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**Date: 29th April 2015**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 6th May, 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

## AGENDA

	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 8th April 2015 (minute nos. 1-9).	1 - 4

**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. 14/0604/OUT - Car Park, Aiwa Technology Park, Newbridge, Newport.	5 - 30
6	Code No. 14/0674/OUT - GLJ Recycling Ltd, Newtown Industrial Estate, Crosskeys, Newport, NP11 7PZ.	31 - 46
7	Code No. 14/0761/FULL - Cruglwyn, Off Manmoel Road, Mynydd Manmoel, Blackwood.	47 - 64
8	Code No. 15/0073/NCC - McDonalds Restaurants Ltd, Unit 2 Newbridge Gateway, Bridge Street, Newbridge, Newport, NP11 5GH.	65 - 70
9	Code No. 15/0087/COU - Former Rowecord Engineering, Commercial Street, Newport Road, Pontymister, Risca, Newport, NP11 6EY	71 - 82
10	Code No. 15/0112/FULL - 13 Gwesty Close, Croespenmaen, Newport, NP11 3AD.	83 - 88
11	Code No. 15/0120/FULL - Former Cefn Fforest Fire Station, Pwllglas Road, Cefn Fforest, Blackwood.	89 - 98
12	Code No. 15/0126/FULL - Land Adjoining 19A Cwm Braenar, Pontllanfraith, Blackwood, NP12 2DS.	99 - 108
13	Code No. 15/0194/FULL - 9 Llwyn Coed, Blackwood, NP12 1FT.	109 - 114

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

14	Preface Item Code No. P/99/0768 - Land At Penallta Colliery, Ystrad Mynach, Hengoed.	115 - 128
15	Code No. 15/0020/FULL - Westways, St Martin's Crescent, Caerphilly, CF83 1ER.	129 - 136
16	Code No. 15/0069/FULL - 73 Cardiff Road, Caerphilly, CF83 1FP.	137 - 144
17	Code No. 15/0072/FULL - Goodrich Hotel, Van Road, Caerphilly, CF83 1LD.	145 - 158
18	Code No. 15/0109/FULL - 1 Tredomen Terrace, Tredomen, Hengoed, CF82 7BW.	159 - 164

To receive and note the following information items: -

19	Applications determined by delegated powers.	165 - 174
20	Applications which are out of time/not dealt with within 8 weeks of date of registration.	175 - 182
21	Applications awaiting completion of a Section 106 Agreement.	183 - 184
22	Appeals outstanding and decided.	185 - 186

**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

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## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 8TH APRIL 2015 AT 5:00PM

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PRESENT:

Councillor D.G. Carter - Chair

Councillors:

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

Together with:

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), J. Rogers (Principal Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), M. Davies (Principal Planner) and E. Sullivan (Democratic Services Officer)

#### APOLOGIES

Apologies for absence had been received from Councillors J. Bevan, D. Bolter, W. David, J.E. Fussell, K. Lloyd and J. Summers.

#### 1. DECLARATIONS OF INTEREST

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

#### 2. MINUTES

RESOLVED that the minutes of the Planning Committee held on 11th March 2015 (minute nos. 1-12) be approved and signed as a correct record.

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

There were no site visit requests received.

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

**4. PREFACE ITEM CODE NO. 1400518/NCC – LAND NORTH OF GLAN-YR-AFON LANE, FLEUR-DE-LIS, BLACKWOOD.**

It was noted that since the last Planning Committee meeting an email had been received from the Applicant's Agent, the details contained therein were summarised by Mr John Rogers, Principal Solicitor, for Members information.

The Head of Regeneration and Planning, advised Members that Planning Officers would not be in a position to defend the reason put forward for refusal at any appeal and that the Committee would need to nominate two members to defend any appeal.

Following consideration of the Officer's preface report it was moved and seconded that the application be refused for the reason contained therein.

An amendment was moved and seconded that the application be granted in accordance with the recommendation contained within the Officer's original report.

By a show of hands and with the Chairman's casting vote (and in noting there were 6 against and 2 abstentions) the amendment was lost and as such the motion was declared carried.

RESOLVED that: -

- (i) the preface report be noted;
- (ii) for the reason given in the Officer's preface report this application be refused.

**Reason**

The development of the site for 16 dwellings would increase traffic movements at the junction of Ford Road with Glan-yr-Afon Lane to the detriment of highway safety due to the alignment of the junction and its proximity to another junction to the east. The development would therefore be in conflict with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Nominations were then sought from Members to represent the Planning Committee in the event of an appeal. Councillors D. Rees and A. Lewis agreed that they would defend the decision of the Planning Committee at any appeal.

**5. CODE NO. 15/0057/FULL – 28 CLOSE CAE MAWR, PENPEDAIRHEOL, HENGOED, CF82 7TH**

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

RESOLVED that: -

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

**6. CODE NO. 15/0048/RET – CAEGLAS COLLIERY, FOCHRIW ROAD, FOCHRIW, BARGOED**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of the Countryside and Landscape Services Manager in respect of bridleway 146 in the community of Gelligaer;
- (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: HN2.1 – Visually importance landscapes and CW4 – Natural heritage protection, CW15 – General locational constraints;
- (iv) the applicant be advised of the comments of the Head of Public Protection that there is possible contamination of the site. To protect health, it is therefore recommendation, that a scheme of ground investigation and risk assessment be undertaken to identify the extent of the contamination and the measures to avoid risk in the continued occupation of the site.

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

**7. CODE NO. 15/0102/FULL – 44 BRYNHEULOG STREET, PENYBRYN, HENGOED, CF82 7GD**

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

RESOLVED that this application be refused.

**8. CODE NO. 15/0001/RET – LAND AT IRON BRIDGE, DRAETHEN, NEWPORT**

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

RESOLVED that: -

- (i) subject to the condition contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Glamorgan/Gwent Archaeological Trust, Rights of Way Officer and the Council's Ecologist;
- (iii) the applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW15.

**9. ITEMS FOR INFORMATION**

The following items were received and noted: -

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

The meeting closed at 6.00 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 6th May 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
14/0604/OUT 08.09.2014	SRJ And JG Partnership C/o RPS Mr D Williams Park House Greyfriars Road Cardiff CF10 3AF	Erect residential development Car Park Aiwa Technology Park Newbridge Newport

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is an existing car park within the "Technology Park" industrial estate east of Newbridge adjacent to the A467.

Site description: A flat level surfaced car park with tree screening around most of the boundary and traffic light controlled access onto the A467. The site is 1.2 hectares in size and currently provides 250 parking spaces. To the north is undeveloped land and to the south are industrial buildings that the car park has served in the past. To the west are the river Ebbw, the railway and Newbridge. To the east is the A469 with the Panside housing estate at a higher level beyond that.

### Development:

This is an application made in outline with all matters reserved accept access.

An indicative layout has been submitted that shows 45 dwellings at the site. The access point is directly onto the shared access road from the industrial estate onto the A467 via a traffic light controlled junction. A possible variation of the position of the access onto existing access road has been submitted and is discussed in the analysis.

### Dimensions:

The upper and lower limits for height, width and length of each building is as follows:

Maximum 9m width, 12m length, 3 storey height.  
Minimum 6m width, 9m length, 2 storey height.

Materials: To be agreed at reserved matters stage.

Cont....

Application No. 14/0604/OUT Continued

Ancillary development, e.g. parking: This would be agreed at reserved matters stage.

### PLANNING HISTORY

2/08563 - Engineering works for the purpose of land reclamation - clearance of disused buildings, reshaping and levelling of landform, possible river diversion and provision of new access from A.467 road - Granted 15/05/89.

2/08564 - Development of land as an industrial estate forming new access onto A.467 roads, sewers and other infrastructure works, also erection of factory units - Granted 15/05/89.

2/10217 - Land Reclamation to include, general site clearance, earth-works, river diversion, pit shaft capping, access construction and planting to create a 15 acre site for development - Granted 04/10/91.

2/11683 - 305,658 ft. Bespoke Electronics production factory under Planning Use Class B1 - Granted 28/06/94.

P/02/1255 - Vary/amend condition 19 of Planning Consent 2/11683 to permit use of warehouse for storage of non-electronic products - Granted 27/02/03.

07/0008/ADV - Erect illuminated freestanding company directional sign at entrance to site of Technology Park - Granted 17/04/07.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The application site is identified for secondary employment - EM2.14 North Celyn Newbridge.

#### Policies:

SP5 (Settlement Boundaries), SP6 (Place Making), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations - Highways), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing), CW13 (Use Classes Restrictions Business and Industry) and EM2 (Employment Sites Protection).

Cont....

Application No. 14/0604/OUT Continued

### NATIONAL POLICY

Planning Policy Wales (2014) encourages development in locations that increase accessibility by modes other than private car, within existing urban areas, and at higher densities (para. 4.7.4). It also states a preference for the use of brownfield land (para. 4.9.1).

TAN 1 Joint Housing Land Availability.

TAN 11 Noise.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? - No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - Yes. The comments of The Coal Authority are reported below.

### CONSULTATION

Economic Development Officer - It is considered that the employment allocation should be retained and the proposed residential use refused.

The Coal Authority - The site is within a high risk area. The Authority concurs with the findings of the submitted Coal Mining Report. No objection is raised subject to the imposition of a condition requiring an intrusive site investigation and it is further recommended that such an investigation be utilized to inform the site layout with particular regard to two mine entry points (shafts) that consequently may become no build zones.

Natural Resources Wales - No objection subject to a buffer zone being maintained adjacent to the river and conditions to require site remediation.

Countryside And Landscape Services - The Council's Landscape Architect notes that the site is situated within the settlement boundary, though it is isolated from the town centre and the residential area.

Cont....

Application No. 14/0604/OUT Continued

The Design and Access Statement discusses a footpath link to the north over an existing footbridge over the river and through a railway underpass to the town centre and local bus stops. The Council's Footpath Officer has also pointed out that whilst it would be a useful link, the route is not recorded as a public right of way, it may not be in the ownership of the applicant and may need to be substantially upgraded.

The sketch layout retains the existing vegetation on the river, road and northern boundaries of the site. This will help retain the wooded feel of this part of the valley floor and A467 corridor, whilst buffering the riverside SINC and providing a noise and visual screen to the proposed development.

The illustrative layout lacks an area of public open space within the site. The reliance on the adjacent site for informal public open space is not acceptable; scrub woodland would be unsuitable for small children and the less able bodied. The illustrative layout is dominated by car parking spaces fronting the properties, particularly along the main access/spine road.

It would appear that this proposal has the potential to be the first phase of a larger development covering this and the area to the north. As such a design style and palette of materials should be put in place now that can be carried forward. Thereby allowing a considered development rather than a piecemeal approach.

Head Of Public Protection - It is noted that the dwellings that would be closest to the A467 may experience unacceptable noise and that the factory to the south also needs to be accounted for in terms of noise. The applicant was requested to provide further information. The Pollution Control Section advise that whilst the site has been demonstrated to be acceptable in terms of a TAN 11 noise assessment a BS4142 assessment has been requested but has not been provided. Accordingly refusal is recommended.

CCBC Housing Enabling Officer - 10% affordable housing is sought in line with policy CW11 of the LDP.

Senior Engineer (Land Drainage) - No objection subject to a condition to require the agreement of surface and land drainage. Drainage advice is provided.

Head Of Public Services - Advice is provided by the waste management section regarding refuse and recycling collection.

Cont....

Application No. 14/0604/OUT Continued

Outdoor Leisure Development Officer - It is pointed out that a site of the size proposed requires integrated open space to comply with policy CW10. Within that area a Local Area of Play (LEAP) should be provided.

Transportation Engineering Manager - An analysis has been requested regarding the amount parking that has been retained to serve the employment site. The applicant who does not have access to the site or details of the use/s within the building has not provided those details.

Police Architectural Liaison Officer - No objection and advice is provided regarding Secure by Design.

Network Rail - No objection is raised and general advice is provided.

Strategic & Development Plans - No objection. It is explained that whilst the site is allocated for employment the declining demand for employment land indicates that the County Borough has a rising surplus, whilst on the other hand there is a decreasing supply of housing land. In particular it is pointed out in the recent Employment Sites Supply and Market Appraisal the site was rated D/E (which is one up from the lowest category in a scale of 8 grades). The scale grades the site as a very poor quality area with widespread vacancy, where alternative uses should be promoted.

Parks And Open Spaces (Derek Price) - It is pointed out that the site does not currently have easy access to public open space or nearby play facilities. It is also noted that the submitted layout does not provide a well designed and useable area of open space with play facilities. It is therefore necessary that the reserved matters require this provision within the application site.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press and 31 neighbouring properties have been consulted.

Response: Two letters have been received.

Cont....

Summary of observations:

The first letter received is from the owners of the industrial land to the south. It raises the following concerns and in subsequent communications additional concerns have been added:

- It is explained that the access road is owned by the industrial owners to the south and its "main and only intended purpose is for industrial use." In subsequent correspondence the owners have described the applicant's right of way over the land as being only "transient" and explained that the applicant does not have an appropriate mechanism for contributing towards the upkeep of the access road.
- The industrial owner is concerned that pedestrians and traffic from the proposed site would come into conflict with heavy goods vehicles.
- It is suggested that pedestrians and the public could "create issues for the security of the Technology Park" leading to loss of employment.
- The development site is on land identified for employment.
- Although the car park is not currently in use it could be rented to future industrial occupiers as demand for parking rises.
- The site should be accessed directly from the A467.
- Questions are raised regarding the accuracy of the supporting information that details the attempts to find a suitable commercial occupier or purchaser for the application site. One of the questions points out that the industrial owner's company has not been approached to purchase the land.
- A quote from this Council in 2009 is cited. The quote states that housing needs will be met through land allocations and windfall sites coming forward.
- There are a number of references to parts of the submitted Design and Access Statement and Transport Statement questioning the suitability of the private road to fulfil the requirements of the proposed development. The veracity of the statements is challenged and the Company request that it be provided with various written "assessments or objective evidence." The Company has also requested that it be provided with the Highway analysis regarding car parking at its site.
- The industrial owner questions the statement that its company has "has not chosen to renew its existing lease" for the application site and goes on to explain that it considers the suggestion that the applicant has sought to find an alternative use for the site based on the cessation of the lease as a "falsehood."

Cont....

Application No. 14/0604/OUT Continued

- It is suggested that if the development is approved the industrial owners will be obliged to erect "chain link or steel fencing with razor barbed wire at a minimum height of 8ft accompanied by surveillance cameras."
- There are a number of requests that the Council provide the industrial owner with evidence to support the submissions of the applicant so that the Company may use the information "to further substantiate our communication with the appointed Planning Inspectorate."

The second letter received is from a department of the Welsh Government (Digital Wales Department for Economy, Science and Transport). That Government Department has been contacted by the author of the first letter. Whilst the department is not suggesting any support or objection to the proposed development the writer requests that the concerns raised by the writer of the first letter be considered with particular regard to the "potential long term impact upon employment uses in this area."

#### SECTION 17 CRIME AND DISORDER ACT

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

It is not considered that the proposed development will have a material effect on crime and disorder.

Is this development Community Infrastructure Levy liable? The application is made in outline and CIL would be calculated at reserved matters.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? - No.

#### ANALYSIS

##### Policies:

The application in question concerns the re-development of a currently unused employment car park. The proposed use is residential. Although the proposal is an outline application an indicative layout has been submitted for a scheme of 45 units.

Cont....

Application No. 14/0604/OUT Continued

The application site is identified for secondary employment (EM2.14 North Celynen Newbridge). Policy EM2 (Employment Sites Protection) explains that this protection policy is intended operate in tandem with Policy CW13 that explains in more detail how the different categories of employment (Business Park, Primary and Secondary Sites) will accommodate different employment or ancillary uses.

This application is for residential use and therefore contrary to both policies. The applicant has explained that the site was leased as a car park to the industrial unit to the south but the lease has been terminated. It is further explained that it has been marketed for employment uses consistent with the development plan for 4 years but there has been no interest. It is pointed out that Planning Policy Wales and TAN1 Joint Housing Land Availability Studies advise local authorities that development plans should identify a 5 year supply of housing land and that within this borough the 2013 Joint Housing Land Availability Study has revealed that supply is down to 2.9 years. In addition it is explained that the 2013 Annual Monitoring Report has indicated that the take up of employment land is low with only 3.7 of 101 hectares being developed. It is therefore considered that in view of the low uptake of employment land and lack of housing land supply, the proposal would comply with policy SP5 in terms of making "full and effective use of urban land and thus concentrate development within settlements."

The need to retain this site as employment land therefore needs to be balanced against the need to release it for housing, in an effort to boost the County Borough's housing land supply. The Employment Sites Supply and Market Appraisal undertaken this year to underpin the evidence base regarding employment matters for the LDP review, assessed each existing employment site in terms of its suitability for employment use. EM2.14, of which this site forms part, was given a score of "D/E" with the recommendation that the part of the site north of the car park be considered for release for alternative uses. However, it also made the comment that the car park itself is poorly used. Indeed, it would appear to be the case that the firm located immediately to the south does not make use of the car park since it is fenced off. There is no evidence to suggest that company intends to make use of the car park, for this purpose or for the purposes of expanding its operation, and therefore it is considered that this site could be put to better use as housing land than being retained for employment purposes.

With regard to the employment allocation, it is considered that in principle, this proposal is acceptable, as the need to retain this particular employment site is overridden by the lack of a five-year housing land supply.

Cont....



Application No. 14/0604/OUT Continued

The employment site to the south of the development is in B1 use and is separated from the car park by the access road into the estate. The provisions of Policy CW2 (Amenity) need to be borne in mind with respect to any potential impact upon residential amenity, particularly in terms of aspects such as noise, as well as the ability of the existing industrial use to continue operating as it does currently. The issue of noise is considered in more detail below in the section regarding the considerations of the Head of Public Protection.

The proposal will need to have regard for the provisions of Policies CW1 (Sustainable Transport, Accessibility and Social Inclusion) and CW3 (Design Considerations - Highways). Although the Design and Access Statement has commented on this issue, the site is separated from the centre of Newbridge, as well as any associated services and facilities, by the River Ebbw and it is therefore necessary to ensure that those measures proposed to maximise non-car modes of accessibility are adequate.

The application site is within the settlement boundary in accordance with Policy SP5 (Settlement Boundaries). Notwithstanding its location within the settlement it lies to the east of the river Ebbw and the railway such that it is somewhat isolated from the residential and shopping areas of Newbridge. Policy SP6 (Place Making) explains that development proposals should contribute to creating sustainable places, therefore housing sites that rely on car trips would not comply with that policy. Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) amongst other things encourages walking trips. Policy CW3 also "promotes the interest of pedestrians, cyclists and public transport before that of the private car." The supporting information suggests that there is a pedestrian link to the town from the top/north of the site along the river over a footbridge over the river and through an underpass under the railway. That link would be approximately 250 metres long, but the point where it arrives in north Road whilst it is near bus stops, it is still a considerable distance from local facilities such as shops and schools. Crumlin shops are circa 600 metres north and Newbridge shops are 900 metres south.

It is possible to walk to Newbridge by footpath along the side of the A467; this route is approximately 900 metres long to Newbridge Comprehensive School and a little over one kilometre to the start of the retail area and railway station. The Transport Statement supporting the application explains that whilst a maximum recommended walking distance to a town (800 metres) is exceeded the route is relatively flat and other distances such as the maximum distances to a school (2000 metres) is easily met. The distance to the Newbridge facilities cannot be described as short but they are not unacceptable, for example the walking distance to the town is very similar to that from other parts of Newbridge.

Cont....

Application No. 14/0604/OUT Continued

The additional link offered to the north whilst not offering a shorter distance to the town it does provide a route to other facilities such as a park. In addition it links with a proposed cycleway link (TR1.10) that runs along the eastern bank of the river Ebbw (currently the route is a well walked informal track along the side of the river and it is a claimed right of way). The proposed link will run through a Site of Interest for Nature Conservation (SINC) but there are already informal paths running through that site that link up with the eastern side of the river.

The footpath offered for part of its length will therefore connect with existing informal links and a cycleway identified in the Local Plan both of which have not yet been formally approved or laid out. However, it is considered that it is reasonable that the part of link that is offered in this application be required to enhance pedestrian movements with the paths that are already well walked and to contribute to future connectivity in accordance with policy. It is to be noted that the footbridge was built as part of the 1991 Welsh Development Agency's land reclamation scheme. That scheme included footpath links over the river that do not appear to have been properly completed. The proposed application would make a significant step towards restoring that incomplete part of the scheme by providing a formalized path.

The site is brownfield having been previously used as a car park. Planning Policy Wales paragraph 4.9.1 explains that such sites should "wherever possible be used in preference to greenfield site" (subject to other planning considerations).

CW1 (Sustainable Transport, Accessibility and Social Inclusion) - This policy amongst other things also encourages walking trips. As previously explained the application site has direct pedestrian access onto the A467 and facilities at Newbridge are approximately a 20 minute walk away. Precise times include (from the traffic lights) 12 min to Newbridge School, 15 min to the railway station and 17 min to the town. From the lights walking north along the tracks to the bus stop on North Road takes only 7 min. As previously discussed the applicant has included a footpath link to the north of the site that would further shorten the time for the northern walk. Whilst the site has been described in other parts of this report as isolated the walking distances quoted show that this is not necessarily the case.

CW2 (Amenity)- The application site is adjacent to a busy road and there is the existing industrial estate to the south. The impact of noise upon the amenity of the future residents is therefore a material planning consideration. This is considered in more detail below where the comments of the Head of Public Protection are discussed.

Cont....

Application No. 14/0604/OUT

CW3 (Design Considerations Highways) - The existing access was designed and previously approved by the then County Engineer. It served 250 car parking spaces at the application site and should be more than adequate to serve the much lower number of residential movements. It is noted that a short length of footpath (45 metres) is missing at the southern boundary of the site. It was not needed when the car park served only the employment site. As a residential site that length of footpath would be needed to enable pedestrian access from the A467 and should be required by condition.

