduction of CIL.
13/0810/OUT 19.12.13	Demolish and provide residential re-development together with associated vehicular and pedestrian accesses, car parking, landscaping, ancillary development and retain community garden at Former Blackwood Junior School, Pentwyn Road, Blackwood.	Drafts with other side.
13/0869/OUT 19.12.13	Erect housing development (6 no. 3 bedroom dwellings) at Former Newbridge Clinic, Ashfield Road Newbridge, Newport.	In discussion over content of Agreement. They asked to provide contribution rather than actual affordable housing. Told them was unacceptable. Waiting to see if they are going to proceed.
13/0873/OUT 23.12.13	Erect housing development (eight dwellings) on Land At Park Road Newbridge, Newport.	Sent Solicitors letter; chased. Solicitors said they are waiting for information from Client.
14/0232/FULL 15.04.14	Erect detached house and garage at Land Adjacent To 88 Abernant Road, Markham, Blackwood.	Sent Solicitors letter; chased.

OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
14/0008/REF 14/0229/FULL	Mr G Morgan 52 Bedwellty Road Cefn Fforest Blackwood NP12 3HF	Erect two-storey side extension, single-storey rear extension, convert garage to kitchen and build over garage to extend existing bedroom at 52 Bedwellty Road, Aberbargoed, Bargoed	24.07.14

APPEALS DECIDED

APPEAL REF/ PLANNING APP NO.	PROPOSAL & LOCATION	APPEAL DECISION/ DATE	COMM/ DEL
14/0007/REF 12/0437/FULL	Demolish detached garage and construct single dwelling and external works at Llwynceilyn, Draethen, Caerphilly	Allowed 09.09.14	DEL

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