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Date: 29th 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, 5th November, 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 8th October 2014 (minute nos 1 - 24)
- 4 To receive any requests for a site visit.

To receive and consider the following reports: -

A greener place Man gwyrdach

A decorative graphic at the bottom of the page featuring a stylized building and trees in green and yellow tones, set against a curved background.

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

- 5 Site Visit - Code No, 14/0070/FULL - St Davids Service Station, Pengam Industrial Estate, Pengam, Blackwood
- 6 Site Visit - Code No. 14/0152/FULL - 14 Brynheulog Road, Newbridge, Newport
- 7 Site Visit - Code No. 14/0364/FULL - Erect a Flight Cage for the Purpose of Rehabilitating Bats - 6 Heol Y Garth, Rudry, Caerphilly
- 8 Site Visit - Code no. 14/0411/OUT - Erect Residential Development and Associated Works, Land at Ton Y Felin, Croespenmaen, Newport

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

- 9 Code No. 13/0793/OUT - Land Adjacent to 23 Kingswood Close, Hengoed
- 10 Code No. 14/0310/FULL - Land adjacent to 1 Pantycelyn Street, Ystrad Mynach
- 11 Code No. 14/0512/FULL - Penrhiwarwydd Farm, Mynyddislwyn Mountain Road, Mynyddislwyn
- 12 Code No. 14/0565/FULL - 2 Hazelwood Road, Panside
- 13 Code No. 14/0607/FULL - Land adjacent to 24 The Glade, Wyllie
- 14 Code No. 14/0614/ADV - Gwent Constabulary, Nelson Police Station, Dynevor Terrace, Treharris
- 15 Code No. 14/0615/FULL - 22-24 Tamar Close, Pontllanfraith
- 16 Code No. 14/0681/FULL - 37 Pen-y-Waun Road, Trinant

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

- 17 Code No. 11/0594/OUT - Land adjacent to Groeswen Farm, Groeswen Road, Groeswen
- 18 Code No. 12/0735/RM - Site of former Old Saints Church, Pencerrig Street, Llanbradach
- 19 Code No. 14/0422/NCC - Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer
- 20 Code No. 14/0582/FULL - Hanson Aggregates, Machen Quarry, Commercial Road, Machen

To receive and consider the following report:-

- 21 Welsh Government Consultation on Positive Planning

To receive and note the following information items: -

- 22 Applications determined by delegated powers.
- 23 Applications which are out of time note/not dealt with within 8 weeks of date of registration.
- 24 Applications awaiting completion of a Section 106 Agreement.
- 25 Outstanding 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 ON WEDNESDAY, 8TH OCTOBER 2014 AT 5.00PM

PRESENT:

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

Councillors:

M. Adams, Mrs E.M. Aldworth, H.R. Davies, Mrs J. Gale, A.G. Higgs, N. George, R. Gough, L. Gardiner, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, Mrs E. Stenner, J. Taylor, Mrs J. Summers

Together with:

T. Stephens (Development Control Manager), J. Rogers (Principal Solicitor), C. Boardman (Area Senior Planner Officer), T. Pearce (Area Senior Planning Officer), C. Powell (Area Senior Planner Officer), R. Amundson (Principal Planner), M. Noakes (Senior Engineer), C. Davies (Senior Environmental Health Officer - Pollution), G. Mumford (District Environmental Health Officer), H. Morgan (Senior Committee Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors J. Bevan, D. Bolter and J.E. Fussell.

2. DECLARATIONS OF INTEREST

A declaration of interest was received from Councillor A. Higgs in respect of Code No, 14/0513/NCC – 51 - 54 Cardiff Road, Bargoed. Details are minuted with the respective item.

3. MINUTES - 10TH SEPTEMBER 2014

RESOLVED that subject to it being noted that Councillor L. Gardiner was present and is not recorded as being in attendance, the minutes of the Planning Committee held on the 10th September 2014 (minute nos. 1 - 14) 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. Code No. 14/0411/OUT - Erect residential development and associated works, land at Ton y Felin, Croespenmaen, Newport.
2. Code No. 14/0364/FULL - Erect a flight cage for the purpose of rehabilitating bats, 6 Heol Y Garth, Rudry, Caerphilly.

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

It was reported that the application had been deferred to enable the objector to be present.

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

Mrs L. Hale spoke in objection to the application as did Councillor G. Johnston (on behalf of local residents). Ms S. Phillips, the applicant, spoke in support of the application.

Following consideration of the application it was moved and seconded that it be deferred pending the receipt of the information requested at the site visit.

7. SITE VISIT - LAND OPPOSITE BROOKLANDS, NELSON, CONSIDERATION OF THE EXPEDIENCY OF ENFORCEMENT ACTION

Councillor S. Morgan and Mr R. Young spoke on behalf of local residents and Mr D. Rees, the landowner, addressed the committee.

Following consideration of the Officer's report and it was moved and seconded that the recommendations contained therein be approved. By a show of hands this was unanimously agreed.

RESOLVED that:-

- (i) the site visit report be noted;
- (ii) 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 are not matters in which the Council had any involvement be endorsed;
- (iii) it is not expedient to take enforcement action in respect of the current general levels of the land referred to within the Officer's report on the grounds of visual amenity;
- (iv) 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 year that Officers report further to Planning Committee on the expediency of enforcement action in respect of those matters.

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

- 8. PREFACE ITEM CODE NO. NS/14/0011 - ERECT SINGLE 500KW WIND TURBINE (BLADE TIP HEIGHT 102M) WITH ASSOCIATED TRACK, CRANE HARDSTANDING, SUBSTATION AND TEMPORARY CONSTRUCTION COMPOUND, LAND TO THE SOUTH (0.15M) OF CEFN FFOREST FARM, TWYNGARREG, TREHARRIS**

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

RESOLVED that Merthyr Tydfil Borough Council be advised that this Councils has no objection to the scheme.

- 9. PREFACE ITEM CODE NO. PE/14/0459 - REMOVE PUBLIC PAYPHONE, GWERTHONOR PLACE, GILFACH, CF82 8JQ**

Following consideration of the Officer's report it was moved and seconded that objections be raised to the proposal to remove the telephone box. By a show of hands this was unanimously agreed.

- 10. PREFACE ITEM CODE NO. 14/0363/COU - 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**

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

RESOLVED that subject to the condition contained in the Officer's report this application be granted.

- 11. CODE NO. 12/0550/CON - 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**

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

RESOLVED that:-

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

12. CODE NO. 12/0571/FULL - 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

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

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report this applicant be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW15;
- (iii) the applicant be advised of the comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Police Architectural Liaison Officer and Council's Ecologist.

13. CODE NO. 13/0353/FULL - ERECT A FOUR BEDROOM DETACHED HOUSE AND A PAIR OF THREE BEDROOM SEMI- DETACHED HOUSES, 17 HOMELEIGH, NEWBRIDGE, NEWPORT, NP11 4RQ

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

RESOLVED that: -

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

14. CODE NO. 14/0411/OUT - ERECT RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS, LAND AT TON Y FELIN, CROESPENMAEN, NEWPORT

Having regard to the impact of highway safety and the loss of open countryside it was moved and seconded that this application be deferred for a site visit. By a show of hands this was unanimously agreed.

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

15. CODE NO. 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, BARGOED RETAIL PLATEAU, EAST OF HANBURY ROAD/WEST OF ANGEL WAY/A469, BARGOED

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved. 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 policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW1, CW2 and CW3;
- (iii) 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.

16. CODE NO. 14/0529/RET - RETAIN DECKING, LUTON HOUSE, AERON PLACE, GILFACH, BARGOED, CF81 8JA

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved. 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.

17. CODE NO. 14/0558/FULL - ERECT CONSERVATORY TO REAR AND ENTRANCE TO PORCH TO FRONT OF PROPERTY, 24 HIGHLAND CRESCENT, SPRINGFIELD, PONTLLANFRAITH, BLACKWOOD, NP12 2NE

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

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of this permission: CW2.

18. CODE NO. 14/0568/FULL - DEMOLISH 51-54 CARDIFF ROAD AND RE-PROFILE 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 DEVELOPMENT, 51-54 CARDIFF ROAD, BARGOED, CG81 1YD

Councillor A. Higgs declared an interest (as having been involved in previous discussions on the proposal) and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved. 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 policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3;
- (iii) the applicant be advised of the comments of the Transportation Engineering Manager, Head of Public Protection, Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water.

19. CODE NO. 14/0569/RET - RETAIN AND COMPLETE PARTIALLY CONSTRUCTED DETACHED GARAGE, LAND AT GARAGE WORKSHOP, HILLSIDE TERRACE, BLACKWOOD, NP12 1PT

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved. 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 policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

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

20. CODE NO. P/97/0981 - UNDERTAKE INITIAL REVIEW OF PLANNING CONDITIONS UNDER THE ENVIRONMENT ACT 1995 FOR RESUMPTION OF QUARRYING, BLAENGWYNLAIS QUARRY, NEAR CAERPHILLY, CF83 1NG

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

RESOLVED that the conditions set out in the appendix to the Officers report be approved.

21. CODE NO. 13/0820/FULL - 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

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

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of the Senior Engineer (Land Drainage);
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP5, CW2, CW3, CW14, CW19 and NH1.5.

22. CODE NO. 14/0364/FULL - ERECT A FLIGHT CAGE FOR THE PURPOSE OF REHABILITATING BATS, 6 HEOL-Y-GARTH, RUDRY, CAERPHILLY, CF83 3DQ

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

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

23. CODE NO. 14/0536/RET - RETAIN DETACHED DWELLING, 37 LON YR YSGOL, BEDWAS, CAERPHILLY, CF83 8PE

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved. 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 approved;
- (ii) the applicant be advised of the comments of Transportation Engineering Manager and Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP6, CW2 and CW3.

24. 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 7.30pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th November 2014, they were signed by the Chair.

CHAIR



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.

Cont...

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.

Cont....

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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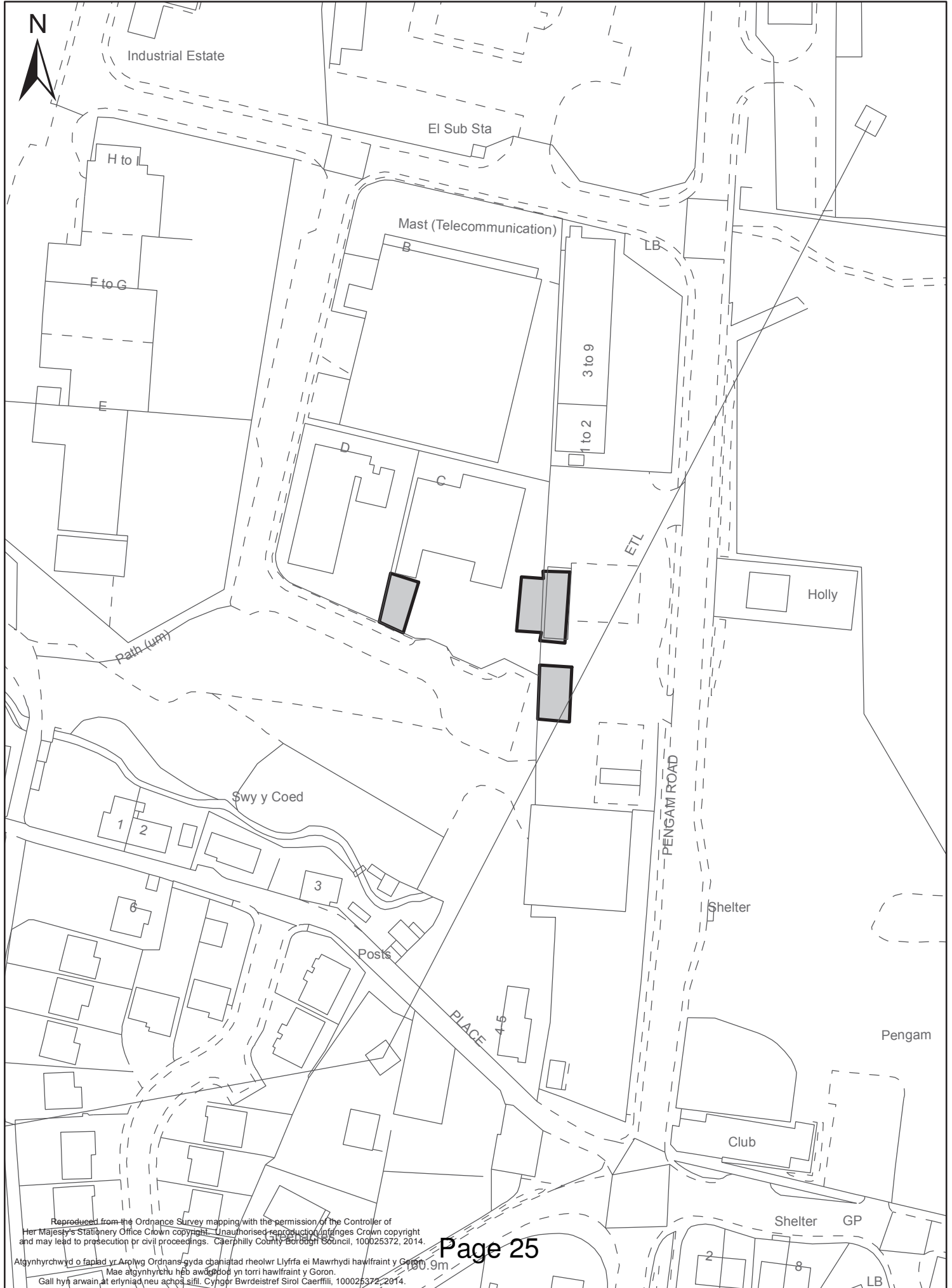
Application No. 14/0070/FULL Continued

- 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 BRYNEHULOG 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....

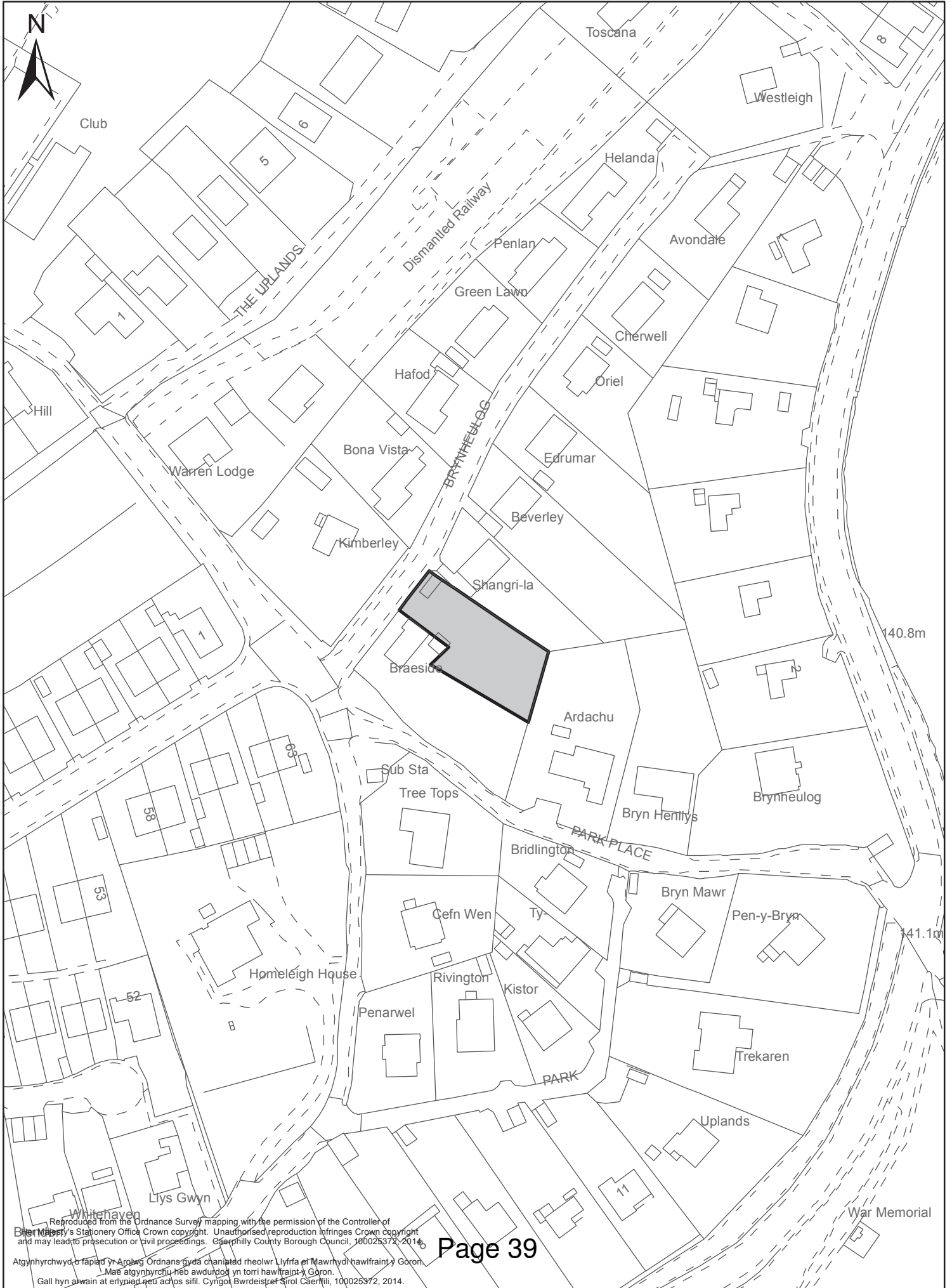
Application No. 14/0152/FULL Continued

- 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 - 5TH NOVEMBER 2014

SUBJECT: SITE VISIT - CODE NO. 14/0364/FULL - ERECT A FLIGHT CAGE FOR THE PURPOSE OF REHABILITATING BATS, 6 HEOL-Y-GARTH, RUDRY, CAERPHILLY, CF83 3DQ.

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

PRESENT:

Councillor W.H. David - Vice Chair

Councillors M. Adams, H.R. Davies, Mrs C. Forehead, Miss E. Forehead, Mrs J. Gale, N. George, Mrs B. Jones and Mrs J. Summers

1. Apologies for absence were received from Councillors Mrs E.M. Aldworth, D.G. Carter, L. Gardiner, A.G. Higgs and A. Lewis.
2. The Planning Committee deferred consideration of this application on 8th October 2014 for a site visit. Members and Officers met on site on Monday, 20th October 2014.
3. Details of the application to erect a flight cage for the purpose of rehabilitating bats, 6 Heol-y-Garth, Rudry, Caerphilly were noted.
4. Those present viewed the site and examined the plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note that the application site is an end-of-terrace property on the south-western side of Heol-y-Garth, Rudry. The site was at the rear of a domestic dwelling, which was overlooked by neighbouring properties. Members were advised that the proposed development of a flight cage for the purpose of rehabilitating bats, would be located 1 meter from a single-storey extension at the rear of the property, would be 3.0 meters wide, by 6.0 meters in depth and 2.5 meters high. The proposed structure would be constructed of aluminium mesh panels with one third of the cage covered in clear corrugated plastic sheeting.
6. Members sought clarification on the maximum number of bats that can be accommodated at the property at one time and raised concerns around residential parking in the area. The applicant advised, upon request, that they currently care for the injured or orphaned bats in the house and during the summer months have a capacity to accommodate between 15-20 bats. The bats are often collected by the applicant and rarely brought to the property by the general public. Officers added that there is a condition on the application to restrict visits to the property and cage use.

7. Further concerns were raised on behalf of neighbouring properties, overlooking the site and what conditions could be applied to mitigate this. The Officer highlighted that consideration could be given to constructing a screen or increasing the height of the fence surrounding the site.
8. Officers confirmed that following advertisement to 6 neighbouring properties and a site notice being posted, 3 letters of objection and a petition of 33 signatures had been received. Details of the objections are within the Officer's original 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 8th October 2014 is attached. Members are now invited to determine the application.

Author: C. Evans Committee Services Officer, Ext. 4210
Consultees: T. Pearce Area Senior Planning Officer
 T. Stephens Development Control Manager
 C. Davies Senior Environmental Health Officer

Appendices:
Appendix 1 Report submitted to Planning Committee on 8th October 2014

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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PLANNING COMMITTEE - 5TH NOVEMBER 2014

SUBJECT: SITE VISIT - CODE NO. 14/0411/OUT – ERECT RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS, LAND AT TON Y FELIN, CROESPENMAEN, NEWPORT

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

PRESENT:

Councillor W.H. David - Vice Chair

Councillors M. Adams, N. George, K. Lloyd and Mrs J. Summers

1. Apologies for absence were received from Councillors Mrs E.M. Aldworth, H.R. Davies, L. Gardiner and A.G. Higgs.
3. The Planning Committee deferred consideration of this application on 8th October 2014 for a site visit. Members and Officers met on site on Monday, 20th October 2014.
4. Details of the application to erect residential development and associated works, land at Ton Y Felin, Croespenmaen, Newport, were noted.
5. Those present viewed the site and examined the plans submitted with the application to fully appreciate the proposals.
6. Members noted that the application site is located at the edge of Croespenmaen, bounded to the south by the B4251, to the west by Parkway industrial estate road. Pen-Y-Fan Industrial Estate is to the north of the site open countryside to the east. The site measures approximately 140 metres west to east, and 150 metres north to south, and has an area of 1.68 hectares. Outline Planning permission has been sought for the residential development of the site to accommodate 38 dwellings. This includes four 1-bed flats, four 2-bed houses, eight 3-bed houses, and twenty-two 4 bed houses, 25% of which would be allocated as affordable housing units. The vehicular access into the site is approximately 25 metres off Parkway Industrial estate road. Pedestrian footpath access points are also proposed in the northeast, southwest, and southeast corners of the site. A village green/ area of public open space is proposed across the northern portion of the site.
7. Concerns were raised in relation to noise levels and pollution generated by the industrial units and the potential for manufacturing to resume at the industrial site adjacent to the application site. Officers from Environmental Health shared Members concerns and highlighted that daytime noise assessments have been conducted, therefore officers are working with the applicant to implement conditions to the application to mitigate noise disturbance. In addition, Officers highlighted that the site is currently operating by Use Class B8 storage and warehousing. Residential development at the application site may constrain future potential uses at the neighbouring industrial site, which would require planning permission for a change of use.

8. Clarification was sought on the highway implications associated with the site, in particular, access to the site and increase in traffic and queuing on Parkway Industrial Estate road. Officers highlighted that there is a condition on the application to improve the lane width and provide adequate visibility to allow for better access to the site and significant impact had not been identified to the level of traffic on the Parkway industrial estate road.
9. Members raised concerns in relation to the level of development that has taking place in the area over recent years and sought further information on the impact to the Local Development Plan (LDP). Officers highlighted that the LDP is currently under review, however the application site is located outside of the defined settlement boundary and is currently classed as open countryside, therefore the development is contrary to Policy SP5 of the LDP.
10. Officers confirmed that following advertisement to 39 neighbouring properties and a site notice being posted, 2 letters of objection had been received. Details of the objections are within the Officer's original report.
11. 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.
12. A copy of the report submitted to the Planning Committee on 8th October 2014 is attached. Members are now invited to determine the application.

Author:	C. Evans	Committee Services Officer, Ext. 4210
Consultees:	T. Stephens	Development Control Manager
	C. Boardman	Area Senior Planner
	M. Noakes	Senior Engineer (Highway Development Control)
	L. Cooper	Engineer (Highway Development Control)
	C. Davies	Senior Environmental Health Officer
	J. Rogers	Principal Solicitor

Appendices:

Appendix 1 Report submitted to Planning Committee on 8th October 2014

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.

Cont....

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."

Cont....

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.

Cont....

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,

Cont....