CW10 (Leisure and Open Space Provision) - This policy requires the provision of well designed useable open space with appropriate children's play facilities on all new sites capable of accommodating 10 or more dwellings. The Council's Landscape Architect notes that the Design and Access Statement suggests that land to the north of the site may be used as public open space; however, it is not within the application site nor is it approved for such use. The Outdoor Leisure Development Officer has also explained that policy CW10 requires the leisure provision to be within the site and has emphasised the need to require it by condition to ensure it is provided at reserved matters.

CW11 (Affordable Housing)- The applicant has offered 10% affordable housing in line with policy.

#### NATIONAL POLICY

Planning Policy Wales (2014) at paragraph 4.7.4 explains that Local Development Plan Policies should reflect the need to reduce trips by car. This is reflected in the requirements of LDP policies CW1 and CW3 above. At paragraph 4.9.1 it explains that brownfield land "should wherever possible be used in preference to greenfield sites." The application site is previously used land that complies with this requirement.

TAN 1 Joint Housing Land Availability - This guidance note sets out the framework for local authorities to examine their five year supply of housing land. That process is already underway, and as explained a shortfall in the supply of housing land has been identified by that Department.

TAN 11 Noise - The guidance note explains that planning decisions for noise sensitive development should not normally be approved where there are unacceptably high levels of noise that cannot be adequately mitigated. The TAN separates noise exposure into 4 categories (A, B, C & D). Category D sites are not considered suitable for noise sensitive development (residential) and category A sites are considered acceptable.

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Application No. 13/0604/OUT Continued

The part of the application site adjacent to the A467 is a category C, therefore a condition may be imposed to ensure that the reserved matters take into account such areas. TAN 11 also points out the need to consider other noise (British Standard) assessments with regard to sources such as the adjacent industrial use. The implications of this are explained in more detail in the Head of Public Protection consultee section below.

Comments from Consultees:

Strategic & Development Plans - This section is responsible for ensuring the Adopted Local Development Plan (LDP) meets projected targets in terms of land supply. The observations above provide that section's detailed policy and land supply analysis. As previously explained it is concluded that the site could be put to better use as housing land rather than being retained for employment purposes.

Economic Development Officer - It is explained that the site forms part of the Newbridge Town Centre Action Plan adopted in 2006. It is suggested that there is a shortage of "good quality employment sites suitable for electronics and technology" with the preponderance of the available sites being at Ty Du and Oakdale. It is stated that the site is identified as part of a "Technology Park" which has good connections to the A467. It is therefore considered that the retention of the site for employment is consistent with the LDP in keeping the "balance of housing sites and employment sites." It is also suggested that "the economic future is uncertain" therefore the retention of the employment allocation would ensure a future supply of land should circumstances change. In considering the observations of the Economic Development Officer it is important to note that the recommendations of the Council's Strategic & Development Plans Department do not support the employment retention because there have been significant changes since the adoption of the Local Development Plan in 2010 that must be taken account of. The cited 2006 Newbridge Town Centre Action Plan is Supplementary Planning Guidance that is now out of date and tied to the former Unitary Development Plan that has been replaced by the Adopted Local Plan. The Adopted Local Plan is itself in the process of revision and it is now evident that currently there is not a "balance of housing sites and employment sites." Whilst the site has been described as being part of a "Technology Park" and the Economic Development Officer as such argues its protection, it is to be pointed out that although the existing employment site to the south is identified as a primary site (EM2.11), the application site itself is identified in the Adopted Local Plan as secondary site (EM2.14). The application site is not therefore a business park (i.e. an EM1 site) nor a primary site that should be protected for "modern manufacturing/new technology employment" as has been suggested.

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TAN 23 (Economic Development) identifies the following, points which justify the release of this site for housing. It explains, "Existing employment sites should only be released for other uses if one or more of the following apply:-

- They have poor prospects of being re-occupied for their previous use;
- The particular market that the site is part of is oversupplied;
- The existing employment use has unacceptable adverse impacts upon amenity or the environment;
- The proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;
- Other priorities, such as housing need, override more narrowly focused economic considerations; and/or
- Land of equal or better quality is made available elsewhere, even if this is not within the Local Planning Authority boundary."

In terms of the first of the above points, there is no obvious demand for the EM2.14 employment use, or for any alternative non-class B uses that are permitted on secondary sites by Policy CW13. The prospect of the site being occupied in a way, which complies with local policy as it currently stands, is therefore poor. In relation to the fourth point, there is no physical relationship between EM2.14 and the existing employment site (EM2.11), in terms of operational capability. The two sites are divorced from each other by the access road and the car park is unused. Regarding the fifth point concerning other priorities, the lack of a five-year housing land supply is a material consideration and therefore a considerable degree of weight must be attached to it. That is not to say that it overrides the site's status as employment land as a matter of course, but it must be considered within the context of the attractiveness of the site for employment purposes, the lack of demand for it for that use and the availability of other, more suitable sites elsewhere in the County Borough, both in nearby settlements in the Northern Connections Corridor and to the south in the Lower Islwyn part of the Southern Connections Corridor. In these terms, it is considered that a proposal for housing on this site cannot be objected to on policy grounds.

This leads on to the point raised by the Economic Development Officer, the perceived shortage of "good quality employment sites" elsewhere. Bearing in mind that this site was one of the two worst scoring EM2 sites in the recently undertaken Sites Supply and Market Appraisal, it must be concluded that better quality, currently operating employment sites exist, in addition to the portfolio of allocated land of which there is a surplus. Additionally, it would not be appropriate to formulate a counter argument based on the perceived lack of proximity of some of these sites to North Celynen, as this point has an explicit regional perspective.

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Application No. 14/0604/OUT Continued

Four of the six points outlined in TAN 23 apply in this instance. Therefore, an in-principle objection to this proposal would not only overplay the importance of a poorly performing employment site in the context of the housing land supply and would be contrary to the approach taken by national policy.

The Economic Development Officer has drawn attention to some of the benefits as an employment site such as its close proximity to the railway station; these attributes do though also lend themselves to supporting the proposed residential use. It has been suggestion that as a cautious approach the employment allocation should be retained because the future is uncertain and "this uncertainty increases the further ahead we look". This approach does not properly address the need to take account of the more certain present situation, which is that there is not currently a shortage of employment land but there is a shortage of housing land. There is therefore a pressing need to consider the redevelopment of brownfield sites within the settlement.

The Coal Authority points out that the site is within a high-risk area. No objection is raised subject to the imposition of a condition requiring an intrusive site investigation and it is further recommended that such an investigation be utilized to inform the site layout with particular regard to two mine entry points (shafts) that consequently may become no build zones. A ground investigation condition should therefore be imposed to require this information at reserved matters.

Natural Resources Wales raises no objection subject to a buffer zone being maintained adjacent to the river and conditions to require site remediation.

The comments of the Council's Countryside and Landscape Services can be accommodated by condition and by securing appropriate facilities at the design stage.

The Council's Head of Public Protection has advised that the dwellings that would be closest to the A467 may experience unacceptable noise and that the factory to the south also needs to be accounted for in terms of noise. The applicant was requested to provide further information. Additional information has been provided. Public Protection explains that both a TAN11 and BS4142 noise assessment have been requested. A TAN11 road traffic noise assessment has been submitted and demonstrates that most of the site is suitable for residential housing, with appropriate mitigation. A BS4142 assessment has not been received. Whilst the TAN11 report assessed the site as a 'mixed source' site, this type of assessment does not take into account 'sudden impulses, irregular noise or noise which contains a distinguishable continuous tone...' It is these sudden impulses and irregular types of industrial/commercial noise that are of concern.

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Application No. 14/0604/OUT Continued

The northern side of the existing industrial building contains 8 loading bays with a large roller shutter door that face the proposed development. The 8 loading bays lead into a warehousing/storage space with associated offices with 24 hour use. If this warehouse/storage area were to come back into operation, it is considered that the residents are highly likely to be exposed to unacceptable levels of noise during both day and night from vehicle movements, reversing alarms and the loading/unloading activities for example. The applicant has pointed out that the doors are some distance from the proposed dwellings (over circa 120 metres). The applicant does not accept the need for a BS4142 assessment given that the industrial site is unlikely to be more noisy than the A467 and points out that mitigation measures such as acoustic glazing and mechanical ventilation can be imposed by condition.

Planning Officers are mindful that the requirement for a BS4142 assessment is a legitimate consideration under the provisions of TAN 11. There are however mitigating considerations. The first is that the original planning consent (ref 2/11683) was for a B1 electronic production use only (a temporary one year warehouse use was approved but that has now expired). B1 uses are defined as "being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes smoke, soot ash, dust or grit" Town and Country Planning (Use Classes) Order 1987. It is also to be noted that the vehicle movements that are of concern to Public Protection already have planning approval in a not dissimilar distance from residential properties, i.e. circa 130 metres from dwellings on North Road. Condition 20 of the planning permission for the premises also excludes any external storage other than in properly screened areas, which should further reduce the likelihood of external activity disturbance. The applicant has pointed out that strict adherence to BS4142 and worst case scenario analysis must be balanced against the sustainable need to provide housing within the settlement where typically employment sites are also likely to be present. The applicant also points to examples of general industrial estates within the County Borough where many residential properties are under half the distance closer to industrial units. Whilst there are loading doors facing the application site the B1 use with no external storage and the separation distance must be taken into consideration. It is considered that at reserved matters a more bespoke layout and mitigation measures can be taken into consideration.

Public Protection have also raised a concern that an air quality assessment should be provided because the development may lead to increased traffic movement through the Hafodyrynys Air Quality Management Area (AQMA). The applicant has explained that the proposal at circa 45 dwellings would likely generate 25 and 27 two-way movements in the AM and PM peak hours respectively.

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Application No. 14/0604/OUT Continued

Assuming a two way split with most of the traffic (70:30) from the site heading to the south (towards schools, local shops, Cardiff, the M4, etc) this would reduce to only 8 two way movements through the AQMA. Traffic figures held by this Authority suggest that the peak hour rates are 2007 am and 1709 pm. Using these basic figures the percentage increase is circa 0.4% am and 0.46% pm, i.e. less than half a percent in either case. Whilst it may be possible argue the trip rates up or even down this is still a very low level of change and the applicant argues that it is not statistically significant. The applicant has also invited the Local Planning Authority to limit the number of dwellings if it considers there is need. The Head of Public Protection indicates that only a thorough Air Quality Analysis can confirm the level of impact and if necessary the number of dwellings to be restricted. From the Planning Perspective a requirement for additional information must be proportionate and there must be a reasonable expectation of an impact of significance, but the level of significance in this case is considered too low.

The Head of Public Protection has suggested 11 conditions should planning approval be recommended. The conditions include a number that seek to mitigate the potential noise impacts upon residents. The recommended conditions relate specifically to the illustrative layout that has been submitted. That layout is only illustrative as this is an outline application and could be revised at reserved matters. It is also to be noted that Outdoor Leisure Development Officer and the Landscape Architect have both indicated that the illustrative layout must be amended for various reasons. The conditions that have been attached to the recommendation in this report have been amended to enable a more bespoke layout and measures to be presented at reserved matters.

The Housing Enabling Officer considers that 10% affordable housing is sought in line with policy CW11. The applicant has offered a draft legal agreement. The application may be deferred to enable the completion of the necessary legal agreement.

Senior Engineer (Land Drainage) has raised no objection subject to a condition to require the agreement of surface and land drainage. Drainage advice is provided and should be handed on to the applicant.

Head Of Public Services has provided advice regarding refuse and recycling collection. A condition should be imposed to ensure provision kerbside collection.

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Application No. 14/0604/OUT Continued

Transportation Engineering Manager has requested further details regarding the parking that has been retained to serve the employment site. The applicant who does not have access to the site or details of the use/s within the building has not provided those details. The Planning Officer's report concerning the planning application for building (reference 2/11683) indicated that the car park on the western side of the river was to have 361 spaces. As previously stated, the permission referred to a B1 industrial use, and the aforementioned report indicated that the floorspace of the building was to be 28,400 square metres. On the basis of the adopted parking guidelines the premises would require the provision of 203 spaces for the approved use. Additionally it has to be noted that the employment site owners sold off the application car park and has now operated without it for some years. The employment owners have suggested that it could be of use in the future as additional parking space but this contrasts with the current situation which does suggest that it is surplus to requirement.

Police Architectural Liaison Officer has no objection and advice is provided regarding Secure by Design.

Network Rail has no objection and general advice is provided. This advice should be handed on to the applicant.

Comments from public:

A series of objections have been received from one objector, the industrial owner to the south:-

A question has been raised regarding the status access road to the site from the traffic lights. It has been established that the industrial owners to the south are possibly the owners of the access road. The owners have explained that its "main and only intended purpose is for industrial use." Questions of the legality of the applicant's rights of access and the maintenance of the route have also been raised. From the planning perspective a revised plan of the application site has now been received and it resolves the technical issue that the original site did not take account of the fact that parts of the access road are not part of the adopted highway. The result is that the application site now gains access to the adopted highway over a short length of private road. This is not an uncommon planning situation. If the road owner has a lawful control over the use of that part of the access this will be a private matter between the parties involved.

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Application No. 14/0604/OUT Continued

The industrial owner is concerned that pedestrians and traffic from the proposed site would come into conflict with heavy goods vehicles. This concern regarding vehicle movements has to be balanced against the fact that the existing car park is designed to accommodate 250 vehicles. Given that the illustrative layout shows a layout of 45 dwellings it is clear that the proposal suggests a significant decrease in vehicular movements is likely. With regard to pedestrian movements the site is currently designed to direct the car park occupants (250 vehicles) into the industrial site, this would need to be varied to enable better pedestrian connections as discussed in other sections of this report.

It is suggested that pedestrians and the public could "create issues for the security of the Technology Park" leading to loss of employment. This suggestion implies that the residents of dwellings pose an unacceptable risk to an employment site's security. It is to be noted throughout the County Borough there are dwellings in similar relationships with employment sites. Given the separation from the employment site (it is on the opposite side of the access road) and in the absence of any evidential basis that there is a significant problem, this concern is not considered sustainable. It should be noted that the applicant has apparently engaged with the adjoining landowner and was given to understand that relocating the proposal site entrance closer to the traffic lights would have allayed the security concern. The offer of relocating the entrance has been made but apparently no acceptance has been received. In the view of officers this solution is unnecessary from a planning point of view as the existing approved entrance is acceptable and does not require relocation. In addition the security concern does not address the possible future continued industrial use of the land, for example if there had been any employment interest as a result of the marketing the owners could have proposed a number of starter employment units. Such units would bring also with them visitors of a greater variety that could pose a security use exceeding that alleged.

The development site is on land identified for employment. This observation is correct and is addressed in the policy section of this analysis.

Although the car park is not currently in use it could be rented to future industrial occupiers as demand for parking rises. On the basis of the adopted car parking guidelines the retained parking provision within the industrial unit/s is broadly acceptable. It must also be borne in mind that the site has been sold off by the objector (or the predecessor) and has been unused for a number of years. It has been marketed for almost 4 years without any interest. The site is now by the passage of time and ownership considered to be in a separate planning unit. It would not be reasonable to require it to be retained for the parking benefit of a unit that is currently not using it, has not done so for approximately 2 years and has relinquished control of it to a new owner.

Cont....

Application No. 14/0604/OUT Continued

The site should be accessed directly from the A467. The Transportation Engineering Manager has not considered this proposal, as the applicant has not offered it in any case but it would be contrary to the Council's restriction on allowing new accesses onto the strategic highway network.

Questions are raised regarding the accuracy of the supporting information, which details the attempts to find a suitable commercial occupier or purchaser for the application site. One of the questions points out that the industrial owner's Company has not been approached to purchase the land. The applicant has pointed out that the Company in question was not approached because it was they that sold off the land and withdrew from leasing it. It is understood that the Company have now been offered the purchase of the land but this is a private matter. Whilst doubt has been cast on the accuracy of the information submitted it is to be noted that it is from a reputable company there is no reason to doubt its veracity, and the unoccupied condition of the site is testimony in itself. The fact that one company was not offered the land may be something of a distraction as the body of evidence provided by the applicant's commercial agent is broadly backed up by the Local Planning Authority's position that reflects the same falling employment need.

The quote from the Local Planning Authority in 2009 states that housing needs will be met through land allocations and windfall sites coming forward. The Local Development Plan position is now significantly different to 2009 as has been explained above.

There are a number of references to parts of the submitted Design and Access Statement and Transport Statement questioning the suitability of the private road to fulfil the requirements of the proposed development. The veracity of the statements is challenged and the Company request that it be provided with various written "assessments or objective evidence." The industrial owner has also requested that it be provided with the Highway analysis regarding car parking at its site. As explained above the redevelopment of the application site will not significantly affect the use of the existing access road. There is adequate parking provision within the industrial site based on the footprint of the building and the existing parking provision.

The industrial owner questions the statement that its company has "has not chosen to renew its existing lease" for the application site and goes on to explain that it considers the suggestion that the applicant has sought to find an alternative use for the site based on the cessation of the lease as a "falsehood." These points whether correct or not do not affect the very clear current position, namely that the application site is vacant and there is a need to consider its reuse as a brownfield site.

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Application No. 14/0604/OUT Continued

It is suggested that if the development is approved the industrial owners will be obliged to erect "chain link or steel fencing with razor barbed wire at a minimum height of 8ft accompanied by surveillance cameras." This objection suggests that residential development in itself is a high risk to the security of employment land. That is not accepted from a planning point of view. It also does not explain why any other use of the application site would not result in the same drastic measures.

There are a number of requests that the Council provide the industrial owner with evidence to support the submissions of the applicant so that the Company in question may use the information "to further substantiate our communication with the appointed Planning Inspectorate." This request appears to be based on a misunderstanding of the planning system. Third parties do not have a right of appeal and the Council is not required to provide supporting information.

In one letter it is requested that the Authority consider the impact of changes the landowner may make to the private access road that would have an impact upon the proposed development (i.e. altering or introducing barriers, traffic humps and changing the position of the security entrance). Some of the changes may require planning permission. The premise for the changes is to improve safety as the result of minor accidents due to inclement weather. It is unclear as to what the accidents were or how the changes improve or relate to those accidents or precisely what the physical alterations would look like. Whilst on the one hand the changes are said to improve highway safety, the implication of the question appears to suggest the works would have the opposite effect to the application site. There appear to be two main implications of the suggested changes: -

1. The introduction of obstructions that would prevent the applicant's access to their site.
2. Re-arrangements that could result in adverse impact upon the traffic within the adopted highway safety.

With regard to the first item, private roads are not uncommon and if a road owner prevents access to an occupier by any re-arrangement that is a civil matter between the parties involved. With regard to the second item if the changes require planning permission or variation of condition clearly the Planning Authority still retains control. If the changes do not require planning permission and would result in a danger to the users of the adopted highway (i.e. the traffic light junction not functioning properly with vehicles backing up onto the junction) this may amount to obstruction which could be an offence under Section 137 of the Highways Act 1980. There would also be the possibility of an actionable highway nuisance.

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Application No. 14/0604/OUT Continued

The other response is a letter from the Welsh Government (The Department for Economy, Science and Transport). The writer explains that the purpose of the letter is that the objector has raised his concerns with that Department who regard his company as "important" in the economy and request that the Planning Authority "ensure that the concerns regarding the potential long term impact upon employment uses in this area are considered by the Planning Committee." Those concerns are addressed above.

Other material planning considerations: A Section 106 Agreement is required to secure the affordable housing at the site. That has to pass the following tests: it must be necessary to make the proposed development acceptable in planning terms; it must be directly related to the proposed development; and it must be fairly and reasonably related in scale and in kind to the proposed development.

In relation to the first test the affordable housing is required to comply with policy CW11. It is clearly related to the proposed development in that it will be housing on a housing site thereby fulfilling the second test. Finally the scale at 10% is fair and reasonable reflecting the viability of development on this area.

RECOMMENDATION: (A) This application be deferred to enable the completion of a Section 106 Agreement that will require the provision of 10% affordable housing and upon the completion of that Agreement (B) the planning permission shall be issued subject to the following recommended conditions:

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 14/0604/OUT Continued

- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Prior to the commencement of works on site a scheme of land, surface and any non-mains 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.
- 06) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures, which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.  
REASON: To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.
- 07) The development hereby approved shall include a buffer zone of a minimum of 7 metres depth from the River Ebbw along the eastern bank that shall be maintained free from development at all times.  
REASON: To preserve the wildlife corridor, the River Ebbw Site of Importance for Nature Conservation and to ensure access to the channel/banks for future maintenance.

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Application No. 14/0604/OUT Continued

- 08) Notwithstanding the submitted illustrative layout, the layout of the site at reserved matters shall include an area of open space with formal children's play facilities proportionate to the number of dwellings proposed at reserved matters. The approved area of open space and equipment shall be provided before 50% of the approved dwellings are occupied.  
REASON: To ensure adequate leisure provision to serve the needs of the residential properties.
- 09) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.  
REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.
- 10) All dwellings to be approved at reserved matters shall be fitted with double glazed windows with acoustic trickle vents.  
REASON: In the interest of residential amenity.
- 11) The Site Location Plan hereby approved relates to Drawing Number JPW0343-001 revision C dated February 2015 that was received by the Local Planning Authority on 19 February 2015.  
REASON: To identify the revised site location plan for the avoidance of doubt.
- 12) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.

Cont....



Application No. 14/0604/OUT Continued

- 13) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 14) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 15) The layout and design to be provided at reserved matters shall include measures that ensure adequate noise mitigation so that the occupants of the dwellings may enjoy acceptable residential amenity in accordance with Technical Advice Note (Wales) 11. The development shall be completed and maintained thereafter in accordance with the approved noise mitigation measures.  
REASON: In the interests of the amenity of the occupants.

