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

**Date: 7th January 2015**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 14th January, 2015** 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

	Pages
1 To receive apologies for absence.	
2 Declarations of interest. Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Planning Committee held on the 10th December 2014 (minute nos. 1-17) .	1 - 6

**A greener place Man gwyrdach**

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



4 To receive any requests for a site visit.

To receive and consider the following reports: -

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

5 Code No. 14/0359/RET -West Lodge, Ruperra Castle Estate, Rudry, Caerphilly, NP10 8GG.  
7 - 14

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

6 Preface Item Code No. 14/0152/FULL - 14 Brynheulog Road, Newbridge, Newport, NP11 4RG.  
15 - 26

7 Preface Item Code No. 14/0422/NCC - Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer,  
Hengoed, CF82 8FY.  
27 - 38

8 Code No. 14/0668/FULL -Tesco Stores Ltd, Unit C Pontymister Industrial Estate, Pontymister,  
Risca, Newport, NP11 6NP.  
39 - 46

9 Code No. 14/0725/COU - 3 Bartlett Street, Caerphilly, CF83 1JS.  
47 - 54

10 Welsh Government Consultation on Planning and Related Decisions.  
55 - 58

11 Tree Preservation Order 75 of 2014 - Land at Wern Woodland, Nelson.  
59 - 64

To receive and note the following information items: -

12 Applications determined by delegated powers.  
65 - 74

13 Applications which are out of time/not dealt with within 8 weeks of date of registration.  
75 - 80

14 Applications awaiting completion of a Section 106 Agreement.  
81 - 82

15 Appeals outstanding and decided.  
83 - 84

**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, Ms 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



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 10TH DECEMBER 2014 AT 5.00 P.M.

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PRESENT:

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

Councillors:

Mrs E.M. Aldworth, M. Adams, D. Bolter, H.R. Davies, J.E. Fussell, Mrs J. Gale, L. Gardiner, N. George, R. Gough, A. Lewis and D. Rees.

Together with:

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), J. Rogers (Principal Solicitor), C. Boardman (Senior Planner), L. Cooper (Engineer, Transportation Management), C. Davies (Senior Environmental Health Officer), C. Powell (Senior Planner), C. Grimes (Senior Planner) and E. Sullivan (Democratic Services Officer).

#### 1. APOLOGIES

Apologies for absence were received from Councillors J. Bevan, A.G. Higgs, K. Lloyd, Mrs. G.D. Oliver, Mrs E. Stenner, Mrs J. Summers and J. Taylor.

#### 2. DECLARATIONS OF INTEREST

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

#### 3. MINUTES - 5TH NOVEMBER 2014

RESOLVED that the minutes of the Planning Committee held on the 5th November 2014 (minute nos. 1 - 22) be approved and signed as a correct record.

#### 4. TO RECEIVE ANY REQUESTS FOR A SITE VISIT

There were no site visit requests received.

**5. SITE VISIT CODE NO. 14/0422/NCC - VARY CONDITION 6 OF PLANNING PERMISSION P/04/1912 TO EXTEND THE HOURS OF OPERATION ON SATURDAY UNTIL 16:00 AND ON BANK HOLIDAYS FROM 07:30 TO 13:00, GELLIARGWELLT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, HENGOED, CF82 8FY**

Councillors H.W. David, S. Morgan and W. David wished it noted that they had attempted to attend the site meeting. Unfortunately they had been waiting for the Planning Committee at the site entrance and were not aware that members had already progressed onto the site until the meeting had closed and the committee were exiting the site.

Councillors H.W. David and S. Morgan on behalf of local residents spoke in objection to the application and Mr B. Stephenson the applicant's agent spoke in support of the application.

Following consideration of the application it was moved and seconded that the application be deferred for a further report with reasons for refusal based on the detrimental impact on residential amenity and by a show of hands this was agreed by the majority present with one abstention.

Councillors D. Rees and J.E. Fussell wished it recorded that as they had not been present for the whole of the debate they had not taken part in the vote.

RESOLVED that: -

- (i) the site visit report be noted.
- (ii) the application be deferred for a further report with reasons for refusal based on the detrimental impact to residential amenity.

**6. SITE VISIT CODE NO. 14/0681/FULL - ERECT SINGLE-STOREY EXTENSION TO THE FRONT AND REAR OF THE PROPERTY, 37 PEN-Y-WAUN ROAD, TRINANT, NEWPORT, NP11 3JR**

Mr D. Ford spoke in objection to the application and Mrs Williams the applicant spoke in support of the application.

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

RESOLVED that:-

- (i) the site visit report be noted.
- (ii) subject to the conditions contained in the Officer's report this application be granted.
- (iii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2012 is relevant to the conditions of this permission: Policy CW2.

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

**7. PREFACE ITEM CODE NO. 13/0784/FULL - DEMOLISH FORMER PRIMARY SCHOOL AND DEVELOP SITE FOR 26 AFFORDABLE RESIDENTIAL UNITS, ACCESS ARRANGEMENTS AND ASSOCIATED WORKS, FORMER ABERBARGOED PRIMARY SCHOOL, HEOL YSGOL NEWYDD, ABERBARGOED, BARGOED**

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

Councillor R. Gough wished it recorded that as he had not been present for the whole of the debate he had not taken part in the vote.

RESOLVED that:-

- (i) the application remains deferred to allow the completion of a Section 106 Agreement.
- (ii) on completion of that agreement and subject to the conditions contained in the Officer's report apart from condition 13, 14 and 15 and the amendment of conditions 2,3,17 and 18 this application be granted.

**8. PREFACE ITEM CODE NO. 14/0614/ADV - ONE INTERNALLY ILLUMINATED FASCIA SIGN WITH NON-ILLUMINATED WHITE UNDERLINE, ONE INTERNALLY ILLUMINATED TILE LOGO SIGN AND ONE INTERNALLY ILLUMINATED PROJECTING SIGN - FORMER NELSON POLICE STATION, DYNEVOR TERRACE, NELSON, TRESHARRIS**

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

RESOLVED that subject to the conditions contained in the Officer's original report and the additional condition contained in the Officer's preface report this application be granted.

**Additional Condition (03)**

The luminance of the signage hereby approved shall not exceed 200 candelas per square metre.

**Reason**

In the interest of residential amenity.

**9. CODE NO. 14/0600/LA - ERECT A SINGLE-STOREY DEMOUNTABLE BUILDING TO BE USED AS A FLYING START UNIT FOR CCBC, LAND TO THE REAR OF GELLIGAER COMMUNITY CENTRE, ANEURIN BEVAN AVENUE, GELLIGAER, HENGOED, CF82 8ES**

It was reported that this application had been withdrawn.

**10. CODE NO. 14/0605/FULL - ERECT SINGLE-STOREY BEDROOM AND BATHROOM EXTENSION - 17 PENMAEN CORNER, OAKDALE, BLACKWOOD, NP12 0NN.**

Mrs K. Burkatt spoke in objection to the application, the applicant who had been advised was unable to attend.

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

agreed by the majority present with two abstentions.

RESOLVED that:-

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

**11. CODE NO. 14/0701/RET - RETAIN DECKING, 23 CHEPSTOW CLOSE, CEFN FFOREST, BLACKWOOD, NP12 1GP**

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 this application be granted.

**12. CODE NO. 14/0702/LA - CHANGE THE USE TO D1 TO ACCOMMODATE HEALTH AND MEDICAL SERVICES, HAFOD DEG DAY CENTRE, HIGH STREET, RHYMNEY, TREDEGAR, NP22 5LP**

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 policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of this permission: CW2.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

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

**13. CODE NO. 14/0754/NCC - VARY CONDITION (08) OF PLANNING CONSENT 14/0210/COU TO REDUCE THE MAXIMUM LENGTH OF DELIVERY VEHICLES AND REMOVE CONDITION (09) , GWENT CONSTABULARY, NELSON POLICE STATION, DYNEVOR TERRACE, NELSON, TRESHARRIS, CF46 6PD**

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 agreed by the majority present.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report this application be granted.
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP6, CW2 and CW3.

**14. CODE NO. 13/0534/RET - RETAIN HORSE STABLE AND TACK ROOM WITH BAT MITIGATION PROVISION, RETAIN EXISTING HOUSE AND REGULARISE GARAGE AND EXTERNAL WORKS INCLUDING MAIN ENTRANCE AND DRIVEWAY LIGHTING, THE MEADOWS, GYPSY LANE, GROESWEN, CARDIFF, CF15 7UN**

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.

Councillor Mrs E.M. Aldworth wish it recorded that as she had not be present for the whole of the debate she had not taken part in the vote.

RESOLVED that: -

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

**Additional Condition (12)**

Prior to the first occupation of the stables hereby approved, a scheme for the management of waste and foodstuffs associated with the use of that building shall be submitted to and agreed in writing with the local planning authority.

**Reason**

To ensure the appropriate management of waste and foodstuff

- (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: SP6, CW2 and CW3.

**15. CODE NO. 14/0440/FULL - ERECT TWO RESIDENTIAL DWELLINGS AND PROVIDE ASSOCIATED ROAD AND LANDSCAPING, LAND ADJACENT TO PONTYPANDY LANE, CAERPHILLY**

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 Coal Authority, Council's Ecologist, Dwr Cymru/Welsh Water, Glamorgan Gwent Archaeological Trust and the Transportation Engineering Manager.

- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

**16. CODE NO. 14/0654/COU - CHANGE THE USE OF THE GROUND FLOOR FROM USE CLASS A1 TO USE CLASS A2, INCLUDING ERECTION OF A NEW SHOP FRONT, INSTALLATION OF 3 NO. EXTERNAL LOUVERS AND A SATELLITE DISH, 42 CARDIFF ROAD, CAERPHILLY, CF83 1JQ**

The applicant's agent Mr C. Minihane spoke in support of the application.

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

In accordance with Rule of Procedure 15.5 Councillor R. Gough wished it recorded that he had abstained from voting.