- 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,

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Application No. 14/0411/OUT - Continued

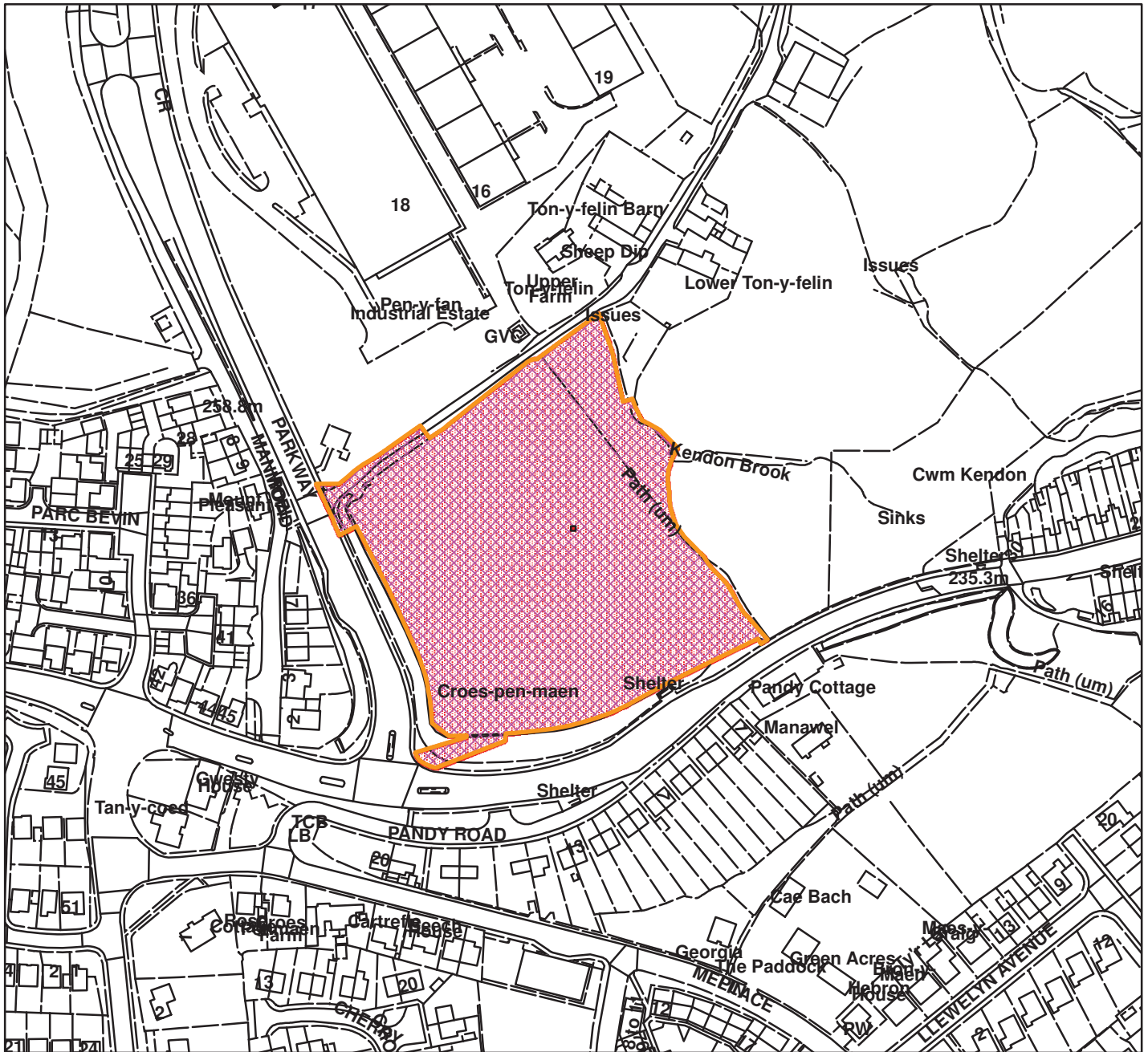
- n) The details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
 - o) The details of the method to be employed for the stationing, use and 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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Organisation	Caerphilly CBC
Department	Planning Division
Comments	
Date	25/09/2014
MSA Number	100023572

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Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0793/OUT 06.11.2013	Mr P D Watts 26 Coed-Y-Pia The Rise Llanbradach Caerphilly CF83 3PT	Erect two detached dwellings Land Adjacent To 23 Kingswood Close Hengoed

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: Land adjacent to 23 Kingswood Close, Hengoed. The site is located within a predominantly residential area within the settlement boundary. Residential properties are located to the north, east and western boundaries of the site and along Kings Hill beyond the highway to the southern boundary of the site.

Site description: This is a vacant piece of land, which is proposed to be accessed via a shared private drive that runs along the front of no's 21 and 23 Kingswood Close that leads off the end of the highway at Kingswood Close. A public pedestrian footpath runs between the vehicular access drives serving those existing residential properties located at the end of Kingswood Close and also provides access to the application site and a pedestrian link onto Kings Hill and Alexandra Road.

To the south and east boundaries exist trees and hedgerow, subject of Tree Preservation Order No.49/72 RVDC, with a considerable difference level to the adjoining highway.

Development: Outline planning permission is sought in respect of the construction of two, detached dwellings with only access to be considered at this stage with appearance, landscaping, scale and layout reserved for subsequent approval. An indicative layout has been submitted showing access via the private vehicular access lane to the front of no's 21 and 23 Kingswood Close leading off the main highway at Kingswood Close to the north of the site.

Dimensions:

Dimensions (upper and lower limits for height, width and length of each building):
Plots 1 and 2: 8.5m high, width 9m, depth 7.5m maximum, and a minimum of 7.4m x 8.8m x 8.5m high.

Cont...

Application No. 13/0793/OUT Continued

Materials: Subject to a reserved matters application.

Ancillary development, e.g. parking: 6 off-street parking spaces indicated but subject to a reserved matters application.

PLANNING HISTORY

P/03/1539 - Erect four new dwellings - Granted 25.02.04.

P/06/0485 - Fell and carry out replacement planting and reduction work to trees T921, T922 and T924 - Refused 25.05.06.

P/06/0486 - Fell and carry out replacement planting and reduction work to trees T908, T909, T911, T913, T915, T917, T918, T919, T925, T926 and T927 - Granted 25.05.06.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

Policies:

Strategic Policies: SP2 - Development Strategy - Development in the Northern Connections Corridor, SP6 - Place making, SP10 - Conservation of Natural Heritage, SP21 - Parking Standards.

Countywide Policies: CW2 - Amenity, CW3 - Design considerations - highways, CW6 - Trees, Woodland and Hedgerow Protection, CW15 - General locational constraints,

Supplementary planning guidance contained in LDP4 - Trees and Developments, LDP5 - Parking Standards, LDP6 - Building Better Places to Live, LDP7 - Householder Developments.

NATIONAL POLICY

Planning Policy Wales 7th Edition, July 2014, Manual for Streets.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Cont...

Application No. 13/0793/OUT Continued

Was an EIA required? Not applicable.

COAL MINING LEGACY

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

CONSULTATION

Head Of Public Protection - Has no objection to the development.

Senior Engineer (Land Drainage) - Prior to the commencement of any development of the site the applicant must submit to the Local Planning Authority and receive written approval of comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010. He provides advice to be conveyed to the developer in respect of land drainage matters.

Dwr Cymru - Provides advice to be conveyed to the developer in respect of foul water and surface water discharges from the site.

Gelligaer Community Council - Object to the development because it is believed the proposed access is over a private drive.

Transportation Engineering Manager - No objection to the development subject to the level of car parking provision throughout the residential development shall be in accordance with the requirements of LDP5 Car Parking Standards. Also, no means of vehicular access to the development shall be gained via King's Hill.

Senior Arboricultural Officer (Trees) - Recommends conditions are attached to any consent requiring the revised (July 7th 2014) report by Torfaen Tree Consultancy be broadly approved as the basis for the protection of the highlighted trees on site and immediately adjacent to site. A further detailed method statement be submitted regarding the incorporation of short bored pile and beam construction within the root protection area of T2 (Lime) and that a schedule of site monitoring by the applicant's appointed arboricultural agent be submitted for approval. This will include, but not be limited to, an initial joint site visit to be co-ordinated by the applicant, with officers in attendance together with the appointed agent to assess the satisfactory specification and positioning of the required tree protection barrier. An approved schedule of periodic arboricultural site monitoring need not be too onerous, and will ensure that the required protection measures will be effective for the duration of the development to the Planning Department's satisfaction.

Cont...

Application No. 13/0793/OUT Continued

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 20 neighbouring properties have been consulted.

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?
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.

Is this development Community Infrastructure Levy liable? No - outline application.

ANALYSIS

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

The main issues in respect of the residential development of this site are considered to be the compatibility of the use with surrounding land uses, the effect of the development upon the character of the surrounding area and upon the amenity of occupiers of neighbouring properties, and also in terms of highway safety.

Given that the site subject of this application is included within the settlement boundary for Hengoed as identified in the LDP, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate development within the existing settlement.

General development control considerations are set out in policies SP6 (Place making), CW2 (Amenity) and CW3 (Design consideration: Highways) of the LDP.

Cont...

Application No. 13/0793/OUT Continued

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site lies to the west of the A469m to the north of the A472, within the settlement area of Hengoed and offers the opportunity to provide housing, which will be close to residential areas and local facilities in both Hengoed and Ystrad Mynach. This is an outline application with only access to be considered at this stage with matters relating to appearance, landscaping, scale and layout reserved for subsequent consideration. As with any outline planning application for development there is a requirement to provide an increased level of detail to be submitted. In this respect an indicative site layout has been proposed, which identifies 2 detached, dwellings to be constructed, with vehicular access obtained via a shared drive leading off the highway at Kingswood Close. Off-street parking provision in respect of each dwelling is proposed. The proposal is considered to be acceptable in terms of scale, use, density, and layout and adequate off-street parking and amenity is provided in respect of each dwelling. In consideration of Policy SP6 the outline proposal satisfies two of the four relevant factors, a sustainable location and efficient use of land.

Policy CW2 sets out criteria relating to amenity. Notwithstanding the steeply sloping surrounds to the eastern and southern boundaries, which contain the trees and hedgerow protected under Tree Preservation Order No.49/72 RVDC, the plot would appear to be flat enough and provide enough land to accommodate two dwellings with parking and turning facilities and amenity space, with access achievable via a shared drive leading off Kingswood Close. In this respect it is considered that the proposed development is compatible with the surrounding residential land uses and does not result in the over-development of the site. In terms of the impact of the development upon the amenity of adjacent properties or land it is noted that this is an outline application with the detail and appearance of the proposed dwellings reserved for subsequent approval. It is considered appropriate to attach a condition to any consent requiring site control details given the close proximity to existing residential dwellings.

Policy CW3 sets out criteria in terms of highway design considerations. This Council's Group Manager (Transportation Planning) has raised no objection to the development subject to conditions being attached to any consent in respect of parking provision and that there shall be no vehicular access from Kings Hill. The applicant has provided documentary evidence that he has a right of access to the development plot off Kingswood Road.

Cont...

Application No. 13/0793/OUT Continued

Policy CW4 aims to protect trees, woodland and hedgerows. In this respect it is noted that the eastern and southern boundaries of the site contain trees protected under Tree Preservation Order No.49/72 RVDC. The applicant has submitted a Tree Survey prepared by Torfaen Tree Consultancy (dated July 7th 2014), which includes detailed tree protection measures, which has been duly considered by this Council's Arboriculturalist. The tree protection measures proposed are considered satisfactory. However, it is considered appropriate that a further detailed method statement be submitted requiring the incorporation of short bored pile and beam construction within the root protection area of a Lime Tree identified as T2 in the tree survey together with a schedule of site monitoring. This may be addressed by attaching appropriate conditions to any consent.

Policy CW5 considers the protection of the water environment. In this respect it is noted that the proposed development lies outside of an identified Flood Zone as defined by the Development Advice Maps (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004). A condition will be attached to any consent requiring land drainage details to be submitted for consideration and approval in writing with the Local Planning Authority. The comments received from Dwr Cymru/Welsh Water in respect of the application will be conveyed to the developer.

Comments from consultees: The objection from the Community Council is that access is via a private drive is not supported by the Transport and Engineering Manager. In addition a private access is not unacceptable per se. The concerns of the remaining statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: None.

Other material considerations: Not applicable.

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

RECOMMENDATION that Permission be GRANTED

Cont...

Application No. 13/0793/OUT Continued

This permission is subject to the following condition(s)

- 01) Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout and scale of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Prior to the commencement of work on site a schedule of periodic site monitoring by an appointed certified arboricultural agent shall be submitted for consideration and approval in writing by the Local Planning Authority. This will include, but not be limited to, an initial joint site visit to be coordinated by the applicant, between the Council's Arboriculturalist together with the appointed agent to assess the satisfactory specification and positioning of the required tree protection barrier. The development shall be carried out in accordance with the agreed details.
REASON: To ensure that the required protection measures will be effective for the duration of the development.

Cont...

Application No. 13/0793/OUT Continued

- 06) Notwithstanding the details submitted prior to the commencement of work on site a further detailed method statement shall be submitted to the Local Planning Authority for consideration and approval in writing regarding the incorporation of short bored pile and beam construction within the root protection area of the identified Lime Tree (T2). The development shall be carried out in accordance with the agreed details.
REASON: To ensure that the required protection measures will be effective for the duration of the development.
- 07) During the construction of the development hereby approved tree protection measures shall be carried out in accordance with the mitigation measures outlined in the revised (July 7th 2014) report by Torfaen Tree Consultancy for the protection of the highlighted trees on site and immediately adjacent to site.
REASON: To ensure the protection of those trees protected under Tree Preservation Order No.49/72 RVDC.
- 08) The development hereby approved relates to the details received on 13.12.13 - drawing no: OPP/KCH/01 dated March 2013 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.
- 09) 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.
- 10) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority, to accommodate:
(a) Parking of vehicles of site personnel, operatives and visitors,
(b) Loading and unloading of plant and vehicles,
(c) Storage of plant and materials used in constructing the development,
(d) Noise mitigation and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written agreement of the Local Planning Authority.
REASON: In the interests of amenity and highway safety.

Cont...

Application No. 13/0793/OUT Continued

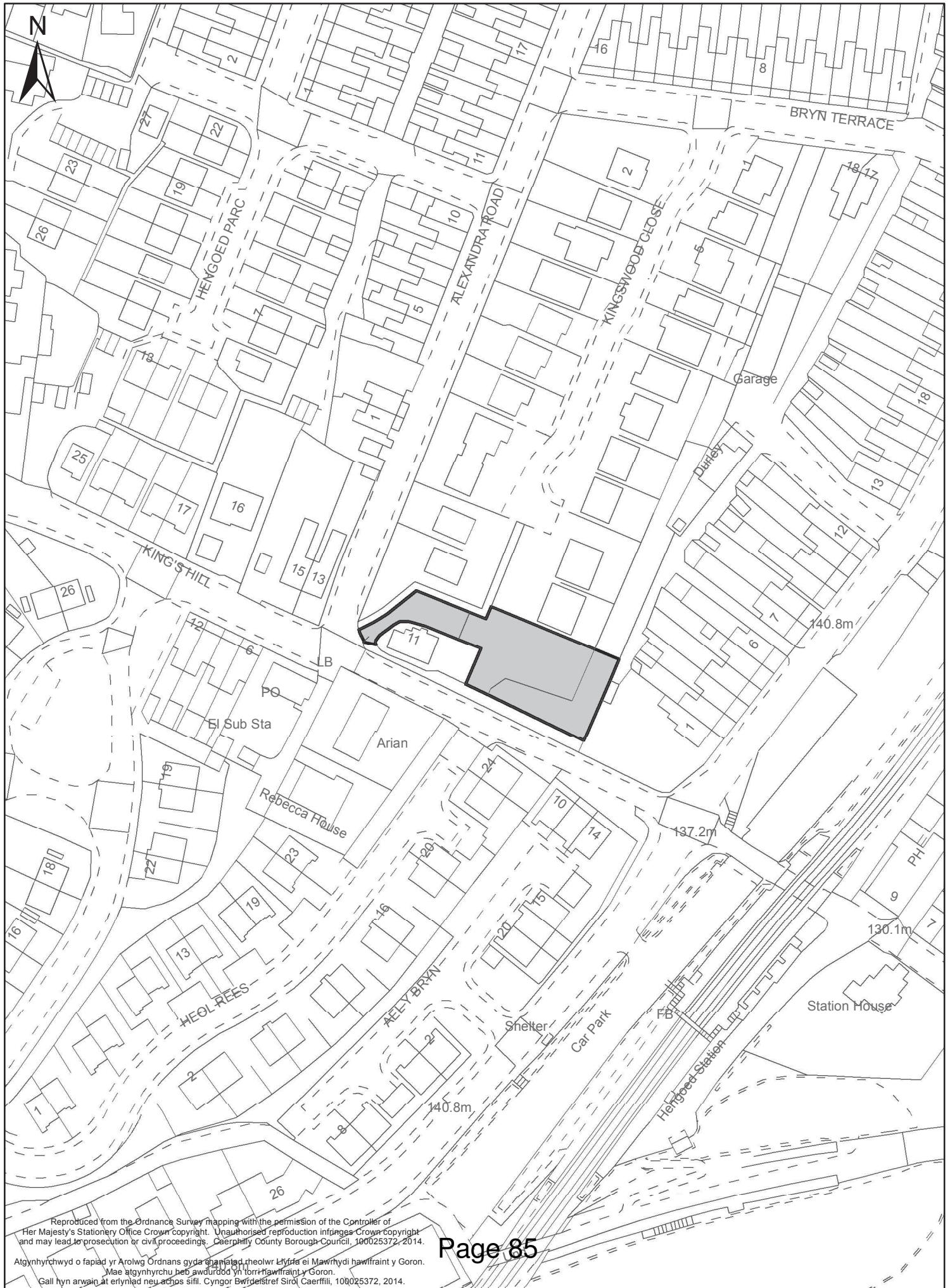
- 11) The level of car parking provision in respect of the development hereby approved shall be in accordance with the requirements of the Council's Approved Supplementary Planning Guidance LDP5 Car Parking Standards.
REASON: In the interests of highway safety.
- 12) There shall be no means of vehicular access to the development hereby approved via King's Hill.
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, CW3, CW4.

The applicant is advised of the comments of Senior Engineer (Land Drainage) Dwr Cymru/Welsh Water and Senior Arboricultural Officer (Trees).

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Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0310/FULL 09.05.2014	Mr N Cleverley Gelli-haf Bungalow Rock Villas Argoed Blackwood NP12 0AD	Erect 2 two-bedroom semi-detached houses Land Adjacent To 1 Pantycelyn Street Ystrad Mynach Hengoed

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land adjacent to 1 Pantycelyn Street, Ystrad Mynach. The site is located within the settlement boundary. It is situated within a predominantly residential area and comprises an area of vacant land, located at the junction of Pantycelyn Street, Penallta Road and Railway Junction, Ystrad Mynach.

Site description: The side stone boundary wall of a terraced residential dwelling at 1 Pantycelyn Street abuts the western boundary of the site. A public wooden seat and a Post Office mail box are situated just outside the northern boundary of the site, and a traffic signal control box is located to the eastern boundary of the site with a traffic light controlled pedestrian crossing located to the southern boundary of the site. The Valleys Railway Line is located on higher ground to the south of the site. Two-storey residential dwellings are located to the east, opposite the site.

Development: Full planning permission is sought in respect of the construction of a pair of 2 bedroom, 2-storey, semi-detached dwellings. The internal layout of each dwelling comprises a lounge, kitchen/diner and wc on the ground floor and 2 bedrooms and a bathroom on the first floor.

Dimensions: Each dwelling measures 4.4m x 7.9m x 7.2m high.

Materials: External materials comprise facebrick in the walls, concrete tile roof, upvc double glazed doors and windows and tarmacadam vehicle access and hardstanding but no details of the colours to be used in the finishes have been provided.

Ancillary development, e.g. parking: Off-street parking spaces are to be provided.

Cont...

Application No. 14/0310/FULL Continued

PLANNING HISTORY

11/0316/FULL Erect detached, four-bedroom dwelling with access, parking and turning area - Granted 21.01.2012.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within settlement boundary.

Policies: SP2 - Development Strategy - Development in the Northern Connections Corridor, SP6 - Place making, SP21 - Parking Requirements.
CW2 - Amenity, CW3 - Design Considerations - Highways, CW7 - Protection of Open Space, CW15 - General locational constraints, supplementary planning guidance contained in LDP6 - Building Better Places to Live, LDP5 - Car Parking standards, LDP7 - Householder Developments.

NATIONAL POLICY: Planning Policy Wales, 7th Edition, July 2014, Chapter 4 - Planning for Sustainability, Chapter 8 - Transport, Chapter 9 - Housing.
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? There are no significant implications in relation to this planning application.

CONSULTATION

Head Of Public Protection - Has no objection to the development subject to conditions being attached to any consent that all windows are to be fitted with double glazing and acoustic trickle ventilation.

Senior Engineer (Land Drainage) - Requires 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.

Cont...

Application No. 14/0310/FULL Continued

Network Rail - No observations.

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent in respect of access, visibility splays, the provision of a footpath along the frontage and off-street parking provision. He provides advice to be conveyed to the developer in respect of the provision of a vehicular crossover.

Gelligaer Community Council - Objection on the grounds of encroachment onto the public highway and highway safety. The site will be over developed, as there is insufficient space to erect 2 dwellings.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 12 neighbouring properties have been consulted.

Response: One

Summary of observations:

1. loss of light;
2. assurance that the appropriate notices will be served under the Party Wall Act and the legal requirements associated with that;
3. potential damage to existing stone boundary wall;
4. expect to be provided with full details of the foundations and soakaways;
5. request a disabled parking space be allocated to 1 Pantycelyn Street;
6. concerned about any disruption and nuisance resulting from development;
7. request clarification of previous approvals granted on the site.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
There are no specific crime and disorder implications material to the determination of this planning application.

EU HABITATS DIRECTIVE

Cont...

Application No. 14/0310/FULL Continued

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, the appropriate amount being £2,960.00.

ANALYSIS

Policies:

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

The main issues to be considered in the determination of this planning application are in terms of the compatibility of the use with surrounding land uses, the design of the development and highway safety.

Given that the site subject of this application is included within the settlement boundary for Ystrad Mynach as identified in the LDP, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement. It is also noted that planning approval in respect of one detached 4-bedroom dwelling was previously approved on 21st January 2012 subject to conditions, (reference 11/0316/FULL).

General development control considerations are set out in Policies SP6 (Place making), CW2 (Amenity) and CW3 (Design considerations-Highways) of the LDP.

Strategic policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations and layouts that reflect sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site lies to the north east of the A472 and to the west of the A469, within the settlement area of Ystrad Mynach, which is a Principal Town as identified in the LDP and offers the opportunity to provide housing, which will be close to residential areas and local facilities. In terms of access the development site is accessible by the existing highway network and established well-lit, footpaths. Off-street parking facilities are proposed within the site leading off a 4.7m wide driveway at the rear of the site. A bus stop and Ystrad Mynach Railway Station are within walking distance of the site. Access to and from the dwellings will be via paved gently graded footpaths ensuring safe access and egress for all.

Cont...

Application No. 14/0310/FULL Continued

This is a full application for the erection of a pair of semi-detached 2-bedroom dwellings, offering off-street parking provision and turning facilities within the curtilage of the site. This is a revised scheme from that originally granted planning approval in respect of one detached 4-bedroom dwelling granted approval in 2012 (reference 11/0316). The proposal is considered to be acceptable in terms of scale, use, density and layout and adequate off-street parking and amenity is provided in respect of each dwelling. In consideration of Policy SP6 it is considered that the proposal satisfies the relevant factors in terms of a high standard of design, a sustainable location, accessibility and the efficient use of land.

Policy CW2 sets out criteria relating to amenity i.e. that there is no unacceptable impact on the amenity of adjacent properties or land, the proposal would not result in the over-development of the site, the proposal is compatible with existing uses and that the viability of existing neighbouring land uses would not be compromised. An objection has been received alleging that the proposed development would result in the loss of light to their neighbouring property at 1 Pantycelyn Street. The proposed development for a pair of semi-detached houses is adjacent to the end of a block of terraced housing and forms the corner plot of the street. Whilst being semi-detached, the proposed dwelling on plot 1 follows the building line of the existing street albeit its footprint is much smaller, in terms of its depth because no.1 Pantycelyn Street has a two-storey annex. The siting of the dwelling on plot 2 is constrained by the site's corner plot position and the presence of a post-box and public seat along its northern boundary and as such is set back 1.7m. The footprint of this development as a whole, when compared to the footprint of the detached dwelling subject of planning approval reference 11/0316 is smaller in terms of depth by some 5.55m and as such will have less impact. The street is orientated such that it is north facing. The proposed development is located 2m away from the blank gable end of 1 Pantycelyn Street and it is considered that the proposed development will not be overbearing or will have an adverse impact upon the amenity of residents occupying 1 Pantycelyn Street as a result of overshadowing. In addition the development will not adversely result in the loss of privacy or amenity in respect of residents of neighbouring dwellings.