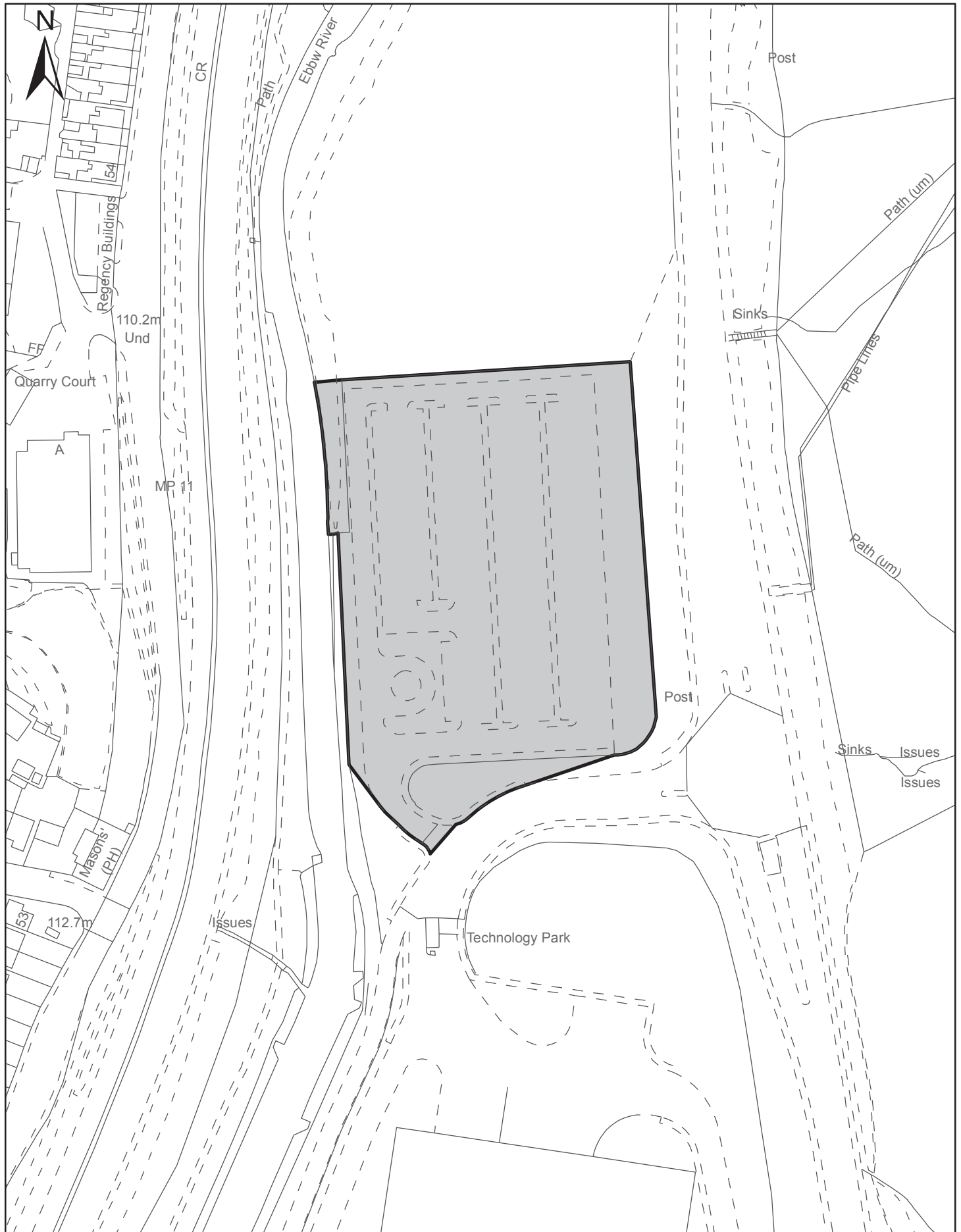
Advisory Note(s)

Please find attached the comments of Head of Public Services, The Coal Authority, Senior Engineer (Land Drainage), Heddlu Gwent Police and Network Rail that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3, CW4 and CW10.

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# Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0674/OUT 09.12.2014	Mr G Jones GLJ Recycling Limited Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn NP11 7NL	Erect residential development GLJ Recycling Ltd Newtown Industrial Estate Crosskeys Newport NP11 7PZ

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is situated on the western edge of Crosskeys adjacent to the Full Moon roundabout.

Site description: The application site is an established materials recycling yard occupying an elevated position on the edge of the Newtown Industrial Estate and between Tredegar Terrace and the River Sirhowy. The site comprises an open yard enclosed by a metal sheeting fence with a large single-storey building occupying the centre of the site. The site is accessed via a ramped road from Tredegar Terrace running past a steep grass bank on the south east edge of the site and a grassed area and a stand of semi-mature trees which demarcate the boundary of the remainder of the industrial estate. The majority of the site itself is flat but the land on each boundary slopes down to the surrounding areas with Tredegar Terrace to the north and the river to the south west being considerably lower than the application site. The A467 where it travels from Crosskeys to the roundabout and again where it travels from the roundabout towards Risca is roughly at the same height as the application site. There is a thick belt of trees on the northern and south western edges of the site.

Development: The application seeks outline planning consent for residential development of the site with all matters reserved for future consideration. The application is supported by a number of documents including a Design and Access Statement (as amended), indicative Site Layout Plan (as amended), Tree Survey, Noise Survey (as amended), Site Investigation Report and an Otter Survey.

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Application No. 14/0674/OUT Continued

The Design and Access Statement states that the site will be developed for approximately 40 dwellings on the 1ha of the site. The dwellings would be two to three-storeys high with upper and lower scale parameters as follows:-

Height - 7m to 10m.

Width - 6.6m to 12m.

Length - 7m to 13m.

The indicative layout shows the site being accessed via the existing access road to the southern corner of the site with a 5.5m wide carriageway and 2m footpath serving all of the dwellings. An equipped play area is shown immediately adjacent to the access to the site utilising the grass embankment as part of the visual amenity area for the site.

Dimensions: The site has an area of 1ha and at its maximum measures approximately 170m by 140m.

Materials: Not specified at this stage.

Ancillary development, e.g. parking: No details at this stage, but would be part of any reserved matters submission.

#### PLANNING HISTORY

2/11049 - Erect first floor extension for office use - Granted 30.11.92.

2/11665 - Erect extension to existing industrial premises - Granted 06.01.94.

2/12530 - Erect extension to existing industrial unit - Granted 11.10.95.

P/99/0103 - Alter existing units and offices, assembly and storage of modular units - Granted 22.03.99.

11/0478/COU - Change the Use from Class B2 to metal recycling facility to include ferrous and non-ferrous materials, proposals include installation of new vehicle weighbridge, portable building office, and extended car parking facilities - Granted - 12.01.2012.

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Application No. 14/0674/OUT Continued

## POLICY

### Policies

Local Development Plan: SP3 (Development Strategy - Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation), CW13 (Use Class Restrictions - Business and Industry), CW15 (General Locational Constraints) and EM2 (Employment Sites Protection).

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

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) 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 1 (Joint Housing Land Availability Studies), 2 (Planning and Affordable Housing), 5 (Nature Conservation and Planning), 11 (Noise) 12 (Design), 16 (Sport, Recreation and Open Space).

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

## CONSULTATION

Glam/Gwent Archaeological Trust - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Cont....

Application No. 14/0673/OUT Continued

CCBC Housing Enabling Officer - No objection in principle subject to the provision of 10% affordable housing.

Outdoor Leisure Development Officer - No objection to the principle of the development but would require the provision of an on site equipped play area and a well designed area of open space. A request is also made for a contribution to off site sports provision.

Head Of Public Services - No objection in principle.

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru/Welsh Water - No objection subject to conditions.

Police Architectural Liaison Officer - No objection.

Wales and West Utilities – No objection.

Natural Resources Wales - No objection subject to conditions.

#### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

#### SECTION 17 CRIME AND DISORDER ACT

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

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? An otter survey has been submitted and sets out mitigation measures to be implemented as part of the scheme.

Cont....

Application No. 14/0674/OUT Continued

Is this development Community Infrastructure Levy liable? No. The Levy is not applicable at the outline stage.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This is an outline application with all matters reserved for future consideration. Whilst the submitted layout plan is only for indicative purposes it does give an impression of whether the site could be developed for the number suggested whilst complying with the aforementioned policies and guidance. It is felt that the main points to consider in the determination of this application are the compatibility of the site with the surrounding land uses, the current use of the site, whether there is suitable access to the site, and the ecological impacts of the development having regard for the close proximity of the River Sirhowy and its environs. Each of these matters will be considered in turn below:-

#### Compatibility with surrounding land uses.

The application site is situated on the edge of a residential area but adjacent to an existing industrial estate and close to two busy roads. In that regard the impacts of noise on any potential dwellings on the site must be taken into account. To that end the applicant has submitted a noise survey that takes into account the noise created both by the industrial buildings and the nearby roads. The report acknowledges that the nearby roads do have the potential to have noise impacts on the development, but it is considered that the majority of the site could be developed. Part of the site would fall into Category C as defined by TAN 11 Noise which is considered to be unacceptable for residential development but it is felt that the remainder of the site could be developed and as such a suitably worded condition should be attached to any consent granted ensuring that the reserved matters scheme has regard for the noise impacts in accordance with the requirements of the TAN. In that regard it is considered that the proposed use of the site would be compatible with surrounding land uses.

#### Current use of the site.

The current use of the site raises two separate issues. The first issue is the presence of contamination on the site and to that end the developer has submitted a site investigation report which sets out mitigation measures to be carried out as part of the development. This report has been assessed by the Pollution Control Officer and it is considered that the suggested measures would be adequate and as such the site is capable of being developed for residential purposes.

Cont....

Application No. 14/0674/OUT Continued

The second issue relates to the Policy position in respect of the Adopted Caerphilly County Borough Local Development Plan as the site is identified as a protected secondary industrial site under Policy EM2. The development therefore has to be considered in accordance with Policy CW13, which sets out the development that is considered to be acceptable on industrial estates. However, whilst the site is allocated for employment the declining demand for employment land indicates that the County Borough has a rising surplus, whilst on the other hand there is a decreasing supply of housing land. The Local Planning Authority has to balance this decline in demand for industrial land against the well publicised lack of housing land and as such it is considered that the loss of the industrial use is acceptable in this instance.

#### Suitability of access

As stated above the access to the site is along an existing metalled highway from Tredegar Terrace and through the wider residential area of Crosskeys. The Transportation Engineering Manager does not object to the proposal in principle subject to the imposition of conditions relating to provision of off-street car parking. A condition is also suggested requiring the provision of a footpath access from the northern edge of the site to Tredegar Terrace in order to improve the sustainability of the site. It is considered that such conditions are reasonable and would have a positive impact on the development.

#### Ecological Impacts

As part of the application process an otter survey was requested from the developer. That survey has now been submitted and assessed by both the Council's Ecologist and by Ecologists at Natural Resources Wales. The mitigation measures set out in the survey are considered to be appropriate in this instance and as such the development would not have a detrimental impact on the protected species.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

In conclusion, the proposal is considered to be acceptable in planning terms subject to the imposition of suitably worded conditions. The applicant will also need to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 in order to secure the provision of affordable housing and an equipped play area on the site.

Cont....



Application No. 14/0674/OUT Continued

The Local Planning Authority must consider whether such an Agreement would be necessary to make the proposed development acceptable in planning terms; directly related to the proposed development; and fairly and reasonably related in scale and in kind to the proposed development.

With regard to the first test, the affordable housing and the play area are required to comply with policies CW11 and CW10 of the LDP respectively. Both are clearly directly related to the proposed development thereby satisfying the second test. The scale of play area will be commensurate with the size of the development, and an affordable housing provision of 10% is reasonable, and so the third test is also complied with.

RECOMMENDATION that (A) the application is DEFERRED to allow the applicant to enter into a Section 106 Agreement as set out above. On completion of the Agreement (B) Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 14/0674/OUT Continued

- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.
- 06) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 07) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 08) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.  
REASON: To ensure that the demolition is carried out in an appropriate manner.

Cont....

Application No. 14/0674/OUT Continued

- 09) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 10) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.  
REASON: In the interests of highway safety.
- 11) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 12) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
  - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
  - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
  - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,

Cont....

Application No. 14/0674/OUT Continued

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

Cont....

- 13) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
- a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.
- b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- REASON: In the interests of visual amenity.
- 14) The layout and design to be provided at the reserved matters stage shall include measures that ensure adequate noise mitigation so that the occupants of the dwellings may enjoy acceptable residential amenity in accordance with Technical Advice Note (Wales) 11. The development shall thereafter be carried out in accordance with the approved details.
- REASON: The layout and indicative measures identified at outline are illustrative only and may be amended thereby requiring a revised Noise Survey Report based on alternatives such as revised dwelling orientation, acoustic barriers and attenuation to enable a more bespoke layout and design that will ensure compliance with TAN 11.
- 15) The existing pedestrian facilities serving the site from St John's Terrace to the development shall be improved in a manner to be agreed in writing with the Local Planning Authority prior to the occupation of the development hereby approved.
- REASON: In order to provide improved pedestrian access to the site in the interests of sustainability.
- 16) The level of parking provision throughout the development shall accord with the requirements of the Local Planning Authority's Adopted Supplementary Planning Guidance of LDP5 Car Parking Standards.
- REASON: In order to provide adequate parking to serve the development in the interests of highway safety.

Cont....

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

The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the visual amenity of the area.

- 18) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.

REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.

Cont....

Application No. 14/0674/OUT Continued

- 19) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area.
- 20) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area.
- 21) The development hereby approved shall be carried out fully in accordance with the recommendations made in the Recommendations Section of the Otter Survey Report dated March 2015, prepared by Levan Ecology unless otherwise agreed with the Local Planning Authority.  
REASON: To ensure adequate protection and mitigation for protected species.
- 22) During the development works the existing security fencing, or any such other fence as is agreed in writing by the Local Planning Authority, shall be retained in place to prevent material spill into the Site of Importance for Nature Conservation (SINC) as defined in the Caerphilly County Borough Local Development Plan - Adopted November 2010 and to protect the SINC during the development process.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and Policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation Planning (2009).

Cont....



- 23) Prior to the commencement of works on site, a buffer strip between the existing Site Important for Nature Conservation (SINC) as defined in the previous condition and the development boundary shall be protected in a manner to be agreed in writing with the Local Planning Authority. The buffer strip should be a minimum of 1.5m wide from the SINC edge to the rear garden boundary fences to prevent encroachment into the existing habitat.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and Policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation Planning (2009).
- 24) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 25) As part of the development the steep sided slopes covered with mature trees to the north and southwest within the application site should be retained and enhanced as part of the development's landscaping.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and Policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation Planning (2009).
- 26) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

Cont....



Application No. 14/0674/OUT Continued

- 27) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 28) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species in the new development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new development hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.

Advisory Note(s)

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

Please find attached the comments of Dwr Cymru/Welsh Water and Wales and West Utilities.

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# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0761/FULL 10.12.2014	Mr D Davies Ty Cwm Newport Road Hollybush Blackwood NP12 0BN	Install a 500kw wind turbine generator together with 11KV substation/transformer house, construct an access track and provide electrical cabling and ancillary works Cruglwyn Off Manmoel Road Mynydd Manmoel Blackwood

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is situated at Cruglwyn, Cefn Manmoel, approximately 4km south east of Tredegar and 2.5km north west of Manmoel.

Site description: The proposed site stands on land at a height of approximately 430m above ordnance datum (AOD) and has been used in the past for motorcross events. The site principally consists of grassland, with scattered mature and semi-mature trees. The former motocross tracks run through the grassland and an access track runs through the site which allows access from Manmoel Road to the east. The footprint of the proposed turbine and associated infrastructure covers an area of 0.75 hectares.

The application site is bordered to the south by enclosed farmland and to the west, north and east by the unenclosed moorland on Manmoel Common. The entirety of this area is located on a narrow plateau/ridge, oriented north-south, between the steep-sided, settled and industrialised valleys of the Sirhowy and Ebbw rivers. This arrangement of relatively isolated and open uplands separated from enclosed and semi-urbanised valleys is typical of this part of south Wales. The Cefn Manmoel landform rises in elevation to the north and east, reaching a high point of approximately 504m AOD some 1.7km to the north of the proposed turbine.

The nearest, residential property, Maes-yr-Onn-Fach is located approximately 500m to the south east of the proposed turbine location, with others being in excess of 700m away.

Cont....

Application No. 14/0761/FULL Continued

Other residential properties within 1km of the site are Lower Farm approximately 780m to the west of the proposed turbine location and Pochin House, Nos 1 to 8 Pochin Houses and Pochin Villas located approximately 830m, 850m and 900m to the south west of the proposed turbine location respectively. The nearest settlement is Victoria located approximately 1km to the north east.

Development: The applicant is proposing to construct a single wind turbine and associated infrastructure including turbine foundations, a crane hardstanding/laydown area, a switchroom and associated cabling.

#### Wind Turbine

The proposed wind turbine would have a rated output capacity of 500kW and its key maximum parameters are set out below:-

- Hub height: 60m;
- Blade length: 26.5m;
- Rotor diameter: 53m;
- Maximum height to blade tip: 86.5m; and
- Number of blades: 3.

The final selection of turbine manufacturer would be confirmed following a competitive tendering process in which only qualifying turbines that are within the size parameters set out above and can comply with any appropriate noise condition imposed on the development would be considered. As such the applicant is applying for planning consent for a wind turbine with a maximum blade tip height of 86.5m to allow flexibility across the wind turbine market for this class of machine.

The turbine is proposed to be predominantly light grey in colour, with a graduated green colouration to the base of the tower. A micro-siting allowance of 15m is included within the application boundary to take account of unforeseen problems that may be encountered with ground conditions.

#### Foundations

The foundation for the turbine proposed would be of reinforced concrete construction, approximately 12m in diameter and up to 3m in depth. The final design of the foundation and reinforcement would be completed following ground investigations and detailed engineering design prior to construction.

Cont....

Application No. 14/0761/FULL Continued

#### Crane Hardstanding/Lay down Areas

The proposed turbine would be located within an area that is currently semi-improved grassland and as such a degree of localised temporary ground improvement will be required during construction to accommodate a crane hard standing and lay down area for components. The area would be carefully stripped of topsoils when in a suitably dry state and the resultant material would be stored in low narrow bunds of no more than 1m height in accordance with BS3882. The total area required for cranes and lay down would be around 600m<sup>2</sup> (20 x 30m).

The turbine would be erected using two mobile cranes to lift the tower sections, nacelle and rotor components into position. It is anticipated that following construction and curing of the turbine foundation it would take approximately 2 weeks to erect the turbine, after which the cranes would be removed from site. Following the erection of the turbines the temporary hardstanding areas would be covered over with the previously stripped soils and seeded so that the field can be reinstated to its former use, with the exception of a track to the base of the turbine to provide maintenance access.

#### Switchroom

The switchroom would be located immediately adjacent to the turbine base. The container would be of fibreglass construction, in a moss green finish or similar. The container would be bolted to a concrete foundation. The container would house the transformer, switch gear and other associated electrical equipment required to connect the wind turbine to the local grid. Cabling from the turbine to the transformer would pass below the turbine foundation in a duct.

Consultation with the local District Network Operation (DNO) has confirmed that connection to the local electricity distribution network is feasible. A formal offer made by the DNO has been accepted and the proposed export capacity has been reserved. The connection would be made to an existing connection point at Festival Park, Cwm, approximately 1km to the north east of the site. The application for the grid connection works would be undertaken by the DNO should the planning application for the wind turbine be approved.

Ancillary development, e.g. parking: None.

#### PLANNING HISTORY

No previous planning history.

Cont....

Application No. 14/0761/FULL Continued

## POLICY

### Site Allocation

Local Development Plan: The site lies in the open countryside beyond a settlement boundary, it is not allocated for any specific use, but it is within a Visually Important Local Landscape (VILL) adjoining a Site of Importance for Nature Conservation (SINC).

### Policies

Local Development Plan: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification), CW22 (Locational Constraints - Minerals), NH2 (Visually Important Local Landscapes).

National Policy: Technical Advice Note 8: Planning for Renewable Energy, July 2005. Planning Policy Wales (Edition 7), Nov 2014.

## ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? - Yes.

## COAL MINING LEGACY

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

## CONSULTATION

Minerals Officer - No objection in principle.

Head Of Public Protection - Raises no objection subject to conditions.

Senior Engineer (Land Drainage) - Raises no objection subject to a condition requiring the submission of a drainage scheme.

Countryside And Landscape Services - Recommends that the application be refused on the basis of the visual impact of the development.

Cont....

Application No. 14/0761/FULL Continued

Strategic & Development Plans - The proposal is acceptable in principle subject to the consideration of cumulative visual impact.

National Air Traffic Services - Raises no objection.

Ministry Of Defence - Raises no objection.

Dwr Cymru - Raises no objection.

Western Power Distribution - No objection.

Natural Resources Wales - No objection subject to the Local Planning Authority being satisfied with regard to cumulative visual impacts and biodiversity.

Glam/Gwent Archaeological Trust - No objection.

Atkins Ltd - No objections.

Joint Radio Company Limited - Raises no objection.

OFCOM - Raises no objection.

Public Health Wales - Raises no objection subject to the Local Planning Authority being satisfied that the submitted noise survey is acceptable in accordance with available guidance.

Blaenau Gwent County Borough Council - No objection is raised from a highway safety perspective. However, given the proposal for a medium typology turbine development in the location indicated and with an understanding of the local landscape characteristics there are likely to be significant negative landscape visual impact effects within the County Borough of Blaenau Gwent associated with this proposal. These may be to such a degree that the proposal is unacceptable from a landscape impact perspective.

Argoed Community Council - Raises an objection to the application on the basis of noise, visual impact and affect on wildlife.

#### ADVERTISEMENT

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

Cont....

Application No. 14/0761/FULL Continued

Response: Four letters of objection were received from members of the public. Seven letters and a petition containing 57 signatures expressing support for the application were also received.