RESOLVED that: -

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

**Additional Condition (04)**

This permission does not grant any consent for the retention of the existing roller shutters at the premises subject of this consent, or for the installation of new roller shutters at those premises. Prior to the commencement of the use hereby approved, the existing roller shutters shall be removed, and the details of any replacement roller shutters shall be submitted to and agreed in writing with the local planning authority. Thereafter the roller shutters shall be installed in accordance with those agreed details.

**Reason**

In the interests of visual amenity

- (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.

**17. 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) Appeals outstanding and decided.

The meeting closed at 19.10p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 14th January 2015 they were signed by the Chair.

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CHAIR



# Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0359/RET 29.05.2014	Dr C Currie West Lodge Ruperra Castle Estate Rudry Caerphilly NP10 8GG	Retain summerhouse and use of land as domestic garden in association with West Lodge West Lodge Ruperra Castle Estate Rudry Caerphilly NP10 8GG

**APPLICATION TYPE:** Retain Development Already Carried Out

## SITE AND DEVELOPMENT

Location: West Lodge, is located near to Ruperra Castle, at the centre of a triangle formed by Draethen, Rudry and Cefn Mably, at the south-eastern corner of the County Borough.

Site description: The site is formed of the domestic curtilage of West Lodge, a footpath/track to the north of the dwelling, and part of a paddock to the west of the dwelling. The surroundings are rural with a mix of agricultural, horsicultural and forestry uses.

Development: The description of the development is to retain summerhouse and use of land as domestic garden. It has been submitted in an attempt to overcome the requirements of a Breach of Condition Notice served requiring its removal.

Dimensions: The summerhouse has a length and width of 5.8 and 4.6 metres respectively. At its tallest point it measures 4.8 metres.

Materials: The outbuilding has been clad in timber with brown glazed door and window units and is finished with a slate roof.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

5/5/91/0221 - Erect extension - Granted 19/06/91.

P/01/0067 - Construct domestic extension and stables to serve dwelling - Withdrawn 26/03/01.

Cont'd.....

Application Number 14/0359/RET Continued.

P/05/1297 - Install plastic tank for domestic central heating oil - Granted 07/11/05.

10/0582/FULL - Erect detached single-storey garage and stable block with self-contained office accommodation within road space, change of use of land from non-domestic to curtilage - Withdrawn 29/10/10.

12/0584/COU - Extend and define residential curtilage - Granted 16.05.13.

12/0585/FULL - Proposed single-storey front and rear extensions - Refused 16.05.2013.

12/0586/RET - Retain existing stable block - Granted 06/12/12.

## POLICY

### LOCAL DEVELOPMENT PLAN:

Site Allocation: The site is located outside any settlement as identified in the Adopted Local Development Plan and is within a Visually Important Local Landscape. It is not indicated for any specific use, but in respect of constraints to the proposal, the site is partly within the Ruperra Castle Historic Park and partly within the Historic Park Essential Setting. The site is adjacent to the northern boundary of the Ruperra Castle Conservation Area.

Policies: CW2 (Amenity), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints) SP5 (Settlement Boundary) and NH 2.4 (Visually Important Local Landscapes - Rudry). Supplementary Planning Guidance LDP 10 - Buildings in the countryside and Planning Policy Wales (Ed.7, 2014)

### NATIONAL POLICY

Planning Policy Wales (2014), and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas.

### 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? No.

Cont'd.....

Application Number 14/0359/RET Continued

### CONSULTATION

Conservation & Design Officer – draws attention to the policy context within which this decisions should be taken

Senior Engineer (Land Drainage) - No objection.

Glam/Gwent Archaeological Trust – No objection.

### ADVERTISEMENT

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

Response: Two letters of objection have been received.

Summary of observations: The objections are summarised as follows:

1. Visual amenity, which was the basis of a condition on permission 12/0584/COU seeking the removal of the summerhouse.
2. Inappropriate development in the countryside: does not comply with Policy CW15 of the Local Development Plan.
3. Adversely impacts upon the character of the Ruperra Castle Park.
4. Concern over the future use of the summerhouse.
5. The plans are ambiguous and confusing.

### SECTION 17 CRIME AND DISORDER ACT

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

Cont'd.....

ANALYSIS

Policies: In considering the acceptability of the summerhouse and change of use of this land to domestic garden, the policies of main relevance are those contained within CW2, CW4, CW15 SP5 and NH2.4 of the Adopted Local Development Plan - up to 2021 together with the guidance contained in Supplementary Planning Guidance 10 - Buildings in the countryside and Planning Policy Wales, 7th Edition, 2014.

Dealing firstly with the design and appearance of the summerhouse, it is considered to accord with the standard development control criteria listed in policy CW2 by virtue its acceptable scale and choice of materials.

Notwithstanding the acceptable design and appearance of the summerhouse, the operational development has been carried out on land that falls outside the lawful residential curtilage of West Lodge, resulting in an unauthorised material change of use of the land to domestic garden. The main issue, therefore, is the effect of the retention of the development on the character and appearance of the area.

West Lodge is a detached property set in the open countryside, bounded by footpaths and outside any defined settlement boundary. It is not unreasonable for a detached dwelling in the countryside to have a domestic outbuilding to serve the reasonable needs of the occupiers and in terms of its location, the summerhouse is sited far enough from West Lodge so as not spoil the appearance and character of the host dwelling and close enough so that it is not incongruous in the wider landscape.

The increase in the area of of the residential curtilage has been kept to a minimum and amended plans have been submitted which show the proposed boundary extension drawn tight to the summerhouse building, excluding 'paddock' land previously included. This amendment overcomes the concern raised about the compatibility of the development with the key principles for rural development as set out in chapter 7.1 of the Council's SPG 10 - Buildings in the countryside, which states that additional areas of undeveloped countryside, including paddocks, should not be included within the curtilage of buildings in residential use.

In view of their scale and location, the building and garden will not harm the character of the Historic Garden and the character and appearance of the Conservation Area will be preserved.

Cont'd.....

Application Number 14/0359/RET Continued.

On balance and in light of the above, the development proposed is acceptable having considered the criteria set out in policies CW2, CW4, SP5 and NH2.4 of the Council Adopted Local Development Plan as well as the guidance contained within SPG 10 and Planning Policy Wales. In the circumstances, therefore, it is recommended that planning permission be granted subject to conditions.

Comments from Consultees: No objections are raised by statutory consultees.

Comments from public: The analysis above addresses the concerns raised by the objector in points 1, 2 and 3. Planning permission 12/0584/COU to extend and define the curtilage included a condition seeking removal of the summerhouse, steel container and timber store for the reasons set out above the retention of the summerhouse is acceptable. Policy CW15 does not allow development outside settlement boundaries, unless, in summary it is for agricultural, a conversion, for recreation or tourism, associated with a public utility, or land reclamation. However each case is considered on its merits and for the reasons set out above it is considered this development will not cause harm from a planning point of view.

With regards to the concerns raised in respect of the future use of the summerhouse, this can be overcome with a condition restricting the use of the summerhouse so that it is used solely in connection with the enjoyment of the dwellinghouse at West Lodge. The submitted plans are satisfactory and can be clarified by conditions.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Within 2 months of the date of this permission, 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, and a timetable for its implementation. The boundary treatment shall be completed in accordance with the agreed timetable.  
REASON: In the interests of the visual amenity of the area.
- 02) The development hereby permitted shall not be occupied at any time other than for purposes incidental to and ancillary to the residential use of the existing dwelling at the site subject of this consent.  
REASON: For the avoidance of doubt as to the nature of the approved development and to ensure that the development is not occupied as a separate unit of accommodation.

Cont'd.....

Application Number 14/0359/RET Continued

- 03) The residential curtilage associated with West Lodge shall be limited to the areas delineated by the red and pink lines as shown on drawing number A615-100 received by the Local Planning Authority on 13th October 2014.  
REASON: For the avoidance of doubt as to the extent of this consent.

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:  
CW4.



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## PREFACE ITEM

APPLICATION NO. 14/0152/FULL

APPLICANT(S) NAME: Mr J Tilley

PROPOSAL: 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

LOCATION: 14 Brynheulog Road Newbridge Newport NP11 4RG

The above planning application for a detached dwelling was deferred at Planning Committee on 8<sup>th</sup> October 2014 to allow Officers additional time to clarify the difference in ridge height between the proposed dwelling and the existing dwellings either side, as well as the height of the conifer trees along the eastern boundary of the site. A copy of the original report is attached.

This information has now been submitted and according to the survey undertaken, the proposed dwelling has a ridge level 1.0 metre lower than the ridge level of 14 Brynheulog Road to the west, and 4.6 metres higher than the ridge level of the property to the east, i.e. Shangri-La.

The 4 conifer trees along the eastern boundary of the site, i.e. between the proposed dwelling and Shangri-La, measure between 9.0 – 11.0 metres in height, and are approximately 0.9 metres lower than the ridge level of the proposed dwelling, but significantly higher than the proposed rear balcony. The trees would be removed due to the proximity to the new dwelling.

Recommendation – that Planning Permission is GRANTED subject to the conditions set out in the attached report and amended to reflect the details described above.

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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
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**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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## PREFACE ITEM

APPLICATION NO. 14/0422/NCC

APPLICANT(S) NAME: Mr A Price

PROPOSAL: 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

LOCATION: Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY

This application was reported to Planning Committee on 10 December 2014. A copy of the original report is attached. Members resolved to defer a decision to allow officers to draft a reason for refusal based on concerns about odour and the impact on residential amenity.

There is a history of odour complaint associated with the in-vessel composting facility (IVC) at these premises, and that has been the subject of discussion between the owner and Natural Resources Wales (NRW). More recently the level of complaint has diminished. From a planning point of view, it would be difficult to argue that the change in hours of operation sought by the applicant would aggravate the odour, or cause any significant loss of residential amenity.

The application is supported by a statement by an environmental consultancy specialising in air quality, odour assessment and environmental noise; and an environmental noise assessment, and a transport statement.