It is considered that the proposed development is compatible with surrounding residential land uses and will not have an adverse impact upon the amenity or privacy of neighbouring residential properties. In terms of over-development, the proposal provides adequate off-street parking provision and amenity space and is considered acceptable in planning terms.

Cont...

Application No. 14/0310/FULL Continued

At the southern end of the site (approximately 30m away) is the Valleys Passenger Railway Line and in this respect a previous TAN 11 Noise Assessment, concluded that the noise from the railway line was not intrusive but it is the traffic light junction positioned adjacent to the plot on Penallta Road that generated a greater degree of noise. To this end a higher specification window will be used in the development to mitigate any noise issues as required by this Council's Environmental Health Officer. This may be addressed by attaching an appropriate condition to any consent.

Policy CW3 sets out criteria in terms of highway design considerations. The revised layout allows for a number of existing street furniture items situated within the boundary of the site to remain. In this respect the Group Manager (Highways and Transportation) has raised no objection to the development subject to conditions being attached to any consent referred to above.

The objector has also raised the issue regarding notification under the Party Wall Act. The applicant has confirmed that the requisite notices will be served in accordance with the requirement of the Act.

The objector has requested that full details of the type of foundations to be constructed in the development should be made available to him. In this respect the detail and structural stability of the construction of the foundations of the dwellings will require Building Regulations approval and as such is not a material consideration in the determination of the planning application.

The objector has also raised concern regarding any potential damage to the existing stone boundary wall. In this respect any damage to a neighbour's property is a civil matter and not a planning consideration.

The objector has raised concern regarding the location of a proposed soakaway within the curtilage of the site. It is noted that any soakaway will be required to comply with the necessary building regulations and highway requirements.

The objector requests that a disabled car parking space is allocated to no.1 Pantycelyn Street because of current parking problems within the vicinity. The proposed development offers off-street parking for three vehicles and as such should not exacerbate any parking problems that may or may not exist. A request for a disabled car parking space at 1 Pantycelyn Street may be made to this Council's Highways Department and is not a matter for the Local Planning Authority.

Cont...

Application No. 14/0310/FULL Continued

Finally the objector has commented that the proposed construction works will cause considerable distress and anxiety to the elderly occupiers of 1 Pantycelyn Street who suffer ill health and as a result may require an extended stay in a Care Home Unit, which they claim should be paid for by the developer. This is a civil matter and as such is not a material consideration in the determination of this planning application.

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

Other material considerations: None.

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

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 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.
- 03) The development hereby approved relates to the details received on 9 May 2014 - Block Plan, Floor Plan by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.
- 04) Notwithstanding the submitted plans, the shared access to serve the proposed development shall not be less than 4.1 metre wide, which 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. 14/0310/FULL Continued

- 05) 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 site frontage 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.
- 06) The required access, together with vision splays of 2.4 metres x site frontage, shall be laid out in accordance with the approved drawings and constructed in materials to be agreed in writing with the Local Planning Authority prior to beneficial occupation of the development.
REASON: In the interest of highway safety.
- 07) The site boundary fronting Railway Junction shall be set back and a 2 metre wide footway provided along the frontage, to connect with the existing adopted footpath, which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to beneficial occupation of the development.
REASON: In the interests of highway safety.
- 08) Notwithstanding the submitted plans, no works shall commence until details have been submitted to and approved in writing by the Local Planning Authority, which provide 1 off-street parking space per dwelling, within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to beneficial occupation of the development, and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.
REASON: In the interests of highway safety.
- 09) Prior to their occupation all windows to the dwellings hereby approved shall be fitted with double glazing and acoustic trickle ventilation.
REASON: In the interests of residential amenity.
- 10) No gates shall be fitted which would 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: CW2 and CW3.

Cont...

Application No. 14/0310/FULL Continued

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

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Agenda Item 11

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0512/FULL 29.07.2014	MTS Hill Farm Solar Ltd C/o Pegasus Planning Group Ltd Mr C Virtue First Floor South Wing Equinox North Great Park Road Almondsbury Bristol BS32 4QL	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 Penrhiwarwydd Farm Mynyddislwyn Mountain Road Mynyddislwyn Newport NP11 7BB

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Penrhiwarwydd Farm, Ynysddu, is on the northern side of the Sirhowy Valley above Nine Mile Point.

Site description: The application site is agricultural fields in pasture and predominantly surrounded by open countryside. The site is located entirely within the Mynyddislwyn Special Landscape Area, and land to the east of the site is a Site of Interest for Nature Conservation.

Development: It is proposed to erect an 8.5 megawatt solar farm which would consist of approximately 30,294 Photovoltaic (PV) panels laid out in rows running east to west across the site. A 2m high deer fence will be erected along the site's perimeter prior to construction to restrict access to the site. Four transformer centres are also proposed at various locations through the site. Several CCTV cameras are also located throughout the development.

Dimensions: The site has an area of 18.9 hectares and covers an area to the north, west and south of Penrhiwarwydd Farm, with a buffer zone to the west and south of the existing farm buildings. The maximum height of each block of panels is 2.15 metres above ground level. The deer fence measures 2 metres in height. Each transformer centre has a footprint measuring 6.58 metres x 4.42 metres, with a maximum height of 3.94 metres.

Cont...

Application No. 14/0512/FULL Continued

The deer fence measures 2 metres in height. Each transformer centre has a footprint measuring 6.58 metres x 4.42 metres, with a maximum height of 3.94 metres.

Materials: The solar panels would be mounted on steel beams that are inserted into the ground (no concrete foundations required). The security fence is of a deer proof type. Outbuildings are proposed to house equipment associated with the solar farm.

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

PLANNING HISTORY

2/12134 Extension and repair works - Granted 05.12.1994.

P/02/0064 Erect 3 new digital radio antennas, 1 No. 0.3m dish mounted on new steel lattice tower and new equipment cabin - Withdrawn 05.03.2002.

07/0682/COU Convert redundant agricultural barn to a dwelling - Granted 31.08.2007.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Agricultural land outside the settlement in the Mynyddislwyn Special Landscape Area, adjacent to Nant Hafod Tudor Site of Interest for Nature Conservation.

Policies: CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection) and CW19 (Rural Development and Diversification).

NATIONAL POLICY

Welsh Assembly Practice Guidance Planning Implications of Renewable and Low Carbon Energy 2011, Planning Policy Wales 2014, Technical Advice Note 8 Planning for Renewable Energy July 2005.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont...

Application No. 14/0512/FULL Continued

The deer fence measures 2 metres in height. Each transformer centre has a footprint measuring 6.58metres x 4.42metres, with a maximum height of 3.94 metres.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - Yes. A Coal Mining Investigation has been submitted.

CONSULTATION

Countryside And Landscape Services - No objection subject to conditions.

Rights Of Way Officer - No objection subject to advice regarding possible footpath diversion.

National Air Traffic Services - No response.

Transportation Engineering Manager - No comments at date of report but a traffic management plan has been submitted following extensive discussions with the applicants.

Senior Engineer (Land Drainage) - Provide advice to developer.

Dwr Cymru - No comments.

Natural Resources Wales - No objection subject to condition.

ADVERTISEMENT

Extent of advertisement: Four neighbouring properties were consulted and a site notice was displayed at the access to the farm.

Response: Two objections were received.

Summary of observations:

1. Loss of agricultural land;
2. Impact on Special Landscape Area;
3. Inability of existing highway network to cope with HGV's delivering panels and equipment.
4. Increased traffic from work force during works and impact on highway safety.

Cont...

Application No. 14/0512/FULL Continued

The deer fence measures 2 metres in height. Each transformer centre has a footprint measuring 6.58metres x 4.42metres, with a maximum height of 3.94 metres.

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? Conditions will be attached to the permission in the interests of protected species and biodiversity.

Is this development Community Infrastructure Levy liable? No. Renewable energy schemes are not CIL liable.

ANALYSIS

Analysis: CW19 - Rural Development and Diversification. This policy is aimed at rural building conversions and more local considerations than this proposal which is for the production of sustainable energy that has much wider implications. It is the case though that Welsh Assembly Practice Guidance Planning Implications of Renewable and Low Carbon Energy 2011 part 8.4.16 does predict that a "significant proportion of proposals for solar PV arrays will be on agricultural land" and as such can support farm diversification (as per Planning Policy Wales 2012 part 7.3). That practice guidance explains that whilst many solar proposals will be on agricultural land it is not expected that such land should be of a high grade. The application site is not high grade in accordance with that expectation.

CW3 (Design Considerations - Highways). An amended traffic management plan has been submitted by the applicant. At the time of writing the report the comments of the Transportation Engineering Manager were not available and will therefore be reported verbally at Planning Committee.

Cont...

Application No. 14/0512/FULL Continued

CW2 (Amenity) requires that development should not have an adverse effect upon adjacent properties. The nearest neighbours that will be able to see the development is Ty'r Waen Farm to the north west. A condition has been requested the Council's Landscape Architect to increase the amount of planting around parts of the development to screen it from such affected properties. A Landscape and Visual Impact Assessment was submitted as part of the application. The Council's Landscape Architect has analysed this document and concludes that the potential for visual impact is generally limited to either close or distant views, from locations of similar elevations, and that views from the settlements on the valley floor are severely restricted by the topography of the valley and the built form of the settlement. In terms of the views of the site from within the Special Landscape Area, the Landscape Architect agrees with the statement that these are frequently curtailed by topography and the abundance of hedges, and small woodland copses.

Planning permission was recently granted for a 21.12, 10 megawatt solar park approximately 1.8 kilometres north of the site at Cwmcaesingrug Farm (Planning Ref: 14/0276/FULL). Although a cumulative impact assessment for both solar parks has not been undertaken, the Council's Landscape Architect does not believe the proposal would lead to a significant cumulative effect.

Comments from Consultees: Countryside and Landscape Services: The Council's Landscape Architect has considered the methodology used to undertake the Landscape and Visual Impact Assessment is in accordance with what is currently regarded as best practice. No objection is raised subject to conditions relating to increased planting/screening, and the use of appropriate materials for the proposed outbuildings.

Ecology - currently awaiting comments from Council's Ecologist.

Highways - currently awaiting comments from the Transportation Engineering Manager on the latest Traffic Management Plan.

Council's Rights of Way Officer - confirms that a diversion is not required as the new layout does not directly affect the line of the footpath onsite.

No objection subject to conditions has been received from the Senior Engineer (Land Drainage).

Comments from public: Loss of countryside - Use of low grade agricultural land for renewable energy is supported by National Planning Policy. Furthermore a condition will be attached granting a 25 year consent after which the land will be returned to agricultural use.

Cont...

Application No. 14/0512/FULL Continued

Highway implications - Awaiting comments of Transportation Engineering Manager.

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) Within 25 years and 6 months following completion of construction of development, or within 6 months of the cessation of electricity generation by the solar PV facility, whichever is the sooner, the panels, their supporting structures and associated stations and control buildings together with the security fencing, ground equipment, cabling, access paths and plant, shall be removed from the site and the site shall be subsequently restored in accordance with a scheme the details and timing of which shall have been submitted to and approved in writing by the Local Planning Authority.
REASON: To retain effective control in the interest of visual amenity.
- 03) No external lighting shall be installed or operated during the operation of the site.
REASON: In the interests of nearby amenity and to safeguard the ecological interests of the site in accordance with Policies CW2 and CW4 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 04) Prior to the commencement of the development hereby approved a construction phase management plan relating to the temporary construction access shall be submitted to and agreed in writing with the Local Planning Authority. The construction phase management plan shall include details of the access measures to control construction traffic into and out of the site in relation to both the adopted highway and public footpaths. The access shall be managed in accordance with the agreed plan during the construction phase and thereafter its use in association with the production of solar energy and maintenance of the panels and associated plant and structures shall cease.
REASON: To ensure the safe use of the access during the construction phase.

Cont...

Application No. 14/0512/FULL Continued

- 05) Prior to the construction of the sub-stations, transformers and other apparatus details of the external finishes shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed and maintained thereafter in accordance with the agreed finishes.
REASON: In the interest of visual amenity.
- 06) A scheme of non-mains surface water 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 prior to the first production of electricity by the development hereby approved.
REASON: To ensure the development is served by an appropriate means of drainage.
- 07) No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide a detailed report on the proposed route to be taken to the application site to include the adequacy of the route and details of any necessary improvements required to the highway network to allow the movement of the delivery vehicles. The Plan shall indicate the proposed delivery times, the size and number of delivery vehicles to be used together with details of a public awareness exercise to inform local residents and businesses in the area. The construction of the development hereby approved shall be carried out in accordance with the approved revised Construction Traffic Management Plan.
REASON: In the interest of highway safety and the free flow of traffic.
- 08) Prior to the commencement of the development hereby approved a Condition Survey of the construction traffic route shall be carried out and submitted to and agreed in writing with the Local Planning Authority. A further survey of that route shall be carried out on completion of the development and submitted to and agreed in writing with the Local Planning Authority.
REASON: In the interest of highway safety.
- 09) Notwithstanding the submitted plans the development shall not commence until construction details of the site access to serve the development during the production of electricity has been submitted to and approved in writing by the Local Planning Authority. That access shall thereafter be completed in accordance with the agreed details prior to the production of solar energy commencing.
REASON: In the interests of highway safety.

Cont...

Application No. 14/0512/FULL Continued

- 10) Prior to the commencement of works on site, a scheme to prevent mud and other debris being deposited on the public highway shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed scheme.
REASON: In the interests of highway safety.
- 11) Prior to the commencement of the development hereby approved details of a temporary construction phase car park shall be submitted to and agreed in writing with the Local Planning Authority. The details to be agreed shall include the post construction restoration of the land. The agreed temporary construction phase car park shall be maintained free of obstruction for parking use during the construction phase and thereafter it shall be removed and the land restored to the agreed condition.
REASON: To ensure adequate parking provision during construction.
- 12) Works of site or vegetation clearance associated with the development hereby approved shall not take place during the bird-breeding season, March to August inclusive in any given year, unless otherwise approved 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.
- 13) The means by which the electricity supply will be connected to the national grid shall be via underground and not overhead cables. The route of these cables shall be agreed in writing with the Local Planning Authority prior to the commencement of works and shall be installed in accordance with the agreed details.
REASON: In the interests of visual amenity.
- 14) A scheme shall be submitted to and agreed in writing by the Local Planning Authority showing a reduction in the area of proposed development along the sites north western and south western boundaries of the site.
REASON: To allow the proposed hedgerow planting a greater opportunity of providing a reasonable degree of screening within the life of the proposed development.

Cont...

Application No. 14/0512/FULL Continued

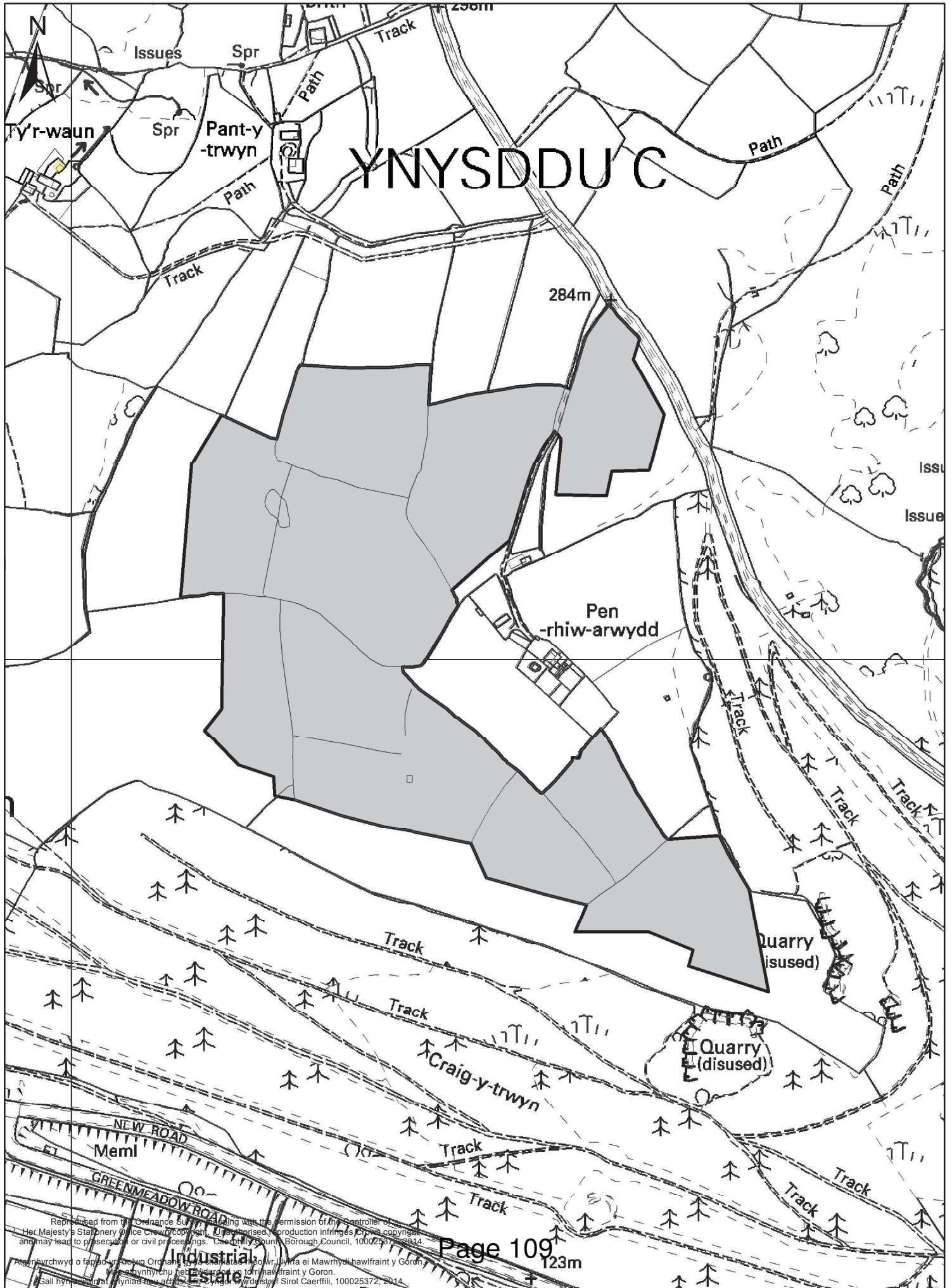
- 15) A scheme shall be submitted to and agreed in writing with the Local Planning Authority detailing how the existing damaged section of field boundary wall along the south western boundary of the site be repaired, and additional hedgerow planting be included along full length of exposed stockproof fence boundary to provide a degree of screening for the panels in the adjacent field prior to the commencement of works onsite.

REASON: In the interests of visual amenity.

- 16) A scheme shall be submitted to and agreed in writing with the Local Planning Authority showing additional hedgerow planting at the entrance to the farm. The agreed details shall be implemented prior to the commencement of works on site.

REASON: To strengthen the existing vegetation screen to the panels in the field to the south of the site entrance in the interests of visual amenity.

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YNYSDDU C

284m

Pen
-rhiw-arwydd

Quarry
(disused)

Quarry
(disused)

Craig-y-trwyn

NEW ROAD
Meml

GREENMEADOW ROAD

Industrial
Estate

123m

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Mae awrwyddychydio heb awgordroddio yn torri hawlfraint y Goron.
Gall hysbysu awgordroddio gynnwys achos cyfraith. Cyfrifir Siroel Caerffili, 100025372, 2014.

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Agenda Item 12

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0565/FULL 15.10.2014	Mr P Carpenter Saer Coed Load Of Hay Road Crumlin Newport NP11 3AY	Extend curtilage and erect a single-storey extension to side of property 2 Hazelwood Road Pantside Newport NP11 5DP

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: This bungalow is on the north side of Hazelwood Road, overlooking Old Pant Road.

House type: This is a semi-detached bungalow finished in profiled cladding, with a garden to the front and rear.

Development: It is proposed to erect a single-storey side extension to provide a kitchen and lounge. The interior would be remodelled to provide three larger bedrooms. This application is reported to Planning Committee because the agent is related to an officer of the Council.

Dimensions: The extension would be 3m wide, 7.8m deep, and the same height as the existing bungalow.

Materials: The walls of the existing and proposed extension would be rendered, and the roof clad to match the existing.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN

Cont...

Application No. 14/0565/FULL Continued

Site Allocation: The site is within settlement limits.

Policies: Policy CW2 (amenity) and the advice contained in LDP7 Householder Development.

NATIONAL POLICY Planning Policy Wales (2014) and TAN12.

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? This is a householder development and this matter will be addressed through the Building Control process.

CONSULTATION None.

ADVERTISEMENT

Extent of advertisement: Five neighbouring properties have been consulted.

Response: None at the time of report preparation. The consultation period expires on 12 November.

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: This proposed development will not harm the amenity of any neighbours because it is to the side of the existing dwelling and will only overlook a grassed amenity area. It will not have an adverse impact on the street scene. There are therefore no objections on planning policy grounds to this scheme.

Cont...

Application No. 14/0565/FULL Continued

There is adequate room within the site to accommodate the extension, but if the applicant wishes to extend the curtilage into the neighbouring verge by approximately 1.5m as shown on the plans, that will not be significant in view of the size of the amenity area. A notice has been served on this Council, which owns the land, and its permission in that capacity will be needed before the development can be carried out. An informative should advise the applicant of the need to secure the Council's permission as landowner.

The recommendation is approval, but the decision notice should not be released until the neighbour consultation period has expired. The application has been reported to Committee in advance of that period finishing to ensure that it is determined within the statutory period of eight weeks.

Comments from consultees: None.

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 development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing number 2 received by the Local Planning Authority on 14 October 2014 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

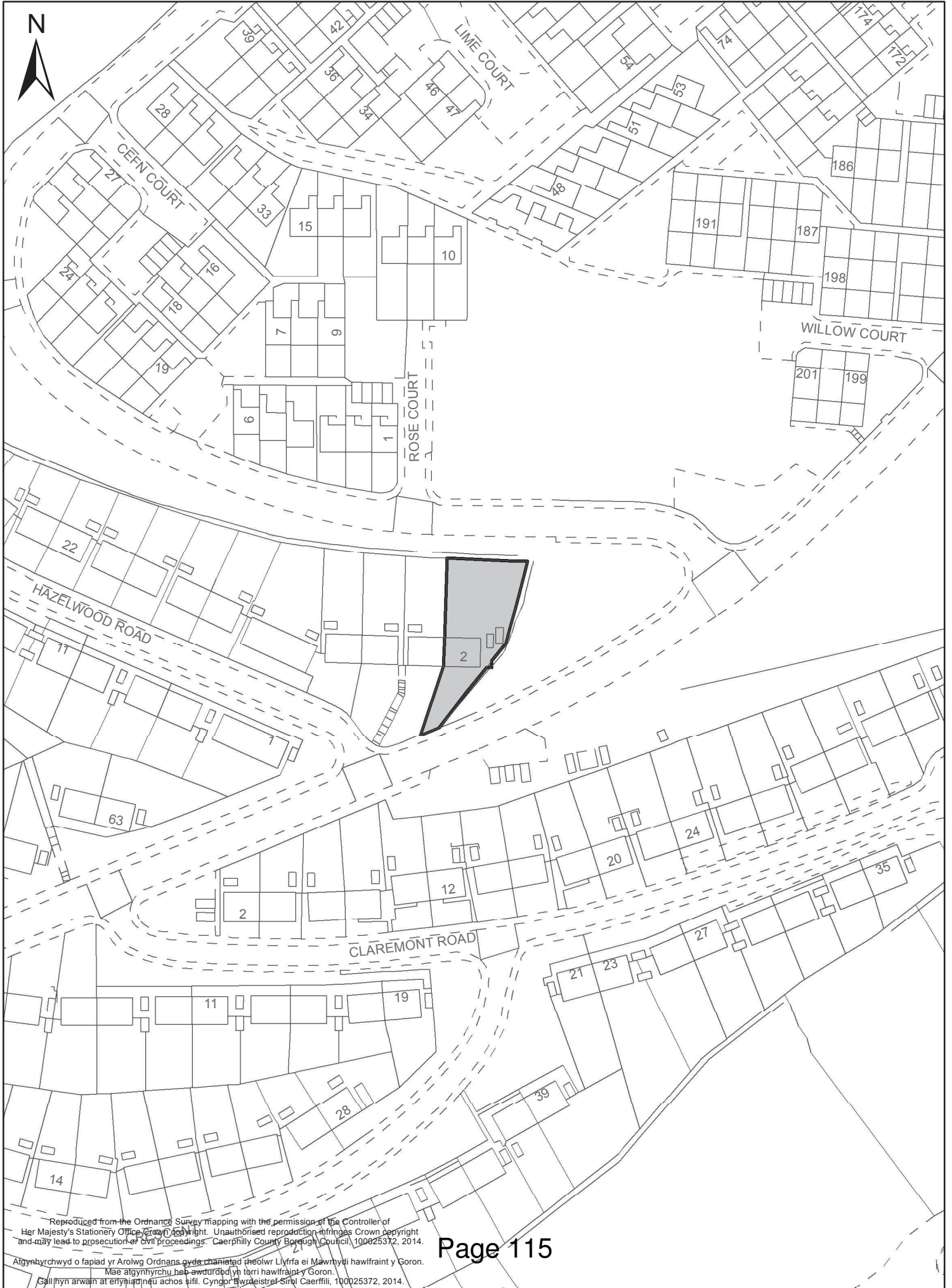
Advisory Note(s)

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: Policy CW2.