Summary of observations: The objections are summarised as follows:-

1. Cumulative impact of the turbine in connection with other commissioned turbines in the area. It is suggested that the number of turbines in the area has the effect of a dispersed windfarm environment.
2. Visual impact of the turbine which is an alien structure to the open, wild and remote landscape of the area.
3. The proposal would have a harmful impact on the Manmoel Visually Important Local Landscape.
4. The proposal is contrary to policies in the local development plan and national planning guidance.
5. There is no need for the development in this area.
6. The proposal would have a detrimental impact on the wildlife and ecology of the area.
7. The turbine is within 500m of a dwelling that is not connected with the development.

The support is summarised as follows:-

1. The renewable energy provided is much needed.
2. The proposal will help to cut greenhouse gas emissions.
3. The turbine is similar to that erected on Mynydd Bedwellte and is considered to be well proportioned compared to some larger turbines.

#### 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? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Cont....



## ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are encompassed within the objections raised by members of the public and as such will be considered in turn below.

### Cumulative Impact

The analysis below is based on the views of the Council's Countryside and Landscape Service's comments.

The location of the proposed Cruglwyn turbine on the Manmoel ridge opposite and slightly north of the Bedlwyn Farm, Penrhiwgwaith and Gelliwen turbines on Mynydd Bedwellte will extend the cluster of turbines across the valley creating a visual link between wind energy developments along both ridges. However, in view of the separation distance between the proposed Cruglwyn turbine and the existing Pen y Fan Ganol and Oakdale turbines it is unlikely that they will be viewed as a single development/cluster.

All of these turbines will be visible sequentially and in small groups to users of the A4048 between Blackwood and Hollybush . All will also be visible sequentially and in small groups to users of the minor road from Oakdale Business Park to Manmoel Common, the minor road from Argoed through Markham and the minor road from Bedwellte Church on to Coed y Moeth Common.

Although frequently seen in groups of one or two turbines the sequential nature of the views will create a feeling that you are driving into and through a landscape where wind energy development is a common, possibly significant, though perhaps not yet a defining feature.

From Markham and Coed y Moeth Common the existing Turbines at Oakdale , Pen y fan Ganol, Penrhiwgwaith, Gelliwen are currently visible and the consented Bedlwyn Farm and Cruglwyn turbine if approved will also be visible within the same 180 degree view from some locations.

The proposed location of the Cruglwyn turbine would not significantly close the existing gaps between the cluster of single turbines north of Bargoed and the cluster of Turbines close to the Heads of the Valleys Road.

Cont....

In conclusion it is considered that the cumulative impact of this turbine and others in the area is a significant factor to be considered. However, because of the topography of the area and as a result of existing screening features (i.e. trees, buildings etc) from the relevant viewpoints the views of the turbines would be limited to glimpsed views. It is also considered that not all of the turbines would be visible at any one time and from any one viewpoint within a 180 degree vista. Moreover, given the existing gaps between the turbines in the area the cumulative impact is considered to be such that it is considered to be carefully balanced in terms of acceptability.

### Visual Impact

It is accepted that wind turbine developments have a significant impact on the landscape character and visual amenity of an area by the very nature of their height and prominence. The role of the Local Planning Authority is to consider whether that impact is significant enough to justify a refusal of any planning application.

There will be localised change to the visual context of parts of the Mynydd Bedwellte Visual and Sensory aspect area closest to the application site. This change will be brought about by the introduction of a prominent vertical structure with moving parts, into a landscape largely devoid of prominent vertical structures and movement. Because of the size and variety of influences on the aspect area as a whole the proposed development will not exert an overall significant effect. However, there is the potential for significant localised effects.

With regard to the Sirhowy Valley Visual and sensory aspect area, there will be localised change to the visual context of part of this aspect closest to the application site. The upper valley side and ridgeline forms a strong simple landform that is currently largely devoid of prominent vertical structures and movement. This ridgeline is highly visible and forms an important backdrop to the valley floor settlements. Because of the size and variety of influences on the aspect area as a whole the proposed development will not exert an overall significant effect. However, there is the potential for significant localised effects.

In respect of a number of viewpoints as identified in the application submission the potential views of the turbine would be significant. There is the potential for the proposed turbine to exert significant localised adverse effects upon the landscape character of the Manmoel VILL, and the Cefn Manmoel, and Mynydd Bedwellty, Rhymney Hill and Sirhowy Sides, Special Landscape Areas, in Blaenau Gwent.

Cont....

Application No. 14/0761/FULL Continued

There is the potential for significant adverse visual impacts upon residents of a number of local properties and recreational users of the Manmoel VILL, Cefn Manmoel, and Mynydd Bedwellty, Rhymney Hill and Sirhowy Sides, Special Landscape Areas, and users of the Sirhowy Valley Walk, and the minor road crossing Rhymney common.

The area is highly susceptible to wind energy development where the turbine height to blade tip is greater than 80 meters and there is no capacity for turbines of this height upon this narrow ridge. The proposed turbine at a height to blade tip of 86.5 m is at the bottom end of the wind turbine typology 80 - 109 m used in the Gillespies study. The study recognises that there is some capacity for wind turbines with a height to blade tip of 50-80m within this area, though such development should be associated with the existing built form. There are therefore landscape grounds for objection to this proposal.

Impact on the Manmoel VILL

This issue has been discussed above. Whilst the designation of the land as a VILL elevates its importance from a landscape perspective, the impact has to be balanced against the need to provide renewable energy.

Compliance with Local Plan Policy and National Planning Guidance

The objectors set out a number of policies within the local development plan and national planning guidance, which in their opinion the development fails to comply with. Many policies within the plan and in national guidance require developments to be assessed and for those policies to be interpreted as they relate to the proposal. A deal of subjective opinion can influence the interpretation of these policies and the Local Planning Authority has to do so from a basis of a presumption in favour of sustainable development whereas the objector will invariably have the opposite view. In that regard the application has been assessed against local plan policy and national planning guidance and it is considered that the proposal is broadly compliant subject to the consideration of visual impact, need etc. as discussed above and below.

Need for Renewable Energy in the Area

Cont....

Application No. 14/0761/FULL Continued

The applicant states in his submission that the proposed turbine will provide energy for his farming enterprise and that of a neighbouring landowner as well as supplementing the income to his business. The objectors suggest there is no farming enterprise on the site (or indeed that the applicant has only recently purchased the land for this purpose), that a turbine of this size is not needed to provide sufficient energy for the farming enterprise and that there would be no benefits for the local community as a result of the proposal.

With regard to the farming enterprise it should be noted that neither local plan policy nor national planning guidance require renewable energy schemes to be linked to any such business. Indeed, most wind energy developments are not owned or operated by the owner of the land on which the development is located. In most instances the land is rented to the developers and the landowners either gets reduced cost energy or a sum of money. This is a private matter between the two parties and is not a material planning consideration. However, in this instance the applicant has confirmed that this turbine will provide energy for his enterprise and for the adjacent Maes Yr Onn Farm as well as providing an additional income to supplement his farming enterprise.

With regard to the size of the turbine it is accepted that it would provide more than enough energy to serve the two farming enterprises. However, it would not be financially viable for the landowner to erect a turbine for his own needs and the renewable energy company would not invest in a turbine that did not make financial sense from their perspective. Moreover the Local Planning Authority has to assess the application as submitted and whether this is acceptable in planning terms. The possibility that an alternative proposal may be more acceptable should only be considered if the proposed development is found to be unacceptable.

In respect of community benefits it is noted that TAN8 suggests that developers should consider these, but it is not a requirement that they should be in place in order to make a development acceptable in planning terms.

#### Impact on Ecology and Wildlife

A Baseline Ecological Survey and Bird Surveys were carried out on this site. The findings of those surveys have been considered by Natural Resources Wales and the Council's Ecologists and no objections have been raised. On that basis it is not felt that the proposal would have a detrimental impact on ecology or wildlife.

Cont....

Application No. 14/0761/FULL Continued

Distance to Nearest Dwelling.

Annex D to TAN 8 does suggest that a 500m separation distance between a turbine and any residential property should be used in order to avoid unacceptable noise impacts. However, it also suggests that when applied in a rigid manner this can lead to conservative results and as such flexibility is advised. In that regard a noise survey has been submitted with the application which indicates that the noise levels at the nearest properties are acceptable within established guidelines. In that regard it is not considered that a 500m separation distance is required in this instance.

It is clear from the above discussion that the main point of concern with regard to this application is the visual impact of the development on the landscape character and visual amenity of the area. The comments from the Council's Countryside and Landscape Services and from Blaenau Gwent County Borough Council suggest that the impact varies from localised to significant dependant on the viewpoint and the relevant topography and natural screening. However, the comments also suggest that the impact, whilst worse than suggested by the applicant, is not as significant as suggested by the objectors and should be balanced against the need to provide renewable energy.

In that regard the UK is subject to the requirements of the EU Renewable Energy Directive which includes a UK target of 15% of energy from renewable sources by 2020. This includes both heat and electricity, and is seen as a minimum and a starting point from which the proportion should rise. At present in terms of electricity, there are 8 wind turbines and 3 solar farms in the county borough. These make a significant contribution. The 2 turbines at Oakdale for example generate as much electricity as the 1,834 domestic pv systems in the county borough. The amount of electricity generated in the county borough is around 12% of the predicted amount likely to be used in 2020. In terms of heat however, the figure is less than 1%. It is envisaged that a further target above the 15% aim is likely to be set soon as it is an initial target on the road to the 80% reduction in carbon emissions required by the EU. Even if Caerphilly exceeds the target of 15% before 2020 we will be expected to push on further and provide more.

Consequently the marginal landscape impacts of this turbine have to be assessed against this backdrop of a shortfall in the energy production within the county borough to meet predicted needs. On balance it is considered that the need to provide renewable energy outweighs the harm that the proposal would have on the landscape character and visual amenity of the area and as such the proposal is acceptable in planning terms.

Cont....

Application No. 14/0761/FULL Continued

Comments from consultees: Addressed above.

Comments from public: Addressed above.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Planning Statement and Drawings Environmental Statement Volume 1: Main Report and Figures Environmental Statement Volume 2: Technical Appendices (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 04) During the course of the investigation required by Condition 05, should the wind turbine or turbines be identified as operating above the parameters specified in Condition 03, the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.  
REASON: In the interest of the amenity of noise sensitive properties.

Cont....

- 05) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 06) Following the commission of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.  
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.
- 07) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 07.00 and 19.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.  
REASON: In the interest of residential amenity.

Cont....



Application No. 14/0761/FULL Continued

- 08) Prior to the commissioning of the wind turbine hereby approved they shall have been fitted with a control system that automatically shuts down the turbines during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority and the turbines shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.  
REASON: To control flicker in the interest of amenity of near by flicker sensitive properties.
- 09) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.  
REASON: To ensure adequate protection to protected species.
- 10) Prior to the commencement of the development hereby approved a nature conservation and landscape management plan shall be prepared and submitted to the Local Planning Authority for its agreement. The agreed plan shall be complied with during and after the completion of the development hereby approved.  
REASON: To ensure adequate protection to protected species.
- 11) Notwithstanding the submitted details the development shall not commence until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate full consultation and approval with neighbouring Authorities which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by the South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the hauliers indemnity insurance for approval. Details of any highway improvements required to the highway network with Caerphilly County Borough Council shall also be provided for approval by the Local Planning Authority and be completed prior to the delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.  
REASON: In the interests of highway safety.

Cont....



Application No. 14/0761/FULL Continued

- 12) The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.  
REASON: In the interests of visual amenity.
- 13) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 14) Details of land drainage shall be submitted to and agreed in writing with the Local Planning Authority before the works commence and shall be carried out in accordance with the agreed details before the development is brought into use.  
REASON: In the interests of highway safety.
- 15) All walls and fences removed as part of the development shall be re-instated in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.  
REASON: In the interests of the landscape character and visual amenity of the area.
- 16) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.

Cont....

Application No. 14/0761/FULL Continued

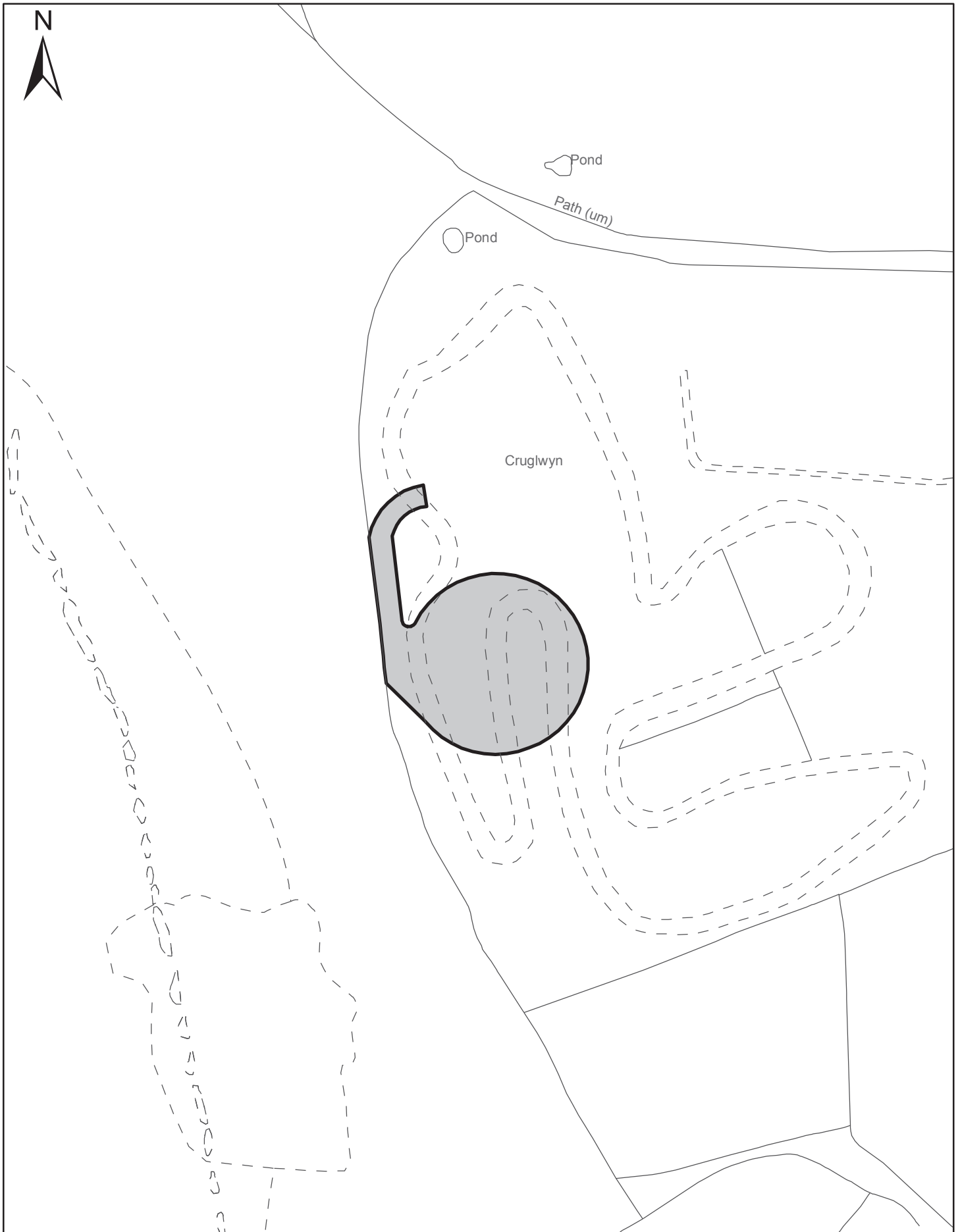
- 17) The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of 25 years from the date of commencement of the development hereby approved or within six months upon their becoming no longer operationally active in the generation of electricity, whichever is the earlier.

REASON: In order to define the extent of the permission hereby granted.

Advisory Note(s)

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

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# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0073/NCC 13.02.2015	McDonald's Restaurants Ltd C/o Savills (UK) Ltd Miss C Blagden 33 Margaret Street London W1G 0JD	Remove Condition 01 of planning permission 14/0055/NCC to allow the restaurant to operate 24 hours daily McDonalds Restaurants Ltd Unit 2 Newbridge Gateway Bridge Street Newbridge Newport NP11 5GH

**APPLICATION TYPE:** Development without complying with conds

## SITE AND DEVELOPMENT

Location: Adjoining the north-western side of the roundabout junction of the A472 Newbridge By-pass with the A467.

Site description: The site comprises the part of the 'Newbridge Gateway' site fronting Bridge Street, comprising a freestanding McDonalds restaurant with drive-through facility. The western part of the Gateway site, adjoining the Ebbw River, is occupied by a block of offices and a public house. To the north of the site is the Newbridge Rugby Club ground, to the south (on the opposite side of the A472) are playing fields, and to the east (separated by Bridge Street and the route of a former canal) is the rear of dwellings fronting Pant Road.

Development: Removal of Condition 01 attached to Permission Reference 14/0055/NCC to allow 24-hour opening on a permanent basis.

## PLANNING HISTORY

P/96/0487 - Erect 30,000 sq. ft. office development - Granted 03.10.96.

P/04/0570 - Erect three-storey office building and fast food restaurant, public house and restaurant with associated parking - Granted 09.12.04.

P/05/0001 - Erect various Brewers Fayre signs and advertisements - Granted 03.03.05.

Cont....

Application No. 15/0073/NCC Continued

11/0934/FULL - Erect freestanding restaurant with associated drive thru, car parking and landscaping - Granted 08.06.12.

11/0935/ADV - Install one height restrictor, seven freestanding signs, two banners and nine dot signs - Granted 26.06.12.

11/0936/ADV - Erect 7 No. fascia signs - Granted 25.06.12.

11/0937/ADV - Install freestanding pole sign - Granted 10.07.12.

14/0055/NCC - Remove Condition 07 of planning permission 11/0934/FULL to allow the restaurant to operate 24 hours daily - Granted 10.04.14.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies within the settlement boundary and the Newbridge Gateway commercial development site.

Policies: CW2 (Amenity).

NATIONAL POLICY Planning Policy Wales (2014).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable.

### CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection.

Police Architectural Liaison Officer - No objection.

Cont....

Application No. 15/0073/NCC Continued

### ADVERTISEMENT

Extent of advertisement: The occupiers of 17 neighbouring properties were notified by letter and a site notice was displayed.

Response: No response.

Summary of observations: Not applicable.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? Crime and disorder are material considerations in this case, but their significance will be discussed below. Also it should be noted that no objections have been received from the Police.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No. No new floor is space proposed.

### ANALYSIS

Policies: The site forms part of the larger Newbridge Gateway site in respect of which permission was granted in 2004 for the erection of a three-storey office building, a fast food restaurant and a public house/restaurant (P/04/0570). The office building and public house restaurant were constructed in accordance with this approved scheme but a subsequent application was received for a McDonalds fast food restaurant, and permission was granted in June 2012 (11/0934/FULL). This permission was subject to a condition (among others) restricting the opening times of the restaurant to 0600 hours to midnight Mondays to Saturdays and 0800 hours to 2300 hours on Sundays and Bank Holidays.

Further to this, planning permission was sought in 2014 (Ref: 14/0055/NCC) to remove this Condition to allow 24 hour opening. The application was granted planning permission subject to a Condition (among others) that gave a 1 year temporary permission for the 24 hour opening to allow the Local Authority to assess the impact of such opening hours.

Cont....

Application No. 15/0073/NCC Continued

That planning permission is now nearing expiration and therefore planning permission is sought to open the premises 24 hours on a permanent basis. The Head of Public Protection advises that no complaints concerning noise have been received in respect of the premises, and offers no objection to the removal of the condition. The Police Designing Out Crime Officer also raises no objection to the proposal. Therefore, whilst crime and disorder are material considerations they would not be so significant in this case as to justify a refusal of permission.

It is, therefore, recommended that permission be granted subject to other relevant conditions attached to Permission Ref. 11/0934/FULL, amended as appropriate.

Comments from Consultees: Head of Public Protection - No objection.

Police Designing Out Crime Officer - No objection.

Transportation Engineering Manager - No objection.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The parking spaces provided in accordance with Condition 04 of Planning Permission 11/0934/FULL shall be maintained free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety.
- 02) No external site lighting shall be installed other than in accordance with the scheme approved under Condition 08 of Planning Permission 11/0934/FULL, unless a further permission is granted for additional or amended lighting on application to the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 03) Measures for odour/effluvia/fume control shall be operated in accordance with the scheme approved under Condition 10 of Planning Permission 11/0934/FULL.  
REASON: In the interests of the amenity of the area.

Cont....