The amended hours of operation being sought amount to an additional 3 hours on Saturday, and 5-and-a-half hours on bank holiday mornings starting at 07.30. The licensed amount of waste that can be received at the building (29,150 tonnes per annum) will not change; that is controlled by NRW. Delivery traffic would generally be a maximum of two arrivals and two departures each hour (four movements), that is 12 on Saturday afternoon, and 22 on a bank holiday. Occasionally the latter figure would be a maximum of 28 movements per day. All unloading would take place within the building, which uses negative air pressure to contain odour. There is no evidence that that scale of delivery, contained within the building, will make odour problems worse.

Councils now collect food waste on Saturday and bank holidays, and so the vehicles associated with that service are already on the highway on those days. A survey of traffic on Gelligaer Road on a Saturday revealed a flow of 341 vehicles per hour from 10.00 until 13.00, and 323 from 13.00 to 16.00. Peak traffic flow on Sunday was shown to be 619 cars in an hour. In that context, the traffic attracted to the site is small, and would not cause any significant harm to the amenity of the occupiers of dwellings

adjacent to the local roads. According to the evidence submitted by the applicant, the only property that would suffer a major impact in respect of noise levels would be Green Acres Bungalow, which is in the applicant's ownership.

A traffic capacity analysis of five junctions has been carried out for the applicant, at Shingrig Road/Dynevor Terrace, Shingrig Road/ Gelligaer Road, the access to the site, Church Road/Penallta Road, and Pengam Road/Hengoed Road. Those junctions are shown to be operating within their capacity, no greater than 89% in any case, and so there are no highway objections to the additional hours of operation.

The applicant gained planning permission on appeal in March 2013 for an anaerobic digester that would generate energy (our reference 11/0224). It would replace the existing IVC and would be subject to the following hours of operation: 07.00 to 18.00 Monday to Friday, 07.00 to 13.00 Saturday, with no operations to take place on Sunday, bank holidays or public holidays. It would also be open for the receipt of waste from local authority civic amenity sites between the following hours: 13.00 to 16.00 Saturday; and 07.00 to 16.00 Sunday and bank or public holidays. It is understood that it is intended to go ahead with this scheme, which on the basis of those limitations would include deliveries on Saturday afternoons, and bank and public holidays. The current alterations to the hours of operation do not include Sunday.

Recommendation: That Planning Permission is GRANTED subject to the conditions as set out in the attached report. However, if Members are minded to refuse permission the following reason is suggested:

The proposed alteration to the hours of operation for the existing in-vessel composting facility would increase the hours during which the risk of odour problems and noise disturbance to residential properties would occur, contrary to policy CW2 of the Adopted Caerphilly County Borough Local Development Plan up to 2021 (November 2010).

## APPENDIX

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 in-vessel 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...

Application No. 14/0422/NCC Continued

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.

Cont...

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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# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0668/FULL 22.10.2014	Tesco Stores Limited New Tesco House Delamare Road Cheshunt Hertfordshire EN8 9SL	Install dry cleaning, key cutting, shoe & watch repairs pod to class 1 retail premises Tesco Stores Ltd Unit C Pontymister Industrial Estate Pontymister Risca Newport NP11 6NP

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated between the A467 Risca By-Pass and the River Ebbw.

Site description: The application site forms part of the concourse to the front of the existing Tesco Store. The area is currently partly used for trolley storage and partly used for children's rides, beneath the canopy to the front of the store.

Development: The application seeks full planning consent for the erection of a franchise unit for Timpson Ltd. The unit comprises a self contained pod, which would be a pre-fabricated single storey cabin building with a flat roof. The pod will have an entrance door and window display on the front elevation. The services to be provided within the unit are dry cleaning, shoe repairs, watch repairs, key cutting and engraving.

Dimensions: The pod measures 6.668m long by 2.709m wide by 2.455m high.

Materials: The structure will be clad in timber with a flat plastic coated sheeting roof.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

2/03412/T - Sectional office accommodation, distribution area of associated company - Granted 29.10.90.

Cont'd.....

Application Number 14/0668/FULL Continued

2/11101 - Additional office accommodation to serve existing manufacturing facility -  
Granted 29.01.93.

2/12114 - Two portacabins for storage, one extension to main parts store, extension of  
refectory stores, one new storage building for sales literature, one portacabin for use as  
a first aid room - Granted 07.12.94.

08/0568/FULL - Erect Class A1 retail foodstore, petrol filling station and associated car  
parking, access, servicing, landscaping and flood alleviation scheme, together with new  
pedestrian footbridge and riverside walkway - Granted 16.03.10.

10/0814/ADV - Erect various signage - Granted 14.12.10.

12/0738/ADV - Erect directional signage and signage to new click and collect canopy  
facility in relation to the approved integrated canopy application - Granted 14.11.12.

14/0669/ADV - Erect signage - Not yet determined.

## POLICY

### Site Allocation

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries)

SP6 (Place Making)

CW2 (Amenity)

CW15 (General Locational Constraints)

CW16 (Locational Constraints - Retailing)

CM4 (Principal Town and Key Settlement Development Sites).

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

Cont'd.....

Application Number 14/0668/FULL Continued

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 Notes 4 - Retailing and Town Centres, 12 - Design and 15 - Development and Flood Risk.

### CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection.

Dwr Cymru - No objection subject to the submission of a drainage scheme.

Natural Resources Wales - No objection subject to the developer installing the flood proofing measures as recommended in the submitted Flood Consequences Assessment.

### ADVERTISEMENT

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

Response: One objection was received.

Summary of observations: - Risca already served by such a business, and the proposal would devastate existing business.

### 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.

Cont'd.....

Application Number 14/0668/FULL Continued.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

## ANALYSIS

Policies: The proposal should be considered in terms of its siting and design, as well as the principle of the development in policy terms.

In design terms, it is considered that the proposed structure, which has the appearance of a small wooden cabin, and will be located under the canopy of the main superstore, is acceptable in design terms and will have little impact on the visual amenity of the surrounding area.

In policy terms, as the application site is located out of the Risca Principal Town Centre, Policy CW16 of the Local Development Plan is relevant, and states:

"Outside of the defined Principal Town Centres proposals for new retail stores or for additional retail floorspace will only be permitted where:

A The vitality and viability of nearby Principal Town Centres will not be undermined, taking into account the cumulative effects of other approved retail developments, recently completed developments and Plan commitments, and

B The proposal would not undermine the Council's retail strategy, a Town Centre Action Plan or any regeneration plans that the Council has formally approved, or

C The proposal is:

i A new retailing unit of 1000m<sup>2</sup> or less in size, or the change of use of such a size, and

ii To serve neighbourhood needs, or is ancillary to another commercial use."

The proposed development accords with this policy because it will not undermine the vitality and viability of the principal town centre because of its very limited size, and it has a floor area of less than 1000m<sup>2</sup> and is ancillary to another commercial use, i.e. Tesco Superstore. The proposal is therefore considered acceptable in policy terms.

Comments from Consultees: No objection is raised by statutory consultees.

Comments from public: The objection relates to competition which would not be a sound reason for refusal in this instance.

Other material considerations: None.

Cont.d.....

Application Number 14/0668/FULL Continued

RECOMMENDATION that Permission be GRANTED

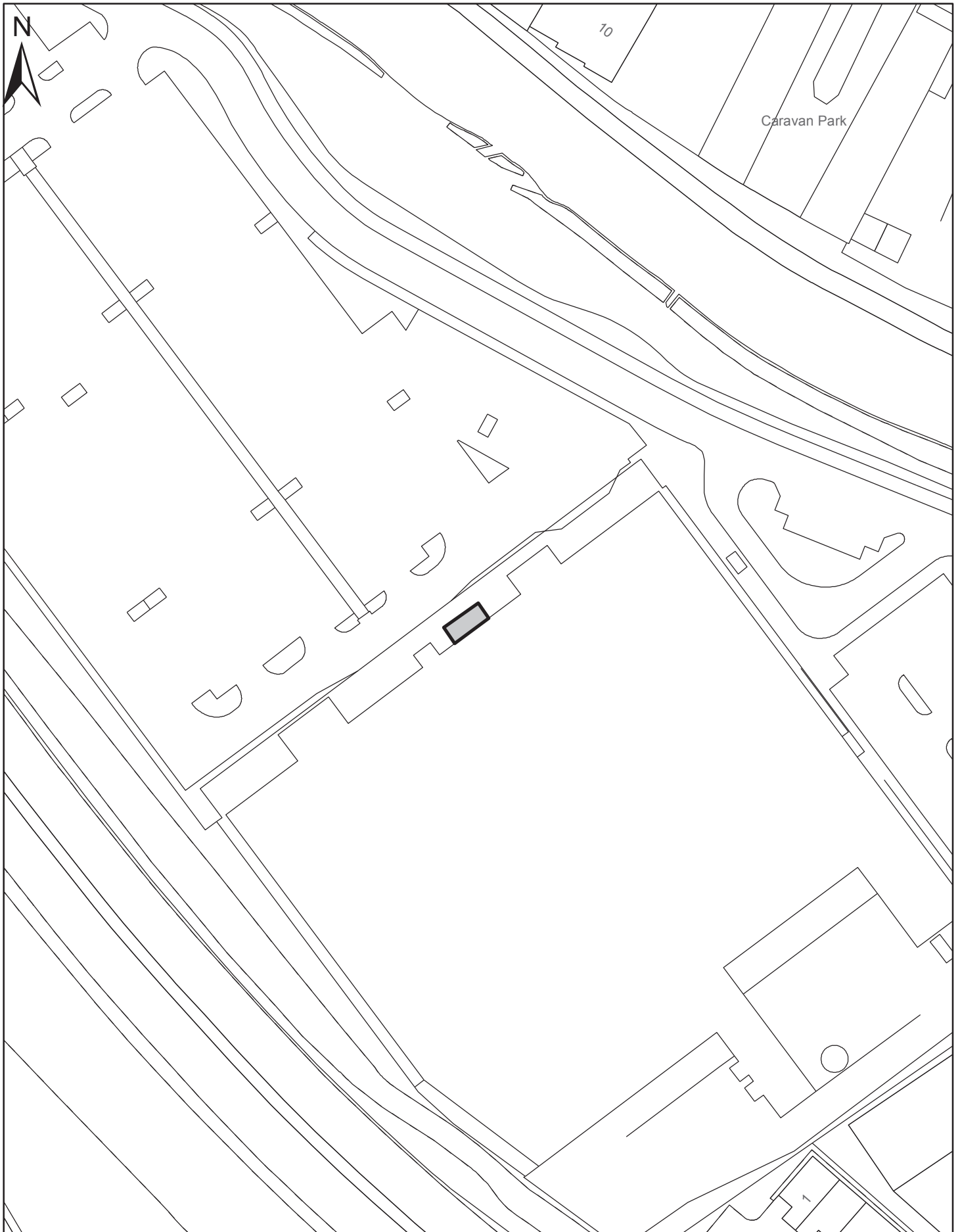
This permission is subject to the following condition(s)

- 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.