Cont...

Application No. 14/0565/FULL Continued

Caerphilly County Borough Council's permission as landowner will be required if the development or its construction involves encroachment on land owned by the Council.



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Agenda Item 13

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0607/FULL 08.09.2014	Risca Property Developments Limited 10 Cader Idris Close Risca Newport NP11 6RP	Erect two detached houses, access road and turning head Land Adjacent To 24 The Glade Wyllie Blackwood

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located at the southern end of The Glade, Wyllie.

Site description: Vacant plot within residential development.

Development: It is proposed to erect two three-storey detached town houses and alter the turning head at the southern extent of the site. At present, the turning head for the estate is located on the site, but that would be relocated at the southern end of the estate.

Dimensions: Each proposed dwelling measures 6.5 metres in width, 7.8 metres in depth, with a height of 10.3 metres to ridge level. The road would be 5.5m wide with a 2m footway on one side.

Materials: Face brickwork and render walls and concrete roof tiles.

Ancillary development, e.g. parking: 3 off-street parking spaces are provided per dwelling within the curtilage of each property.

PLANNING HISTORY

P/98/0655 Erect residential housing development - Withdrawn 25/09/1998.

P/99/0349 Erect residential development - Granted 26/08/1999.

P/02/0955 Renew Outline Planning Permission P/99/0349 - Granted 25/10/2002.

P/03/1223 Erect eight houses and garages - Granted 24/02/2004.

P/04/0167 Erect six dwellings - Withdrawn 05/07/2004.

Cont...

Application No. 14/0607/FULL Continued

P/04/1298 Erect two No. four bedroom detached dwellings - Granted 08/10/2004.

P/05/0089 Erect detached dwelling - Withdrawn 07/03/2005.

09/0908/FULL Alter site road and turning area - Granted 30/04/2010.

10/0276/FULL Erect house type 2A.- Granted 09/06/2010.

10/0539/FULL Erect house type 3B - Granted 01/10/2010.

11/0389/FULL Construct private drive and turning head alterations - Granted 12/07/2011.

12/0490/FULL Erect two coach house style flats with garages - Refused 24/08/2012.

12/0678/RET Retain boundary wall and revised dormer - Granted 09/11/2012.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies within the settlement boundary.

Policies: SP6 (place making), CW2 (amenity), and CW3 (design considerations - highways).

NATIONAL POLICY Planning Policy Wales and 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? The application site is located in an area of low risk and therefore coal mining legacy issues are not considered to be an issue for this application. If any issues were to arise they would be controlled by way of the Building Regulations.

Cont...

Application No. 14/0607/FULL Continued

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection – Has no objection subject to conditions concerning contamination and soil importation.

Senior Engineer (Land Drainage) – Has no objection subject to conditions concerning land drainage.

Dwr Cymru – Has no objection subject to conditions concerning sewerage.

ADVERTISEMENT

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

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?

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 floorspace at a rate of £25 per sq. metre giving a total of £6,150.00

ANALYSIS

Policies: The proposed dwellings are located within the Settlement Boundary and therefore the presumption is in favour of development providing material planning considerations do not indicate otherwise. It is considered that the proposed dwellings have been sited appropriately within the plot to respect the existing streetscene, as the front elevations are stepped to follow the line of the existing highway as well as the front elevation of Plot 24 that adjoins the site to the north.

Cont...

Application No. 14/0607/FULL Continued

In terms of the levels of the proposed dwellings, although the proposed ridge level is 1.6 metres higher than Plot 24 that adjoins the site to the north, the ground level of the application plot is 0.9 metres higher than that of Plot 24, and therefore it is not considered that the proposed dwellings are inappropriate in terms of their overall height.

Given the proposed siting of the dwellings they will not result in an unacceptable overbearing impact on the existing properties to the north and south of the application site, and there will be no loss of privacy as a result of the development subject to condition. The proposed materials for the external finishes of the properties respects the character for the existing streetscene, and three off-street car parking spaces per dwelling in accordance with the adopted car parking guidelines. In conclusion it is considered that the proposed dwellings will integrate with the existing streetscene, and will not detract from the residential amenity of neighbouring properties, and therefore the proposal is recommended for approval subject to conditions.

Permission was refused for a flat over a garage on part of this site in 2012, and that decision was upheld on appeal. The current proposal is for a larger site and the objections to that scheme based on the cramped nature of the site have now been overcome.

The Transportation Engineering Manager raises no objection to the amended turning head at the southern extent of the development subject to conditions. The turning is outside the settlement boundary as defined in the adopted Local Development Plan, but it would not be reasonable to object to the scheme on that ground. The land rises beyond the turning head and so the impact of the development on the countryside to the south is very limited. A landscaping scheme would further reduce the impact of the proposal.

Comments from consultees: No objection subject to conditions.

Comments from public: None.

Other material considerations: A reconsultation of neighbours has taken place in respect of the relocated turning head which expires on 7 November. The decision notice should not be issued until then.

RECOMMENDATION that Permission be GRANTED

Cont...

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) 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 first floor ensuite 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.
- 05) 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.
- 06) 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.

Cont...

Application No. 14/0607/FULL Continued

- 07) 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.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 09) 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 approved dwellings.
REASON: In the interests of the visual amenities of the area.
- 10) 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.
- 11) 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.

Cont...

Application No. 14/0607/FULL Continued

- 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), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 13) 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.
- 14) Rain water run-off shall not discharge onto the estate road or into the highway surface water drainage system.
REASON: In the interests of highway safety.
- 15) Prior to their first use the proposed parking areas shall be completed in materials as agreed in writing with the Local Planning Authority, to ensure loose stones or mud are not carried on to the public highway.
REASON: In the interests of highway safety.
- 16) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Proposed Road & Drainage Layout received on 8th September 2014, and Proposals, Job No. 14/608 received on 2nd October 2014.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 17) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.

Cont...

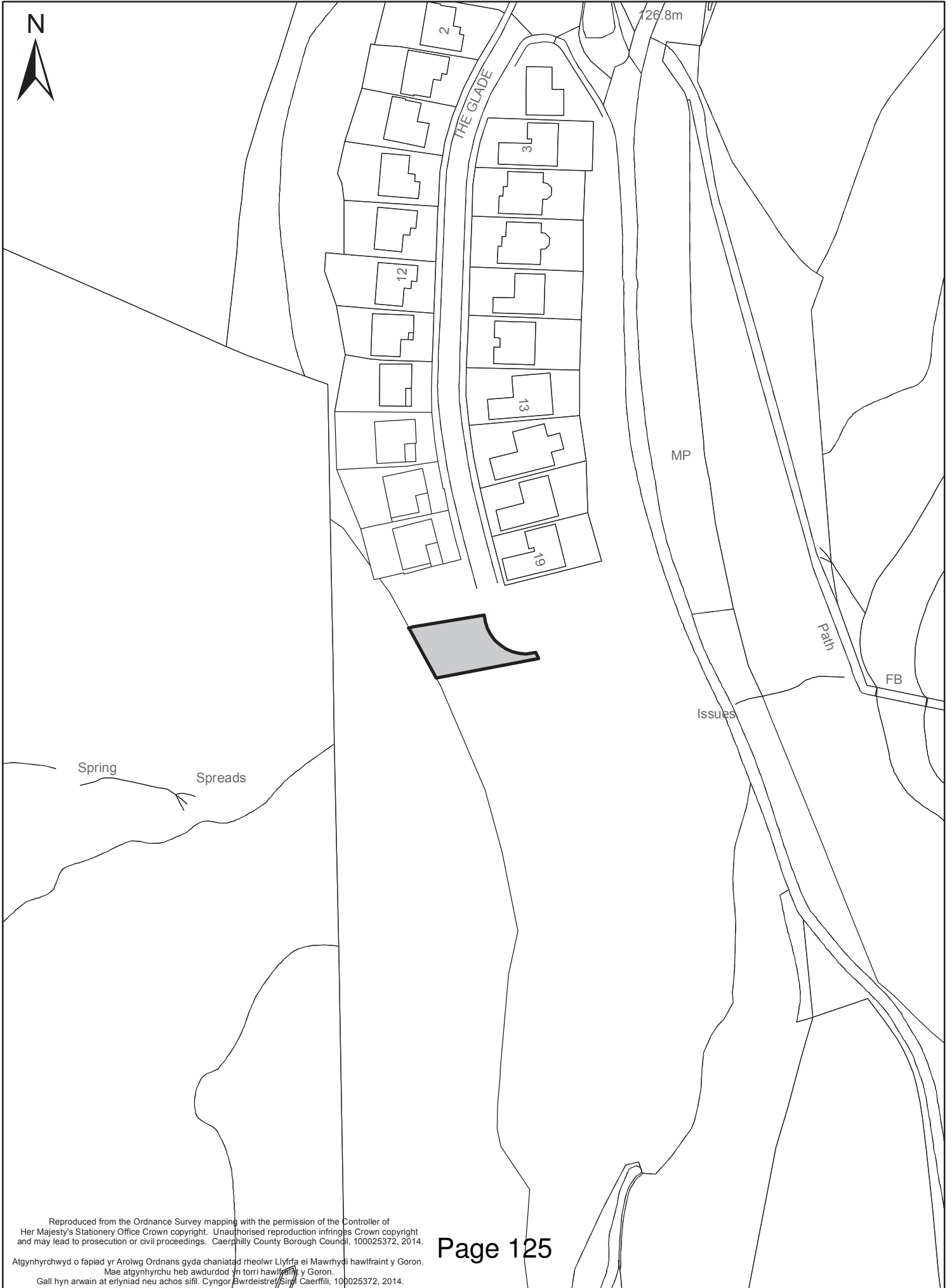
Application No. 14/0607/FULL Continued

- 18) This permission does not grant any consent for the removal of any part of the rock face at the western side of the site.
REASON: For the avoidance of doubt as to the extent of this consent and in the interests of residential amenity.
- 19) Prior to the commencement of work on site a timetable for the provision of the highway and turning head shall be submitted to and agreed in writing with the Local Planning Authority. The existing turning area that forms party of the application site subject of this consent shall not be removed until the replacement turning head has been provided to a standard to be agreed with the Local Planning Authority.
REASON: To ensure that the housing estate is served by satisfactory highway and turning facilities, and in the interests of highway safety.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, Head of Public Protection, Transportation Engineering Manager, 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: Policy CW2 and CW3.



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Agenda Item 14

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0614/ADV 16.09.2014	Mr S Al-Ibrahim C/o AEW Architects Mr E O Hara Zenith Buildings Spring Gardens Manchester M2 1AB	Erect 1 No. internally illuminated fascia text sign with non-illuminated white underline, 1 No. internally illuminated fascia tile logo signs and 1 No. internally illuminated projecting sign Gwent Constabulary Nelson Police Station Dynevor Terrace Treharris CF46 6PD

APPLICATION TYPE: Application to Display Adverts

SITE AND DEVELOPMENT

Location: The application property is situated on the western side of Dynevor Terrace.

Site description: The application property is the former Police Station, which is a bespoke building erected approximately 20 years ago. The building is single storey and of render and stone construction with a slate roof. The site is situated in a mixed use area to the south of Nelson Town Centre and between a public car park serving the town centre and a vehicle repair garage. The building is opposite a terrace of dwellings and there are bungalows to the rear. Planning consent has recently been granted for a change of use of the premises to a hot food take away.

Development: The application seeks consent to display various advertisements relating to the newly authorised use of the building. This incorporates a new internally illuminated fascia sign above the new shop front, an internally illuminated projecting sign above this and a new tile logo sign on the side elevation. The application originally sought consent for a tile logo sign to the front elevation but this has now been removed with the logo being added to the fascia sign.

Dimensions: The fascia sign measures 3m wide by 550mm high, the projecting sign measures 800mm by 800mm and the tile sign measures 900mm by 900mm.

Ancillary development, e.g. parking: None.

Cont...

Application No. 14/0614/ADV Continued

PLANNING HISTORY

14/0210/COU Change use of the Former Nelson Police Station (sui generis) to a pizza delivery/takeaway (Use Class A3) - Granted - 07.08.14.

P/97/0597 Erect new police station - Granted 11.09.97.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

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

Guidance Note 3 to the Adopted Supplementary Planning Guidance LDP12 gives advice on advertisements.

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

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

ADVERTISEMENT

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

Cont...

Application No. 14/0614/ADV Continued

Response: One letter of objection was received from a local resident.

Summary of observations:

1. The illumination of the signage would have a detrimental impact on the residential amenity of the area.
2. There is no other internally illuminated signage in Nelson.
3. An application for illuminated signage at the Grove Dental Practice in Ashgrove was refused.
4. The hours of operation for the lighting should be controlled.

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: Applications for advertisement consent fall to be considered in terms of their impact on amenity and highway safety and as such the objections of the local resident are relevant to the determination of this application. These will be dealt with in turn below:

1. Whilst it is acknowledged that the signage will introduce a new element of lighting into the area it should be noted that that the property is situated adjacent to a main road with street lighting and that the former Police Station already has lighting to the front elevation. In that regard it is not felt that the signage would have an undue impact on the amenity of the adjacent properties. It should also be noted that one of the signs originally applied for has now been removed thereby reducing any potential visual clutter that may have been evident.
2. It is noted that the majority of commercial properties in Nelson do not have illuminated signage. However, it is also noted that a number do have illumination and some of these are internally illuminated. Consequently it is not felt that internally illuminated signage is unacceptable in principle.

Cont...

Application No. 14/0614/ADV Continued

3. It is true that an application for lit signage at the Grove Dental Practice was refused. However, the context of these two sites is entirely different. The properties at 1 to 4 Ashgrove are a small terrace of Edwardian Villas with two storey bays to the front and the properties are immediately adjacent to the Nelson Conservation Area. The signage at the dental practice was refused as a result of its impact on the host dwelling, the street scene and the conservation area.

The application property is a bespoke designed single storey building that is different in terms of scale and design to the adjacent buildings and as such the context is entirely different. All applications for a planning consent have to be considered on their individual planning merits and in this instance it is considered that the signage is acceptable in planning terms.

4. The Head of Public Protection has raised no objection to the application subject to the hours of operation of the lighting being restricted to the opening hours of the premises. It is considered that this is reasonable in the interests of the amenity of the area.

Comments from consultees: No objections raised.

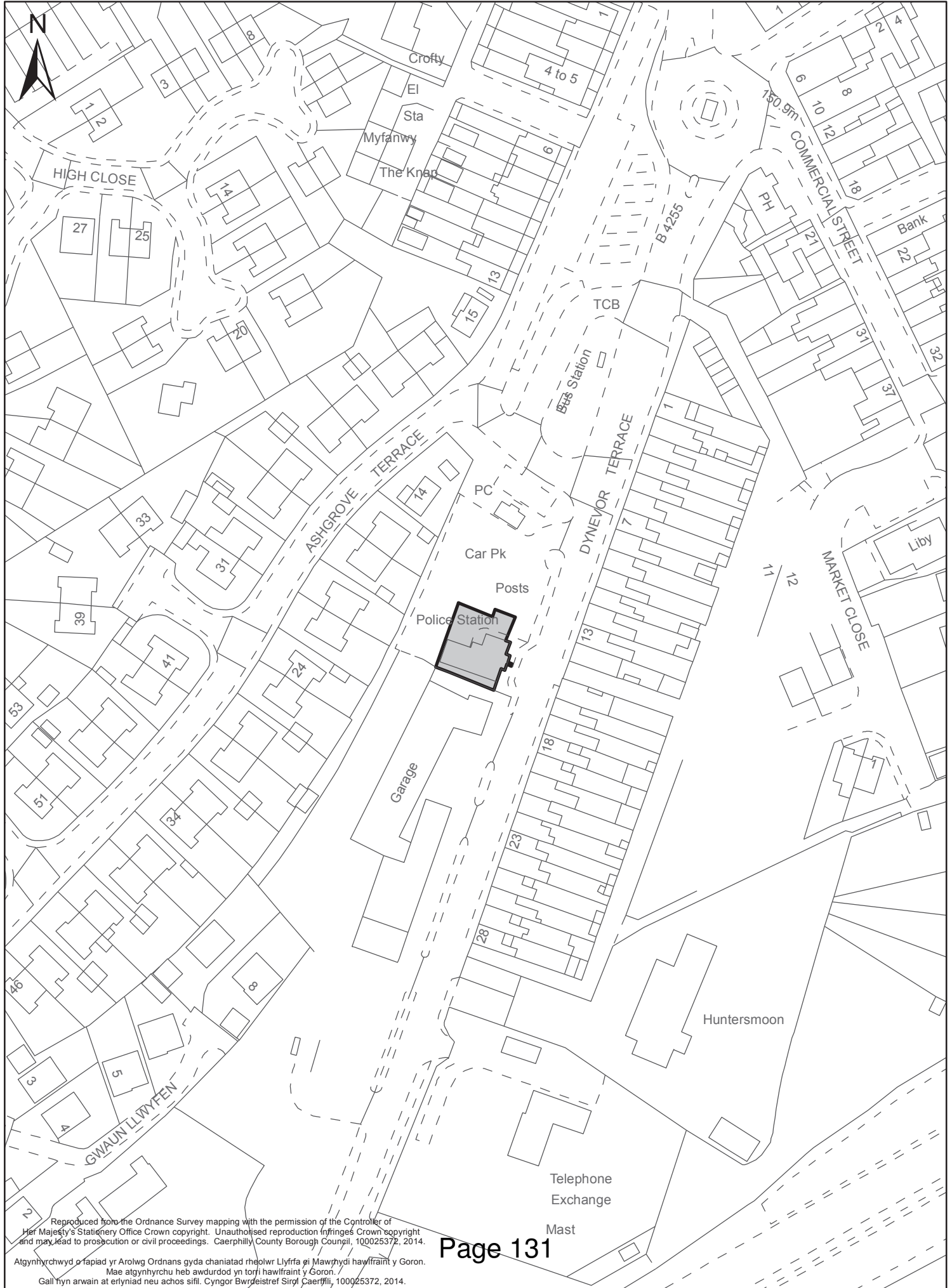
Comments from public: Addressed above.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) No source of illumination shall be directly visible from any part of an adjacent highway.
REASON: In the interests of highway safety.
- 02) The sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.
REASON: In the interests of residential amenity.



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Atgynhychwyd o fapiaid yr Arolwg Ordnans gyda chaniatod rheolwr Llyfrfa a'i Mawrhydi hawffraint y Goron. Mae atgynhychu heb awdurdod yn torfi hawffraint y Goron. Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirŷ Caerphilly, 100025372, 2014.

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Agenda Item 15

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0615/FULL 22.09.2014	Mr & Mrs Arnold 22-24 Tamar Close Pontllanfraith Blackwood NP12 2FU	Erect single-storey extension to side of property 22-24 Tamar Close Pontllanfraith Blackwood NP12 2FU

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is located on Tamar Close, Pontllanfraith.

House type: Two storey detached property (formerly a pair of semi-detached properties).

Development: Single storey side extension. This application is reported to planning committee because the agent is related to an officer of the council.

Dimensions: The proposed development is set 3.2 metres behind the front elevation and measures 3.2 metres in width, 10.2 metres in length, with a height of 4.4 metres to ridge level.

Materials: Brick and concrete roof tiles to match existing.

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

PLANNING HISTORY

No previous planning history.

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).

Cont...

Application No. 14/0615/FULL Continued

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 legacy issues will be controlled by way of the building regulations.

CONSULTATION

Dwr Cymru - Provide advice to the developer regarding a public sewer that crosses the application site.

ADVERTISEMENT

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

Response: None at the time of report.

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.

Is this development Community Infrastructure Levy liable? As the proposed development will not create in excess of 100 metres of additional internal floor space the proposal is not CIL liable.

Cont...

ANALYSIS

Policies: It is considered that the proposed single storey side extension has been well designed in terms of its setting, scale and materials. Given the siting of the development it will have no impact in the streetscene, and very limited impact on the amenity of neighbouring properties by way of any overbearing or overlooking impact. The development is recommended for approval subject to conditions.

Comments from consultees: Welsh Water provide advice to the developer regarding a public sewer that crosses the application site.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

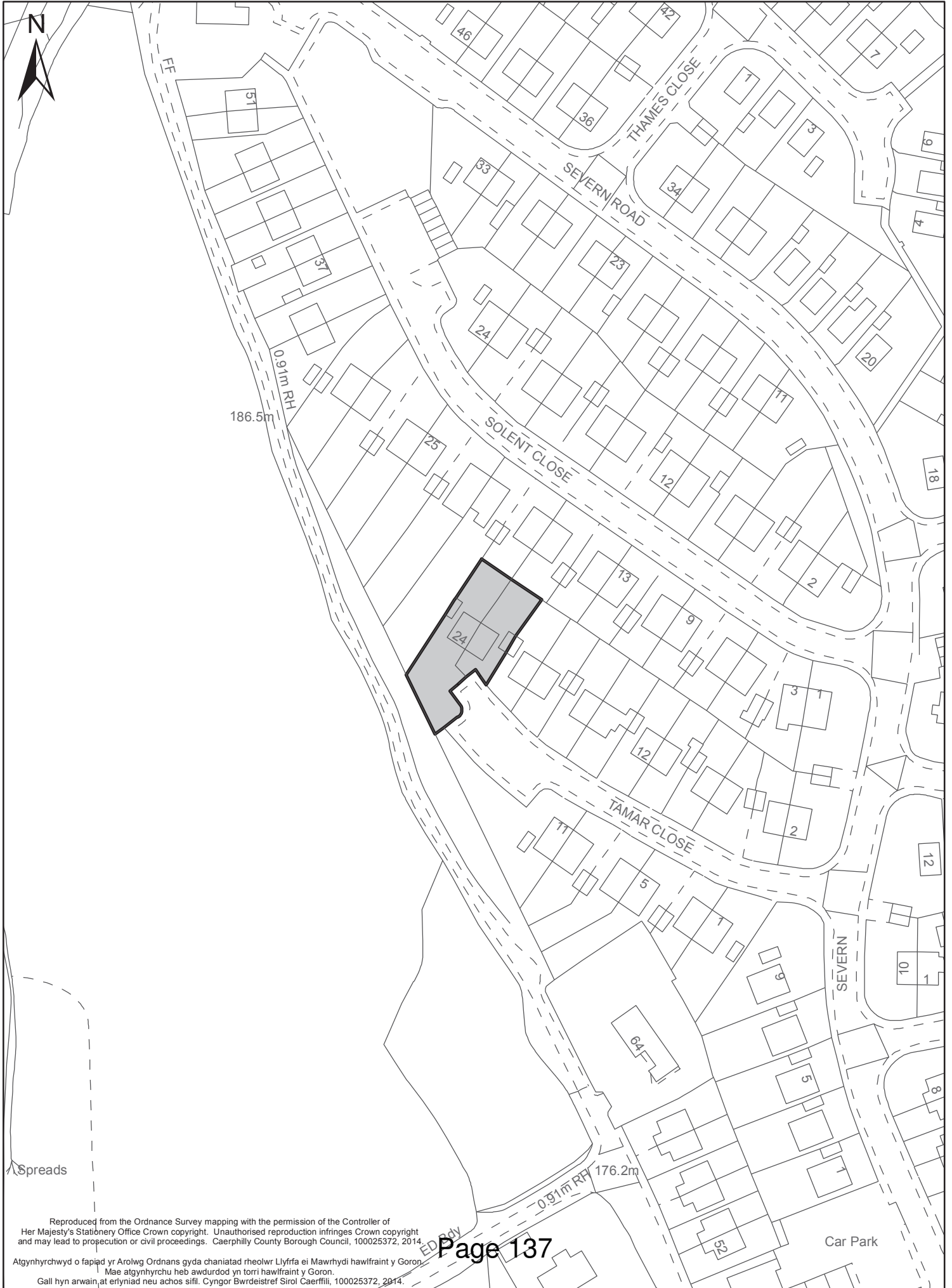
This permission is subject to the following condition(s)

- 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.
- 03) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Proposed elevations and proposed floor plan received on 9th September 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: Policy CW2.