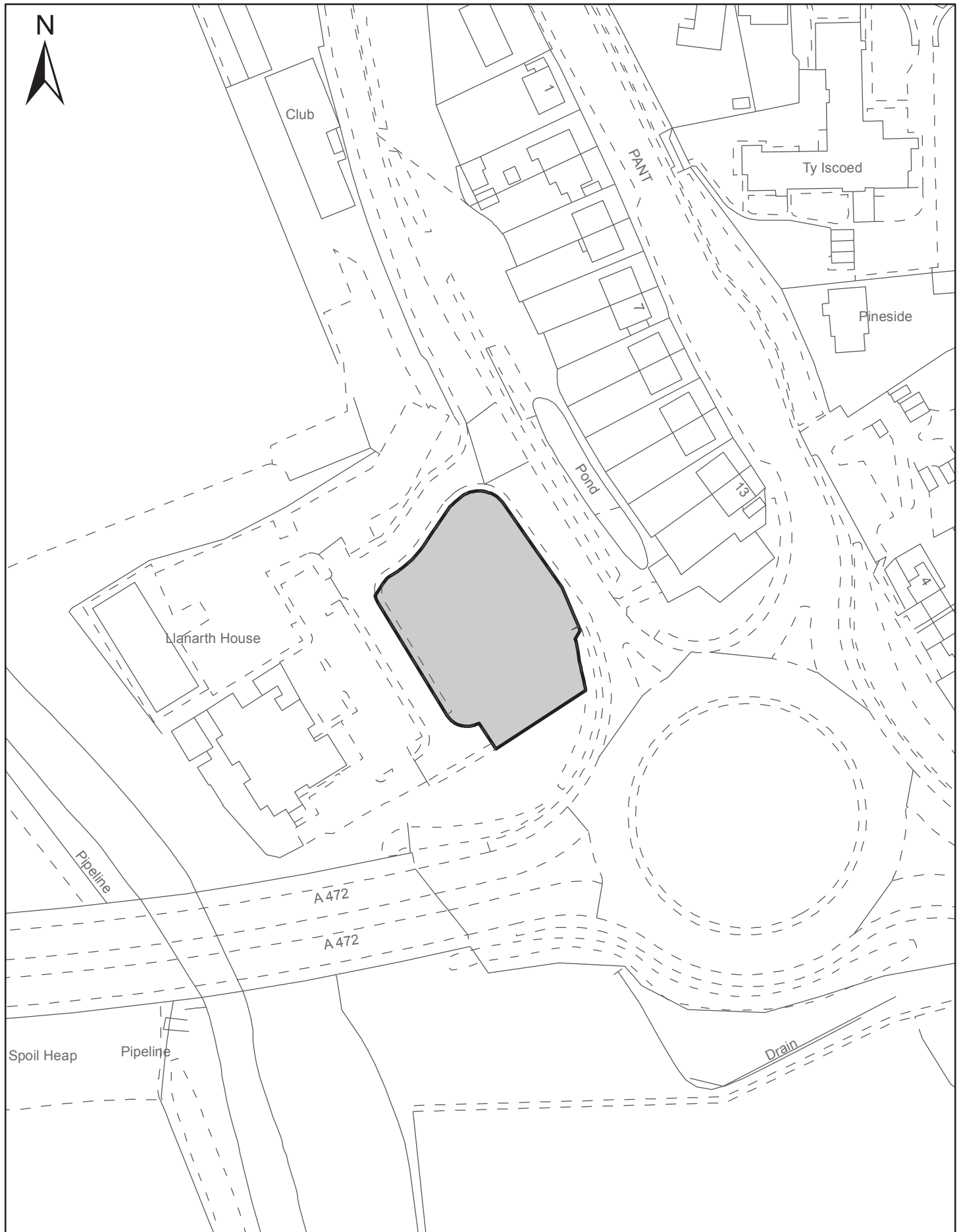
Application No. 15/0073/NCC Continued

- 04) Measures for replacement of any failed planting in the approved landscaping scheme shall be carried out in accordance with the requirements of Condition 11 of Planning Permission 11/0934/FULL.  
REASON: In the interests of the visual amenity of the area.
- 05) Details of any external and roof mounted plant/machinery associated with the development shall be submitted to and agreed in writing with the Local Planning Authority prior to its installation. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Such plant/machinery shall thereafter be installed and operated in accordance with the approved details.  
REASON: In the interests of residential amenity of neighbouring occupiers.

Advisory Note(s)

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

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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0087/COU 23.02.2015	Rowecord Holdings Ltd Neptune Works Usk Way Newport NP20 2UY	Change the use to industrial coating/painting of steel with associated assembly and storage (Use Class B2) Former Rowecord Engineering Commercial Street Newport Road Pontymister Risca Newport NP11 6EY

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: Former Rowecord Engineering, Commercial Street, Newport, Pontymister. The site is located within the settlement boundary.

Site description: The site comprises a substantial existing building with associated parking, storage and circulation areas off Commercial Street in Pontymister, Risca. The site is bounded by residential properties to the north and east with the River Ebbw to the south beyond which lies an Aldi foodstore with a vacant brownfield site (the former Birds Foundry) to the north beyond which lies Commercial Street at Pontymister.

The site benefits from an existing access direct off the B4591 along the site's northern boundary, which provides access to the A467.

Development: The building comprises a large steel framed structure with a mono-pitched roof and metal profile external finishes. To the front of the property are large parking and circulation areas with storage areas to the rear adjacent to the Ebbw River.

The application is supported by a Design and Access Statement, which states, "The property has a long established history for the storage and fabrication of steel products since the 1960's although this application is submitted on a "without prejudice" basis to accommodate a steel coating/painting use with associated assembly and storage.

Cont....

Application No. 15/0087/COU Continued

The proposed use is to provide a viable new use for the site (which is currently vacant) until such time as the Council's discussions with Natural Resources Wales are concluded in respect of the ongoing flood defence works in Risca in order to deliver the residential development of the site as set out within the Council's Action Plan for the area."

"The use of the site for industrial coating/painting of steel will create 30 - 40 new jobs until such time as the site can be redeveloped for housing. The proposed coating/painting operations involve:-

- unload steel within the building (as confirmed in Plan U406/1 Rev A);
- blast steel in dedicated booths;
- layout steel for painting/coating;
- paint steel to required specification (including 1,2 or 3 coats);
- when dry, load steel onto trailers;
- store trailers at the rear of building until required for delivery."

"All unloading, blasting, painting/coating and assembly/loading will be undertaken within the existing building before external storage. In some instances, it may be necessary to assemble certain products into components before loading onto trailers and external storage although the predominant operations within the building will be the painting/coating of steel."

"The blast booths and painting areas will utilise existing extraction units within the building. The painting/coating operations will take place between 6.00 a.m. to 10.00 p.m. Monday to Friday with potentially a skeleton shift applying paint outside of these hours in the event that it is required (depending on the number of coats required by the customer and the associated drying times and delivery date). Painting/coating operations will also be undertaken on Saturdays (if required) between 6.00 a.m. and 10.00 p.m. and Sundays 6.00 a.m. to 4.00 p.m. with no works on Bank Holidays."

"Deliveries will be limited to 6.00 a.m. to 10.00 p.m. whilst all roller shutter doors will remain closed other than for the receipt of deliveries and dispatch of trailers. Trailers will be stored outside to the rear of the property until required for exportation."

Cont....

Application No. 15/0087/COU Continued

The building was erected in the 1960's as a warehouse for the storage and dispatch of steel sections and sheets. Latterly the site appears to have been occupied by British Steel and subsequently Corus for the same purpose. In or around 2003 the building was occupied by a company called Baileys Commercials Ltd until 2005, when it was taken over by Goodwin's Properties (UK) Ltd and occupied by WF Manufacturing who used the premises to manufacture timber frame kits including wall and floor panels, roof trusses and engineered joists. In 2008 the site was purchased by Rowecord Engineering Ltd. who commenced the manufacture of large steel structures, in component form, which were assembled on site. An Enforcement Notice, was issued on the 12th December 2012 (reference EE/09/017) that required the cessation of the use of the land and buildings for the manufacture of steel products, falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987, including the ancillary making of and receiving of deliveries, between the following times:-

18:30hrs to 07:30hrs Mondays to Thursdays, 18:30hrs Fridays to 08:30hrs on Saturdays, 13:30hrs Saturday to 07:30hrs Mondays (inclusive of Sundays) and on any Bank Holidays.

The Enforcement Notice was complied with and the building has been vacant for some two years.

Dimensions: The site amounts to 3.39 hectares.

Materials: Not applicable.

Ancillary development, e.g. parking: Existing circulation and parking areas.

#### PLANNING HISTORY

App. No. 1333 - Site layout for new warehouse for storage and dispatch of steel sections and sheets including ancillary buildings and proposed future extensions, Newport Road, Pontymister - Approved 06.04.66.

App. No. 1333 - Erection of new warehouse for storage and dispatch of steel sections and sheets including ancillary buildings or previously approved site layout, Newport Road, Pontymister - Approved 07.07.66.

App. No. 1333A - Illuminated name sign on new warehouse premises, Newport Road, Pontymister - Approved 06.03.66.

Cont....

Application No. 15/0087/COU Continued

App. No. 133B - Extension of existing warehouse for storage and dispatch of steel sheets, Newport Road, Pontymister - Approved 06.03.66.

App. No. 1638 - Erection of vehicle workshop (2437 sq. ft.), John Cashmore Ltd., Pontymister, Risca - Approved 03.02.70.

App. No. 1949 - Erection of new office block, part of existing steel warehouse site, Commercial Street, Pontymister, Risca - Approved 12.06.73.

App. no. 2/5186 - Erect Jib Scotch Derrick to stock structural steel sections, open site at rear of warehouse, Commercial Street, Risca - Approved 11.03.83.

P/05/1046 - Construct offices for W F Manufacturing and speculative offices and workshops - Refused 17.04.08

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary with no other land use allocation, although the River Ebbw Site of Importance for Nature Conservation runs along the western edge of the site.

#### Policies:

Strategic Policies

SP3 - Development Strategy in the Southern Connections Corridor, SP6 - Place making and SP21 - Parking Standards.

Countywide Policies

CW2 - Amenity, CW3 - Design considerations - highways, CW15 - General locational constraints.

### NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014 and TAN 12 - Design.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

Cont....

Application No. 15/0087/COU Continued

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not relevant to the determination of this planning application.

### CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - Request conditions should be attached to any consent to control activities within the site to limit any adverse effect upon adjacent residential properties and protect residential amenity.

Senior Engineer (Land Drainage) - No comment.

Principal Valuer - No comments.

Natural Resources Wales - The application site lies entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Their Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Ebbw, a designated main river. Given that the proposals do not change the vulnerability classification of the site (less vulnerable) they have no objection to the application. A flood risk statement submitted by Waterman (15th Jan 2015) indicates that flood depths within the site may be up to 1.5m and 2m in the 1 in 100 year (including climate change allowance) and 1 in 1000 year flood scenarios respectively. With respect to the recommendations within the statement, they agree that the site operators should sign up to the NRW flood warning service and that an evacuation plan is created for the site to ensure occupants can vacate the site prior to the onset of flooding. They provide advice to be conveyed to the developer.

Countryside And Landscape Services - No ecological issues in respect of this application.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and 33 neighbouring properties have been consulted.

Cont....

Application No. 15/0087/COU Continued

Response: Twelve letters have been received.

Summary of observations:

Concern that the proposed change of use has the potential to result in noise, smell and dust pollution together with unsociable working hours, as previously experienced during the period 2009 to 2013, when the site was occupied by the applicant in the manufacturing of steel products, to the detriment of the residential amenity of the occupiers of neighbouring properties.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No, it is not liable.

ANALYSIS

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

The main issues relevant to the determination of this change of use planning application are in respect of amenity and highway considerations. In this respect Policies CW2 - Amenity, and CW3 - Design considerations – highways, of the LDP are relevant to the determination of this planning application.

Policy CW2 of the LDP considers amenity and in this respect complaints have been received raising concern that the proposed change of use has the potential to result in noise, smell and dust pollution together with unsociable working hours, as previously experienced during the period 2009 to 2013, when the site was occupied by the applicant in the manufacturing of steel products, to the detriment of the residential amenity of the occupiers of neighbouring properties.

Cont....



Application No. 15/0087/COU Continued

This application aims to address previous concerns regarding nuisance. In this respect, the application is not concerned primarily with manufacturing but industrial coating/painting operations, which involve:-

- unload steel within the building;
- blast steel in dedicated booths;
- layout steel for painting/coating;
- paint steel to required specification (including 1,2 or 3 coats);
- when dry, load steel onto trailers;
- store trailers at the rear of building until required for delivery.

All unloading, blasting, painting/coating and assembly/loading will be undertaken within the existing building before external storage.

The applicant has confirmed that the noise levels emitted directly from within the manual blaster are in excess of 100 decibels although the noise directly outside the blaster (which will be sited within the existing building as confirmed by the submitted plans) will be much lower than the daily exposure limit of 80 decibels due to the process being contained by a purpose built and acoustically protected 'booth'. The noise levels outside the building (the doors will be kept shut during painting operations) will be virtually non-detectable from the site boundary (i.e. less than 40 decibels).

Notwithstanding the above, the applicant will put in place the following methods to suitably control nuisance noise:-

- boundary monitoring;
- keeping doors shut during painting operations;
- trained operatives for the plant/machinery;
- automatic shut down if the doors to the blast booths are opened during blasting operations;
- acoustic barriers/enclosures provided within the building;
- limiting noisier tasks to daytime operation;
- maintenance of equipment;
- safe working procedures.

In terms of paint fumes, surveys have been undertaken in the past that have confirmed the use of personal protective equipment for employees although stack monitoring and fugitive emissions monitoring has confirmed that the emissions are below the limits set within the relevant Permit.

Cont....

Application No. 15/0087/COU Continued

The applicant will however put in place the following controls to suitably control paint fumes:-

- keeping doors shut during painting operations;
- keeping lids on tins;
- lidded waste skips;
- boundary olfactory monitoring;
- maintenance of equipment;
- fume extraction controls with abatement if monitoring identifies a requirement;
- bunded paint stores;
- safe working procedures.

However, the Head of Public Protection requests, notwithstanding the above assurances, that conditions should be attached to any consent to control activities within the site to limit any potential adverse impact upon the residential amenity of the occupiers of neighbouring residential properties. In this respect conditions are requested that confine operations within the building, restrict hours in terms of deliveries and dispatches, operation of machinery, no external storage, all windows and doors to remain closed at all times except for access and egress together with details to be submitted and agreed in writing with the LPA in respect of all external and roof mounted plant/machinery, odour/effluvia/fume control, a scheme of lighting and a scheme of dust mitigation.

Policy CW3 of the LDP considers highway implications and in this respect the Transportation Engineering Manager has raised no objection to the proposed change of use.

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

Comments from public: Twelve letters have been received and their comments are summarised in more detail below.

- land registry documents indicate the property to be a warehouse and any change to a B2 activity is not compatible with neighbouring residential properties;
- Previously suffered nuisance as a result of noise (industrial and transport), fumes and dust during the previous occupation by the applicants when they were in full production, producing steelwork for the Olympic site, and fear the consequences of potential increases in the volume of noise, smells and dust,

Cont....

Application No. 15/0087/COU Continued

- historically the building was used by Cashmores as a steel storage and distribution depot for around 50 years but when it was occupied by the applicants in 2009 to June 2013, they commenced fabrication and construction of large steel items, working long hours resulting in noise nuisance and disturbing neighbouring residents sleep. Several visits were made to the premises by the Council's Environmental Health department in order to assess alleged nuisance complaints, which resulted in the occupiers being served with an Enforcement Notice requiring hours of operation being restricted;
- request restricted working hours if granted approval;
- feel the wishes of residents at the extreme end of the County Borough are being ignored citing the derelict 'Palace' being turned into a library rather than a preferred community centre or cinema;
- problem of dust blowing into neighbouring gardens exacerbating health problems, dirtying washing on clothes lines and having to keep windows and doors closed;
- trees located on the boundary of the application site are too high and block the light into neighbouring properties;
- led to believe that houses were going to be built on the site;
- if approval is granted the building needs to be insulated against noise, the surface of the road must be improved to prevent dust clouds from lorry movements, an extraction system must be introduced to prevent paint smells, the working hours must be restricted in line with the requirements of the Enforcement Notice;
- 50% of the houses in Fields Road are owned by CCBC and they are designated for pensioner use only and as such the Council, as a responsible social landlord cannot permit the change of use to proceed as it would certainly be to the detriment of tenants.

It is considered the objections raised have been considered above and addressed by attaching appropriate conditions to any consent, which aim to alleviate any potential adverse impact the development may have in terms of noise and dust nuisance. The issue raised in respect of the height of the trees on the boundary of the application site does not form part of this change of use application.

Other material considerations: None.

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

Cont....

Application No. 15/0087/COU Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The premises shall be used for industrial coating/painting of steel and for no other purpose, including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no extension shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 04) No goods, materials, plant or machinery shall be stored outside any of the buildings on the site without the prior written agreement of the Local Planning Authority.  
REASON: In the interests of the amenity of the area.
- 05) Prior to the commencement of the use hereby approved a scheme for the control of dust arising from external traffic movement within the curtilage of the site shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be implemented at all times to control dust at the site.  
REASON: To prevent pollution.
- 06) All windows and doors to the building subject of this planning application shall remain closed at all times except for access and egress.  
REASON: In the interests of residential amenity.

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Application No. 15/0087/COU Continued

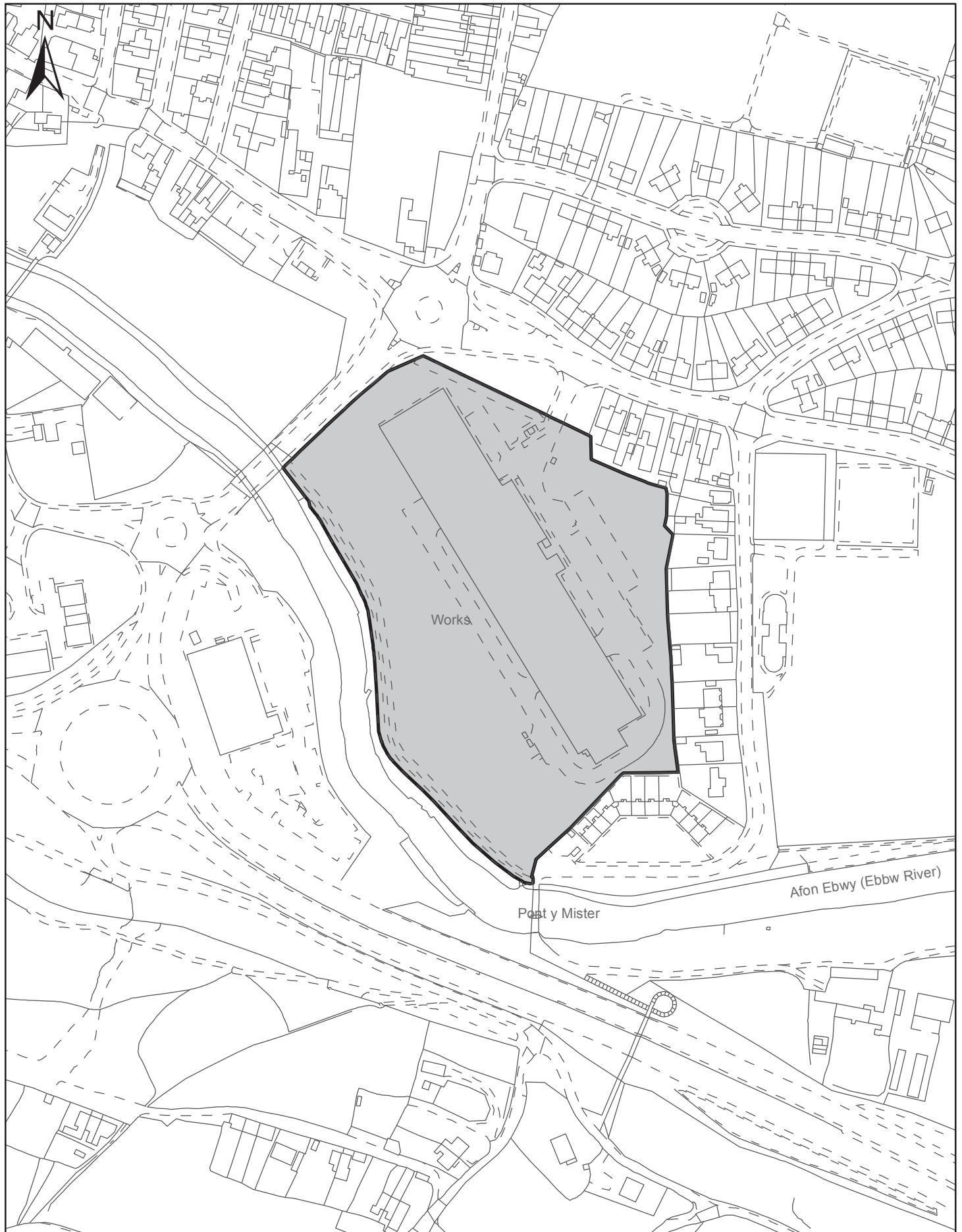
- 07) No deliveries shall be taken at or dispatched from the site outside the hours of 8.00 a.m. to 10.00 p.m. Monday to Friday 9.00 a.m. to 6.00 p.m. on Saturdays and not at all on Sundays or Bank Holidays.  
REASON: In the interests of residential amenity.
- 08) Prior to the development commencing, a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.  
REASON: In the interests of nature conservation.
- 09) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.  
REASON: In the interests of the amenity of the area.
- 10) No machinery shall be operated and no process shall be carried out, outside the hours of 8.00 a.m. to 10.00 p.m. Monday to Friday and 9.00 a.m. to 6.00 p.m. on Saturdays. No machinery shall be operated and no process shall be carried out on Sundays or Bank Holidays.  
REASON: In the interests of residential amenity.

Advisory Note(s)

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

The applicant is advised of the comments of the Senior Engineer (Land Drainage) and Natural Resources Wales.

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# Agenda Item 10

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0112/FULL 17.02.2015	Mrs L Johnston 13 Gwesty Close Croespenmaen Newport NP11 3AD	Erect conservatory to the rear of property 13 Gwesty Close Croespenmaen Newport NP11 3AD

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is located on Gwesty Close, Croespenmaen.

House type: Two-storey detached property.

Development: The application seeks planning permission for an extension to the rear of the property. It is reported to the Planning Committee because the applicant is an employee of the Council.

Dimensions: The proposed extension measures 3.98 metres in length, 5 metres in width and 2.3 metres in height to the eaves.

Materials: Facing brickwork, white upvc windows and doors and slate tiles to match the existing dwelling.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

10/0780/NCC - Convert integral garage - Granted 10.12.10.

## POLICY

### LOCAL DEVELOPMENT PLAN

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

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

Cont....



Application No. 15/0112/FULL Continued

NATIONAL POLICY Planning Policy Wales Edition 7 July 2014 and TAN12 (Design).

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

#### COAL MINING LEGACY

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

#### CONSULTATION

Dwr Cymru/Welsh Water - No objection, however the proposed development site is crossed by a public sewer and no part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

#### ADVERTISEMENT

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

Response: None.

Summary of observations: Not applicable.

#### SECTION 17 CRIME AND DISORDER ACT

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

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No. The proposal will create less than 100sq. metres of additional internal floor space.

Cont....