Advisory Note(s)

Please find attached the comments of Natural Resources Wales that are brought to the applicant's attention.

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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0752/COU 05.11.2014	Ms K Cousins 52 Heol Hir Llanishen Cardiff CF14 5AE	Change the use from A1 shop to A2 estate agent, including a new shop front and the conversion of the upstairs office/store room to a 2 bedroom independent flat 3 Bartlett Street Caerphilly CF83 1JS

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: On the northern side of Bartlett Street near the junction with Broomfield Street, Caerphilly.

Site description: No.3 Bartlett Street is a two-storey mid-terrace property located in a prominent location near the junction of Bartlett Street and Cardiff Road, opposite the Irish Tymes Public House within the identified Principal Town Centre of Caerphilly. The application site includes a 'warehouse' building to the rear of the retail premises, which has vehicular access from Broomfield Street.

Development: Change the use from A1 shop to A2 estate agent, including a new shop front and the conversion of the upstairs office/store room to a 2- bedroom independent flat.

Dimensions: External dimensions of the property would remain unchanged.

Materials: The glazed aluminium shop front would be replaced by a glazed uPVC shop front.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

5/5/91/0580 - Change use of 1st floor from offices to showroom / sales area and install staircase - Granted 15.10.1991.

5/5/91/0344 - Change the use of first floor office to residential flat - Granted 11.07.1991.

Cont'd.....

Application Number 14/0752/COU Continued

14/0753/ADV - Erect Signage - Not yet determined.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: Land within the settlement boundary and a principal town centre (policy CM1.5).

Policies: SP5 (Settlement Boundaries), CW14 (Use Class Restrictions - Retail), CW2 (Design Considerations - Amenity) and CW3 (Design Considerations - Highways).

Supplementary Planning Guidance LDP 12 (Shop Fronts and Advertisements).

NATIONAL POLICY Planning Policy Wales (2014); Technical Advice Note 4: Retail and Town Centres; Technical Advice Note 23: Economic Development.

### 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 property is within the Coal Authority referral area but this type of application does not require the submission of a report.

### CONSULTATION

Transportation Engineering Manager - No objection.

Dwr Cymru - No objection, but makes comments of which the applicant should be advised.

### ADVERTISEMENT

Extent of advertisement: Eight neighbours notified.

Response: None.

Cont'd.....

Application Number 14/0752/COU Continued

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

There are no specific crime and disorder issues in this instance.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? The proposed development is a sui generis commercial use, for which, the CIL liability is nil.

### ANALYSIS

Policies: This application has three different elements which include the change the use from A1 shop to A2 estate agent, a new shop front and the conversion of the upstairs office/store room to a 2 bedroom independent flat.

Firstly, in respect of the change of use, consideration is given to the Council's Local Development Plan 'Objective 22', which seeks to "Maintain the vitality, viability and character of the County Borough's town and village centres, and re-establish them as a focus for economic activity and community pride". Key to this Objective is promoting footfall and allowing change to increase economic activity.

In assessing this application for change of use from A1 retail to an A2 use, in the principal centre, the key considerations are given to Policy CW14.

Policy CW 14 provides policy constraints that aim to maintain the character, vitality and viability of the principal town centres, through placing restrictions on changes to the use of A1 retail units to other uses, unless the centre as a whole has been subject of a vacancy rate greater than 10% over a period exceeding the previous 12 months.

In terms of Policy CW14, the last recorded vacancy rate (October 2014) is under 10%, as it was previously in October 2013. The latter year was the first year in six that it had dropped below 10%. In respect of Policy CW14, the proposal to change the use of the ground floor of the premises to an A2 use would be contrary to the policy.

Cont'd.....

Application Number 14/0752/COU Continued

However, it is important to consider the positive effects an occupied unit will have over a potentially empty unit and from this perspective consideration needs to be given to whether the unit meets the intentions of Objective 22 in promoting footfall and increasing economic activity. An empty unit does not promote footfall, whereby a unit in occupation will have benefit to some degree. In this case the proposed use is for a Class A2 use, of which the applicant has subsequently more specifically identified it as use by an estate agents. Whereas the impact on footfall generated by most A2 uses would be unlikely to be significant, it is considered that the footfall generated by a betting shop, would be of greater benefit to the vitality of the retail centre than a vacant unit.

It is acknowledged that the three other properties within this retail block are non A1 and that the change of use of 3 Bartlett Street as proposed would reflect the existing retail uses in the block. Whilst the unit is vacant it does not generate any footfall within the town, however, there is likely to be an increase in footfall were the unit to be occupied.

TAN 23 Economic Development indicates that economic aspects of all forms of development and planning decisions should be made in a sustainable manner and should balance social, environmental and economic considerations. The proposed change of use would bring a vacant property back into economic use, and create employment in the town.

On balance therefore, the beneficial economic and environmental considerations that would be realised by this property being upgraded and brought into beneficial use, outweighs the negative impact that the vacant unit has on the street scene at this prominent location. Therefore the proposed change of use is recommended for approval on this basis.

The second aspect of this application is the proposed replacement shop front which would be in proportion to the scale of the site and its design and materials is in keeping with the surroundings. The proposed fascias and stall risers respect the scale, design and architectural features of the building as a whole, and of the adjacent properties. The improvements to the shop front at this key location would improve the street scene considerably. Specifically, it will introduce an active frontage at this location and improve the street scene in general. Therefore when considering the context of the existing property and the resulting development it is felt that the proposal would be acceptable in this instance. It should also be noted that there would be no greater impact on the amenity of the adjacent properties than the existing situation.

Cont'd.....

Application Number 14/0752/COU Continued

The third part is the introduction of a two bedroom residential flat at first floor level. This change from storeroom to flat is development that would normally be permitted by virtue of the Town and Country Planning (General Permitted Development) Order 1995, in respect of a change of use to the first floor above either an A1 or A2 use. However, this proposal also includes the insertion of a new door in the front elevation alongside the new shop front. All of the other alterations to facilitate the flat would be internal to the building. There would be no policy objections to this part of the proposal and there are no objections to this aspect from any of the Consultees.

The proposals would not result in the over-development of the site and would have no detrimental impact on the safe, effective and efficient use of the transportation network.

Comments from Consultees: No objections are raised by statutory consultees.

Comments from public: None.

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.

Advisory Note(s)

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

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## PLANNING COMMITTEE – 14TH JANUARY 2015

**SUBJECT: WELSH GOVERNMENT CONSULTATION ON PLANNING AND RELATED DECISIONS**

**REPORT BY: CHIEF EXECUTIVE**

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### 1. PURPOSE OF REPORT

1.1 Welsh Government (WG) is currently running a consultation about changes to the planning process on the following basis:

- Introduce an expedited system for advertisement appeals in line with the Householder Appeal System and Commercial Appeal System, which are currently subject to a pilot scheme;
- Change how called-in applications and appeals by statutory undertakers are dealt with;
- Introduce the ability for an appeal against non-determination to be returned to the local planning authority for a decision within a prescribed timescale; and
- Transfer authority for the determination of certain appeals from the Welsh Ministers to the Planning Inspectorate.

The purpose of this report is to consider the Council's response to the consultation.

### 2. SUMMARY

2.1 According to WG there is pressure from professionals and developers seeking swifter decisions to improve the system to provide necessary sustainable development and stimulate economic growth. Communities and the public seek a system that provides greater fairness and transparency. Whilst the current appeal system generally works well, some aspects are sometimes criticised for being inefficient. The intention of the proposed changes contained in the consultation paper is to further improve the efficiency of the existing system. The proposed changes are intended to:

- Increase the speed of decisions, thereby promoting growth and providing greater certainty to developers;
- Remove unnecessary and outdated procedures from the determination process; and
- Increase fairness for all involved through enabling decisions to be made at the local level, wherever possible.

2.2 The deadline for the submission of comments is 30 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.

### **3. LINKS TO STRATEGY**

- 3.1 The report takes account of the adopted Caerphilly County Borough Local Development Plan up 2021.

### **4. THE REPORT**

#### **4.1 ADVERTISEMENT APPEALS**

WG has already introduced a fast-track appeals process for householder and minor commercial developments. The main components of that process are:

- Provide an applicant 12 weeks from the date of the decision to lodge an appeal;
- Introduce an 8 week target for the appeal decision;
- Conduct the appeal process electronically wherever possible;
- Limit the local planning authority's case to documentation used in the handling and determination of the application, which is to be submitted with the appeal questionnaire;
- Limit the appellant's case to an appeal statement made alongside an appeal form explaining why the local planning authority's decision is being contested;
- Limit representations at appeal to those received at the application stage. Notification at appeal stage will be made only to confirm whether the original representations still stand; and
- Adopt a more efficient procedure for Inspector site visits, not requiring attendance by any party to the appeal, unless that is to provide access to the site.