The applicant is advised of the comments of Dwr Cymru/Welsh Water.



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Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirol Caerffili, 100025372, 2014.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0681/FULL 15.10.2014	Mr & Mrs Williams 37 Pen-Y-Waun Road Trinant Newport NP11 3JR	Erect single-storey extensions to the front and rear of the property 37 Pen-Y-Waun Road Trinant Newport NP11 3JR

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: This house is on the west side of Pen-Y-Waun Road, close to its junction with Prince Andrew Road.

House type: This is a semi-detached house finished in brick and concrete tile, with a garden to the front and rear.

Development: It is proposed to erect a single-storey front extension to provide a lounge and hall extension. It is also proposed to erect a single-storey rear extension to provide a kitchen, bedroom and en suite. This application is reported to Planning Committee because the agent is related to an officer of the Council.

Dimensions: The front extension would be 5.9m wide, 1.9m deep, with a mono-pitch roof a maximum of 3.2m in height. The rear extension would be 5.9m wide and 4.1m deep, with a pitched roof 3.7m high at its apex.

Materials: Both extensions would be finished in brickwork and concrete tile.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within settlement limits.

Cont...

Application No. 14/0681/FULL Continued

Policies: Policy CW2 (Amenity) and the advice contained in LDP7 Householder Development.

NATIONAL POLICY Planning Policy Wales (2014) and TAN 12 (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? This is a householder development and this matter will be addressed through the Building Control process.

CONSULTATION

None.

ADVERTISEMENT

Extent of advertisement: Eight neighbouring properties have been consulted.

Response: None at the time of report preparation. The consultation period expires on 11 November.

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.

Cont...

ANALYSIS

The adopted guidance in LDP7 Householder Development states the following:

"Extensions and conservatories should not cast large shadows onto neighbour's houses or gardens. As a general rule single storey extensions near to a ground floor window of any principal room in an adjoining property, should be no longer than 4m, whilst two-storey extensions in the same circumstances should be no longer than 2 metres."

"A 'principal room' can be defined as one of the main rooms of a house, such as a living room, main bedroom and dining room."

"Unless the context allows otherwise, those dimensions could be increased to a maximum of 6m and 4m respectively, where the extension does not breach a line taken at 45 degrees from the centre of the nearest ground floor window of any principal room in an adjoining property, and it would not have an overbearing effect or an adverse impact on outlook."

The proposed front extension will be next to the attached neighbour's living room window, but at 1.9m in depth it will not have a significant impact on that window. Also, the front garden is relatively long, a minimum of 10m, the building line in the street is stepped, and so the extension will not have an adverse impact on the street scene.

The rear extension at 4.1m in length will be slightly deeper than set out in the guidance above, but that will not have a significant adverse impact on the neighbour's rear windows. The adjoining properties to the south are a sufficient distance from the proposal for there not be an adverse impact on their amenity even though they are at a lower level, but a kitchen window that faces them should be obscure glazed, which can be secured by condition.

The recommendation is approval, but the decision notice should not be released until the neighbour consultation period has expired. The application has been reported to Committee in advance of that period finishing to ensure that it is determined within the statutory period of eight weeks.

Comments from consultees: None.

Comments from public: None at the time of report preparation.

Other material considerations: None.

Cont...

Application No. 14/0681/FULL Continued

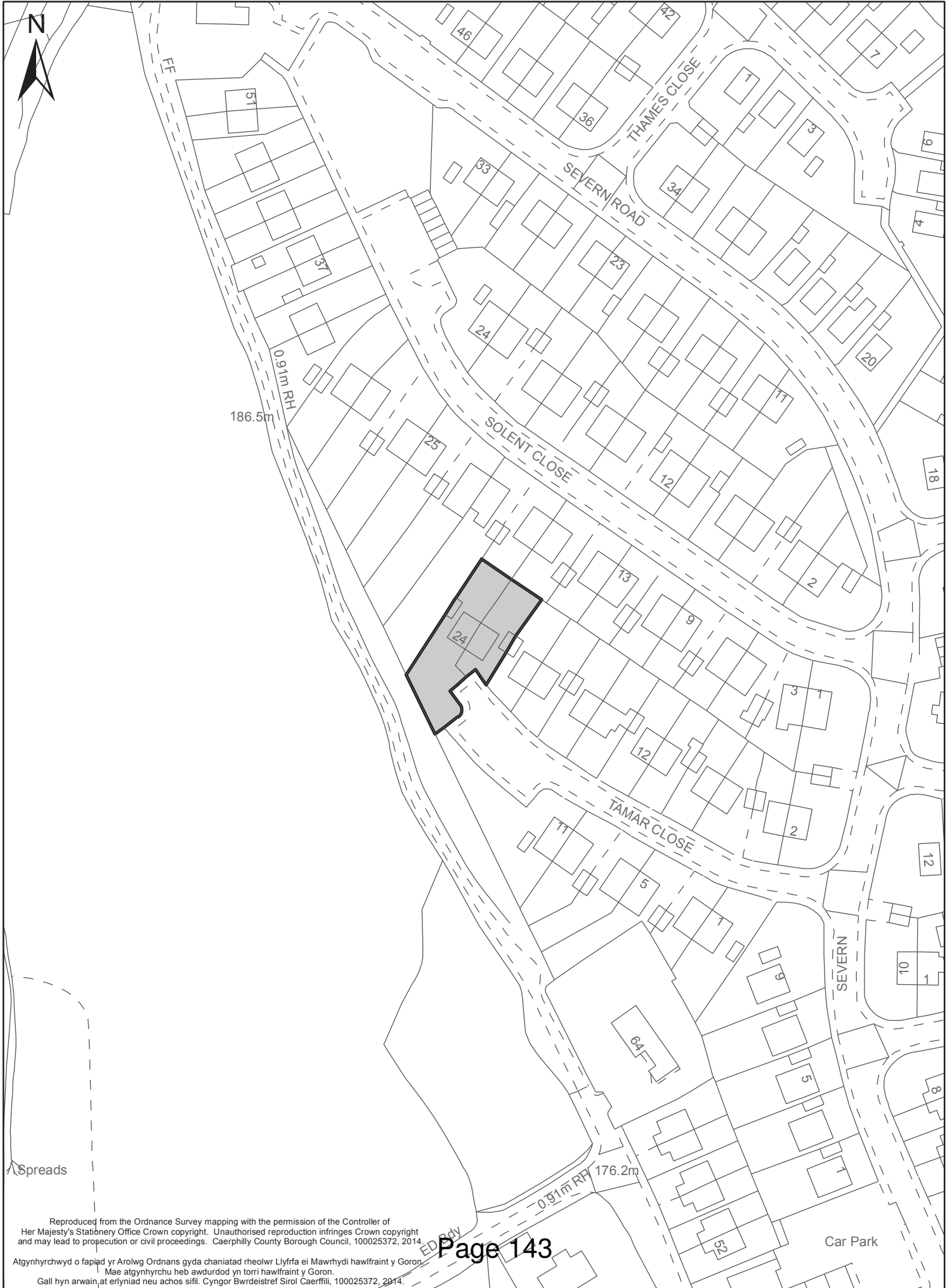
RECOMMENDATION that Permission be GRANTED

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 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.
- 03) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing number 2 received by the Local Planning Authority on 15 October 2014 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the 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 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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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
11/0594/OUT 27.10.2011	Ms V Veale Fernbank 34 Lon-Y-Llyn Caerphilly CF83 1BX	Erect residential development Land Adj To Groeswen Farm Groeswen Road Groeswen Cardiff CF15 7UT

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: This application is in respect to a property adjacent to Groeswen Farmhouse, which is located at the centre of the village of Groeswen. This is a small settlement sited approximately one mile to the west of Caerphilly Town Centre. The village is a formally designated Conservation Area.

Site description: The site is of an irregular shape and is bound to the east and north by open fields, whilst to the south it abuts the main road through the village, on the opposite side of which stands a row of cottages and detached dwellings. To the west it is bounded by the existing farmhouse.

The land is currently occupied by three separate structures. These are as follows:-

1. A lean-to shed which is "L" shaped in plan and adjoins the farmhouse.
2. A barn, which is gable end on to the road and abuts the "L" shaped shed to form a small farmyard area, which is accessed from the road.
3. A garage/shed to the east of the barn, which fronts onto a paddock that has an access onto the road.

All the structures are in varying states of decline.

Development: At the beginning of 2009 an application was submitted under the Planning (Listed Buildings and Conservation Area) Act 1990, which sought consent to demolish these buildings in the Groeswen Conservation Area. The applicant wished to completely demolish all the buildings on this site (i.e. both single-storey sheds and the larger barn). Discussions with the applicant indicated that as the buildings were redundant and ruinous, and they currently served no purpose for agriculture, or otherwise, their retention was, it was argued, unnecessary and detrimental to the appearance of the village. Consequently their removal would be of all-round benefit.

Cont...

Application No. 11/0594/OUT Continued

Planning Committee accepted this argument, which was based on a structural survey on the physical condition of these three elements. A Survey in respect to Bats and Barn Owls was also provided with that proposal.

The current application is in outline and seeks to establish the principle of the residential redevelopment of the site with all matters reserved for approval. The submitted plan shows a pair of semi-detached dwellings with on-site parking and indicates vision-splays of 2 metres x 45 metres. This will result in the removal of the stone wall fronting the road through the village.

This application is similar to the proposal submitted in 2009 (i.e. 09/0932), which also involved the principle of a pair of semi-detached dwellings replacing the existing buildings.

The application seeks to reserve all detailed matters for subsequent approval.

Dimensions: The dwellings have a combined footprint measuring approximately 100 square metres. It is also indicated that no dwelling will exceed 7.5 metres in height. The new access into the site is shown as indicative on plan.

Materials: None shown.

Ancillary development, e.g. parking: On-site car-parking for two spaces to serve the dwellings and one space to serve the adjoining farmhouse (i.e. Groeswen Farm) is indicated.

PLANNING HISTORY

09/0049/CON - Demolish all buildings within site - Granted 22.10.09.

09/0932/OUT - Erect residential development - Refused 04.11.10.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The application site is shown as being located outside the settlement limit identified in the Adopted Plan, and has no specific designation. Groeswen Village itself however sits within a Special Landscape Area which is defined by the plan.

Policies: The policies of relevance to this proposal areas follows: SP5 - Settlement Boundaries. CW3 - Design Consideration - Highways. CW15 - General Locational Constraints. Adopted Supplementary Planning Guidance: LDP5 Car Parking Standards.
Cont...

Application No. 11/0594/OUT Continued

NATIONAL POLICY Planning Policy Wales (July 2014). Chapter 6, Conserving the Historic Environment.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

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

CONSULTATION

Transportation Engineering Manager - raises objection on the basis of the inadequacy of the on-site car-parking provision, and the nature of the substandard access, which cannot be improved due to the protection afforded to the stone wall fronting the highway, which forms an important part of the character of the Groeswen Conservation Area.

Head Of Public Protection - commented that there were no adverse comments to make on this application.

Countryside And Landscape Services - objects to the application on the basis that it represents development which is contrary to the policies in the Local Development Plan which relate to unjustified proposals in the countryside.

Conservation & Design Officer - considers that the development would result in the loss of the wall which forms a key feature in the village and adds positively to the character and appearance of the designated Conservation Area of Groeswen. Such a loss would be contrary to the policy advice contained in Planning Policy Wales (Edition 7 - July 2014), as it relates to Conserving the Historic Environment.

Senior Engineer (Land Drainage) - provides a range of advice on surface water and land drainage flows relating to the development of the land should consent be forthcoming.

Dwr Cymru - raise no objection to the application but wish to pass on advice on drainage matters should consent be granted.

Cont...

Application No. 11/0594/OUT Continued

ADVERTISEMENT

Extent of advertisement: The application was advertised by way of site and press notices, along with direct neighbour consultation letters to eight properties.

Response: In response to this consultation exercise five letters of objection were received.

Summary of observations: The objections raised referred to those previously identified in regard to the similar proposal submitted in 2009 (i.e. ref. 09/0932), which are as follows:

1. The application is only for financial gain and not for the benefit of residents of the village.
2. The approval of this proposal would result in increased parking problems and traffic movement in an already restricted situation.
3. The character of the village is being adversely affected by this, and similar developments.
4. On-site parking is inadequate.

The applicant also submitted a further letter relating to the removal of the boundary wall, which residents felt was part of the character of the village. The basis of this letter was that the original wall fronting the highway had previously been demolished and re-built some years ago. The letter indicates that the site had remained open for a number of years before it was re-built and no-one from the Council or residents of Groeswen village raised any objection to its removal during that time.

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 determination of this application will adversely impact on the issues of crime and disorder in this area.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The previously approved Conservation Area Consent (i.e. 09/0049/CON) approved for the demolition of the buildings, was accompanied by a Bat and Barn Owl Survey, the consent was subsequently conditioned to protect the habitats of such species in the area. This previous consent remains linked to any redevelopment of the site.

Cont...

Application No. 11/0594/OUT Continued

Is this development Community Infrastructure Levy liable? No. The proposal is for outline permission and as such the Levy is not payable at this stage.

ANALYSIS

Policies: The policies of relevance to this site in respect to its location are SP5 and CW15. The first of these relates to the defining of settlement boundaries. Such boundaries are a key mechanism for achieving resource efficient settlements and to indicate where growth will be permitted. Criterion D of that policy states that they are necessary in preventing inappropriate development in the countryside.

As indicate above the Village of Groeswen is outside the identified boundary and is therefore in the open countryside.

Allied to this policy is CW15, this policy contains a criterion (i.e. C) which links into the settlement policy by identifying types of proposed development which will be permitted outside settlement boundaries. These are as follows:

- i. Associated with either agriculture, forestry or the winning and working of minerals or
- ii. For the conversion, rehabilitation or replacement of rural buildings and dwellings, or
- iii. For recreation, leisure and tourism proposals that are suitable in a countryside location or
- iv. Associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere or
- v. Associated with the reclamation / treatment of derelict or contaminated land.

The dwellings proposed conform to none of the exceptions identified. The second of these refers to residential development but it concentrates on the replacement of rural buildings and dwellings. The buildings concerned are agricultural in nature and are not dwellings. As such to replace them with dwellings is contrary to the wording of this exception.

The proposal is therefore considered to be contrary to these policies.

The remaining policy of relevance is CW3. This relates to highway design considerations. The first criterion of this policy states that the development should satisfy the following requirement:

"The proposal has regard for the safe, effective, and efficient use of the transportation network."

Cont...

Application No. 11/0594/OUT Continued

The Transportation Engineering Manager has commented that the substandard nature of the site access, in terms of adequate vision-splays along with the additional use of this access which will result from the development, make the proposal unacceptable.

He has considered the site history and notes that the Conservation Area consent granted for the buildings contained a condition which protected the stone wall fronting the highway from demolition due to the importance of this structure in respect to the character of the conservation area of Groeswen. As such there is little flexibility in the ability to increase the vision splays to the required distance of 2 metres x 45 metres.

The Engineers also considered the on-site parking provision and concluded that having regard to the size of the footprints (i.e. 50 square metres) of the dwellings they could accommodate a standard three bed house. This assumption is considered to be reasonable as the previous submission contained two properties with smaller footprints (i.e. 30 square metres) which the applicant indicated at that time were going to be three-bed in design.

The Council's Adopted Car-Parking standards require a parking space for every bedroom up to a limit of three. Consequently the pair of semi-detached dwellings indicated here would require a total of six spaces to serve the houses. In certain instances a reduction in the number of such spaces is allowable. However in view of the rural location of the site, the absence of public transport and the already poor parking situation in the village, it is not considered that any reduction can be permitted in this instance. In any event the difference between what can be provided and what is required is of such significance that a limited reduction would still result in an inadequate on-site parking situation.

In the circumstances the development is considered to be contrary to both Policy CW3 and the adopted Supplementary Planning Guidance contained in LDP5 Car Parking Standards.

With regard to National Policy, Planning Policy Wales (July 2014). Chapter 6, Conserving the Historic Environment, contains the following advice under Paragraph 6.5.17:

“Should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission.”

Cont...

Application No. 11/0594/OUT Continued

The Council's Listed Building and Conservation Areas Officer indicates that in order to satisfy highways requirements for sufficient visibility splays for access into and out of the site, the development would involve the demolition of a natural stone boundary wall along the curtilage boundary between the land to the east of Groeswen Farmhouse and the only highway through Groeswen. It forms a key feature in the village and adds positively to the character and appearance of the designated Conservation Area of Groeswen.

On this basis it is considered that the proposal is contrary to the policy advice contained in Chapter 6 of Planning Policy Wales.

Comments from Consultees: The Highway Section and the Listed Buildings and Conservation Officer both commented that they raised objection to the application. In the prevailing circumstances neither party considered that their objections could be overcome by the use of conditions.

The Countryside and Landscape Officer also objected to the proposal on policy grounds relating to the unjustified approval of residential development outside of the identified settlement limits.

Comments from public: The responses to the objections made to the members of the public are as follows:

1. The issue of financial gain is not a material planning consideration in respect to the outcome of this application.
2. The questions of parking and vehicle movement on the public highway are ones that have been assessed by the Transport Engineering Manager. In this regard he considered that the proposal could result in additional on-street parking.
3. The impact on the character of the development on the village is accepted as a valid objection, for the reasons outlined in this report.
4. The on-site parking provision as shown on the submitted plan is considered to be inadequate to accommodate the six car-parking spaces required.

For the reasons contained in the above report it is considered that the proposed development is unacceptable and should be recommended for refusal.

Other material considerations: None.

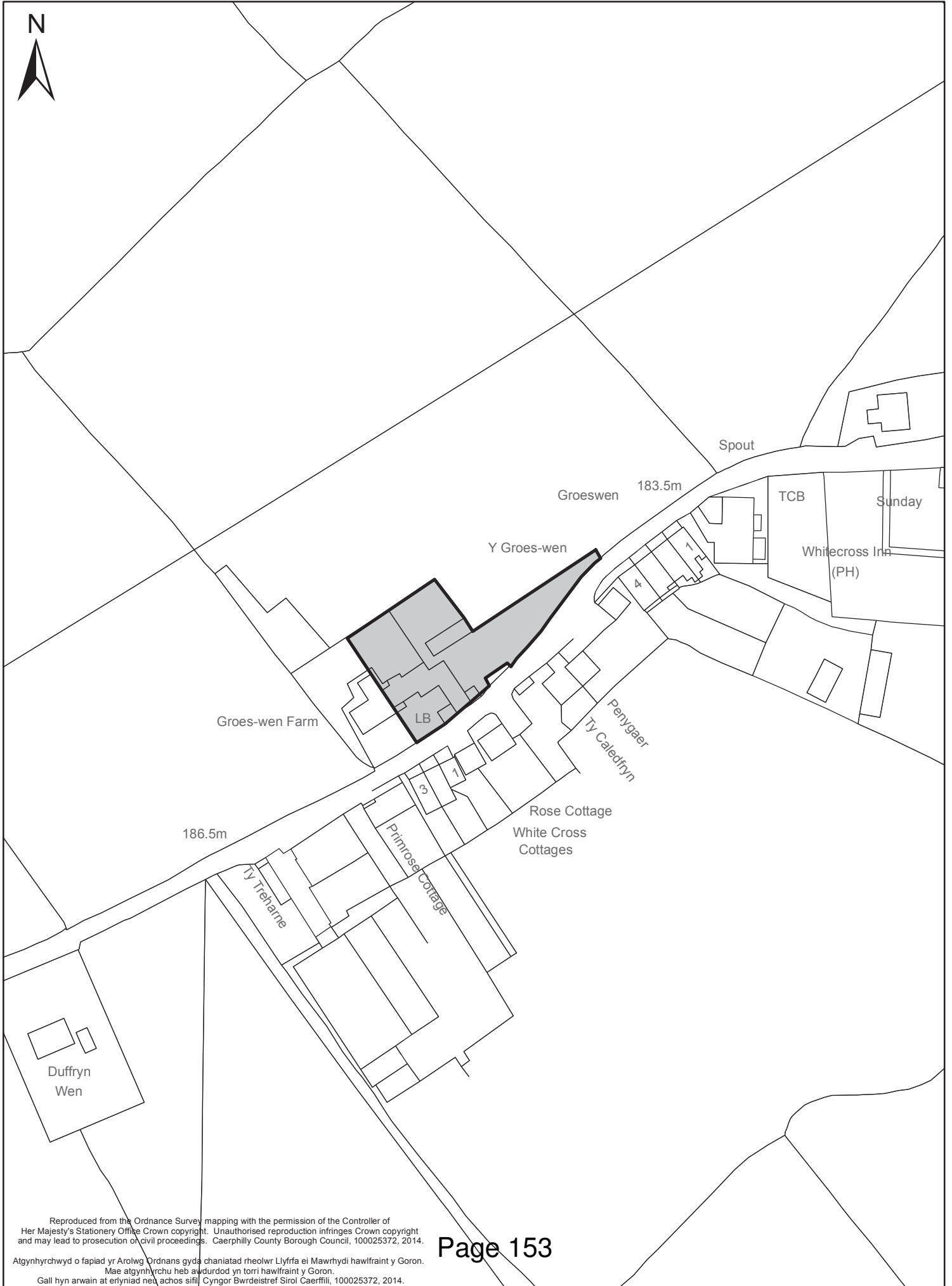
RECOMMENDATION that Permission be REFUSED

Cont...

Application No. 11/0594/OUT Continued

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

- 01) The site lacks sufficient frontage to provide vision splays of 2.0m x 45m to cater for vehicles emerging onto the highway, which will create traffic hazards to the detriment of highway safety. The development would therefore be contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
 - 02) The proposed additional use of the existing substandard access indicated will create increased traffic hazards to the detriment of highway safety. The development would therefore be contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
 - 03) The proposal is contrary to the objective of Chapter 6 of Planning Policy Wales Edition 7 - July 2014 - Conserving the Historic Environment, in that the loss of the stone wall fronting the only highway through Groeswen, would detrimentally affect the character and appearance of the conservation area.
 - 04) The proposal is contrary to the Council's Adopted Car-Parking Standards, contained in Supplementary Planning Guidance LDP5, Which requires adequate on-site parking provision to deal with the vehicles serving the development. The scale parameters of the dwellings proposed will result in a greater provision of car-parking per dwelling than the one space per unit indicated on the submitted plan.
 - 05) The proposed development is contrary to Criterion D of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 Policy SP5 (Settlement Boundaries), in that it represents inappropriate development in the countryside.
 - 06) The proposal is contrary to Criterion C of Policy CW15 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, in that it constitutes development outside the settlement boundaries which does not conform to any of the exceptions contained in Criterion C of that policy.
-



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Agenda Item 18

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0735/RM 12.10.2012	The Representative Body Of The Church In Wales & The Llandaff Diocesan Board Of Finance 39 Cathedral Road Cardiff CF11 9XF	Seek approval of the reserved matters regarding appearance, landscaping, layout and scale approved under planning application 08/1210/OUT (Erect eight dwellings) Site Of Former All Saints Church Pencerrig Street Llanbradach Caerphilly

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: The site is located centrally within the village of Llanbradach, which is a former mining settlement sited approximately one mile to the north of Caerphilly. It was formerly the site of a large church which was demolished in the 1990s. The site also lies within the Llanbradach Conservation Area.