Application No. 15/0112/FULL Continued

### ANALYSIS

Policies: It is considered that the proposed single-storey rear extension is acceptable in terms of its setting, scale and materials, and will integrate with the host dwelling. Given the position of the development it will not result in an overbearing or overshadowing impact on neighbouring properties, and there will be no loss of privacy as a result of the development. Conditions will be attached to the permission to ensure appropriate materials are used for the external finishes of the extension in the interests of the visual amenity of the surrounding area.

Comments from consultees: Dwr Cymru/Welsh Water provides advice to the developer regarding a public sewer that crosses the application site. That advice will be passed to the applicant.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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.

### Advisory Note(s)

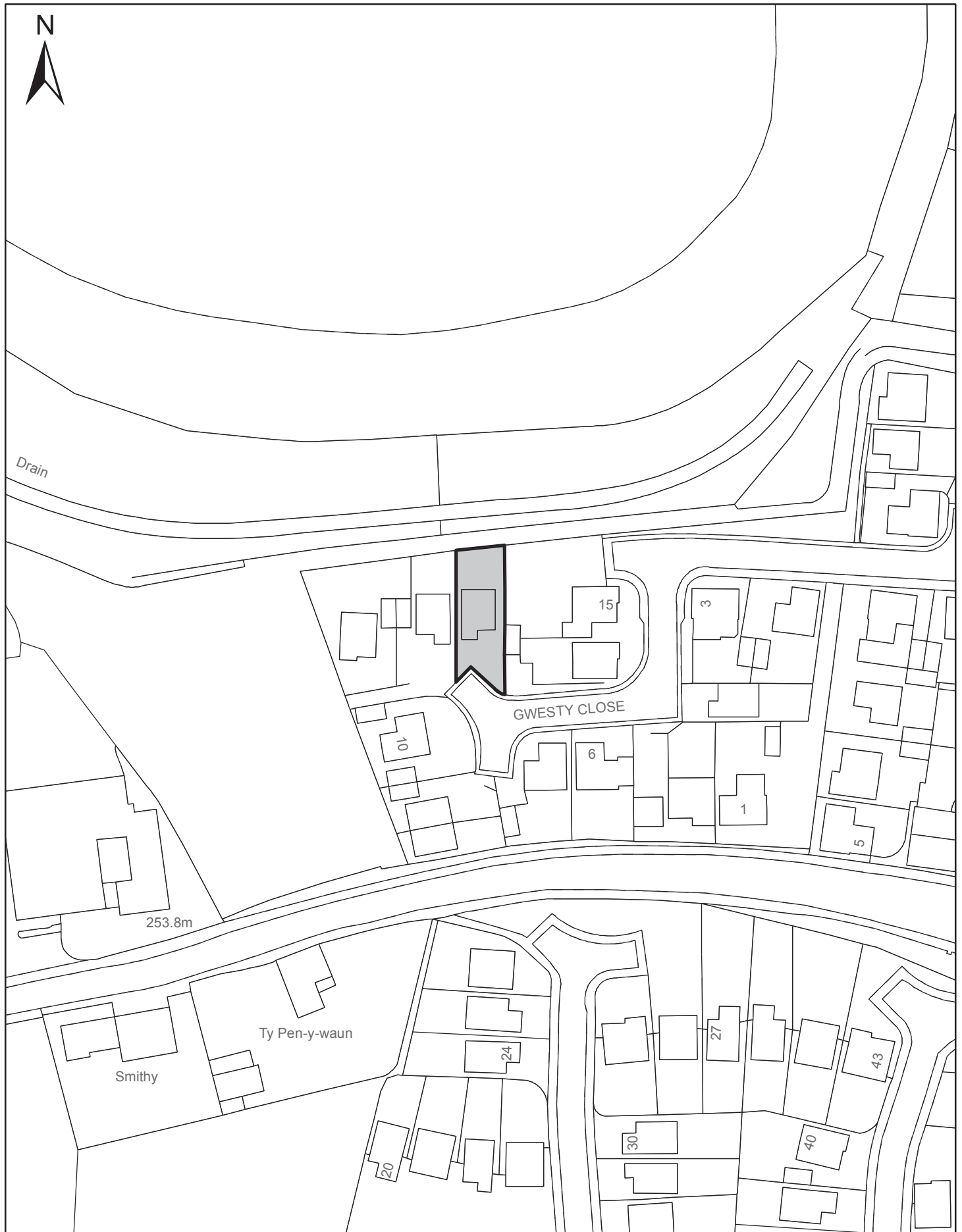
The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2.

Cont....

Application No. 15/0112/FULL Continued

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

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0120/FULL 03.03.2015	Seren Group Mr M Trounce Exchange House The Old Post Office High Street Newport NP20 1AA	Demolish existing Fire Station and re-develop site to provide 6 x one bedroom flats, 2 x two bedroom houses and 2 x three bedroom houses with ancillary parking Former Cefn Fforest Fire Station Pwllglas Road Cefn Fforest Blackwood

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: Cefn Fforest Fire Station, Pwllglas Road, Cefn Fforest. The site is located within the settlement boundary within a predominantly residential area. The site is bounded by Pwllglas Road to the north, Borfa Place to the east with existing residential properties to the south and west separated by a 2.5m high robust fence. Another gated entrance is located off Borfa Place. Pwllglas Road along the north of the site is the principal access. Cefn Fforest Eco Park is located just to the northwest of the site.

Site description: The site comprises the main fire station buildings and tower, hardstand and a grassed area. The main area of the site is relatively level having previously been used as a fire station. It is supported by an existing retaining wall along the rear periphery of the site, which varies in height to accommodate the difference in ground levels being some 3 metres between the slab of the fire station and the rear boundary ground levels. Beyond this area the site falls rapidly to the southwest corner. There are few existing trees to the north along its boundary with Cefn Fforest Eco Park and an existing drainage easement that runs north to south along the south to west boundary.

Development: Full planning permission is sought in respect of the demolition of the existing fire station and the redevelopment of the site to provide 6 one bedroom, walk-up flats, 2 two bedroom semi-detached houses and 2 No. three bedroom, semi-detached houses with ancillary parking.

The internal layout of the dwellings comprise as follows:-

Cont....

Application No. 15/0120/FULL Continued

Flats comprise a kitchen, lounge, bedroom, bathroom and store.

Two Bedroom semi-detached dwellings comprise a lounge, kitchen/dining room, shower room and storeroom on the ground floor and two bedrooms and a bathroom on the first floor.

Three bedroom, semi-detached houses comprise a a lounge, kitchen/dining room, shower room and storeroom on the ground floor and three bedrooms and a bathroom on the first floor.

The application is supported by a Site Investigation Report, Underground Utilities Search Report, and a Asbestos-Containing Building Material Demolition Survey Report .

Dimensions: The site covers an area of 0.2 hectares.

The footprint of each flat is 7.8m by 9.2m by 7.8m high. The two-bedroom, semi-detached dwelling has a footprint of 4.8m by 9.5m by 8.5m high. The three-bedroom, semi-detached dwelling has a footprint of 5.4m by 9.5m by 8.5m high.

Materials: The walls will be finished in buff facing brickwork with contrasting heads and band course. These will be Cream front render to the flats. Roofs will be of slate grey flat profile concrete tiles. White upvc windows will be installed along with secured by design door with colour to be agreed. Boundary treatments comprise 1.8m high close boarded fence and 1.8m high brick screen walls. Tarmacadam drives will be installed.

Ancillary development, e.g. parking: Ten car parking spaces, comprising of two spaces per dwelling and 6 spaces in respect of the flats.

#### PLANNING HISTORY

P/98/0688 - Erect extension for locker room - Granted 18.09.98.

P/04/0093 - Erect rear canopy to existing hardstanding area - Granted 09.03.04.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

Cont....

Application No. 15/0120/FULL Continued

Policies:

Strategic Policies

SP2 - Development Strategy in the Northern Connections Corridor, SP6 - Place making, SP21 - Parking Standards, Countywide Policies CW1- Sustainable Transport, Accessibility and Social Inclusion, CW2 - Amenity, CW3 - Design considerations highways, CW11 - Affordable Housing Provision, CW15 - General locational constraints, supplementary planning guidance contained in LDP1 - Affordable Housing Obligations, LDP5 - Parking standards, LDP6 - Building Better Places to Live, LDP7 - Householder Development.

NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 -Design, TAN 18 - Transport and Welsh Government's Manual for Streets.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

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

CONSULTATION

Countryside And Landscape Services - No objection subject to the landscaping being carried out in accordance with drawing PP-01 dated February 2015.

Natural Resources Wales - No objections but provide advice to be conveyed to the developer regarding Secured by Design principles.

Head Of Public Protection - No objection subject to conditions being attached to any consent to control construction works in respect of dust and noise.

CCBC Housing Enabling Officer - Whilst the development is a 100% affordable housing site, should this site not be delivered for affordable housing purposes, 25% affordable housing provision will be required. The three 1 bed 2 person flats would need to be built to Development Quality Requirements (DQR) and transferred to the Seren Group at the transfer value of £44,849.

Cont....

Application No. 15/0120/FULL Continued

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

Head Of Public Services - CCBC provides a kerbside collection service for refuse, recycling and food waste with the onus on the resident to present the bin/caddy at the kerbside for the collection day and returning the container to the storage area following collection. The submitted plans demonstrate adequate bin storage areas for both the houses and flats.

Transportation Engineering Manager - No objections subject to conditions being attached to any consent in respect of the provision of a footway along Borfa Place and Pwllglas Road and parking provision. He provides a note that no surface water shall discharge into the public highway.

Dwr Cymru/Welsh Water - Provides advice to be conveyed to the developer.

Police Architectural Liaison Officer - The Designing out Crime Unit at Gwent Police have no objections to the proposed development. They provide advice to be conveyed to the developer.

Wales & West Utilities - Confirm the existence of their apparatus within the vicinity of the site and provide advice to be conveyed to the developer.

### ADVERTISEMENT

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

Response: None.

Summary of observations: 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? Heddlu Gwent Police have no objection to the development but provide advice to be conveyed to the developer regarding 'Secured By Design' principles.

Cont....



Application No. 15/0120/FULL Continued

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Yes the development falls within the mid-range viability zone where the Levy would be £16250 but the developer will be claiming an exemption because the development for affordable housing qualifies for Social Housing Relief.

### ANALYSIS

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

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

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

Policy SP15 relates to affordable housing and in this respect the provision of 4 houses and 6 one-bedroom flats contributes to the 964 affordable dwellings sought by the Council between 2006 - 2021 in order to contribute to balanced and sustainable communities.

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

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site lies to the east of the A4049 and the A469 within the settlement area of Blackwood and offers the opportunity to provide housing, which will be close to residential areas and local facilities.

Cont....

Application No. 15/0120/FULL Continued

The proposal is considered to be acceptable in terms of scale, use, density, and layout and adequate off-street parking and amenity space is provided in respect of each unit. In consideration of policy SP6, referred to above, the proposal is considered acceptable.

Policy CW2 of the LDP sets out criteria relating to amenity, and in this respect it is considered the proposed development will not have an unacceptable impact on the amenity of adjacent properties or land, does not result in the over-development of the site, and is compatible with surrounding residential land-uses.

Policy CW3 of the LDP considers highway matters and in this respect the Group Manager (Highways and Transportation) has raised no objection to the development subject to conditions requiring a pavement along Borfa Place and Pwllglas Road and parking to be provided in accordance with the submitted plans.

Policy CW11 of the LDP and supplementary planning guidance contained in LDP1 sets out criteria in respect of affordable housing obligations. The development complies with the Council's supplementary planning guidance LDP1 in terms of the provision of affordable housing but should the Housing Association sell on the site, then 10% affordable housing provision would be required. This would equate to 2 units. The units would need to be transferred to the nominated Housing Association, UWHA at a transfer price of £44,849. The developer entering into a Section 106 Agreement to secure this requirement may address this aspect of the development.

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

Comments from public: None.

Other material considerations: None.

Following the introduction of the Community Infrastructure Levy, a Planning Obligation must meet all of the following tests.

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

A Section 106 Agreement will be sought because this development would require the provision of affordable housing in accordance with Policy CW11 of the LDP if it were the case that the site was sold on and not developed entirely for affordable housing.

Cont....

Application No. 15/0120/FULL Continued

Whilst the development would comply with our SPG on affordable housing, should the Housing Association sell on the site, the Council would require 25% affordable housing provision. The three one-bedroom, two person flats would need to be built to DQR and transferred to the Seren Group at the transfer value of £44,849.

(b) It is directly related to the development.

The need to provide affordable housing is in accordance with Policy CW11 of the LDP.

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

The total contribution is based on the number of dwellings to be erected.

RECOMMENDATION: That (A) the applicant enters into a Section 106 Agreement under the Town and Country Planning Act the terms of which are set out above.

(B) That following the completion of the Agreement, Officers be authorised to GRANT planning permission subject to the following conditions.

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

02) The site boundary fronting Borfa Place and Pwllglas Road, as indicated on Drawing shall be set back and a 2.0m wide footway provided along the frontage which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to the first occupation of the development hereby approved.  
REASON: In the interests of highway safety.

03) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.

Cont....

Application No. 15/0120/FULL Continued

- 04) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area.
- 05) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area.
- 06) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 07) Notwithstanding the submitted plans, prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the beneficial occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the visual amenity of the area.
- 08) A five-year landscape management plan, including management responsibilities, and maintenance schedules for all landscape areas to be maintained by the Housing Association, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.  
REASON: To ensure that the landscaping is maintained in the interests of the visual amenities of the area.

Cont....

Application No. 15/0120/FULL Continued

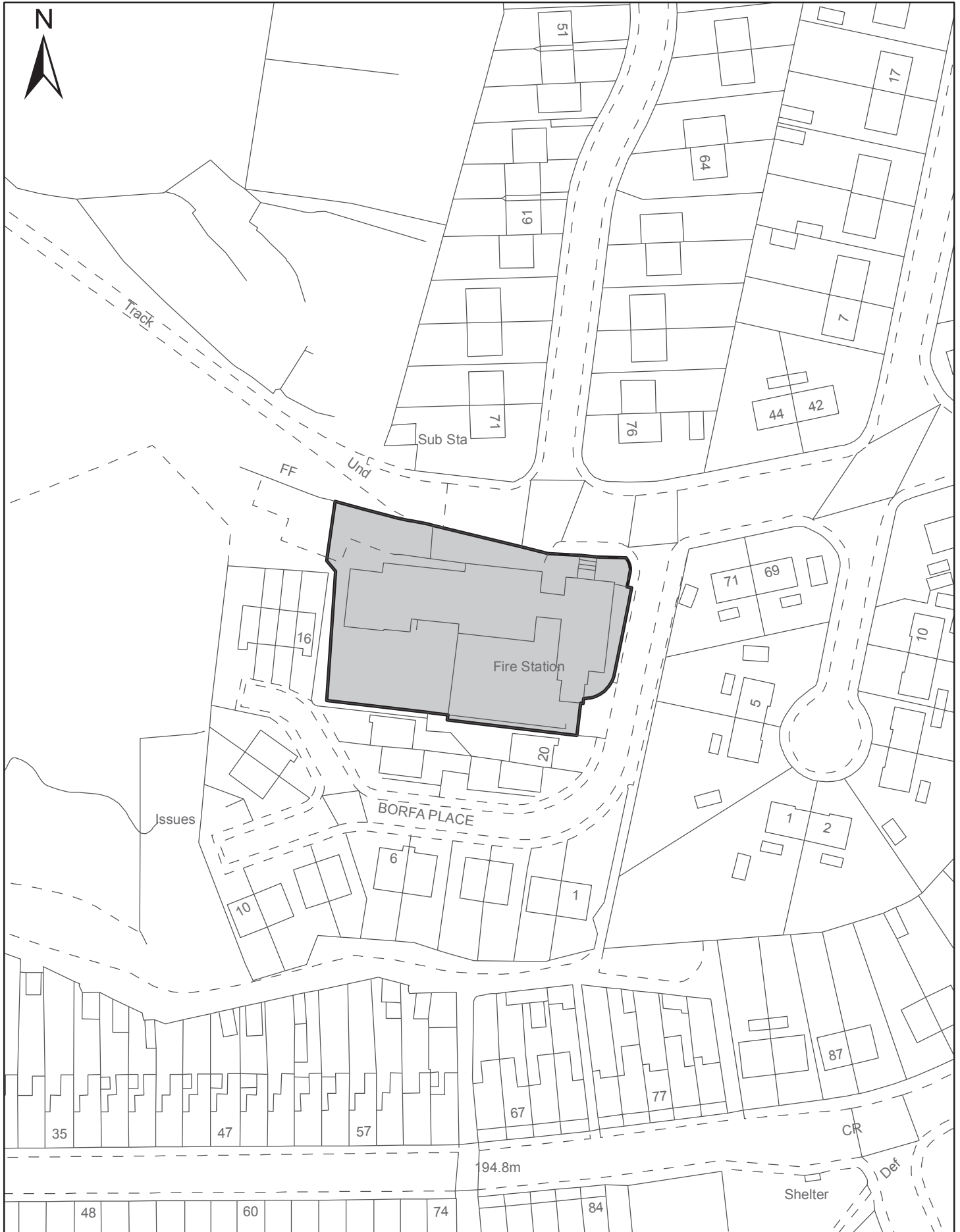
- 09) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing Nos. SS-P-O1, EF-01, PP-O1, 3B5P-DQR-P-02, 3B5P-DQR-P-01, 2B4P-DQR-P-01, 211F-DQR-P-0131062S-1 Rev A, 101 Rev B, 31062S-2 Rev A (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

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

The applicant is advised of the comments of Heddlu Gwent Police, Transportation Engineering Manager, Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Wales and West Utilities and Natural Resources Wales.

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# Agenda Item 12

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0126/FULL 04.03.2015	Mrs A Lessimore 2 Oakdale Terrace Penmaen Oakdale NP12 0DF	Erect dormer bungalow with parking Land Adjoining 19A Cwm Braenar Pontllanfraith Blackwood NP12 2DS

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The site is located on the Cwm Braenar residential estate, adjacent to Newbridge Road, Pontllanfraith.

Site description: Left over vacant land within the residential estate partially used as garden.

Development: It is proposed to erect a single detached two-storey dwelling facing north/south. It will be accessed via the existing private driveway that serves 19A Cwm Braenar.

Dimensions: The dwelling has a footprint resembling an open 'L' shape and measures 8 metres in width before turning through approximately 45 degree for a further 6 metres. It has a depth of 6 metres, and a height of 3.6 metres to eaves level and 6.5 metres to ridge level.

Materials: Smooth render walls and slate or tile roof is proposed.

Ancillary development, e.g. parking: Off-street parking provision for 2 cars and private amenity space to the west of the proposed dwelling.

## PLANNING HISTORY

P/03/0835 - Erect residential development of 57 2, 3 & 4 bedroom dwellings and all associated works - Granted 26.05.04.

P/04/0227 - Erect residential development of 24 one and two bedroomed apartments and one four bedroomed house - Granted 16.09.04.

Cont....

Application No. 15/0126/FULL Continued

P/04/1399 - Erect single dwelling - Withdrawn 16.09.04.

07/0759/OUT - Erect detached dwelling - Refused 19.07.09.

09/0450/TPO - Lop branches of trees to reduce width and height of IBC TPO No. 6 dated 28.01.92. - Permitted Development 14.08.09.

13/0859/TPO - Remove dead branches and trim approximately 2.3m of branches close to the house (oak tree protected by Tree Preservation Order 6/92/IBC) - Granted 13.02.14.

14/0556/FULL - Increase section of boundary fence fronting adjacent road by 600mm - Granted 08.10.14.

## 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 relating to off-street parking provision and driveway materials/pedestrian access provision.

Cont....



Application No. 15.0126/FULL Continued

Head Of Public Protection - No objection subject to a condition relating to acoustic glazing facing Newbridge Road.

Senior Engineer (Land Drainage) - No objection subject to advice and a condition to agree land drainage at the site.

Dwr Cymru/Welsh Water - No objection. Provide advice to the developer regarding foul drainage.

Senior Arboricultural Officer (Trees) - Awaiting formal comments at time of report

### ADVERTISEMENT

Extent of advertisement: Nine neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: Two objections were received.

### Summary of observations:

- Loss of privacy to gardens to the south;
- TPOs on-site;
- Devaluation of neighbouring properties;
- Detrimental impact on land drainage in area;
- Plot of land too small to accommodate new house.

### 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? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? Yes. However the applicant has submitted a CIL Self Build Exemption Form. The Levy otherwise would be £4000.00.

Cont....

## ANALYSIS

Policies: The application seeks permission to erect a detached two-storey dwelling, incorporating rooms within the roof space on land to the west, and formerly in the ownership of No. 19A Cwm Braenar. The site is relatively flat, and located adjacent to Newbridge Road, opposite Sainsbury's Petrol Filling Station. 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.

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 properties most impacted by the development are 19A Cwm Braenar to the east, and 7 and 9 Cwm Braenar to the south. Although the proposed dwelling is located within 9 metres of the nearest windows of No. 19A it is not sited directly in front of this neighbouring property. Furthermore, the existing detached garage that serves No. 19A is sited between the existing and proposed dwellings with a ridge height of 4 metres. The proposed finished floor level for the new dwelling is 1 metre below that of the existing garage, and such a difference in levels further reduces the impact of the proposed dwelling on No. 19A.

In terms of the nearest neighbouring properties to the south, i.e. Nos. 7 and 9 Cwm Braenar, the nearest point between the proposed dwelling and No.7 is 17.5 metres. Given this distance, coupled with the limited eaves and ridge height of the proposed dwelling, i.e. 3.6 metres and 6.5 metres respectively, it is not considered that the proposal would have an unacceptable overbearing impact on these neighbours. Furthermore, as the development is located to north, there will be no overshadowing impact. It should also be noted that any south facing windows are obscurely glazed, and the south-east facing windows are at too great an angle (approximately 45 degrees) and distance (18 metres) to unacceptably impact on privacy of No. 9 Cwm Braenar. The main impact on Nos. 7 and 9 Cwm Braenar is a loss of view, however this is not a material planning consideration.

Cont....