It is now intended to deal with advertisement appeals following the same procedure.

- 4.2 The new procedure has undoubtedly improved the efficiency of the householder and commercial development appeal process, and it has not prejudiced this Council's position in respect of any of the appeals. In summary, the new process depends on the documentation that forms the background to the Council's original decision, and so it saves time for officers who do not have to submit an additional appeal statement, and more often than not Officers are not required to attend the inspector's site visit. There have not been any complaints about the process from the public to the Council. Therefore, there are no objections to the use of the same process for advertisement appeals.

#### **4.3 APPEALS BY STATUTORY UNDERTAKERS**

Appeals by statutory undertakers e.g. a gas or a railway company, are considered by Welsh Ministers, and the appropriate UK government minister. This is a cumbersome and costly process. This amendment is being proposed so that the default position for called-in applications and appeals by statutory undertakers will be that they are dealt with solely by the Welsh Ministers unless otherwise directed.

- 4.4 Such appeals are very rare in this borough, but there is no apparent reason to object to this proposed amendment, which is a sensible streamlining of the process.

#### **4.5 NON-DETERMINATION APPEALS**

Where the Council fails to determine an application within the statutory eight-week period, the applicant can appeal against non-determination to The Planning Inspectorate. Jurisdiction for making a decision is passed to The Inspectorate once an appeal is made. It is proposed to allow a period of four weeks from the making of the appeal during which the Council will still be able to determine a planning or listed building consent application. Where the local planning authority refuses permission within that additional period, the appeal against nondetermination will become an appeal against refusal. If the authority grants permission, the appellant may withdraw the appeal or proceed with the appeal on revised grounds; for example, an appeal against conditions which may have been imposed.

4.6 It has been good practice to make an informal decision on an application even if an appeal against non-determination has been submitted because the inspector can then be made aware of the Council's concerns had it been in a position to make the formal decision. This proposal would formalise that approach and there are no objections to its adoption. The suggested 4-week timescale is reasonable as it would allow sufficient time for a committee report to be prepared, which if necessary could become the basis of an appeal statement in support of a refusal, or would justify any conditions imposed on an approval.

#### 4.7 **CHANGES TO THE PRESCRIBED CLASSES REGULATIONS**

There are a number of classes of appeal that, whilst they are dealt with by the Planning Inspectorate, are reserved for final determination by the Welsh Ministers. They are:

- Listed Building Consent and Listed Building Enforcement Appeals for Grade I and Grade II\* buildings
- Appeals relating to buildings subject to historic building grants
- Conditions attached to minerals permissions
- Hazardous Substances appeals, and
- Replacement of Trees

That can often add an additional 12 weeks to the determination process. It is proposed to allow The Inspectorate to make the decision, with Welsh Ministers having the power to recover jurisdiction should they consider it appropriate.

4.8 Again, this would seem a sensible streamlining of the process. There is no strong reason why the Ministers should determine these appeals any more than any other type of appeal, but they would retain the right to recover them if they considered it appropriate.

#### 5. **EQUALITIES IMPLICATIONS**

5.1 There would be no equalities implications

#### 6. **FINANCIAL IMPLICATIONS**

6.1 None

#### 7. **PERSONNEL IMPLICATIONS**

7.1 None

#### 8. **CONSULTATIONS**

8.1 None

#### 9. **RECOMMENDATIONS**

9.1 That Officers reply to the questions set out in the consultation on the basis of the comments above, and any additional comments from Members.

#### 10. **REASONS FOR THE RECOMMENDATIONS**

10.1 As set out in the report above.

## **11. STATUTORY POWER**

11.1 The Town and Country Planning Act 1990 and related acts and statutes.

Author: Tim Stephens - Development Control Manager

Background Papers: Consultation from Welsh Government



## PLANNING COMMITTEE - 14TH JANUARY 2015

**SUBJECT: TREE PRESERVATION ORDER 75 OF 2014 - LAND AT WERN WOODLAND, NELSON**

**REPORT BY: CHIEF EXECUTIVE**

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### 1. PURPOSE OF REPORT

- 1.1 A Tree Preservation Order (TPO) was imposed on a woodland to the east of Tawelfan in Nelson on 7 July 2014 in response to the cutting down of trees on a neighbouring area of land to the northwest. A plan is attached showing the location of the TPO, which is described in the order as consisting of a mixture of species including oak, alder, willow, goat willow, birch and hawthorn. TPOs are made on a provisional basis to allow landowners and others to comment before they are confirmed by the Local Planning Authority. Twenty-eight days are usually given for comment - in this case that period expired on 6 August 2014 - but objections were received in December on behalf from the landowners via the local ward member with a request that the confirmation of the TPO is considered by Planning Committee.

### 2. SUMMARY

- 2.1 To consider whether it would be appropriate to confirm this TPO

### 3. LINKS TO STRATEGY

- 3.1 This matter has been considered on the basis of the adopted Caerphilly County Borough Local Development Plan up to 2021.

### 4. THE REPORT

- 4.1 This committee is taking place approximately a week after the six-month period, and as a further TPO has been served to extend the period and allow Members to consider the matter.

- 4.2 The objections with regard to the TPO are as follows.

A. The owners have lived adjacent to the woodland for over 10 years. In that time they have only enhanced the area, planting hedges and trees where appropriate.

B. There appears to be an allegation that they have removed a number of trees without obtaining Natural Resources Wales (NRW) permission. An area of trees that had become dangerous to people and horses was cleared and returned to beneficial use as grazing, which it previously was. Following the attendance of CCBC arboriculturist, there was concern that they may have exceeded the quarterly allowance (which they had not used in the previous 10 years). This resulted in the attendance of an officer from NRW. He catalogued the cut trees and took no action stating that had they applied for a permit to undertake the work, it would

have been granted. The only area of concern was that they had used more than one quarter's allowance in one go.

C. The area identified for the TPO was historically grazing land, as can be seen from Google Earth images in 1945. Over the years, the ground has become increasingly boggy and allowed the unintended growth of trees and bushes. The area is of no special interest with many trees dying or dead due to the ground conditions. There is little public amenity value.

D. With regard to public amenity, very little of the area can be seen from the adjacent cycle track due to the growth of trees and bushes. In the period of foliage, it would take a concerted effort to see this area from the cycle track. They contest the view that the area has trees included in it that have significant public amenity value and make a notable contribution to the local and wider landscape.

E. The TPO identifies the area as 'Land at Wern Woodland'. They believe this is a deliberate attempt to link their land with Wern Woodland to give some credibility to the order. Wern Woodland is actually some 1km away, as identified on CCBC's own website.

F. The area of woodland falls under the remit of NRW. The officer from NRW advised that they would require his permission to undertake any felling in this area. Any TPO would create a duality of legislation already in force.

G. The area is very boggy and makes maintenance very difficult. They have no plans to return the area to pasture, which was its historic use. However, they may need to remove dead/dying trees and open up some space to allow their horses to roam safely. They would seek permission from NRW prior to any work. In any event, even if it were practical to return the area to pasture, this was what the area was some 60 years ago.

The landowners conclude: "In essence, we have managed our land responsibly. The improvements we have made to our land in general have benefitted us as owners and the public who visit our area. The area identified for TPO is already protected by NRW. We see no grounds for issuing a TPO covering an area that was previously pastureland and on which there are no trees that are either endangered or which have any special scientific interest. The area is not clearly visible to the passing public. The order would unjustly affect our right as landowners to use it in the most beneficial way for our particular agricultural needs."

Allegations are also made against the conduct of one of the Council's officers who was involved with the making of this TPO, but they have not been repeated here as they have no bearing on whether the woodland is worthy or not of a TPO.

4.3 Those objections will be considered below on the basis of the same lettering.

Objections A and B: The landowners' commitment to enhancing the area is not questioned, and the involvement of the NRW has no bearing on the merits of the TPO.

Objection C. The historic use of land does not have any bearing on the validity or expediency of a TPO. The legislation guidance, 'Tree Preservation Orders – A Guide to the Law and Good Practice' (AGTLGP), does not mention it at all as a factor that could preclude a tree, group of trees, or woodland from inclusion in a TPO. The Council's aerial photography data from 1940 shows the area covered by the proposed TPO as having small trees visible, especially towards the south-eastern corner. The south-eastern quadrant looks to be at least as wooded as the woodland slightly further east and south of the adjacent railway line. Ordnance Survey (OS) mapping of 1959 shows the same area as being a boggy/marsh. By 1961 OS mapping shows the area as a mixed wooded pasture. 1971 OS mapping shows the area as clearly wooded, which subsequent aerial photography from 1991 and 2010 appears to confirm.

The Council must consider the merit of what is there at present. There are many trees and woodlands that are relatively modern in origin, but that does not mean they are not worthy of a TPO.

Objection D. The TPO does have a significant amenity value. The definition of 'amenity' in this context is not completely clear-cut. AGTLGP does state: *"TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public... The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath... the value of a group of trees or woodland may be collective only."*

The wooded area in question is highly visible from all four of its sides:

- from the well-frequented cycle track NCR 47 adjacent to the southwestern side (parallel to the railway), which is also parallel to PROW Gelligaer FP168.
- from PROW Gelligaer FP168 which also continues along the wood's eastern boundary, crossing two stiles.
- from PROW Gelligaer FP167 which is at the west end of the wooded area, and then crosses the railway via the swing gates.
- from PROW Caerphilly FP12 which leads to the railway crossing from the southwest (Nelson) side.

It can also be seen from several houses at Tawelfan.