Site description: The application area is irregular in shape and has a road frontage on two sides (i.e. to the east and south). To the west it borders the site occupied by the Church Hall and to the north it abuts residential development.

Development: The proposal is a reserved matters submission for the provision of eight dwellings, on land granted outline permission on appeal, in 2009. The outline consent dealt with the point of access into the site, which is to be off Pencerrig Street which runs to the south. The current submission therefore seeks consent for the remaining detailed matters relating to the proposal (i.e. appearance, landscaping, layout and scale).

The applicant has submitted a layout showing eight houses (one detached, two pairs of semi-detached and a terrace of three). These all front onto the adjoining highways and thereby form part of the street scenes of those roads. The detached and semi-detached properties have three bedrooms, whilst the terrace comprises three dwellings with two bedrooms each.

Cont...

Application No. 12/0735/RM Continued

Parking for 10 cars is provided on-site, in the form of a parking court at the rear of the houses.

The submitted plans show that the houses will all be two storey in height, to match that of the neighbouring terraced houses. Each dwelling will be served by its own amenity space.

Dimensions: All the properties are approximately 7 metres in height. The detached dwelling has a floor area measuring 55 square metres (approx.), whilst the floor areas of the semi-detached dwellings total 51 square metres per unit. Each of the dwellings comprised in the terrace of three properties has a floor area of roughly 40 square metres.

Materials: No details of finishes are shown.

Ancillary development, e.g. parking: The proposal shows parking for 10 cars is provided on-site, in the form of a parking court at the rear of the houses.

PLANNING HISTORY

5/5/93/0552 - Demolish the All Saints Church - Refused 19.11.93.

08/1210/RM - Erect 8 dwellings - Allowed on appeal 15.10.09.

08/1211/CON - Demolish existing gable to Church Street to create new entrance and demolish two out-buildings for proposed car park - Appeal dismissed 15.10.09.

08/1222/FULL - Convert existing All Saints Church Hall into four bed apartments and six bedsits - Appeal dismissed 15.10.09.

11/0901/CON - Demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park as part of the Conversion of All Saints Hall into six one bedroom apartments, six bedsits and external works - Granted 21.06.12.

POLICY

LOCAL DEVELOPMENT PLAN

Cont...

Application No. 12/0735/RM Continued

Site Allocation: The site is located within the settlement limit identified in the Adopted Local Development Plan. In that plan it is identified for a G.P. Surgery. The site is also within the boundary of the Llanbradach Conservation Area.

Policies: The policies of relevance in the Local Development Plan are as follows:

1. CW2 – Amenity.
2. CF1 - Community Facilities.

NATIONAL POLICY Planning Policy Wales (Edition 7).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The issue of coal mining was not considered to be material at the outline stage.

CONSULTATION

Transportation Engineering Manager - raises no objection subject to conditions relating to parking materials, the completion of the parking areas prior to occupation, vision splays at the access of a required standard and any gates being safely located.

Head Of Public Protection - has no adverse comments to make on the application but does require the imposition of a condition relating to the importation of material to be attached to any permission granted.

Senior Engineer (Land Drainage) - requires a condition to be attached to the consent which states that prior to the commencement of any development of the site the applicant must submit to the authority, and receive written approval of, comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010.

Cont...

Application No. 12/0735/RM Continued

Dwr Cymru - make comments in relation to the drainage of the site to the adopted sewerage system. They do not object to the application but raise matters which they consider should be passed on to the developer as advice.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by way of site and press notices, along with direct neighbour consultation letters to 14 properties.

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? It is not considered that the determination of this application will result in a significant increase in crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The outline planning application was granted after the demolition of the church building, which involved the clearance of the application site.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No, because the outline planning permission was granted before CIL was introduced.

ANALYSIS

Policies: It is firstly acknowledged that the outline permission granted on appeal addresses the principle of development. This submission seeks to consider the acceptability of the detail of the submission. Policy CW2 is a standard policy designed to ensure that development satisfies certain basic requirements. These are:

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.
Cont...

Application No. 12/0735/RM Continued

- B. The proposal would not result in overdevelopment of the site and / or its surroundings.
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use.
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

With regard to the first of these criteria there is not considered to be any unacceptable impact on the surroundings. The area is predominantly residential in nature and as such the proposal will reflect the existing urban use.

The site has consent for eight dwellings and the layout submitted provides a reasonable disposition of the dwellings in respect to the site area. It also provides for adequate amenity space and on-site parking. Criterion B is therefore considered to be complied with.

The third criterion relates to the compatibility of the development with its surroundings. It is considered that the outline permission has addressed the compatibility issue whilst the layout ensures that the adjoining land is not constrained by its development.

The final requirement of this policy is considered to be satisfied in that there are no adjoining land-uses which could fall into the stated circumstances.

The other policy of relevance is CF1 (Community Facilities). Whilst the Local Development Plan identifies the site as having a designation as a new G.P. Surgery, it must be acknowledged that the land has an outline permission for residential purposes. In the circumstances it is quite proper to consider the reserved matters submission on the basis of its link to the previous appeal decision which authorised the development of the land for eight dwellings.

Consequently the policy is not over-riding in this case.

With regard to the general advice in respect to housing proposals contained in Planning Policy Wales, it is considered that the application generally accords with this advice in respect to the re-use of brownfield land, the integrated nature of the site in respect to existing settlement patterns and the acceptable impact of the site on its surroundings. This document is not considered to contain any advice which would sustain a reason for refusal of consent for this proposal.

Cont...

Application No. 12/0735/RM Continued

In respect to the development's impact on the conservation area it is considered that the scale, design and mix of properties is in keeping with that of the surrounding dwellings and improves the current appearance of the area from the main road. It is therefore not considered to detrimentally affect that designated area.

Consequently there are no policy objections to this application.

Comments from Consultees: None of the consultees raise an objection to the application, albeit a number do require the imposition of conditions to be attached to any consent granted in order to control the proposal to an acceptable level.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) 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.
- 02) Prior to development commencing details of the materials to be used in respect to the parking areas at the site shall be submitted and agreed in writing with the Local Planning Authority. Thereafter the parking areas shall be completed in the agreed materials prior to the occupation of the dwellings approved, to ensure loose stones or mud etc. are not carried on to the public highway.
REASON: In the interests of highway safety.
- 03) 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. 12/0735/RM Continued

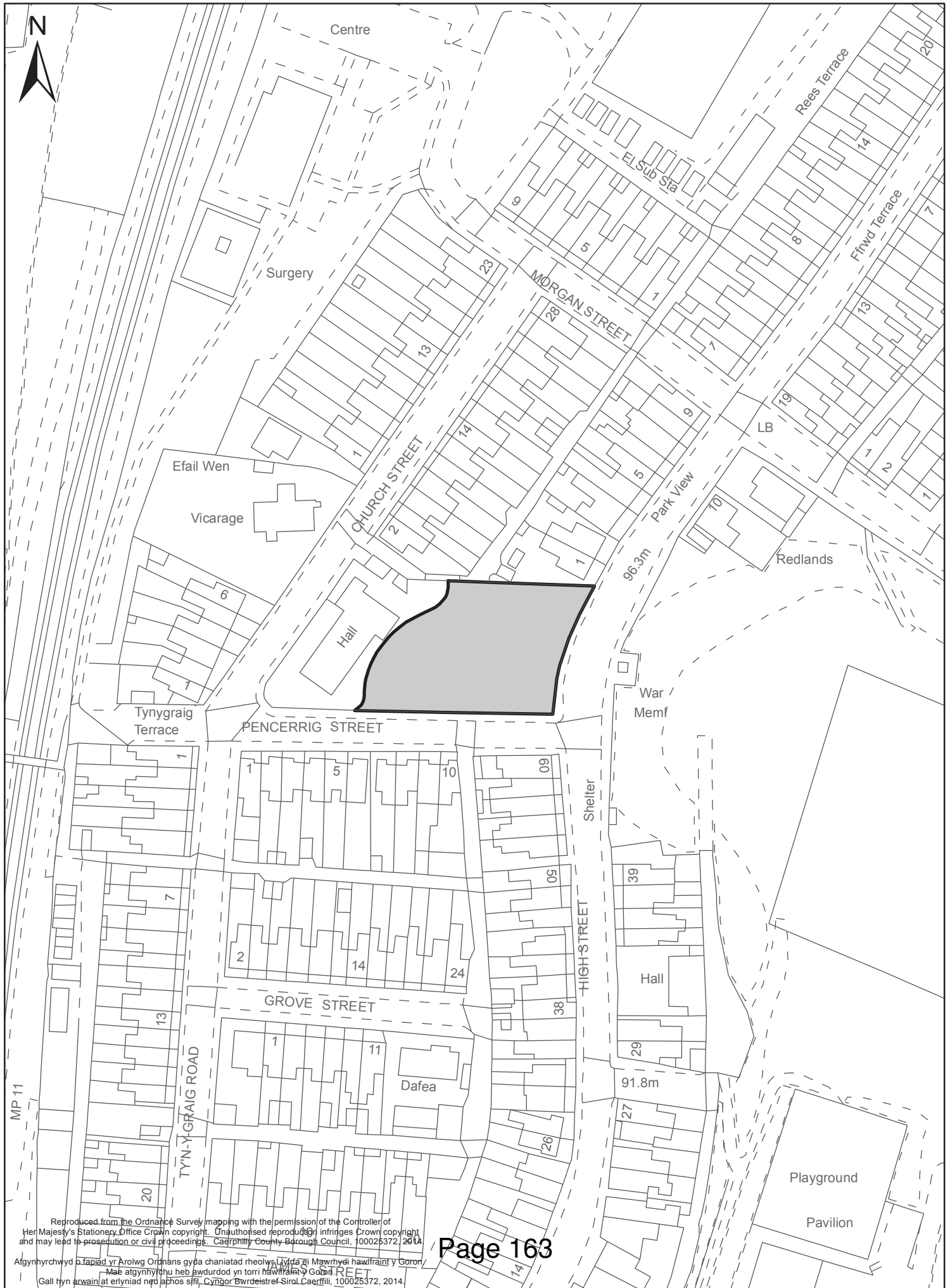
- 04) The proposed private drive serving the development shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority prior to the development commencing. Thereafter the driveway shall be completed prior to the beneficial occupation of the dwellings.
REASON: In the interests of highway safety.
- 05) Any gates fitted shall be located and fitted so as not to open out over the highway.
REASON: In the interests of highway safety.
- 06) The proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m x 33m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 07) 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.
- 08) 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.

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.

Please find attached the comments of Transportation Engineering Manager, Head of Public Protection, Senior Engineer (Land Drainage) and Dwr Cymru/ Welsh Water that are brought to the applicant's attention.

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Atgynhychwyd o fapiaid yr Arolwg Ordnans gyda chaniatod rheolwyr Llyfrfa a Mawrhydi hawffraint y Goron. Mae atgynhychu heb awdurdod yn torri hawffraint y Goron. Gall hyn arwain at erlyniad net a phos sſifi. Cyngor Bwrdeistref Sirol Caerphilly, 100025372, 2014.

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Agenda Item 19

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0422/NCC 24.07.2014	Mr A Price C/o Barton Willmore Mr M Roberts Greyfriars House Greyfriars Road Cardiff CF10 3AL	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 Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

APPLICATION TYPE: Development without complying with conditions

SITE AND DEVELOPMENT

Location: The application site is an in-vessel composting facility at Gelliargwellt Uchaf Farm, Gelligaer. The farm is a dairy farm with land between Trelewis, Gelligaer and Nelson but waste management facilities have also been developed, including a materials recovery facility (MRF) and waste transfer station (WTS), open windrow composting as well as the in-vessel composting facility (IVF). A small quarry has also been developed with permission for restoration by infilling with inert waste, and permission exists for an anaerobic digestion (AD) facility which has yet to be built.

Site description: The site lies to the north west of the farm buildings on a flat platform adjacent to the MRF. The land rises to the east of the building and falls to the west. A wooded valley lies to the south, separating the IVC facility site from the MRF site, which lies on higher, made ground to the south.

The IVC facility has a dedicated access running alongside the farm access. The process takes place within a large steel framed building. Food waste and green waste are delivered to the site and deposited in the reception area within the building, from where it is loaded into one of 6 clamps. The compost is left to mature within the clamps and is eventually used as a soil improver on the farm or is blended with recycled soils from the MRF. The compost product has Publicly Available Specification (PAS100) accreditation.

Development: This is an application under section 73 of the 1990 Act to vary a condition attached to a planning permission for an in vessel composting operation at the above location. Condition 6 of permission reference P/04/1912 states:

Cond...

Application No. 14/0422/NCC Continued

"Operations authorised by this permission, including vehicles entering or leaving the site shall take place solely between the hours of:- 0730 to 1800 hours Monday to Friday and 0730 to 1300 hours Saturday.

No operations shall take place on Sunday, Bank or Public Holidays except in exceptional circumstances with the prior written agreement of the Local Planning Authority."

The application seeks to amend the hours of operation to allow food waste to be delivered to the facility on Saturday afternoons and bank holidays in addition to the permitted hours. The applicant states that municipal food waste collections are now taking place on Saturdays and bank holidays. Food waste is delivered to the site from municipal collections and cannot be stored in the refuse collection vehicles (RCVs) as it would breach the licence requirements and because it needs to be stored in a controlled environment.

The applicant seeks to substitute the following condition:-

"Operations authorised by this permission, including vehicles entering or leaving the site, shall take place solely between the hours of:- 0730 to 1800 hours Monday to Friday, 0730 to 1600 hours Saturday and 0730 to 1300 hours on Bank Holidays.

No operations shall take place on Sunday, except in exceptional circumstances with the prior written agreement of the Local Planning Authority."

PLANNING HISTORY

5/5/95/0362 - Improve agricultural land by means of landfilling of inert waste - Granted 19.10.1995.

5/5/96/0044 - Amend condition (e) of planning consent 5/5/95/0362 - Granted 19.03.1996.

P/97/1033 - Improve agricultural land by means of landscaping inert waste - Granted 27.02.1998.

P/99/0549 - Amend operations at and extend area of transfer station - Granted 23.09.1999.

P/00/0383 - Develop green composting facility - Granted 05.10.2000.

Cont...

Application No. 14/0422/NCC Continued

P/01/0234 - Continue use of land as and extension to transfer station - Granted 02.08.2001.

P/00/0771 - Develop horse riding facility on land that is principally reclaimed landfill - Granted 28.02.2002.

P/03/1555 - Amend Condition (1) of planning permission P/00/0383 from 5 years to 25 years for the green composting facility - Granted 04.03.2004.

P/03/1567 - Develop in-vessel composting facility incl. a waste reception building, closed vessels, open window area and drainage controls and access - Granted 30.04.2004.

P/04/1256 - Retain picking belt to improve recycling - Granted 07.10.2004.

P/04/1912 - Develop an invessel composting facility, including waste reception building and closed vessel canopy, open wind row areas, drainage controls and access - Granted 11.03.2005.

P/05/1038 - Vary conditions 4, 8 and 16 of planning consent P/01/0234 - Granted 06.10.2005.

P/05/1103 - Vary Condition (4) opening hours, Condition (3) operation of shredder and Condition (5) height of wind rows on Planning Application P/03/1555 - Granted 13.10.2005.

08/0675/NCC - Delete Condition 16 of planning permission ref. P/01/0234 to operate waste transfer station on a permanent basis - Refused 24.04.2009.

09/0228/NCC - Delete Condition 16 and amend Condition 15 of previous consent 07/0063/NCC in respect of hours to receive waste, hours of operation and type of materials to be received - Granted 25.03.2010.

09/0968/FULL - Erect building to incorporate anaerobic digestion facility with associated engineering and landscaping works - Withdrawn 02.11.2010.

10/0429/RET - Retain and complete earthworks - Granted 04.11.2010.

11/0224/FULL - Erect building and tanks to incorporate anaerobic digestion facility with associated plant, engineering and landscaping works - Refused 08.12.2011.

Cont...

Application No. 14/0422/NCC Continued

11/0226/FULL - Provide permanent operation of materials recycling facility and erection of new building - Refused 08.12.2011.

11/0227/NCC - Delete condition 13 of planning permission ref 10/0429/RET to remove requirement to reduce height of bund to 1 metre above the adjoining ground level - Granted 08.12.2011.

12/0570/FULL - Extend existing quarry operations including new drainage system and settlement ponds, landscape bunds and associated works - Granted 08.08.2013.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within a special landscape area, and a coal and a sandstone safeguarding zone.

Policies: CW2 Amenity, NH1.2 SLA, MN 2.6 Coal Safeguarding, CW4 Natural Heritage, CW22 Locational Constraints Minerals, CW3 Highways.

NATIONAL POLICY Towards Zero Waste - One Wales One Planet 2012, Planning Policy Wales (2014), TAN 21 Waste.

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 site is within a referral area but the proposal is not for built development and no coal mining risk assessment is required.

CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection.

Gelligaer Community Council - No comment.

Cont...

Application No. 14/0422/NCC Continued

ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of a site notice and letters to 67 local addresses.

Response: None received.

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? No. The application relates to a variation of condition on an existing consent.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: National planning policy is generally supportive of proposals for more sustainable waste management subject to consideration of the impacts on amenity, landscape, traffic and ecology. The proposal relates to an existing facility which recycles food waste to give an accredited fertiliser for use on the host farm and for sale. It is, therefore, consistent with the principle of moving waste up the waste hierarchy and reducing the amount of waste sent to landfill. The proposal does not seek to increase the throughput at the facility so it would not provide additional waste management capacity but it would overcome an obstacle to the management of the existing facility that could not have been foreseen when permission was granted in 2005.

The proposal does not involve any additional built development and, therefore, does not conflict with these policies MN 2.6 Coal Safeguarding, CW4 Natural Heritage, CW22 Locational constraints Minerals, NH1.2 SLA.

It is not intended to increase the throughput of the IVC facility and the Council's Transportation Engineering Manager has raised no objection.

Cont...

Policy CW2 (Amenity) requires 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 will not result in overdevelopment of the site and / or its surroundings;
- C. The proposed use is compatible with surrounding land uses and would not constrain the development of neighbouring sites for their identified land use;
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

The main issue in this case is whether the extended hours would have an adverse impact on the amenity of local residents. Permission was granted in 2013 for an anaerobic digestion facility (ADF) on land adjoining the IVCF. The permitted hours for the ADF do not include delivery and export of waste on Saturday afternoons or Bank/ Public holidays. At the same time permission was granted for a materials recycling facility (MRF) to the south of the application site. Deliveries of waste to the MRF from civic amenity sites only was allowed on Saturday afternoons, Sundays and Bank Holidays. The justification for this was that the civic amenity sites were most used at weekends and bank holidays and, therefore, the ability to empty the containers at those times supported sustainable waste management objectives by allowing people to recycle more. The hours were in line with earlier temporary permissions for the MRF.

Although no objections have been received to this application specifically, local residents have raised concern on a number of occasions about odour at the IVCF. This has been addressed through a number of measures and a liaison committee has been established to facilitate discussion of the issues. At the inquiry into the refusal of permission for the ADF the applicant stated that the company intended to receive "pure" food waste to the ADF and for the IVCF to deal with a greater proportion of green waste. However, the ADF has not yet been built. The proposal would not change the type or the amount of material received at the site in accordance with the existing permission. The air quality impact assessment carried out for the ADF application and appeal, which took account of the IVCF, has been reviewed by the authors, who concluded that the extension of hours would not result in changes that would adversely affect residential amenity.

Cont...

Application No. 14/0422/NCC Continued

The model used in the air quality assessment assumed continuous steady state emissions over a 24 hour day, 365 days a year. The predicted odour impacts, would not, therefore, be affected by the changes to waste reception. Head of Public Protection has considered the supplementary report and has not raised any objection.

A number of complaints have previously been received about traffic movements to and from the site, particularly at weekends and holidays. The additional hours proposed for delivery of food waste include three hours on Saturday afternoons throughout the year, and 5.5 hours on a maximum of eight bank holidays. The applicant estimates that there would be 14 HGV trips (28 vehicle movements) on a typical Bank Holiday, and no more than 2 trips (4 movements) per hour. The site has direct access to the main highway network and the proposal would not increase the number of permitted vehicle movements, although it would increase the spread of vehicle movements across the week, which may have implications for the amenity of residents on the routes to the site. A transport statement has been prepared on behalf of the applicant which considers the impact of the proposed additional hours. The report concludes that in highway capacity terms there would be no material impact on highway operation or safety either for Saturday afternoons or Bank Holidays. The council's Transportation Engineering Manager has raised no objection.

In terms of noise generation, deliveries, shredding of waste and loading of the vessels take place within the building. The main source of noise is from the vehicles entering and leaving the site and travelling on the public highway. However, the vehicles associated with the proposal would form only a very small proportion of the vehicles on the road and the property most affected by additional highway noise is in the ownership of the company. An environmental noise assessment carried out by the applicant identified four noise sensitive properties, Top Hill Farm, Green Acres, Claerwen estate and Llancaich Isaf Farm. Ambient noise levels were monitored on a Sunday and compared with the predicted increase as a result of the proposal which was generated from traffic flow data for Gelligaer Road and noisemap modelling. The impact was found to be negligible. The decibel increase on Gelligaer Road from an hourly increase of 4 HGV movements was found to be a maximum of 0.1.

Comments from Consultees: No objections or comments have been received.

Comments from public: No objections or comments have been received.

Other material considerations: None.

Cont...

Conclusion

The proposed variation to the hours for delivery of food waste would facilitate the treatment and recycling of food waste locally in accordance with national policy guidance. Information has been provided on the likely impact of the proposed development on noise, traffic, and odour and no objection has been received in response to consultation.

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) Nothing other than botanical, catering and kitchen wastes shall be deposited and treated at the site for use in the composting process hereby approved.
REASON: To define the extent of this consent and because other waste types may raise environmental and amenity issues that would require fresh consideration.
- 03) Operations authorised by this permission, including vehicles entering or leaving the site, shall be restricted to the following periods:

07.30 to 18.00 Monday to Friday

07.30 to 13.00 Saturday

No operations shall take place on Sundays or Bank Holidays or Public Holidays other than as indicated below:

The site may be open for the receipt of waste from local authority food waste collections between the following hours:

07.30 to 18.00 Monday to Friday

07.30 to 16.00 Saturday and

07.30 to 13.00 on Bank Holidays or Public Holidays

REASON: To protect the amenity interests of local residents.

Cont...

Application No. 14/0422/NCC Continued

- 04) No waste shall be stored or shredded outside the reception building and the vessels and waste shall not be stored within the reception building for longer than 24 hours. Any waste materials not suitable for the composting process shall be stored in a designated covered container prior to being removed from the site.
REASON: To protect the amenity interests of local residents.
- 05) Commercial vehicles shall not enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.
REASON: In the interests of amenity and highway safety.
- 06) The landscaping scheme approved in accordance with condition 12 of consent reference P/04/1912 shall be maintained for the duration of the development.
REASON: In the interests of visual amenity.
- 07) The development shall be carried out in accordance with the approved noise monitoring scheme. Between the hours of 07.00 and 19.00 the noise levels arising from the development shall not exceed 55 dB (LAeq) (1 hour) freefield at any noise sensitive property.
REASON: To protect the amenity interests of local residents.
- 08) Between the hours of 19.00 and 07.00 the noise levels arising from the development shall not exceed 42 dB (LAeq) (1 hour) freefield at any noise sensitive property.
REASON: To protect the amenity interests of local residents.
- 09) The development shall be carried out at all times in accordance with the approved dust suppression scheme.
REASON: To protect the amenity interests of local residents.
- 10) Any facilities for the storage of oils, fuels or chemicals shall be sited on an impervious base 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% or, in the case of multiple tanks, the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.
REASON: To protect the amenity of local residents.