Application No. 15/0126/FULL Continued

In terms of the impact of the proposed dwelling in the existing street scene, the proposed dwelling will be located immediately adjacent to Newbridge Road. However, No. 19A Cwm Braenar is sited a similar distance off Newport Road, as is Cwmbrynar Cottage further to the east, and therefore it is not considered that the proposed siting of the dwelling is unacceptable in terms of its impact in the existing street scene. Although the submitted plans show smooth painted render as a proposed external finish, as the dwelling will essentially form part of the Cwm Braenar development, materials to match the existing, surrounding dwellings is considered to be more appropriate, and will ensure the development integrates into the existing area with time. The use of the most appropriate materials will be controlled by way of a condition attached to the planning permission.

ii) proposals would not result in the over-development of the site - The site is relatively narrow, with a varying depth of 8-10 metres, but it also measures over 30 metres in length. The house has been designed accordingly to make best use of this space, i.e. 14 metres in total length and 6 metres in depth. Adequate off-street parking provision is also provided, i.e. 2 parking space to serve the 2 bedroomed property, as well as a private amenity area exceeding 100 sq. metres. For these reasons, it is not considered that the proposal represents an over-development of the site.

iii) the proposed use is compatible with surrounding land uses - The site is bounded to the west, east, and south by existing residential properties and therefore the proposal is compatible with surrounding land uses. To the north is a petrol filling station, but the impact of this existing use on the amenity of future occupiers will be the same as that currently experienced by No. 19A Cwm Braenar. A condition will also be attached to the planning permission, at the request of the Head of Public Protection, requiring secondary glazing for all habitable room windows facing Newbridge Road.

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.

Cont....

Application No. 15/0126/FULL Continued

Comments from consultees: No objection subject to conditions.

Comments from public: The comments have been largely addressed above. The house will be a similar distance from TPOd trees as others on this site, and this matter can be resolved by condition, as can land drainage. Property value is not a material planning consideration.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 03) 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.
- 04) 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. 15/0126/FULL Continued

- 05) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the building hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the residential amenity of the area.
- 06) 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.
- 07) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement to the residential consisting of an addition to or alteration to its roof shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 08) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Elevations & Plan Sheet 2 of 3, Elevation & Plans Sheet 1 of 3, received 24 Feb 2015 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 09) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the dwelling hereby approved is occupied.  
REASON: In the interests of the visual amenities of the area.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification unless otherwise agreed in writing with the Local Planning Authority, all first floor south facing windows shall be obscurely glazed and non-opening at all times.  
REASON: In the interests of neighbouring amenity.

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Application No. 15/0126/FULL Continued

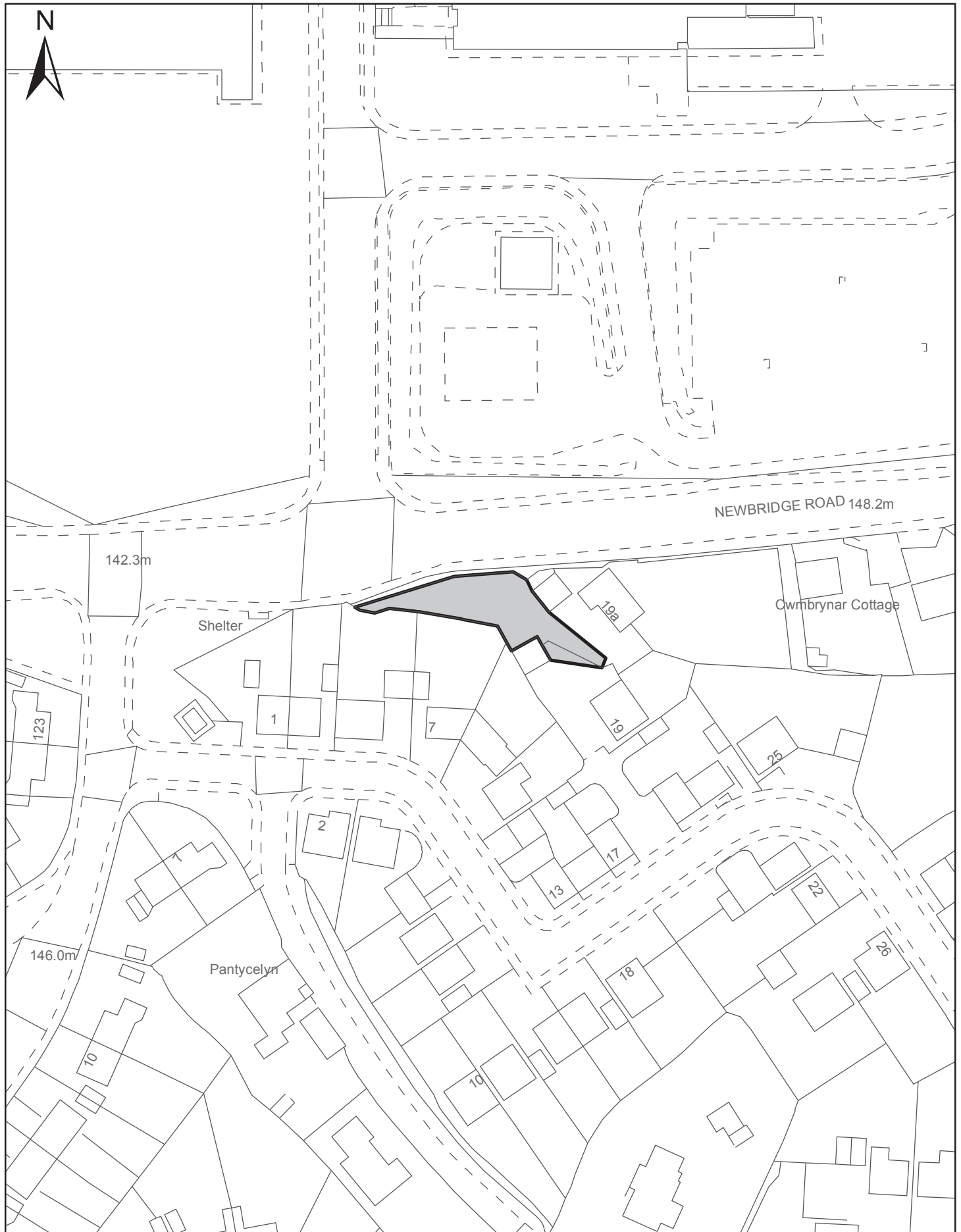
- 11) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new property at land adjoining 19A Cwm Braenar, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales and Tan 5 Nature Conservation and Planning.
- 12) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new property at land adjoining 19A Cwm Braenar, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 13) Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include secondary glazing systems in all windows to all habitable rooms facing Newbridge Road shall be capable of achieving an internal Lmax level of 45 dB(A). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.  
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 imposed on this consent: CW2, CW3 and CW4.

Please find attached the comments of the Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water.

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# Agenda Item 13

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0194/FULL 31.03.2015	Mr C Watkins 9 Llwyn Coed Blackwood NP12 1FT	Erect two-storey extension to side of property 9 Llwyn Coed Blackwood NP12 1FT

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is located on Llwyn Coed, Blackwood.

Site description: Two-storey detached property.

Development: Two-storey side extension. The application is reported to Planning Committee because the agent is related to an employee of the Council.

Dimensions: The proposed extension measures 2.8 metres in width, 7.6 metres in depth, with a height of 7.5 metres to ridge level.

Materials: Brick and concrete roof tile.

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

## PLANNING HISTORY

2/09709 - Proposed development comprising of residential and commercial development, a recreation area and community hall, and associated access - Granted 26.02.93.

P/96/0583 - Erect 133 residential dwellings - Granted 06.02.97.

## POLICY

### LOCAL DEVELOPMENT PLAN

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

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways), and advice contained in Supplementary Planning Guidance LDP7: Householder Developments (November 2010).

Cont....

Application No. 15/0194/FULL Continued

NATIONAL POLICY Planning Policy Wales (2014) and TAN12 (Design).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. However, due to the householder scale of the development, any coal mining legacy issues will be controlled by way of the Building Regulations.

### CONSULTATION

None.

### ADVERTISEMENT

Extent of advertisement: Four neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: None.

Summary of observations: Not applicable.

### SECTION 17 CRIME AND DISORDER ACT

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? CIL exempt as less than 100 sq. metres of additional internal floor space to be created.

Cont....

ANALYSIS

Policies: The proposed development should be considered in terms of its design and impact on the visual amenity of the surrounding area, as well as its impact on the amenity of neighbours and off-street parking provision. In design terms it is considered that the proposed extension has been well designed in terms of its setting, scale, roof pitch and use of materials. The front facade of the elevation is set behind that of the original dwellinghouse resulting in the ridge level also being slightly lower than that of the main house. Such design elements result in the extension appearing subservient to the main dwellinghouse which accords with the relevant design guidance.

By virtue of its position at the end of the cul-de-sac, the extension will not impact on neighbours by way of an overbearing, overshadowing or overlooking impact. As the proposed development will remove part of the existing off-street parking area a condition will be attached to the planning permission to ensure adequate off-street parking provision is maintained at the property.

Comments from consultees: None.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.

Cont....

Application No. 15/0194/FULL Continued

- 03) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing No. 2, Drawing No. 3, As Proposed, received 09 March 2015 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

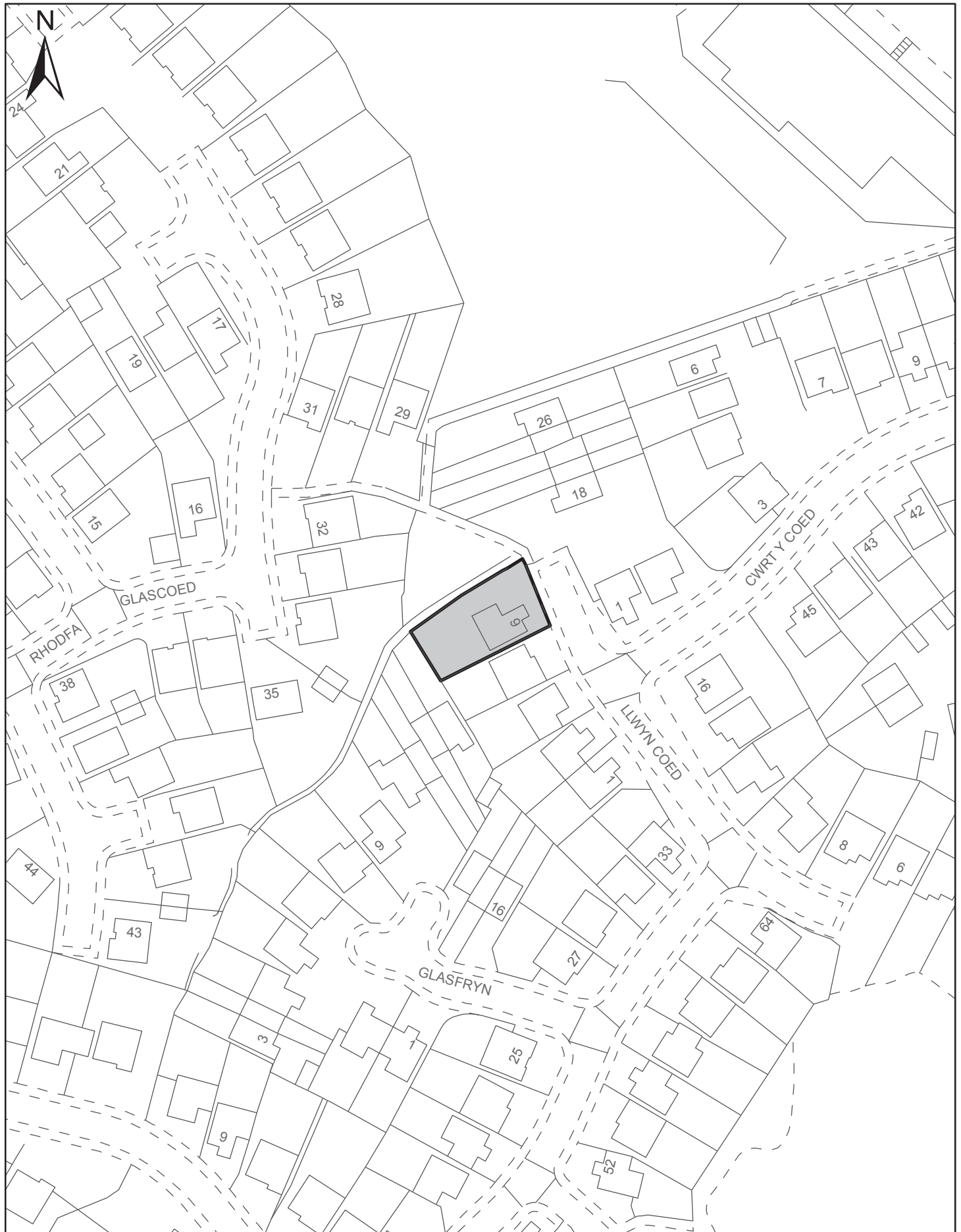
- 04) Notwithstanding the approved plans before the extension hereby approved is occupied 2 off-street parking spaces shall be provided within the curtilage of the site in accordance with a scheme to be agreed in writing with the Local Planning Authority and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.

REASON: In the interests of highway safety.

Advisory Note(s)

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

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## PREFACE ITEM

APPLICATION NO. P/99/0768

APPLICANT(S) NAME: Whitchurch Holdings Ltd

PROPOSAL: Redevelop former colliery for housing, employment (B1, B2 & B8 USES), shop and pub including land reclamation and conversion of pit head buildings

LOCATION: Land At Penallta Colliery Ystrad Mynach Hengoed Mid Glam

### **DISCHARGE OF CONDITION 5 ATTACHED TO:**

**P/99/0768 Redevelop former colliery for housing, employment (B1, B2 & B8 uses), shop and pub including land reclamation and conversion of pithead buildings: Land at Penallta Colliery, Ystrad Mynach, Hengoed**

### **IN RESPECT OF THE PROPOSED LOCALLY EQUIPPED AREA OF PLAY (LEAP) CWM CALON, YSTRAD MYNACH.**

On 23<sup>rd</sup> August 2002 the planning permission decision notice was issued for the above development. When resolving to grant permission the Planning Committee also resolved that the discharge of conditions should be referred back to the committee for determination.

Condition 4 of the planning permission states:-

Prior to the commencement of any work, other than reclamation works, associated with the development of any proposed after uses and works associated with the conversion of existing buildings, A Design Brief shall be prepared for the whole application site and shall be submitted to and approved by the Local Planning Authority. The brief shall include provision for the following:-

1. The development shall be laid out to accommodate facilities for public transport, cycling and walking, together with access for motor vehicles including delivery and service vehicles. The development to be laid out to accommodate the principles of achieving low vehicular speeds as a 20mph zone. Details of the school shall have regard for Council policy regarding safe routes to school.

Cont....

Application No. P/99/0768 Continued

2. Of the phasing of the development should have regard to providing levels of access to accommodate all classes of highway users and particularly public transport as the development is occupied.
3. The area of land to the north west of north of Dyffryn Street and Penallta Villas shall be designed with housing between the existing housing and the proposed neighbourhood centre. A landscaping buffer shall also be provided between the existing housing and proposed new housing.
4. The design of the housing shall have regard to the guidance set out in the Council's design guide No.6 'Housing Layout'.
5. Open play space provision and outdoor sports provision in accordance with Policy L9 (as amended).
6. Defined barriers should be provided between the proposed housing and the proposed and existing industrial uses. The design, location and extent of the barriers shall be included in the submitted Brief.
7. The provision of a new primary school and associated playing fields to the Council's design specifications.
8. The structural landscaping of the whole site, incorporating as much of the existing trees, hedgerows and vegetation as possible.

In meeting the requirements of this condition Redrow Homes previously submitted a Masterplan and Design Brief, dated 23<sup>rd</sup> November 2004 for the whole application site, now known as Cwm Calon. Both the Masterplan and the Brief emerged following meetings with officers and two presentations to the Design Commission for Wales and have incorporated points raised during those exercises.

The Masterplan is the plan that sets out the strategy for the land uses, including play areas, and general layout for the whole development. This shows a LEAP - Local Equipped Area of Play - in the area of land in what is now generally opposite the northern end of Phoenix Way and the eastern end of Merlin Avenue and is subject of this application to discharge condition 5 attached to P/99/0768 relevant to this element of the development. This Masterplan was approved in December 2004.

The Brief, amongst other things provides for the appropriate level of formal open spaces, comprising a full size playing field to the north of the Power Hall, one Local Equipped Area for Play (LEAP), one Neighbourhood Equipped Area for Play (NEAP) and one Multi Use Games Area (MUGA). It is considered that the design concept is one that, if delivered, will result in a high quality development consistent with this Council's aspirations for the site.

Cont....



Application No. P/99/0768 Continued

Whilst the Masterplan shows the strategy for the development, the details of each phase of the development as they have progressed have been submitted for the approval of the Local Planning Authority in accordance with the conditions of the planning permission. The northern end of Phoenix Way is located on Phase 2F of the development and the detailed layout/plans for this phase were approved in June 2010 and May 2012. These plans did not include the play area (LEAP) on the land opposite. The eastern end of Merlin Avenue is located on Phase 3C of the development and the detailed layout/plans were approved in July 2012. These plans also did not include the play area (LEAP) on the land opposite. Consequently, it follows that details of the LEAP would need to be submitted for consideration and approval in writing by the Local Planning Authority. In this respect the LPA has carried out a consultation exercise in respect of 118 neighbouring residential properties and a posted site notice in respect of the recent details submitted. Sixteen residents have raised objection to the development over the period of the submissions.

For information, it is worth noting that no resident consultation would have taken place in respect of the Masterplan because the site was vacant at the time. Similarly no resident consultation was undertaken in respect of the layouts/plans for the phases because the sites were vacant at that time. However, since the layouts did not include the LEAP Redrow have been advised that a scheme for that land needs to be submitted for the Council's consideration. Since there are now occupied properties immediately adjoining the land that would be the subject of a submitted scheme for a LEAP, in accordance with the Council's standard procedures occupiers of those properties have been consulted on the submitted scheme following the submission of a formal proposal by Redrow (a requirement of the approved Masterplan), to be determined by the Local Planning Authority.

The location and dimensions of the proposed LEAP details submitted, is as indicated on the previously approved Masterplan. It is accepted that changes in terms of the site layout in relation to Phase 3C, result in houses being closer to the LEAP than originally indicated. In this respect and following the receipt of concerns regarding the proximity of the LEAP to neighbouring dwellings consideration has been given to the type of equipment to be erected. It is the details of the layout of the LEAP together with the proposed equipment, which is now subject of this application.

Cont....

Application No. P/99/0768 Continued

A LEAP measuring 18m x 25m is proposed with six pieces of equipment, each erected on a black surface with surrounding turfed areas. The pieces of equipment include:-

- Steel slide, the framework of which measures 4.7m x 2.96m and a maximum of 2.5metres high.
- A roundabout.
- Flat seat swing, the frame of which has a maximum height of 2.4m.
- Cradle seat swing, the frame of which has a maximum height of 1.8m.
- Lion springer.
- Elephant springer.
- Litter bin.
- 2 seats.
- 1.2m high bow top fencing (dark green) with two 1.2m high self-closing gates and one 3m wide combination access gate.

The details submitted have been considered in accordance with local plan policies and national planning guidance referred to below: -

#### Strategic Policy

SP1 – Development Strategy in the Northern Connections Corridor, SP5 – settlement Boundaries, SP6 – Place making, SP22 – Community, Leisure and Education Facilities.

#### Countywide Policies

CW2 – Amenity, CW10 – Leisure and Open Space provision, CW15 – General locational constraints

The following Welsh Government policies have also been considered.

TAN 12 - Design

TAN16 – Sport, Recreation and Open Space

Government's aim amongst other things is:-

“Young people's recreational needs are a priority, improving levels of physical activity and access to facilities in and outside schools. The Assembly Government recognises the critical importance of play for the development of children's physical, social, mental, emotional and creative skills. Its **'Play Policy'** (October 2002) together with the **'Play Policy Implementation Plan'** (February 2006), aims to help create an environment which fosters children's play and underpins a national strategy to provide for their play needs.

Cont....

The Assembly Government is committed to ensuring that all children have access to rich, stimulating environments in which to play freely. It recognises that play is integral to the health and well-being of children and young people, founded on the United Nations Convention on the Rights of the Child. It also recognises that providing opportunities for physical activity can help address wider health and well-being issues, particularly obesity, and that the closer a play area is to home, the more likely it is to be used by children.”

#### “Noise

**4.4** Local planning authorities should assess the compatibility of noise generating recreational and sporting activities with other uses. The siting, location and intensity of use of such activities should be given special regard in order to minimise their impact on the amenity of local residents and on the surrounding area. Local planning authorities need to balance the positive contributions of leisure pursuits to the area and user enjoyment, against local environmental quality and possible nuisance to other people.”

Planning Policy Wales, 7th Edition July 2014 states as follows:-

“11.1.3 **Sport and recreation** contribute to our quality of life. The Welsh Government supports the development of sport and recreation, and the wide range of leisure pursuits, which encourage physical activity. These activities are important for the well-being of children and adults and for the social and economic life of Wales. ‘Climbing Higher’ sets out the Welsh Government’s long term strategy for an active, healthy and inclusive Wales where sport and physical activity are used to enhance the quality of life nationally and in local communities. The Welsh Government’s main planning objectives are to promote:

- a more sustainable pattern of development, creating and maintaining networks of facilities and open spaces in places well served by sustainable means of travel, in particular within urban areas;
- social inclusion, improved health and well-being by ensuring that everyone, including children and young people, the elderly and those with disabilities, has easy access to the natural environment and to good quality, well-designed facilities and open space; and
- the provision of innovative, user-friendly, accessible facilities to make our urban areas, particularly town centres, more attractive places, where people will choose to live, to work and to visit.”

Cont....