The Guide continues: *"[LPAs] are advised to develop ways of assessing the 'amenity value' of trees in a structured and consistent way, taking into account the following key criteria: visibility, individual impact, wider impact and expediency."* Mindful of this, CCBC officers use the Tree Evaluation Method for Preservation Orders (TEMPO) process. This is a widely used methodology in the UK for assessing the key criteria highlighted by the guidance as necessary for fair evaluation, and is also a structured and consistent method of appraisal that is used on every tree or group of trees (or woodland) prior to serving a TPO. TEMPO assesses:

- Condition (though it should be noted that the TEMPO assessment is NOT a full hazard assessment of a tree or group of trees – which remains an owner's responsibility),
- Retention Span (in years),
- Relative Public Visibility
- Other Factors such as historic or habitat importance, or species rarity, and finally an
- Expediency Assessment which is essentially concerned with the level of threat to the tree or trees' removal.

The TEMPO assessment for this particular woodland – conducted on 3 June 2014 – resulted in a score of 18 points, which equates to a decision of 'Definitely merits TPO'.

The site is also identified as part of a site of importance for nature conservation (SINC) in the Adopted Caerphilly County Borough Local Development Plan. The eastern side of the woodland adjoins a Site of Special Scientific Interest (SSSI).

Objection E. The title of the TPO is not particularly critical, and it can be changed if it is considered inaccurate or inappropriate. The name was based on the SINC, which is referred to in the LDP as Wern Woodland, and runs for some 900m along the northern side of Nelson, the particular aspects of which are

Primary Features

- Semi-natural wet woodland.

## Secondary Features

- Semi-improved neutral grassland.
- Scrub.
- Standing water.

The woodland subject of the TPO is the northwestern extremity of the SINC, but also adjoins an SSSI.

Objection F. NRW's permission is only required if a Felling Licence is being applied for. A Felling Licence is not required if fewer than 5 cubic metres of timber is being felled in any given calendar quarter. Smaller quantities of felling, or pruning maintenance to trees covered by a TPO would still require the Council's written approval. Similar exemptions apply with both forms of protection, e.g. dead or dangerous trees are exempt from prior written permission from the LPA or the granting of a Felling Licence. Anyone undertaking such works would though need to be able to prove – if queried – that the trees concerned were in fact dead or dangerous. However, non-emergency pruning or removals would need Local Planning Authority written approval. Provided the works applied for were reasonable and appropriate then they would be approved. Normal sensible management of woodlands (e.g. regular selective thinning, or routine maintenance of boundary trees) would nearly always be approved unless there were a specific issue relating to loss of overall amenity.

Objection G. If the woodland were not covered by a TPO then there would not be any requirement to seek permission from any organisation to fell trees unless it were more than 5 cubic metres of timber being felled within any one calendar quarter. If the extent of the space to be "opened up" referred to in objection G to allow horses to roam safely were not detrimental to the overall amenity of the woodland then the applied for works would likely be approved. If an application were received to remove a significant swathe of woodland, then that would likely be refused, or possibly approved with some modification.

The woodland is of sufficient amenity value to justify its protection by a TPO. It would appear that the current owners wish to manage it, rather than remove it, but their intentions might change, and future owners of the land may also have other intentions. It would therefore be prudent to confirm the TPO.

## **5. EQUALITIES IMPLICATIONS**

5.1 There are no equalities implications in this case.

## **6. FINANCIAL IMPLICATIONS**

6.1 None

## **7. PERSONNEL IMPLICATIONS**

7.1 None.

## **8. CONSULTATIONS**

The Council's tree officer.

## **9. RECOMMENDATIONS**

9.1 That TPO 75 of 2014 is confirmed with the following change of name: Woodland northeast of Tawelfan adjoining National Cycle Route 47



**10. REASONS FOR THE RECOMMENDATIONS**

10.1 As set out in the report above

**11. STATUTORY POWER**

11.1 The Town and Country Planning Act 1990 and related acts and statutes.

Author: Tim Stephens - Development Control Manager  
Consultees: Paul Harris - Senior Arboricultural Officer

Background Papers: Provisional TPO 75 of 2014

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## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
14/0430/COU 11.07.2014	Mrs N Stana C/o James Carter : Alan Barker Partnership Mr J Carter Bank Chambers 92 Newport Road Cardiff CF24 1DQ	Change the use of land to hand car wash and valeting and erect awning and signage 243 Bedwas Road Caerphilly CF83 3AR	Granted 01.12.2014
14/0637/FULL 24.09.2014	Mr & Mrs K Harris Gelliffyniog Farm Blackvein Mountain Road Crosskeys Newport NP11 7PS	Provide enlarged roof lights to main roof, add double door set to rear elevation, replace single storey extension to accommodate lobby and ground floor W/C, including the raising of the ridge and the inclusion of a pitched dormer to the existing side extension Gelliffyniog Farm Blackvein Mountain Road Crosskeys Newport	Granted 01.12.2014
14/0645/FULL 29.09.2014	Bryn Meadows Golf Club And Country Hotel Mr G Mayo Maesycwmmmer Hengoed CF82 7SN	Erect single-storey extension to golfers bar/pro-shop building, housing golf simulator area and mountain bike store and changing area Bryn Meadows Golf Club And Country Hotel Maesycwmmmer Hengoed CF82 7SN	Granted 01.12.2014
14/0664/TPO 07.10.2014	Mr A Ricci Oak House 21 Denleigh Close Bargoed CF81 8NP	Reduce the crown of four oak trees, T1, T2, T3 and T4, by 10%, 20%, 10-15% and 10- 20% respectively Oak House & High Trees 21 & 22 Denleigh Close Bargoed CF81 8NP	Granted 01.12.2014
14/0666/FULL 07.10.2014	Mr J Walters 32 St Anne's Road Blackwood NP12 3PG	Erect a single-storey kitchen extension Mount Pleasant Baptist Chapel Cefn Road Blackwood NP12 1PR	Granted 01.12.2014

14/0683/FULL 15.10.2014	Mr R Parry 73 Pwll Yr Allt Tir-y-berth Hengoed CF82 8FR	Construct single-storey extension Ronwen Mount Pleasant Fleur-de-lis Blackwood	Granted 01.12.2014
14/0618/COU 16.09.2014	Mr & Mrs M Williams Fornells Gellideg Lane Maesycwmmmer Hengoed CF82 7SH	Change the use from retail to industrial V R Williams And Son Gellideg Industrial Estate Gellideg Lane Maesycwmmmer	Refused 02.12.2014
14/0648/FULL 29.09.2014	Mr G Evans 151 Beaumaris Way Cefn Fforest Blackwood NP12 1DF	Construct replacement detached domestic garage 151 Beaumaris Way Cefn Fforest Blackwood NP12 1DF	Granted 02.12.2014
14/0669/ADV 08.10.2014	Tesco Stores Ltd New Tesco House Delamare Road Cheshunt Hertfordshire EN8 9SL	Erect signage Tesco Stores Ltd Pontymister Industrial Estate Pontymister Risca	Granted 02.12.2014
14/0671/FULL 08.10.2014	Mr S Morgan 10 Pond Row Cwmcarn Newport NP11 7LX	Erect two-storey garage and workshop 10 Pond Row Cwmcarn Newport NP11 7LX	Refused 02.12.2014
14/0680/FULL 13.10.2014	Mrs J Cains 6 Chatham Street Machen Caerphilly CF83 8SH	Erect a single-storey extension to the side of the property 6 Chatham Street Machen Caerphilly CF83 8SH	Granted 02.12.2014
14/0721/NMA 14.11.2014	Mr G Bradley 48 Mountain Road Caerphilly CF83 1HL	Seek approval of a non-material amendment to planning consent 14/0076/FULL (Re-model and extend existing property) in order to change roofing material to Nu-Lok slate effect roof incorporating photo voltaic slates 48 Mountain Road Caerphilly CF83 1HL	Granted 02.12.2014

14/0334/COU 20.05.2014	Mr G Nutall C/o C2J Architects & Town Planners Mrs A Dallimore Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Change the use from police station to residential dwelling 37 Maindee Road Cwmfelinfach Newport NP11 7HR	Granted 04.12.2014
14/0383/RM 11.06.2014	Mr D Williams The Wagon House Holly Lane Bassaleg Newport NP10 8RR	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 271 Bedwas Road Caerphilly CF83 3BL	Granted 04.12.2014
14/0649/FULL 26.09.2014	Mr & Mrs Evans Hillcrest Homeleigh Newbridge Newport NP11 4RQ	Erect conservatory Hillcrest Homeleigh Newbridge Newport	Refused 04.12.2014
14/0684/FULL 14.10.2014	Mr M Hook 21 Clos Carolyn Blackwood NP12 3QT	Erect an extension over the existing garage and an extension and conservatory to the rear 21 Clos Carolyn Blackwood NP12 3QT	Granted 04.12.2014
14/0661/FULL 06.10.2014	H & V Fusion And Drilling Limited Mr C Davies Bridge Terrace Newbridge NP11 5FE	Erect a warehouse extension, erect a steel clad building on existing hardstanding and remove fencing around existing hardstanding H And V Fusion And Drilling Limited Bridge Terrace Newbridge NP11 5FE	Granted 05.12.2014
14/0695/RET 10.10.2014	Mr D Matthews 31 Meadow Road Springfield Pontllanfraith Blackwood NP12 2AQ	Retain excavation for a vehicle hardstanding 31 Meadow Road Springfield Pontllanfraith Blackwood	Granted 05.12.2014