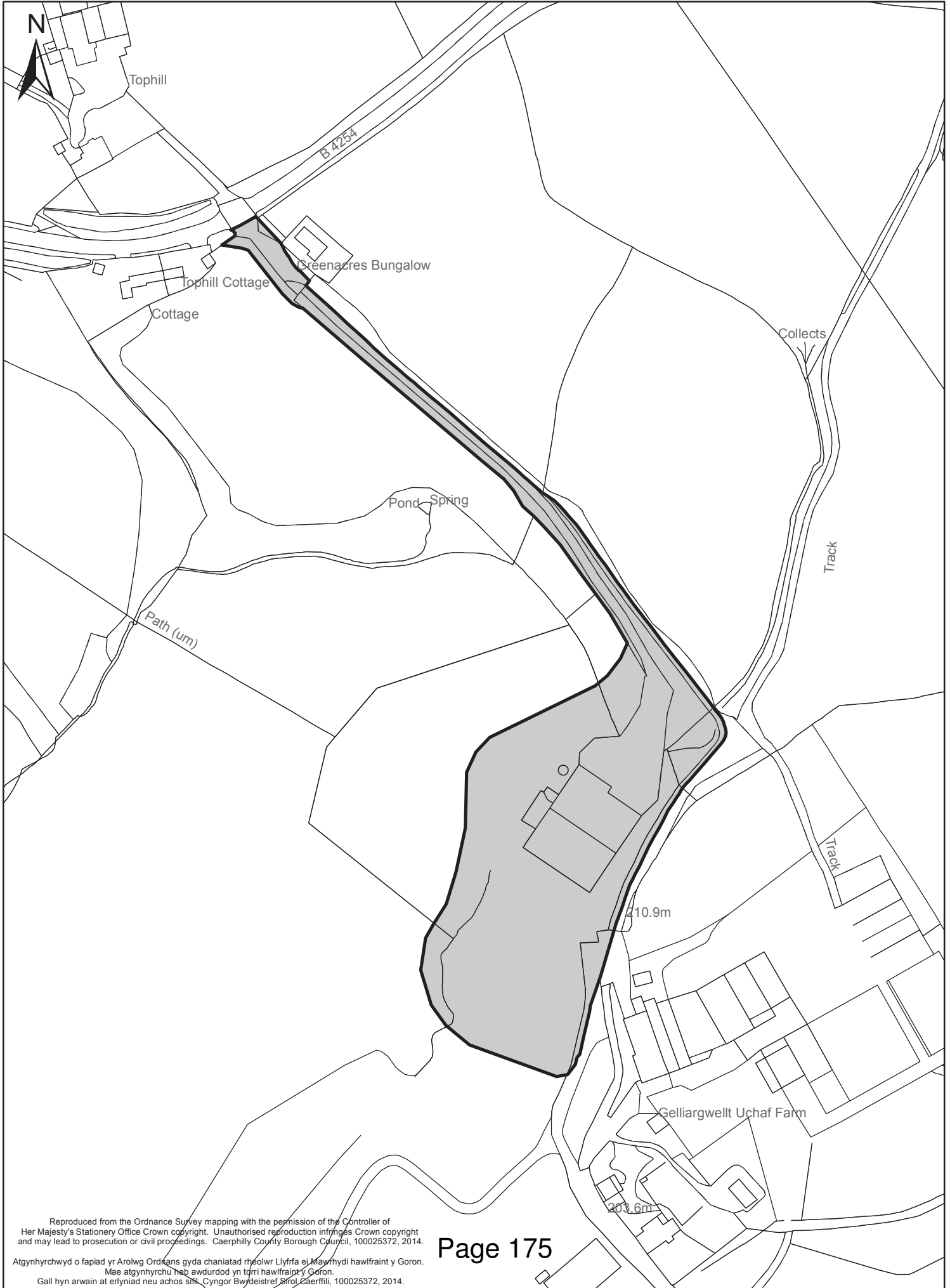
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Application No. 14/0422/NCC Continued

- 11) Within three months of the permanent cessation of composting operations a scheme detailing measures to be taken to restore the site to agricultural use shall be submitted for the approval of the Local Planning Authority. The scheme shall be implemented in full within twelve months of its approval.
REASON: To ensure the satisfactory restoration of the site once operations are completed.

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
14/0582/FULL 27.08.2014	Hanson UK Hanson Aggregates Machen Quarry Commercial Road Machen Caerphilly CF83 8YP	Relocate existing inert recycling operation to new location within the confines of Machen Quarry Hanson Aggregates Machen Quarry Commercial Road Machen Caerphilly CF83 8YP

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Machen Quarry is located on the southern limestone outcrop 13 kilometres north-east of Cardiff, 7 kilometres east of Caerphilly and 7 kilometres north-west of Newport. The county boundary with Newport City runs along the eastern flank. The quarry produces dolomitic limestone for general aggregate use and also limestone for rail ballast, although it has been mothballed since the summer of 2012. It is the only quarry in the county borough that is rail linked. Road access is directly onto the A468 Caerphilly to Newport road. The quarry is long established and has the benefit of permission until 2042.

Site description: The quarry as a whole covers an area of approximately 64 hectares and the benches are cut into the south-west facing slope of Mynydd Machen. The application site comprises 1.6 hectares of land on one of the lower quarry benches at 118m AOD immediately to the north-east of the main fixed quarry processing plant. The site comprises bare ground currently used intermittently for stockpiling aggregate. The proposed recycling operation would share the access, haul roads, water management system, wheel wash and weighbridge with the main quarry.

Development: The application proposes to relocate an existing aggregate recycling operation from a small site at the entrance to the quarry to a new site within the quarry void next to the quarry plant. Throughput, based on the existing operation, is expected to be 25,000 tonnes a year. Road planings would be imported and stored on a 24/7 basis, consistent with the unrestricted hours of operations at the coated roadstone plant. Experience from the existing operation has identified that the main type of recyclable material received at the plant is road planings from road maintenance and surfacing contracts, which often take place at night to minimise disturbance to traffic.

Cont...

Application No. 14/0582/FULL Continued

Inert construction waste, including bricks, rubble, concrete and soils would be delivered between 07.00 and 22.00 on weekdays, 07.00 to 16.00 on Saturdays and 08.00 to 13.00 on Sundays. Once stockpiles of raw material had built up to 10,000 tonnes, a mobile crushing and screening plant would be brought to the site to process the stock and the recycled aggregate would be stored, prior to loading into lorries for export off-site. The crushing and screening operation would take place over approximately six week periods, two to three times a year. Based on the use of 20 tonne vehicles, 1,250 deliveries of raw material and 1,250 deliveries off site of finished product would be made a year, averaging 9 vehicle movements a day.

Dimensions: The site area extends to 1.6ha.

Ancillary development, e.g. parking: The recycling operation would share the main quarry infrastructure, including haul roads, weighbridge and wheel wash.

PLANNING HISTORY

5/5/89/0989 - Quarrying of limestone including extension to working area; revision of working, screening and restoration proposals and ancillary operations - Granted 22.08.90.

P/05/1100 - Extend existing quarry, continuation of quarry workings, related processing of minerals and production of concrete - Granted 22.06.06.

10/0134/FULL - Construction, demolition and excavation waste recycling - Granted May 2010.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within a special landscape area (SLA), a limestone safeguarding area, and a mineral buffer zone.

Policies: (Special Landscape Area) NH1.4, MN1.7 (Mineral Site Buffer Zone), NH3.175 (SINC) (adjoining land), NH3.141 (SINC).

NATIONAL POLICY Policies CW2 (Amenity) and CW3 (Highways), Minerals Planning Policy Wales 2000, Minerals Technical Advice Note 1: Aggregates, TAN 21 Waste.

ENVIRONMENTAL IMPACT ASSESSMENT

Cont...

Application No. 14/0582/FULL Continued

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

Was an EIA required? No.

COAL MINING LEGACY

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

CONSULTATION

Transportation Engineering Manager - No objection subject to the following conditions:

No vehicles shall enter the public highway unless their wheels and chassis are in a clean condition.

Reason: In the interest of highway safety and to prevent dust and debris from being deposited on the highway.

Head Of Public Protection - No objection subject to a condition restricting crushing and screening activities to 07.00 to 19.00 Mondays to Fridays and a noise limit of 55dB(A) at residential properties.

Natural Resources Wales - No comment. NRW has been in discussions with the applicant over the permit for the operation and is satisfied that any issues can be dealt with through that process.

Newport City Council - No objections to the proposal providing that the proposal does not constrain the working of the quarry for primary aggregate and providing Caerphilly County Borough Council considers any adverse impact on the residential amenity of nearby residents, in particular any impacts arising from the additional lorry movements at night.

Glam/Gwent Archaeological Trust - No objection. The application area is wholly within the quarry and an extensive archaeological assessment was undertaken in 2005 and the relocation of the plant would have no detriment to the archaeological resources in the vicinity.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of site notices in the local area and a letter to one property near the site.

Response: No response has been received.

Cont...

Application No. 14/0582/FULL 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? It is not considered that the proposed development would have a material effect on crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No. No new floorspace is created and the development is, therefore, exempt from the levy.

ANALYSIS

Policies: National waste and aggregates planning policy is set out in Towards Zero Waste - One Wales One Planet, Planning Policy Wales 2014, Technical Advice Note 21 Waste, Minerals Planning Policy Wales and MTAN 1 Aggregates.

Policies in Minerals Planning Policy Wales and MTAN 1 Aggregates are generally supportive of proposals to increase recycling and recovery of waste materials to produce recycled aggregate, subject to consideration of the impacts on amenity and landscape. MTAN 1 seeks to maximise the use of recycled aggregate to reduce demand for primary aggregate.

Towards Zero Waste 2010 is the overarching Waste Strategy for Wales. It is not a detailed action plan although it sets targets to achieve zero waste by 2050. Delivery actions are developed in a series of sector plans. The construction and demolition sector plan 2012 seeks to ensure that construction and demolition waste is reduced by 1.4% each year to achieve the 2050 target. Re-use and recycling of waste is encouraged, and this will require the necessary infrastructure to facilitate delivery. The Collections, Infrastructure and Marketing Plan 2012 focuses on delivering the necessary collection systems, infrastructure and markets for recyclates in Wales. The plan seeks to create the conditions to enable as much waste as possible to be managed in Wales and for as much as possible of the recyclate generated in Wales to be used in Wales. It envisages that a high volume of recyclate is delivered to reprocessors and that end markets are developed in Wales for recycled material.

Cont...

Application No. 14/0582/FULL Continued

TAN 21 2014 provides advice on how the land use planning system should contribute towards sustainable waste management and resource efficiency, reflecting the new waste management drivers at a European Union and Wales level. The document concludes that there are clear environmental, economic and social benefits associated with managing waste as a resource and optimising efficiency of use of waste material. When considering development proposals for all types of waste management facilities, planning authorities should take into account their potential contribution to the objectives, principles and strategic waste assessments set out in Towards Zero Waste and the relevant waste sector plans and the relevant development plan for the area. The extent to which a proposal demonstrates this contribution is a material planning consideration.

The Caerphilly County Borough Local Development Plan contains policies aimed at a sustainable integrated approach to waste management, which maximises the use of waste as a resource (SP9). Development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land (CW2).

Assessment.

The proposal would assist in delivering the aims of the Wales Waste Strategy by providing a facility to manage construction and demolition waste and road planings locally. No additional capacity is proposed but the relocation of the existing facility would maximise the efficiency of the facility by removing the existing space constraints.

The site is outside settlement limits but is within a previously developed site at a quarry which has permission until 2042. A condition is proposed to require the removal of the facility at the cessation date for the quarry as it is unlikely that it would be suitable for permanent retention after that date.

The site is within an SLA but since the site is within an existing quarry the additional impact on the SLA would not be significant. There is a Site of Importance for Nature Conservation (NH3.175) to the north west of the quarry boundary but, again, the additional impact on the SINC would not be significant.

Permission has already been granted for a similar facility adjacent to the access to the site, which would now be relocated if this consent is granted. The relocation is that it will be within the quarry, will be an improvement in terms of residential amenity.

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Application No. 14/0582/FULL Continued

Comments from Consultees: Transportation Engineering Manager -There is a wheelwash at the entrance to Machen quarry but a condition is included to ensure it is used.

Newport City Council- No fixed plant or machinery is proposed that may constrain primary aggregate production at the quarry. The impact in terms of the residential amenity of local residents is considered above.

Head of Public Protection - Conditions are included to restrict the hours of operation of the mobile crushing and screening plant.

Comments from public: None received.

Other material considerations: NRW advises that the mobile crushing and screening plant will require a permit which will impose strict controls on emissions, including dust, and the operator will be required to work in accordance with the permit. Planning conditions should not duplicate the control of other regulatory regimes. The existing planning permission for the quarry, reference P/05/1100, required working to take place in accordance with an approved scheme to minimise dust from haul roads and stockpiles.

The material to be handled at the site is inert. No hazardous waste or organic waste, which may generate odour, will be accepted.

Vehicle movements from the quarry are unrestricted (the result of historic permissions). The vehicle movements associated with the 25,000 tonne a year recycling facility are small in the context of the quarry, which has produced 600,000 to 800,000 tonnes per annum within the last ten years. Vehicle movements are not restricted in the existing consent, which was granted at a time when the quarry was operational, and there is no reason to limit vehicle movements for this application. The quarry has a direct access onto the A468 and the Transportation Engineering Manager has raised no objection.

Conclusion

The main elements of the existing development, which has previously been approved, would not change with the relocation of the recycling facility into the quarry. The existing restriction on importation of waste between 22.00 and 07.00 would be removed for imports of road planings only. Although the hours of operation of the quarry are restricted to 07.00 to 22.00, the rail loading facility and the coating plant have no restriction in terms of hours. The exception for road planings would not, therefore be inconsistent with other parts of the quarry.

Cont...

Application No. 14/0582/FULL Continued

The proposed site is well contained within the quarry void. The rim of the quarry on the western side of the site is some 40 metres above the floor of the site. The proposed location would not lead to significant additional impact on the amenity of neighbouring houses or on visual amenity and landscape character.

New national guidance has been issued since the approval in 2010 of the recycling facility in its current location. This is discussed above and does not alter the general support for development that promotes the recycling and re-use of waste.

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: drawing 001 received by the Local Planning Authority on 27 August 2014.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) No commercial vehicle shall enter the public highway unless its wheels and chassis are in a clean condition.
REASON: In the interest of highway safety and to prevent dust and debris from being deposited on the highway.
- 04) Between the hours of 07.00 and 19.00 the level of noise arising from the development shall not exceed 55 dB(A) at Park Cottages, Pandy House, The Volland or noise sensitive properties in The Oaks.
REASON: To protect the amenity of local residents
- 05) Between the hours of 19.00 and 07.00 the noise levels arising from the development shall not exceed 42 dB(A) at Park Cottages, Pandy House, The Volland or any noise sensitive property at The Oaks.
REASON: To protect the amenity of local residents.

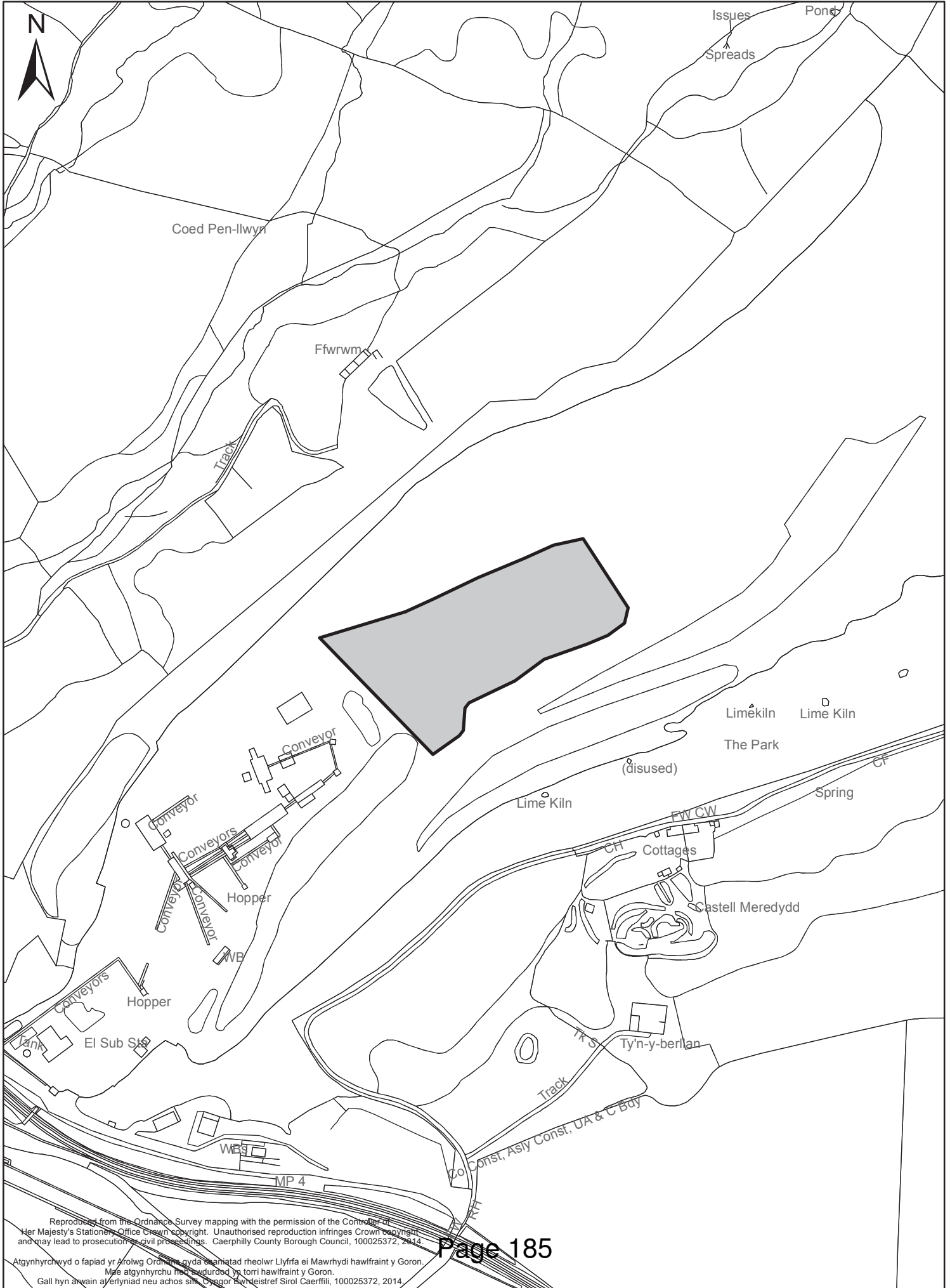
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Application No. 14/0582/FULL Continued

- 06) a) The crushing and screening plant shall not operate on the site except between the hours of 07.00 and 17.00 Monday to Friday,
b) Deliveries of construction and demolition waste excluding road planings and export of recycled aggregate from the site shall not take place except between the hours of 07.00 and 22.00 Monday to Friday, 07.00 and 16.00 on Saturdays and 08.00 to 13.00 on Sundays.
REASON: To protect the amenity of local residents.
- 07) The use of the site shall cease on or before 31 December 2042 or by the date of the permanent cessation of quarrying operations at Machen Quarry, whichever is the sooner, and the site shall be restored within two years from that date in accordance with the approved restoration scheme for the quarry.
REASON: To ensure the effective restoration of the site and of the quarry at the end of its life
- 08) Prior to the commencement of the recycling operation hereby approved, the recycling operation granted planning permission by the Local Planning Authority under reference 10/0134/FULL shall cease permanently.
REASON: In the interests of the residential amenity of the area, and highway safety.

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 – 5 NOVEMBER 2014

SUBJECT: WELSH GOVERNMENT CONSULTATION ON POSITIVE PLANNING

REPORT BY: HEAD OF PLANNING AND REGENERATION

1. Welsh Government (WG) is currently running a number of consultations about changes to the planning process with a view to making it more positive. The deadline for the submission of comments is 16 January 2015. A summary of the proposals is provided below, along with comments from officers. Should members agree with the officers' comments, they will then be adapted for completing the standard consultation form from WG.
2. Frontloading the Development Management System
 - 2.1 Frontloading aims to ensure that planning applications proceed smoothly and quickly once they are formally submitted to the determining authorities. The idea is that any significant planning issues are raised prior to the submission of a formal application. Duties would be imposed on applicants and the local planning authority (LPA).
 - 2.2 Developers would be required to carry out pre-application consultation on major development to:
 - Ensure that the local community is provided with the opportunity to comment on development proposals, and consult specified consultees, before planning applications are formally submitted to LPAs.
 - To impose a duty on statutory consultees to ensure that they respond to pre-application consultation requests within specified timescales, provide substantive responses to pre-application consultation requests, and report their performance to the Welsh Ministers.
 - To require developers to submit a "pre-application consultation report" with any subsequent planning application.
 - 2.3 LPAs would be required to provide pre-application services to accommodate the consultation by developers.
 - 2.4 The requirement for design and access statements would be removed.
 - 2.5 Officers' comments

Major development means development involving any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits
- (b) waste development;
- (c) the provision of dwellinghouses where
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

- 2.6 These proposals are welcomed as they will involve both statutory bodies and the community in the evolution of a scheme before it is submitted formally for planning permission. It is proposed that the publicity procedure broadly follows that currently carried out at the planning application stage, with the minimum being site notices and letters to neighbours, all local ward members, and any town or community councils. Twenty-one days would be given for comment, with an opportunity for extension.
- 2.7 It is proposed that any plans and supporting information should be located at the LPA offices, but that would place an additional burden on councils. Such information should be available within the community that will be affected by the proposals, in halls and libraries, and hosted by the developers or their agents.
- 2.8 The developer will have to produce a pre-application consultation report (PAC) which will provide:
- (i) A photocopy of the site notice, publicity letter and letters to local members, town councils, parish councils, and statutory consultees.
 - (ii) A list of addresses of those persons notified of the proposal.
 - (iii) Details of any additional non-statutory notification.
 - (iv) A summary of the material planning issues raised by respondents
 - (v) Copies of responses from specified consultees.
- This would be helpful in reassuring the LPA and the community about the extent of the pre-application consultation.
- 2.9 There will also be a standard requirement for pre-application enquiries to LPAs, which reflects the service that this council provides at present. Such enquiries should be recorded, which this council also does at present. LPAs will be expected to reply providing information specified by the legislation, within 21 days, and offering a meeting to discuss that response. Within 7 days of the meeting the LPA will provide a note of it to the developer. Officers consider that the timetable should be subject to alteration by mutual agreement.
- 2.10 LPAs will be allowed to charge for the service, on the basis of standard national fees. At present, fees vary from authority to authority and so a standard fee is welcomed, but it needs to be based on robust research of costs, and the pre-application service should not be introduced until the charges are in place. In view of the number of enquiries this LPA receives from householders, it is considered that a charge should be raised for them as well.
- 2.11 Statutory consultees will be required by legislation to provide responses to pre-application queries, planning applications, and post permission work within 21 days, which is welcomed. They will also have to provide performance reports on their responses to WG.

3. Design in the planning process

- 3.1 It is proposed to:
- Retain design and access statements (DAS) as a communication tool, but only as a mandatory requirement for applications within certain categories (e.g. listed buildings/designations) and above certain dwelling/size thresholds (e.g. over 10 dwellings)
 - Expand the Building Regulations (Part M), which covers access to buildings to include all external areas within the boundary of the development.
 - Introduce a suite of national development management polices which would address design
 - Promote area and site specific plans to facilitate development and improve design
 - WG will produce practice guidance on the process of site analysis
 - Enhance the role of design in pre-application discussions
 - Encourage inclusive access to development
 - Set up the Planning Advisory and Improvement Service (PAIS), which along with the Design Council for Wales will assist in disseminating good practice.

3.2 Officers' comments

The measures proposed are generally welcomed. The removal of the need for DAS except for more significant applications will help reduce the burden on small developers. National policies as a basis for LDP policies will provide more consistency across the country, including in encouraging access for all. Support from WG, and the new body, PAIS, is also welcomed. However, area or site specific plans would place a further burden on LPAs at a time of reducing staff numbers.