13/0227/FULL 02.04.2013	Trustees Of Greenhaf Family Land Mr & Mrs Greenhaf Mill Cottage Draethen Newport NP10 8GB	Construct dwelling Plot Adjacent To Twyn House Draethen Newport	Granted 08.12.2014
14/0644/FULL 26.09.2014	Mr D Gilbert 28 Goodrich Street Caerphilly CF83 1JY	Erect two-storey extension 28 Goodrich Street Caerphilly CF83 1JY	Refused 08.12.2014
14/0677/FULL 10.10.2014	Mr D Jones Avanate 6 Gellideg Lane Hengoed CF82 7SD	Erect a two-storey side extension, a first floor extension over the existing, single-storey front and rear extensions and a balcony to front elevation 10 Gellihaf Road Fleur-de-lis Blackwood NP12 3UY	Refused 08.12.2014
14/0679/RET 14.10.2014	Mr A Rooke 47 Mill Street Pontymister Risca Newport NP11 6LG	Retain concertina wooden gates to the rear of the property 47 Mill Street Pontymister Risca Newport	Granted 09.12.2014
14/0755/FULL 24.10.2014	Mr & Mrs L Aalten The Mead 271 Bedwas Road Caerphilly CF83 3BL	Erect a single-storey kitchen extension The Mead 271 Bedwas Road Caerphilly CF83 3BL	Granted 09.12.2014
14/0686/FULL 27.10.2014	Mr A Torres 14 Ynys-Glyd Street Ystrad Mynach Hengoed CF82 7ET	Erect detached garage at rear of property 14 Ynys-Glyd Street Ystrad Mynach Hengoed CF82 7ET	Granted 09.12.2014
14/0682/FULL 15.10.2014	Ms C Busby Hightrees Sunnybank Road Blackwood NP12 1HT	Erect a single-storey rear extension, a first floor extension above garage and provide alterations and improvements to existing dwelling Hightrees Sunnybank Road Blackwood NP12 1HT	Granted 10.12.2014
14/0719/NOTA 14.11.2014	Messrs K & M Powell Ty'r Y Wen Farm Pandy Lane Ystrad Mynach Hengoed CF82 7SN	Replace part of existing single- storey agricultural building Ty'r Y Wen Farm Pandy Lane Ystrad Mynach CF82 7SN	Prior Approval Not Required 12.12.2014

14/0519/FULL 29.07.2014	Mrs M Lippard Brynhyfryd 6 Old Parish Road Hengoed CF82 7HU	Erect a new low carbon dwelling Brynhyfryd 6 Old Parish Road Hengoed CF82 7HU	Refused 15.12.2014
14/0650/RET 29.09.2014	Mr R Ward Wards Drive 7 Mountain Road Caerphilly CF83 1HG	Retain single-storey extension to the rear of property Wards Drive 7 Mountain Road Caerphilly CF83 1HG	Granted 15.12.2014
14/0657/FULL 01.10.2014	Mr S Miah 17 Alexandra Road Newport Gwent Caerphilly NP20 2JB	Erect a two-storey extension Risca House Inn Commercial Street Pontymister Risca	Granted 15.12.2014
14/0676/FULL 10.10.2014	Mrs L Dray 78 St David's Way Watford Caerphilly CF83 1EZ	Erect a single-storey extension 78 St David's Way Watford Caerphilly CF83 1EZ	Granted 15.12.2014
14/0708/FULL 14.10.2014	Miss V Golding 31 Belle Vue Crescent Llandaff North Cardiff CF14 2FJ	Convert roof type from hipped to gable design with increase in ridge height, the addition of front gable and rear pitched roof dormer windows with rear single-storey extension 8 Lon Uchaf Caerphilly CF83 1BR	Granted 15.12.2014
14/0588/FULL 16.10.2014	Done Brothers (Cash Betting) Mr T Greenwood Betfred The Spectrum 56-58 Benson Road Birchwood Warrington WA14 7PQ	Take down dividing wall and install a new shop front 38, 40 & 42 Tredegar Street Risca Newport NP11 6BU	Granted 15.12.2014
14/0737/FULL 16.10.2014	Mr S Goldsworthy 14 Victoria Street Llanbradach Caerphilly CF83 3NY	Erect a first floor rear extension 14 Victoria Street Llanbradach Caerphilly CF83 3NY	Granted 15.12.2014
14/0746/FULL 20.10.2014	Mr M Gould 11 Tansy Close Penpedairheol Hengoed CF82 8LF	Construct a loft conversion and porch extension at the front of the property 11 Tansy Close Penpedairheol Hengoed CF82 8LF	Granted 15.12.2014

14/0757/FULL 27.10.2014	Mr & Mrs J James 10 Maes-Y-Drudwen Caerphilly CF83 2QG	Erect two-storey extension to rear of dwelling plus a single storey utility room extension 10 Maes-Y-Drudwen Caerphilly CF83 2QG	Granted 15.12.2014
14/0559/FULL 19.08.2014	Mrs C O'Shea 14 Plymouth Road Penarth CF64 6LR	Demolish lean-to outbuilding and construct a single-storey rear extension 28 Penallta Road Ystrad Mynach Hengoed CF82 7AN	Refused 18.12.2014
14/0672/FULL 09.10.2014	Mr C Walkley 23 Syr Dafydd Avenue Oakdale Blackwood NP12 0LA	Demolish the existing rear extension and erect double-storey extension 23 Syr Dafydd Avenue Oakdale Blackwood NP12 0LA	Granted 18.12.2014
14/0751/RET 24.10.2014	Miss S Ferguson 1 Plas View Gordon Road Blackwood NP12 1DU	Retain timber fence 1 Plas View Gordon Road Blackwood NP12 1DU	Granted 18.12.2014
14/0703/FULL 28.10.2014	Mr T Parry Rosedale Bungalow Pennar Crossing Pentwyn-mawr Newport NP12 2AW	Erect single-storey extension to the rear of the property Rosedale Bungalow Pennar Crossing Pentwyn-mawr Newport	Granted 18.12.2014
14/0765/NCC 29.10.2014	Seren Group Mr S Traves Exchange House The Old Post Office Newport NP20 1AA	Vary condition 02 of planning consent 12/0870/FULL (Erect 25 residential units) to retain the repositioned retaining wall Land Off Oak Terrace Upper Trelyn Fleur-de-lis Blackwood	Granted 19.12.2014
14/0592/COU 02.09.2014	Mrs E Baker 33 Church Road Gelligaer Hengoed CF82 8FW	Convert two-storey residential property into two self-contained flats with independent access points 68 Bedwellty Road Aberbargoed Bargoed CF81 9BA	Granted 22.12.2014
14/0753/ADV 24.10.2014	Let Smart Estate Agents Ms K Cousins 52 Heol Hir Llanishen Cardiff CF14 5AE	Erect signage 3 Bartlett Street Caerphilly CF83 1JS	Granted 22.12.2014



14/0758/FULL 27.10.2014	Mr J Harding 53 Gilfach Street Bargoed CF81 8LS	Erect a three-storey rear extension 53 Gilfach Street Bargoed CF81 8LS	Granted 22.12.2014
14/0748/NCC 17.10.2014	Mr S Walker C/O Oakdale Design Services Regency Buildings North Road Newbridge NP11 4AB	Vary Condition 01 of planning permission 09/0515/FULL (erect three dwelling houses and construct road) to extend the period of time within which to commence the development for a further five years Land At Mining School Hill Crumlin Newport	Granted 23.12.2014
14/0744/LA 20.10.2014	Caerphilly County Borough Council Building Consultancy Mr G Jones Unit 1, Woodfieldside Business Park Blackwood NP12 2DG	Construct single-storey temporary building to existing infant school to accommodate CCBC Flying Start unit Nant-y-parc Primary School Commercial Street Senghenydd Caerphilly	Granted 23.12.2014
14/0689/RET 29.10.2014	Mr A Blackwell 76 Abernant Road Markham Blackwood NP12 0QJ	Retain conservatory to the front of the house 76 Abernant Road Markham Blackwood NP12 0QJ	Refused 23.12.2014
14/0690/COU 29.10.2014	Mr L Smart 4 Church Lane Nelson Treharris CF46 6LN	Change the use from retail shop to tattoo studio 10 Penallta Road Ystrad Mynach Hengoed CF82 7AP	Granted 23.12.2014
14/0741/NMA 04.12.2014	Mr L Edwards Oakridge 25 Tydfil Road Bedwas Caerphilly CF83 8EF	Seek approval of a non-material amendment to planning consent 14/0263/FULL (Erect side extension, re-build existing retaining walls, convert basement storerooms into habitable accommodation and provide two new off-street parking spaces) in order to increase the length of the driveway to accommodate three cars and raise roof level to blend in with existing property Oakridge 25 Tydfil Road Bedwas Caerphilly	Granted 23.12.2014

14/0232/FULL 15.04.2014	Mr A Symonds Hawthorn Corner Llangynidr Road Beaufort Ebbw Vale NP23 5EY	Erect detached house and garage Land Adjacent To 88 Abernant Road Markham Blackwood	Granted 02.01.2015
14/0483/FULL 07.07.2014	Ms S Tyler Amynedd Bungalow Nant Y Garn Risca Newport NP11 7AS	Erect single-storey rear extension, front canopy and associated works Amynedd Bungalow Nant Y Garn Risca Newport	Granted 02.01.2015
14/0687/NCC 24.10.2014	Conergy UK LTD Mr Y Ofori Luminous House 300 South Row Milton Keynes MK9 2FR	Vary condition 8 of planning consent 13/0846/FULL (Erect solar photovoltaic farm with attendant equipment and infrastructure) to optimise the land and improve the layout to allow for a more efficient installation process Hendai Farm Heol Adam Gelligaer Hengoed	Granted 02.01.2015
14/0770/FULL 03.11.2014	Mr J Hopkins 23 Clos Gwastir Caerphilly CF83 1TD	Demolish existing garage and erect side and rear extension 23 Clos Gwastir Caerphilly CF83 1TD	Granted 02.01.2015
14/0771/NCC 03.11.2014	Mrs A Jarman 34-36 Hillside Park Bargoed CF81 8NL	Vary condition 3 of planning consent 10/0558/OUT (Erect detached dwelling with associated ground and access works) to extend the period within which to submit reserved matters Land Adjacent To 34-36 Hillside Park Bargoed CF81 8NL	Granted 02.01.2015
14/0773/FULL 03.11.2014	Mrs G Oakley 7 Meadow Crescent Caerphilly CF83 1JX	Erect conservatory to rear 7 Meadow Crescent Caerphilly CF83 1JX	Granted 02.01.2015
14/0775/FULL 04.11.2014	Lightsource SPV 121 Limited Level 4 20 Old Bailey London EC4M 7AN	Erect a communications building ancillary to approved solar farm (planning reference number: 14/0276/FULL) Cwmcaesingrug Farm Mynyddislwyn Mountain Road Mynyddislwyn Blackwood	Granted 02.01.2015