4. Planning committees, delegation and joint planning boards

4.1 Following research by the Royal Town Planning Institute, the following are proposed.

- The introduction of a national planning committee protocol in consultation with the WLGA
- Committee size to be limited to between 11 and 21 members, with only one councillor from any ward, and a quorum of 50%, with no substitute members allowed.
- Planning Committees to deliver the adopted development plan by making locally strategic planning decisions by determining those applications:
 1. that are identified as major development;
 2. that raise policy issues affecting the delivery of the development plan, such as applications departing from the adopted plan ; and
 3. where there is quantifiable, community-wide interest in a development which goes beyond protecting the private interests of one person, or group of people, against the activities of others.
- Introduce a national scheme of delegation which would require the following to be reported to Planning Committee:
 - Departure/contrary to development plan (where officers are minded to approve)
 - Applications involving an Environmental Impact Assessment (EIA)
 - LPA employee/Council member has interest in application
 - Above a specified development threshold
 - Above a specified objection threshold
 - Member call-in

4.2 Joint planning boards (JPB) and strategic planning panels are also proposed because WG considers that there may be circumstances in future where it would be necessary to merge local planning authority functions in order to facilitate more efficient and resilient local planning services. Powers to merge LPAs already exist in the 1990 Town and Country Planning Act, but they need to be enhanced to address modern planning duties such as the production of an LDP.

4.3 The number of elected members on a JPB would be prescribed by Welsh Ministers, and the board would then determine the staff support. Anglesey and Gwynedd councils set up a similar arrangement to prepare their joint LDP.

- 4.4 In addition to the proposals for JPBs, Strategic Development Plans (SDPs) are proposed to tackle strategic issues in those limited areas requiring a cross local planning authority approach. Responsibility for preparation and approval of the SDP would reside with representatives from LPAs nominated to a Strategic Planning Panel (SPP) by constituent authorities. The boundary of the SDP would be prescribed by regulations made by Welsh Ministers, as well as the number of LPA members and number of other nominated members, which together comprise the SPP. Two thirds of the panel will be drawn from elected members in the constituent LPAs, with at least one member from each authority within the strategic planning area. Elected members eligible for nomination will include those councillors representing an electoral division within the strategic planning area or members of a national park authority so included. The remaining one third of the SPP will be appointed by the panel, following nomination by a body on a list published by the Welsh Ministers. The bodies listed will reflect economic, social and environmental partners. The SPP must appoint a chair and deputy chair, both drawn from the local planning authority members, for no more than one year, though they may be re-appointed.
- 4.5 Officer comments
- The proposals in respect of planning committees, protocols, and powers of delegation would not have a significant impact on Caerphilly CBC because it has amended its procedures over the years, which generally reflect the reforms that are to be introduced. In respect of delegation, the two main changes to this council's scheme would be the introduction of development and objection thresholds.
- 4.6 Two alternatives are proposed for development thresholds: major development as defined in paragraph 2.5 above, or double the amount specified in that definition. The former is too small and will encompass relatively minor development that this authority would not necessarily refer to a Planning Committee if there were no reason to do so. The latter is more realistic, and reflects the scale of development that officers would consider prudent to refer to Planning Committee in any case. The opportunity for members to call applications to committee is retained.
- 4.7 The objections threshold is proposed to be 20 letters from different people in different addresses or a petition with 30 signatures. Introducing these numbers could be exploited to require minor matters to be decided by committee. The member call-in would be adequate to ensure that appropriate matters that are of community interest are brought before the committee.
- 4.8 Working with other LPAs on strategic matters is important, but there are concerns that both the JPBs and the SPPs would dilute the important role that local democracy plays in the process, particularly with the inclusion of non-elected members on the latter.
5. Review of planning application fees
- 5.1 WG considers that it is evident that cost recovery and the customer service provided are affected by the planning fee level, as well as how LPAs use that fee to deliver services in their area. On that basis, they consider that an increase in planning fees alone will not improve the customer service provided by the LPA. It is clear that any increase in fees should compliment sustained improvements in customer service.
- 5.2 A 15% fee increase is proposed, but that would be on the understanding that there is a commitment by LPAs to review their service delivery. Two measures are proposed that would reflect the fact that service delivery has failed; these are:
- optional direct applications; and,
 - refund of the application fee after a certain time period.

Where an LPA performs poorly, applicants would be able to submit proposals to WG. For LPAs to be subject to these 'special measures' they will be seen as poorly performing against the indicators set out within its annual performance report. The indicators are likely to focus on the efficiency and quality of determining applications, which could include being assessed on the basis of the speed within which applications are determined and the extent to which such decisions are overturned at appeal. Appropriate thresholds for designation, and the time period in which they are monitored, are currently under consideration by WG. Proposals on optional direct applications will be the subject of a separate consultation.

- 5.3 The thresholds for the return of a fee would be within 16 weeks on a 'householder' application and within 24 weeks for all others. WG places equal weight on the applicant being timely, responsible and reasonable in the development management process.
- 5.4 Other areas where changes are proposed are as follows.
- fees for the discharge of planning conditions;
 - the introduction of a fee for confirmation that a condition has been discharged;
 - a standard charge for drafting Section 106 agreements;
 - deemed planning application fees;
 - facilitating broadband rollout;
 - amendments to the 'free go';
 - a separate fee category for renewable energy/low carbon applications; and,
 - the division of planning fees for cross authority applications.
- 5.5 Fees of £25 and £83 are proposed for the discharge of householder and other conditions respectively. The same fee would apply where a group of conditions were submitted for discharge. The same fees are proposed for confirming that a condition has been discharged. The Section 106 fee would cover the administrative cost of the LPA legal team responsible for reviewing the agreement.
- 5.6 Deemed planning applications, which are made through the enforcement appeal process currently attract double the fee of a normal planning application, but half goes to The Planning Inspectorate. It is proposed that the full fee is paid to LPAs. Fee regulations for advertisements on broadband cabinets would allow multiple advertisements in one area to be charged one fee.
- 5.7 At present an applicant who gains approval for reserved matters, having paid a fee, can then submit amended reserved matters for free. It is proposed to charge for those subsequent applications. The fee structure for wind turbines will be changed to reflect the amount of work involved in their determination, based on output, number of turbines, site area or height.
- 5.8 A fee for a planning application that straddles LPA boundaries is only paid to the authority that contains the largest part of the site. It is proposed to require a separate fee to be paid to all the authorities involved.
- 5.9 Officer comments

An increase in fees is welcomed, but it should cover the cost of the service, or be part of planned stage increase to eventually achieve full cost recovery. The punitive elements are of concern. LPAs should be encouraged to improve their performance, but removing decision making from councils will appear undemocratic. Whilst WG will make every effort to ensure that the proper consultations processes are carried out, it is by its nature a remote body, which is difficult for communities to access. Repayment of fees is not supported and would reduce the income of a poorly performing authority making it more difficult to improve the service.

5.10 Fees for condition discharge should be based on a sum for each condition to reflect the work involved, and will ensure that larger and more complex schemes attract higher fees. Although broadband coverage needs to be encouraged, it would not appear equitable to give that one form of development preferential treatment over any other at a time when the economy is in general needs support.

6. Proposed amendments to legislation on the power to override easements and other rights

6.1 WG is considering amending, by order, the provisions contained in various acts that provide powers to relevant organisations enabling them to override easements and other rights over land in their ownership to improve the implementation of regeneration projects by removing an impediment to the use of the land. At present, easements and other rights may only be overridden during the erection, construction or carrying out or maintenance of any building or works phase, and not permanently for the new use of the land. That is a threat to the ongoing effectiveness and consistency of the use of compulsory purchase powers in the bringing forward of sites for development.

6.2 Officer comments

This anomaly came to light in a court case in 1999, and there are no objections to the amendment by order.

Recommendation: That officers reply to the questions set out in the consultation on the basis of the comments above, and any additional comments from members.

APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
14/0019/FULL 10.01.2014	Mr L Lazarou Lanwood House White Hart Machen Caerphilly CF83 8QQ	Erect detached dormer bungalow and car port Land Adjoining Ty'n Derwen White Hart Machen Caerphilly	Granted 29.09.2014
14/0402/FULL 19.06.2014	Mr & Mrs W Golding Unit 22 Fern Close Pen Y Fan Industrial Estate Pen Y Fan Newport NP11 3EH	Erect detached dwelling with detached garage plus associated access and groundworks Land Adjoining Touchwood Pennar Lane Pentwyn-mawr Newport	Granted 29.09.2014
14/0528/ADV 01.08.2014	Tesco Stores Limited Property Services Cirrus Building Shire Park Welwyn Garden City AL7 1AB	Provide signage Tesco Stores Ltd New Road Ystrad Mynach Hengoed	Granted 29.09.2014
14/0546/FULL 07.08.2014	Ms C Cutts Ty'n-y-berllan Rudry Caerphilly CF83 3DF	Insert a window on the ground floor of the original NE elevation and change the current approved opening in the front of the garage to incorporate a window in keeping with those of the original house size Ty'n-y-berllan Rudry Caerphilly CF83 3DF	Granted 29.09.2014
14/0566/CLPU 15.08.2014	Mr & Mrs K Edwards 17 Darren Close Porset Caerphilly CF83 3BZ	Obtain a Lawful Development Certificate for the proposed rear dormer extension 17 Darren Close Porset Caerphilly CF83 3BZ	Granted 29.09.2014
14/0537/FULL 05.08.2014	Mr C Frayne 5 Cwm-Y-Nant Ochrwyth Newport NP11 6EP	Erect two-storey side extension 5 Cwm-Y-Nant Ochrwyth Newport NP11 6EP	Granted 30.09.2014

14/0539/FULL 06.08.2014	Mr J West 4 Woodcroft Lane Woodcroft Chepstow NP16 7QA	Erect rear single-storey extension 54 Tredegar Street Crosskeys Newport NP11 7PP	Granted 01.10.2014
14/0540/FULL 06.08.2014	Mr A Partridge 15 Caerbryn Pentwyn-mawr Newport NP11 4EL	Erect dormer extension to side and flat roof extension to the rear 15 Caerbryn Pentwyn-mawr Newport NP11 4EL	Refused 01.10.2014
14/0520/FULL 30.07.2014	Ms C Cutts Ty'n-y-berllan Rudry Caerphilly CF83 3DF	Change the use from agricultural only to include equestrian use and to construct an open air all weather turn out/exercise area 20 x 40m adjoining the pre-existing stable block Ty'n-y-berllan Rudry Caerphilly CF83 3DF	Granted 02.10.2014
14/0542/COU 06.08.2014	Coral Racing Limited Unit E Lancaster House Grange Business Park Enderby Road Whetsone Leicestershire LE8 6EP	Change the use of ground and part of first floor from training centre to Class A2 (financial and professional services) and provide new shop front 44B Castle Street Caerphilly CF83 1NZ	Granted 02.10.2014
14/0543/ADV 06.08.2014	Coral Racing Limited Unit E Lancaster House Grange Business Park Enderby Road Whetsone Leicestershire LE8 6EP	Erect fascia sign and projecting sign 44B Castle Street Caerphilly CF83 1NZ	Granted 02.10.2014
14/0548/RET 07.08.2014	Mr & Mrs R Owens Long House Barn Penllwyn Lane Machen Caerphilly CF83 8RL	Retain driveway and extension of residential curtilage Long House Barn Penllwyn Lane Machen Caerphilly	Granted 02.10.2014

14/0547/COU 08.08.2014	Sense Mr A Hook C/o RPS Planning & Development Mr D Williams Park House Greyfriars Road Cardiff CF10 3AF	Change the use from Class B1 (Business) to mixed Class B1/Class D1 (Sui Generis) use Bevan House 3 Caerphilly Business Park Caerphilly C F83 3ED	Granted 03.10.2014
14/0549/FULL 08.08.2014	Mr R Perrin 5 Central Avenue Cefn Fforest Blackwood NP12 3JU	Erect two-storey side/rear extension, one-storey front extension and provide internal alterations 5 Central Avenue Cefn Fforest Blackwood NP12 3JU	Refused 03.10.2014
14/0227/COU 15.04.2014	Mrs S Thomas 37 Clos Coed Bach Highfields Blackwood NP12 1GT	Change the use of vacant A1 shop to a 'sui generis' use as a beauty, hair and tanning salon 1 Ffrwd Terrace Llanbradach Caerphilly CF83 3NR	Granted 06.10.2014
14/0342/FULL 29.05.2014	Ms P Barter 22 Edmund Place Pentwyn-mawr Newport NP11 4HR	Erect garage to rear with change of use for land acquired to form access from the dwelling to the highway (C3) 22 Edmund Place Pentwyn- mawr Newport NP11 4HR	Granted 06.10.2014
14/0425/FULL 07.07.2014	Mr P Oliver 7 Abercarn Fach Park Street Cwmcarn Newport NP11 7EP	Erect raised timber decking to rear and side and provide new vehicular and pedestrian site entrance 11 Mount Road Gelli Park Risca Newport	Granted 06.10.2014
14/0552/FULL 11.08.2014	Mr W O Lewis Yellow Cottage The Rhiw Oakdale Blackwood NP12 0ED	Remove two single-storey extensions and erect one single-storey extension and one double-storey extension Yellow Cottage The Rhiw Oakdale Blackwood	Refused 06.10.2014
14/0553/FULL 12.08.2014	Mr E Mathlin Phoenix House Brithdir New Tredegar NP24 6JY	Convert attached swimming pool area to granny annexe ancillary to main dwelling Phoenix House Brithdir New Tredegar NP24 6JY	Granted 07.10.2014

14/0441/FULL 17.07.2014	Mrs A Mahoney Nantygleisiad Cottage 14 White Hart Machen Caerphilly CF83 8QQ	Erect detached dwelling Land At Nantygleisiad Cottage 14 White Hart Machen Caerphilly	Refused 08.10.2014
14/0534/FULL 05.08.2014	Mr D Phillips 22 Julian's Close Gelligaer Hengoed CF82 8DT	Erect detached garage 22 Julian's Close Gelligaer Hengoed CF82 8DT	Granted 08.10.2014
14/0556/FULL 13.08.2014	Mr P Lessimore 19A Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Increase section of boundary fence fronting adjacent road by 600mm 19A Cwm Braenar Pontllanfraith Blackwood NP12 2DS	Granted 08.10.2014
14/0557/FULL 13.08.2014	Mr R Wiltshire 9 Crescent Road Risca Newport NP11 6GJ	Erect two-storey extension to rear of dwelling 9 Crescent Road Risca Newport NP11 6GJ	Granted 08.10.2014
14/0595/NOTD 03.09.2014	CCBC Ty Penallta Parc Tredomen Tredomen Ystrad Mynach Hengoed CF82 7PG	Demolish buildings Cash Office, Park Lane Offices, School House, The Nurseries And St Martins Hall Park Lane Caerphilly CF83 1AA	Prior Approval Not Required 08.10.2014
12/0550/CON 12.07.2012	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	Granted 09.10.2014
12/0571/FULL 12.07.2012	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	Granted 09.10.2014
13/0353/FULL 13.05.2013	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	Granted 09.10.2014

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	Granted 09.10.2014
14/0363/COU 30.05.2014	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	Granted 09.10.2014
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	Granted 09.10.2014
14/0532/FULL 04.08.2014	Mr M Howell 112 Mill-race Abercarn Newport NP11 4TP	Erect front porch 112 Mill-race Abercarn Newport NP11 4TP	Refused 09.10.2014
14/0536/RET 05.08.2014	Mrs P Rees 9 Golwg Y Coed Hendredenny Caerphilly CF83 2UA	Retain detached dwelling 37 Lon Yr Ysgol Bedwas Caerphilly CF83 8PE	Granted 09.10.2014
14/0569/RET 17.08.2014	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	Granted 09.10.2014
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	Granted 09.10.2014

14/0289/FULL 02.05.2014	The Co-operative Group C/o Wellsfield Associates Mr D Reade 80 High Street Hadleigh Essex SS7 2PB	Redecorate the store frontage, install a new plant condenser, relocate existing AC condensers and install a new timber fence 1.8 metres in height The Co-operative Food 51-53 Church Street Bedwas Caerphilly	Granted 10.10.2014
14/0513/LA 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	Granted 10.10.2014
14/0515/FULL 28.07.2014	Mr D Boulton Pinewood Meadows Draethen Newport NP10 8GA	Erect a stable block including five stables, tack room, feed room, concrete base, hardcore turning area, access track and widen existing gateway Pinewood Meadows Draethen Newport NP10 8GA	Granted 10.10.2014
14/0527/FULL 31.07.2014	Mr J Hopkins 23 Clos Gwastir Caerphilly CF83 1TD	Demolish existing garage and erect a single-storey rear extension and a two-storey side extension 23 Clos Gwastir Caerphilly CF83 1TD	Refused 10.10.2014
14/0568/LA 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	Granted 10.10.2014

14/0467/FULL 01.07.2014	Mr S Crane 32 Heol-Y-Felin Caerphilly CF83 1AW	Erect garage to rear 32 Heol-Y-Felin Caerphilly CF83 1AW	Granted 13.10.2014
14/0554/FULL 13.08.2014	Caerphilly Health Services Ltd Mr N Hill Penty-Newydd 5A Caerphilly Business Park Caerphilly CF83 3GS	Enlarge existing single-storey offices and associated car parking Caerphilly Health Services Ltd Penty-Newydd 5A Caerphilly Business Park Caerphilly	Granted 13.10.2014
14/0571/FULL 18.08.2014	Mr I Wadelin 8 Chartist Court Pontymister Risca Newport NP11 6LB	Erect a shed in garden 8 Chartist Court Pontymister Risca Newport	Refused 13.10.2014
14/0544/LA 07.08.2014	CCBC Mr B Hopkins Ty Penallta Ystrad Mynach Hengoed CF82 7PG	Erect an external steel canopy (not attached to building) to rear of infants block Twyn Primary School East View Caerphilly CF83 1UT	Granted 14.10.2014
14/0072/FULL 31.01.2014	Mr & Mrs S Moody Pantglas Bach Cottage Cefn-Onn Farm Lane Rudry Caerphilly CF83 3EJ	Carry out alterations and extension works Pantglas Bach Cottage Cefn- Onn Farm Lane Rudry Caerphilly	Granted 15.10.2014
14/0538/FULL 05.08.2014	Mr K James La Fontaine De Trevias Sorges Periguiet Dordogne France 24420	Construct a side extension 2 Tamar Close Pontllanfraith Blackwood NP12 2FU	Granted 15.10.2014
14/0574/FULL 21.08.2014	Mr V Pope 6 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Erect single-storey extension 6 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Granted 15.10.2014
14/0561/FULL 22.08.2014	Mr M Holmes 31 Llancayo Street Bargoed	Erect garage 31 Llancayo Street Bargoed CF81 8TE	Granted 15.10.2014

14/0562/FULL 22.08.2014	Mrs H Davies 58 Llanfach Road Abercarn Newport NP11 5LA	Erect two-storey extension to rear elevation and drop kerb to proposed hardstanding 58 Llanfach Road Abercarn Newport NP11 5LA	Refused 17.10.2014
14/0563/FULL 22.08.2014	Mr D Thomas 10 Highmead Pontllanfraith Blackwood NP12 2PE	Erect first floor rear bedroom extension 10 Highmead Pontllanfraith Blackwood NP12 2PE	Refused 17.10.2014
14/0360/CLEU 30.05.2014	Mrs K Griffiths Nibbles Catering - Unit 27 25-27 Bowen Industrial Estate Aberbargoed Bargoed CF81 9EP	Obtain a Lawful Development Certificate for the existing mixed use of ground floor unit (no. 27) for the preparation of food for the provision of catering services off site (B1 use as defined by the Town and Country Planning (Use Classes) Order 1987), and ancillary food sales direct to visiting members of the public (A3 of that order), in the proportions as defined on the attached plan, with the food and drink sold direct to the visiting members of the public limited to that shown on the attached schedule. Nibbles Catering - Unit 27 25-27 Bowen Industrial Estate Aberbargoed Bargoed	Granted 21.10.2014
14/0570/FULL 18.08.2014	Dr V Francis Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff CF3 6AA	Provide sliding/folding doors to ground floor kitchen and provide a balcony over existing kitchen roof Tyn-y-coed 30 Cefn Mably Park Michaelston-Y-Fedw Cardiff	Granted 21.10.2014
14/0567/FULL 26.08.2014	Mr H Jones 69 Heol Ysgubor Caerphilly CF83 1SR	Erect single-storey side extension 69 Heol Ysgubor Caerphilly CF83 1SR	Granted 21.10.2014
14/0578/FULL 26.08.2014	Ms N Hulbert 49 Heol Barri Energlyn Caerphilly CF83 2LX	Erect two-storey side extension 49 Heol Barri Energlyn Caerphilly CF83 2LX	Granted 21.10.2014

14/0580/FULL 26.08.2014	Mrs Blakemore 5 Stanley Street Cwmfelinfach Newport NP11 7HF	Erect first floor level extension over existing at rear 5 Stanley Street Cwmfelinfach Newport NP11 7HF	Granted 21.10.2014
14/0583/FULL 26.08.2014	Mr & Mrs Williams 7 Elidyr Road Treowen Newport NP11 3EE	Erect rear orangery 7 Elidyr Road Treowen Newport NP11 3EE	Granted 21.10.2014
14/0572/FULL 19.08.2014	Mr R Selway 28 Clos Cae Mawr Penpedairheol Hengoed CF82 7TH	Change part of existing garage to habitable room 28 Clos Cae Mawr Penpedairheol Hengoed CF82 7TH	Refused 22.10.2014
14/0585/FULL 27.08.2014	Mr P Aspinall Tirphil Allotments James Street New Tredegar	Construct a polytunnel on Tirphil Allotments for use for members and kids club and community growing Tirphil Allotments James Street New Tredegar	Granted 22.10.2014
13/0364/COU 16.05.2013	The Trustees Of Joseph Thomas Davies C/o R E Phillips & Partners 23A Gold Tops Newport NP20 4UL	Change use from church to residential dwelling Saron Congregational Church Pandy Road Bedwas Caerphilly	Granted 23.10.2014
14/0508/COU 24.07.2014	Taylor Wimpey Miss L Powell Eastern Business Park Building 2 St Mellons Cardiff CF3 5EA	Convert the use of a driveway to a garden and footpath Land Adjacent To Pontypandy Lane Caerphilly	Granted 23.10.2014

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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.
11/0630/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.
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.

13/0548/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.
13/0756/FULL 17.10.13	Erect disabled bungalow and associated external works on Land Adjacent To 27 Oakfield Street, Llanbradach, Caerphilly	Seeking CIL details.
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.

13/0799/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.
13/0824/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.
14/0024/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.
14/0045/NCC 17.01.14	Vary condition 01 of planning consent 08/0900/FULL (Construct commercial development, ground floor retail, first floor offices with external works) to extend the period within which the development can commence on Land At 2, 4 & Former Beulah Methodist Church, Pontygwindy Road, Caerphilly	Awaiting sections.
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 Knightwood 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.
14/0328/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.

14/0350/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.
14/0383/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.
14/0430/COU 11.07.14	Change the use of land to hand car wash and valeting and erect awning and signage at 243 Bedwas Road, Caerphilly	Awaiting highway implications.
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.
14/0518/NCC 28.07.14	Vary Condition 01 of planning permission 09/0197/NCC (Remove condition (1) from planning application P/04/0219 to erect residential development) to extend the time limit within which development can commence for a further five years on Land North Of Glan-Yr-Afon, Glan-Yr-Afon Lane, Fleur-de-lis, Blackwood	Awaiting amended layout plans.
14/0524/COU 30.07.14	Change the use from pottery and day centre to short term holiday let accommodation at The Woodlands Activity Centre, Troed-Y-Rhiw Farm - The White House, Troed-Y-Rhiw Road, Wattsville	Subject to further discussion and consideration.
14/0564/FULL 26.08.14	Convert two-storey garage to include additional bedroom and play room at 31 Cwrt Neuadd Wen, Aberbargoed, Bargoed	Subject to further public consultation
14/0573/RET 21.08.14	Retain a two-storey garage and workroom extension to side of existing house at Ty Bryn, King's Hill, Hengoed	Subject to further discussion and consideration.

**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. Told the Solicitors will be responding shortly.
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. Sent email to Solicitors asking if they are proceeding.
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. Now received. Drafting new documents.
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. Waiting for advice from Planning.
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.	Still in discussions over content of Agreement. Went back rejecting some of their requested amendments.
13/0873/OUT 23.12.13	Erect housing development (eight dwellings) on Land At Park Road Newbridge, Newport.	Sent drafts.
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
14/0010/REF 14/0348/FULL	Mr & Mrs S Williams 17 St Fagans Street Caerphilly CF83 1FZ	Erect first floor rear extension 17 St Fagans Street Caerphilly	14.10.14

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 Llwyncelyn, Draethen, Caerphilly	Allowed 09.09.14	DEL
14/0008/REF 14/0229/FULL	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	Dismissed 30.09.14	DEL

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