14/0712/FULL 12.11.2014	Mr M Harmer 1 St Mary's Street Bedwas Caerphilly CF83 8EE	Erect second storey rear bathroom extension above ground floor kitchen area 1 St Mary's Street Bedwas Caerphilly CF83 8EE	Granted 02.01.2015
14/0726/TPO 13.11.2014	Mr C Speed 1 Bryn Derwen Caerphilly CF83 2UZ	Remove deadwood and ivy, lift the crown by 5 to 6 metres, clear around the street lights and directionally prune 2 metres from building 1 Bryn Derwen Caerphilly CF83 2UZ	Granted 02.01.2015
14/0785/FULL 13.11.2014	HSBC Banking Plc 8 Canada Square London E14 5HQ	Remove and replace 1 No. external ATM and provide minor adjustments around aperture to allow new model to fit HSBC 37 Cardiff Road Caerphilly CF83 1WE	Granted 02.01.2015
14/0787/FULL 14.11.2014	Haraldo Limited 4 Bryngwennol The Rise Llanbradach Caerphilly CF83 3PR	Install new shop front Unit 6B Lowry Plaza Hanbury Road Bargoed	Granted 02.01.2015
14/0788/ADV 14.11.2014	Haraldo Ltd 4 Bryngwennol The Rise Llanbradach CF83 3PR	Install 2 no. internally illuminated fascia signs Unit 6B Lowry Plaza Hanbury Road Bargoed	Granted 02.01.2015

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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.
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.
13/0548/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, Pontywindy 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.
13/0726/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.
14/0091/FULL 11.02.14	Erect a one bedroom agricultural dwelling to replace temporary caravan at Hill View Poultry, Caerllwyn Farm, Abertridwr Caerphilly	Awaiting additional information concerning viability.
14/0120/FULL 28.02.14	Erect ground floor and first floor extension to provide a first floor to the bungalow, change the use of 101 square metres of pasture land to create a driveway, remove and replant 15 metres of hedgerow and install photovoltaic roof panels at Brynteg, Pandy Lane Llanbradach, Caerphilly	Awaiting amended plans concerning highway matters.
14/0129/NCC 06.03.14	Erect single-storey garage with storage area on Land Opposite 8 Fields Park Terrace, Crosskeys, Newport	Awaiting amended plans concerning design.

14/0133/RET 07.03.14	Retain the allotment site with numerous allotment plots, parking provisions, storage sheds and boundary fencing at Graig-y-rhacca Community Allotments, Addison Way, Graig-y-rhacca, Caerphilly.	Awaiting details about extent of site.
14/0136/RET 10.03.14	Retain an air filtration unit and associated changes to car park including the relocation of a disabled parking space at PHS, Unit 14B, Greenway Bedwas House Industrial Estate, Bedwas, Caerphilly	Awaiting further details of equipment.
14/0169/RET 24.03.14	Retain garage at Knightswood St David's Avenue Woodfieldside Blackwood	Subject to further discussion and consideration.
14/0216/FULL 07.04.14	Change the use from Goldmine Bar to form four dwellings at The Goldmine Bar And Grill Bridge Street Newbridge	Awaiting information from NRA.
14/0224/NOT 09.04.14	Demolish single-storey stone/block built building with corrugated sheet roof at Rhydri Primary School Machen Caerphilly	Awaiting method statement.
14/0328/FULL 19.05.14	Erect a detached six bedroom dwelling on Land Adjacent To Brook House Pandy-Mawr Road, Bedwas, Caerphilly	Seeking CIL details.
14/0338/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.
14/0365/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.



14/0387/FULL 19.06.14	Erect three houses at Craig Bach, Penrhiw Lane, Machen, Caerphilly.	Awaiting additional information.
14/0388/RET 13.06.14	Retain the change of use from B2 (brewery) to a mixed-use brewery and bar/bowling alley at The Celt Experience Ltd (Newmans Brewery) Unit 29-30 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly	Subject to further discussion and consideration.
14/0431/COU 11.07.14	Convert existing barn into granny annexe at The Coach House Barn Rhyd - Y - Gwern Lane, Draethen Newport	Subject to further discussion regarding design.
14/0434/FULL 14.07.2014	Erect garage to rear of property at 9 Twyn Gwyn Terrace, Newbridge, Newport	Awaiting amended plans.
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.
14/0485/TPO 23.07.2014	Remove eight conifers and three small chestnut trees at entrance to Glendale Yard and remove one dead tree at the bypass road side at Glendale Van Road Caerphilly CF83 3RR	Awaiting further details of proposed works.
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.
14/0573/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.
14/0581/FULL 27.08.2014	Develop a small scale standby electricity generation plant at Capital Valley Eco Park Rhymney Tredegar	Subject to further discussion and consideration.
14/0604/OUT 08.09.2014	Erect residential development at Car Park Aiwa Technology Park Newbridge Newport	Subject to further discussion and consideration.

14/0625/RET 19.09.2014	Retain the change the use of the first floor accommodation to a hair salon, beauty salon, physiotherapy facility and office accommodation and amend the car parking layout previously approved under planning consent 14/0005/COU at Block E - Sparks House Western Industrial Estate Caerphilly	Awaiting parking details.
14/0630/OUT 22.09.14	Erect 2 no. single-storey bungalows at Waun Y Gof House Thorne Avenue Newbridge	Awaiting further information concerning highways.
14/0635/COU 23.09.14	Change the use from B1/B2 industrial to B8 storage of motor vehicles associated with adjacent commercial premises for proposed 5 no. car garage, store and all associated works at Rowecord Engineering Commercial Street Newport Road Pontymister Risca	Awaiting additional highway information.
14/0636/FULL 24.09.14	Erect stables (22 x 3.6m) and barn (33 x 5m) at Gelliffyniog Farm Blackvein Mountain Road Crosskeys Newport	Awaiting information concerning public footpath.
14/0704/FULL 13.10.14	Erect a single wind turbine of max 86.5m to tip, along with associated infrastructure including an access track and electrical housing at Bedlwyn Farm Cefn-Rhychdir Road Phillipstown New Tredegar	Subject to further discussion and consideration.
14/0709/FULL 06.11.14	Remove conditions 10 and 11 (Code for Sustainable Homes) from planning consent 14/0019/FULL (Erect detached dormer bungalow and car port) at Land Adjoining Ty'n Derwen White Hart Machen Caerphilly	Subject to further discussion and consideration.
14/0745/LBC 20.10.14	Convert existing barn into habitable dwelling at Rhyd-y-gwern Farm Rhyd Y Gwern Lane Draethen Newport	Subject to further discussion and consideration.

**APPLICATIONS AWAITING COMPLETION OF A SECTION 106  
AGREEMENT**

<b>APPLICATION NUMBER &amp; DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
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. Chased again and said if no progress soon I will refer back to Planning with a recommendation for refusal.
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.	Draft with Solicitors. Told they want to complete at the same time as the purchase of land in the area. In discussions over content of Agreement.
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. Still in discussions with Solicitors. Other side asked for meeting. Asked for instructions from Planning.
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. Told may be a while due to issues. No update yet.

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. Requested comments internally on queries/amendments. Still in discussions over amendments.
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.	Documents sealed. Waiting for fees.
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.	Sent response on suggested amendments to Solicitors.
13/0873/OUT 23.12.13	Erect housing development (eight dwellings) on Land At Park Road Newbridge, Newport.	Sent drafts. Waiting to see how the Clinic draft is agreed before agreeing on same basis.
14/0239/NCC 16.04.14	Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters on Land At Albertina Road Treowen Newport	Sent Solicitors letter.
14/0411/OUT 21.06.14	Erect residential development and associated works on Land At Ton Y Felin Croespenmaen Newport	Queried title evidence.
14/0472/OUT 02.07.14	Erect residential development (15 plots) on Land To The Rear Of Ty Fry Road Aberbargoed Bargoed	Requested title evidence.

## 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
14/0011/REF 14/0242/OUT	Mrs B Cheballah 17 Caradoc Close St Mellons Cardiff CF3 0LQ	Construct 4 No. two bedroom terrace type dwellings Land Opposite 164 - 174 Jubilee Road Elliot's Town New Tredegar	28.10.14
14/0012/REF 14/0418/FULL	Mr G Sawyer 46 Tawelfan Nelson Treharris CF46 6EH	Erect single-storey extension to rear of property 46 Tawelfan Nelson Treharris CF46 6EH	5.11.14
14/0014/REF 14/0191/FULL	Mr J Hyde Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood NP12 2BJ	Replace dwelling and associated access and groundworks Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood NP12 2BJ	11.11.14
14/0015/REF 13/0803/FULL	Mr T Jones Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly CF83 2TT	Erect agricultural workers dwelling Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly CF83 2TT	21.11.14
14/0016/REF 11/0650/FULL	Mr L Richards Suite A The Old Workhouse Cross Houses Shrewsbury Shropshire SY5 6JH	Erect new housing development comprising of 13 detached and 1 pair of semi- detached dwellings Land Adj To Former Waterloo Works Machen Caerphilly CF83 8NL	27.11.14
14/0017/REF 14/0551/FULL	Mr C Lewis 120 Heol-Y-Ddol Caerphilly CF83 3JN	Erect a two-storey side extension and a single-storey rear extension at 120 Heol-Y-Ddol Caerphilly CF83 3JN	18.12.14

**APPEALS DECIDED**

<b>APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>APPEAL DECISION/ DATE</b>	<b>COMM/ DEL</b>
14/0013/REF 14/0373/FULL	Erect single-storey and two-storey rear extensions Clover Hill Summerfield Hall Lane Maesycwmmer Hengoed CF82 7RG	Allowed 22.12.14	DEL