Application No. P/99/0768 Continued

“11.2.6 The development plan should encourage the multiple use of open space and facilities, where appropriate, to increase their effective use and reduce the need to provide additional facilities. It should ensure that open spaces and built facilities are, where possible, sited, designed and maintained as integral parts of existing and new developments so as to encourage their use and minimise crime and vandalism.”

“11.3.3 Authorities need to consider the effects of sport and recreation on neighbouring uses in terms of noise, light emissions, traffic generation and, in the case of larger developments, ease of access and the safety of residents, users and the public (sections 13.13 to 13.15).”

The Council’s Leisure Services Officers have confirmed that Caerphilly has the second highest level of obesity in Wales. It follows that our policies on creating healthy active lifestyles ties in with our commitment to providing proximal, accessible and safe areas for play and recreation. Moreover, the new Welsh Government Duty on play sufficiency requires the authority to provide such infrastructure.

The main issue to be considered in the determination of this application is in terms of the compatibility of the use with neighbouring land uses and in terms of amenity.

Objections have been raised regarding the proximity and size of the LEAP (in terms of footprint) to residential properties, the equipment to be placed on it, compatibility of the proposed use within a residential area, and potential for attracting anti-social behaviour.

The compatibility of the use of this land as a LEAP has previously been considered and granted planning approval, in principle as stated above. The location of the LEAP fully accords with the strategy of the approved Masterplan.

In terms of the objections raised these have been addressed as follows: -

1. Concern that the proposed park will be beyond that of a “toddler” park.

The Local Planning Authority can confirm that the site is identified for a LEAP. Any reference to a ‘toddlers park’ has not been generated by the LPA but it is understood has arisen as a result of sales dialogue between residents and Redrow.

2. The size of the park is greater than that presented during the sales pitch by Redrow regarding the sale of property.

Cont....

Application No. P/99/0768 Continued

The LPA cannot comment on the sales advice given by Redrow but can only confirm the LEAP formed part of the design concept for the development of Cwm Calon and conforms to the dimensions illustrated on the Masterplan.

3. Concern that the development has moved away from the site layout indicated on the Masterplan resulting in the playground being closer to properties than shown on the original plans and resulting in privacy issues.

Phase 3C in respect of the residential development of the site was submitted and did not include the LEAP, and as such did not form part of that phase at that time. The site layout in respect of Phase 3C, was a detailed application and did not strictly adhere to the original Masterplan, resulting in certain houses along Phoenix Way being closer to the site of the proposed LEAP than originally indicated.

In terms of the LEAP layout the Council's Leisure Services and the Local Planning Authority have taken into consideration feedback from local residents and the scheme has been reconfigured whilst maintaining the appropriate provision.

4. Plans submitted have no bearing on what was sold to residents. The Managing Director in a letter dated 11<sup>th</sup> August 2014 stated that if a play area is provided in the Northern end of Phoenix Way 'it will be designed for small children, which was confirmed in another letter dated 22<sup>nd</sup> August 2014. The ladies in the Marketing suite confirmed a toddlers play area also.

The Local Planning Authority cannot comment on the sales advice given by Redrow but can only confirm the LEAP formed part of the design concept for the development of Cwm Calon. The provision of two play areas and MUGA were a prerequisite of planning approval. Condition 5, attached to the original consent requires the developer to provide these areas and meet the Welsh government play sufficiency duties.

5. There is already a playground on the site and a MUGA is also proposed.

The network of play, leisure and recreational facilities have been carefully planned to ensure adequate and sufficient provision and accommodates the number of houses, which would be built at Cwm Calon.

6. Playing field to be used by both local school and community contained within the Masterplan will be more than adequate.

Cont....

Application No. P/99/0768 Continued

The location of the LEAP complies with Welsh Government's Play Sufficiency Duty.

7. Parc Penallta is within easy walking distance.

Parc Penallta serves the need of a wider community, whereas the LEAP directly serves the residential estate and the facilities provided meets Welsh Government's Play Sufficiency Duty.

8. Existing playground is not maintained to a good level.

Leisure Services are satisfied that the existing playground is inspected regularly and maintained in accordance with national play safety requirements.

9. Phase 3C site layout excludes the park leading residents to believe the park was not going ahead.

This statement is correct; Phase 3C site does exclude the land subject of the LEAP but the LEAP is shown on the approved Masterplan. The Leisure Services Officer has confirmed that at a meeting held with local residents, residents were aware that the site was earmarked for a LEAP.

10. Highway safety considerations given close proximity to road.

Cwm Calon has a 20 mph speed restriction. All routes are designed around specified criteria that promote a 20 mph home zone concept incorporating natural traffic calming measures. In addition the playground will be secured by fencing and self-lockable gates. The site has low traffic flows and moreover the vision splays are very clear and effective.

11. An alternative would be a financial contribution to regenerate former playground at Duffryn Street.

The planning report presented to the Planning Committee on the 8<sup>th</sup> December 2004, reported 'The site of the former children's playground is not considered to be a good location as part of the play provision for the new development as a whole, and the location of the facilities as set out in the Masterplan are supported.'

12. Conflict with paragraph 4.4 of TAN 16 – noise a possible nuisance.

Cont....

Application No. P/99/0768 Continued

It is considered that noise from children playing at a LEAP is part and parcel of urban living and is considered no different from that experienced by e.g. children normally playing in the street. A NEAP already exists within the Cwm Calon development together with areas of open and public space adjacent to residential dwellings. Any nuisance caused resulting in anti-social behaviour would be a matter more appropriately dealt with by the Police. Council Community Safety Wardens also police such sites.

13. Will exacerbate incidents of anti-social behaviour and theft in the vicinity.

There is an assumption that this will be the case. However any incidents of anti-social behaviour would be a Police matter

14. The size of the park at 18m x 25m is too big.

The size of the LEAP has previously been approved and at 450 sq m meets the minimum activity zone of 400 sq m recommended by Fields in Trust formerly known as the National Playing Fields Association.

15. The height of the proposed Steel Slide is 2.5m high and adult swings at 2.4m high is too high and will result in loss of privacy.

The recommendations as set out by FIT suggest a buffer zone of 10m minimum depth normally separates the activity zone and the boundary of the nearest property containing a dwelling. A minimum of 20 metres should normally be provided between the activity zone and the habitable room facade of the nearest dwelling. Notwithstanding that the LEAP meets the 10m buffer zone criteria, it does not meet the 20m normally recommended between the activity zone and the habitable room façade of 18 Phoenix Way and 30 Merlin Avenue opposite the LEAP. However, FIT recommend that "For high density developments – particularly on brownfield sites- the buffer zone may have to be reduced in order to provide play facilities for the children." It is accepted the Cwm Calon site represents high-density development on a Brownfield site and the principle of the LEAP has previously been accepted and approved. Nevertheless, the concerns of residents have been taken into consideration and the equipment to be installed is aimed at younger children and as such is relatively low level. The frames of the one set of swings reaches 2.4 metres and the frame of the Steel slide reaches 2.5 metres but this is considered acceptable in planning terms.

16. The deck associated with the slide includes binoculars – another privacy issue.

Cont....

Application No. P/99/0768 Continued

The binoculars on the piece of equipment include Perspex and are not magnified and as such will not cause a loss of privacy issue.

17. Bright garish colours are not visually acceptable.

By the nature of play equipment colours tend to be bright to provide a stimulating and challenging play experience for children. Notwithstanding this the feasibility of using other colours may be explored.

18. A public bench directly facing residential property results in loss of privacy.

It is the recommendation of FIT that seating for accompanying adults and siblings should be provided. The LPA consider they are an integral element of the play facility. The bench in the southern part of the site overlooking the roundabout is orientated such that it does not directly overlook a property and the nearest dwelling is some 25 metres away. Consequently, it is not considered that the siting of either of the proposed benches will result in overlooking or loss of privacy significant enough to adversely affect the residential amenity of neighbouring occupiers.

19. No landscaping details provide.

The landscaping of the external areas of the site are subject to the requirements of condition 8, referred to planning approval reference P/99/0768 referred to above.

20. Inadequate parking at Merlin Avenue to accommodate play area.

A LEAP is an area of open space specifically designated and laid out with features including equipment for children who are going out to play close to where they live, usually within 5 minutes walking distance.

21. Loss of view.

There is no right to a view in planning terms.

22. Does not accept that location of playground surrounded by houses is self-policing from a planning point of view.

The site is well placed because it is surrounded by houses, which provide 'eyes on the street.'

Cont....



Application No. P/99/0768 Continued

23. Concern about future maintenance of park.

This matter will fall within the Council's maintenance programme in respect of such sites.

24. Proposed spin-me round roundabout and swings are not suitable for toddlers.

The site is a LEAP and the equipment incorporates the basic provision of equipment that provides for all ability usage.

25. Alterations have been made to the original masterplan in other aspects.

The writer has not identified specifically their concerns.

26 The Fields in Trust 'Planning and Design for Outdoor Sport and Play' (formerly the Six Acre Standard) states that LEAP areas have a buffer zone not less than 10 metres between the edge of the park and the boundary of the nearest dwelling and a minimum of 20 metres between the edge of the park and the habitable room façade of the dwelling. This is so as not to cause a significant detrimental impact on the privacy of local residents. Planning Policy Wales Section 11.1 and 11.2 supported by TAN 16 clearly recognises this guidance but houses are nearer than this particularly 18 Phoenix Way.

FIT emphasises that it does not call for slavish adherence to its own standards but would wish them to be considered, as one of a number of useful tools, in the process of determining local standards.

Accessibility Benchmark Standards are the distance thresholds used to set the catchment area for each type of space. Provision for children and young people should be located where they will be accessible on foot or by bicycle. In terms of a LEAP this is indicated to be 400m walking distance.

The definition of a LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live, usually within 5 minutes walking time. Play features including at least 6 pieces of equipment are an integral part of the LEAP. It should be positioned beside a well-used pedestrian route, with a recommended minimum activity zone of 400 sq m.

In this County Borough a number of sites by the nature of the urbanised setting do not fit within these recommended guidelines and issues like reasonability, sufficiency and practicality are pertinent at this site.

Cont....

Application No. P/99/0768 Continued

27. Devaluation of properties.

The devaluation of property is not a planning matter.

28. Concern that one access to the cycle path is proposed opposite residential property and next to the LEAP.

Details of the proposed amended cycle path links are subject of a separate report to be presented to the Planning Committee.

Finally, in terms of the equipment to be erected on the LEAP, the original scheme submitted has been revised following discussions between Leisure Services, residents and Redrow, which aim to address concerns raised. The sixth revision is now subject of this application. It is considered the proposed details submitted are in accordance with local plan policies and national planning guidance referred to above and as such are acceptable in planning terms.

RECOMMENDATION It is recommended that the details submitted in respect of the layout and equipment to be installed on the LEAP are approved.

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# Agenda Item 15

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0020/FULL 02.03.2015	Ms F Bowen Westways St Martin's Crescent Caerphilly CF83 1ER	Provide hydrotherapy pool enclosure and shed in rear garden Westways St Martin's Crescent Caerphilly CF83 1ER

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of St Martin's Crescent.

House type: The application property is a detached bungalow with front and rear gardens. The dwelling is sited on a sloping plot such that the rear garden is lower than the host dwelling and the dwellings on either side are higher (in respect of Isfryn) and lower (in respect of Maesawelon) than the application property. To the rear of the property are the rear gardens of the dwellings at number 60 St Martin's Road and 10 Glan Nant Close.

There is an approximately 1.2m high close boarded fence to the southern (higher) and eastern (rear) boundary of the dwelling, with a 1m high panel fence with trellis above on the northern (lower) boundary.

Development: The application seeks full planning consent for the erection of a detached building in the rear garden to house a hydrotherapy pool. The building will be a timber clad structure with an apex roof and it will be sited in the south east corner of the garden adjacent to the boundaries with 10 Glan Nant Close and Isfryn.

Dimensions: The building measures 3m wide by 9.45m long by 3.4m high.

Materials: Timber cladding with a hardwood shingle roof.

Ancillary development, e.g. parking: None.

Cont....

Application No. 15/0020/FULL Continued

### PLANNING HISTORY

P/97/0516 - Extend existing bungalow and add garage - Granted 14/08/97.

### POLICY

#### Site Allocation

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity) and CW15 (General Locational Constraints).

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

Guidance Note 3 to the Adopted Supplementary Planning Guidance LDP 7 for Householder Development gives advice on garages and outbuildings.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

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

### CONSULTATION

Dwr Cymru/Welsh Water – Draws attention to the position of a sewer at the property.

Cont....

Application No. 15/0020/FULL Continued

### ADVERTISEMENT

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

Response: Three responses were received from local residents.

### Summary of observations:

1. Ventilation of the chemicals from the pool causing contamination to the air.
2. Noise from plant associated with the pool.
3. Drainage from the pool.
4. Loss of privacy from the windows and doors of the pool and as a result of the distance of the pool from the dwelling.

### 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? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The principle of this proposal is considered to be acceptable and the structure is considered to be acceptable from a design perspective. As such the main points to consider in the determination of this application are the objections raised by the neighbours which are considered in turn below.

Cont....

Application No. 15/0020/FULL Continued

1. With regard to potential contamination from the ventilation of chemicals from the pool it should be noted that the only plant and machinery for this building will be a humidifier. This machine would be fitted with filters to control the flow of air out of the building and this would need to meet with specified standards in terms of emissions. In that regard it is not considered that the proposal would have an unacceptable impact on air quality in the area.
2. As stated above, the only plant associated with this pool is a humidifier unit. The technical specification for this states that noise levels from the machine will be at acceptable levels and it should also be noted that it will be housed within the building. In that regard it is considered that the proposal would not create an unacceptable noise nuisance to adjacent properties.
3. The hydrotherapy pool is a self contained unit that does not need to be emptied on a regular basis. On the rare occasions when the pool will need to be emptied it is connected directly to the main foul drainage. This is a matter for Dwr Cymru/Welsh Water to deal with in association with the developer and it is not a matter for the Local Planning Authority. With regard to surface water drainage from the roof of the building it is considered that something as simple as a rainwater butt would be sufficient to deal with such flows from a building of this size and this is not a significant material planning consideration in this instance.
4. The objectors have stated that the proposed building is poorly sited as it is too far away from the host dwelling thereby increasing the travel distance for the applicant to the pool and as such this would lead to a loss of privacy for all parties. It is also felt that the pool would be best sited facing towards the application property rather than towards the side of Maesawelon. The Local Planning Authority has a duty to consider the application as submitted and a re-siting of the structure would only be justified if it was considered to be unacceptable in its proposed location. The distance of the pool from the host dwelling (and the increased travel distances involved for the applicant) is a matter of personal choice for the applicant. The suggestion that this would cause a loss of privacy to all parties concerned is difficult to substantiate. In that there is nothing to prevent the applicant from using their garden in this way and indeed for them to position an open air pool in their rear garden it is not felt that any unacceptable loss of privacy or amenity would be caused as a result of this.

Cont....



Application No. 15/0020/FULL Continued

With regard to the windows of the pool building which face onto the side elevation of Maesawelon, it is accepted that these would give views into the conservatory and habitable room window in that property. However, it is considered that the privacy of that dwelling could be maintained either by the use of obscure glazing to the doors and windows of the proposed building or by the erection of a screen fence on the common boundary. In that regard it is felt that the privacy of the neighbouring properties could be adequately protected by the imposition of a suitably worded condition and as such the proposal is acceptable in this regard.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of conditions.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development hereby approved relates to the details received on 24th March and 21st April 2015 by the Local Planning Authority.  
REASON: For the avoidance of doubt as to the details hereby approved.
- 03) 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.
- 04) The building 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.

Cont....

Application No. 15/0020/FULL Continued

Advisory Note(s)

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

The comments of Dwr Cymru/Welsh Water are brought to the applicant's attention.

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# Agenda Item 16

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0069/FULL 09.02.2015	Mr S Rees 73 Cardiff Road Caerphilly CF83 1FP	Construct a third floor extension to accommodate an additional one bedroom dwelling unit with mixed retail/business use to ground floor 73 Cardiff Road Caerphilly CF83 1FP

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the junction of Cardiff Road with Pentrebanne Street.

Site description: The application property is a three-storey building which is originally of Edwardian design but which now has a modern retail frontage to Cardiff Road. The ground floor of the property is situated at the back edge of the pavement to the front with the first and second floors being set back with a flat roof above the ground floor. The building is currently in a mixed use of retail to the ground floor and first floor with residential to the second floor and it is finished in a mixture of replica bathstone and face brickwork. The building currently has a hipped apex roof that is partially hidden behind a parapet wall. There is no additional land associated with the building. The building is situated within the principle retail area within Caerphilly, with retail premises to the ground floor of the majority of the surrounding buildings, many of which have either storage or residential accommodation at first floor level.

Development: The application seeks consent for internal alterations to the building in order to change the use of part of the building and the erection of an extension to create a third floor. The internal alterations will create a smaller retail space to the ground floor with two new offices, and one two bedroom flat to each of the first and second floors. An additional one bedroom flat will be created on the third floor. The first floor extension will include a new roof terrace on the flat roof above the ground floor with a glazed handrail to the edge.

Cont....

Application No. 15/0069/FULL Continued

The extension to the third floor will be a timber clad structure with a shallow pitched monopitch roof and a new roof terrace will also be created to the front. The flat will have windows to the Cardiff Road and Pentrebane Street elevations and also on the elevation facing the roof tops of the properties to the north.

Dimensions: The extension measures 13m by 3.8m by 2.7m high.

Materials: Timber cladding with a textile membrane roof. The windows to the host building will be timber casement windows with aluminium windows to the extension.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY

06/0665/FULL - Create a new mixed development containing town centre retail units, offices, residential apartments with a related health club and a public library facility - Granted 20.08.07.

13/0722/COU - Convert first and second floor shop premises into two, two-bedroom apartments - Granted 16.04.14.

### POLICY

#### Site Allocation

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP3 (Development Strategy - Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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

Cont....

Application No. 15/0069/FULL Continued

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

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

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

### CONSULTATION

Transportation Engineering Manager - Raises objection to the proposal in the absence of any off street parking facilities.

Head Of Public Protection - Raises no objection subject to conditions.

Dwr Cymru/Welsh Water - No objection.

### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

Cont....

Application No. 15/0069/FULL Continued

### EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? Yes.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the design of the extension, the impact on highway safety with particular regard for off street car parking and whether the proposed use is compatible with surrounding land uses.

With regard to the first point it is accepted that the proposed extension is significantly different to the host building and the majority of other buildings in Caerphilly Town Centre. However Paragraph 4.11.9 of Planning Policy Wales (2014) 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." Meanwhile Objective 5 of Supplementary Planning Guidance LDP6 Building Better Places to Live states that "Opportunities should be sought to deliver high quality sustainable development that reflects the technologies and aesthetics of the 21st century and creates a strong sense of place." In essence the guidance is stating that development should not merely seek to create a pastiche of the existing development and more modern and innovative ways of developing sites should be considered favourably. In that regard it is considered that the different architectural style and materials of the proposed extension serve to accentuate the difference between it and the host building thereby maintaining and not harming the character of that structure.

With regard to the alterations to the host building including the provision of a new glazed handrail to the first floor roof terrace, it is considered that these are in keeping with its character. As such it is considered that the proposals are acceptable from a design perspective.

Cont....



Application No. 15/0069/FULL Continued

With regard to highway safety it is acknowledged that no off-street car parking will be provided as part of this development and the Transportation Engineering Services Manager has objected on that basis. However, it is felt that this proposal should be considered in light of the property's sustainable location within a Town Centre with easy access to a number of public facilities such as shops, schools, post office, bus and train services. It should also be noted that the lawful use of the property includes retail use to the ground and first floors with residential accommodation to the second floor. Based on this the existing building would require six off street parking spaces. The application proposes a significant reduction in the retail floor space, two new offices, two two-bedroom flats and one one-bedroom flat. Allowing for a reduction in the parking requirements for the location of the property, the proposal requires the provision of five parking spaces. Whilst the Transportation Engineering Services Manager objects as this proposal would lead to no parking spaces for each of the flats contrary to the guidance contained in Supplementary Planning Guidance LDP5 Car Parking Standards, the Local Planning Authority has to balance this against the need to maintain the vitality and viability of this Principal Town Centre. In that regard it is considered that bringing these currently vacant premises back into beneficial use, together with the increased traffic footfall created by the occupiers of both the offices and the flats would serve to meet the aforementioned need. As such it is considered that this outbalances the absence of parking spaces with the development.

With regard to the compatibility of the use it has already been stated that the use of part of the building for residential purposes would help to maintain the vitality and viability of the town centre and it should also be noted that part of the building already has a lawful residential use. However, there have been longstanding issues with regard to noise nuisance in Pentrebane Street as a result of existing lawful uses in that area. In that regard the Head of Public Health and Protection has raised no objection to the proposal subject to a conditions being imposed to require the removal of the bedroom window facing Pentrebane Street. As this bedroom is also served by a door onto the roof terrace and a window facing north it is considered that this is reasonable in this instance.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of suitably worded conditions.

Cont....

Application No. 15/0069/FULL Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Notwithstanding the approved plans the consent hereby granted shall not extend to the bedroom window in the proposed extension that faces onto Pentrebane Street. Revised details of that elevation shall be submitted for the written approval of the Local Planning Authority prior to works commencing on site. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of residential amenity.
- 03) Notwithstanding the approved plans a scheme of noise control, including provision for upgraded acoustic glazing to all habitable room windows facing Pentrebane Street, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of residential amenity.
- 04) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the 3rd floor extension at 73 Cardiff Road, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the extension hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales and Tan 5 Nature Conservation and Planning.

Cont....

Application No. 15/0069/FULL Continued

- 05) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the 3rd floor extension at 73 Cardiff Road, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the property hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 06) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.

Advisory Note(s)

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

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# Agenda Item 17

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0072/FULL 18.02.2015	United Welsh Housing Association C/o Asbri Planning Ltd Mr B Davies Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect residential development and associated works Goodrich Hotel Van Road Caerphilly CF83 1LD

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the junction of Van Road with Goodrich Avenue.

Site description: The application site includes a vacant public house and associated garden and car parking area. The site is irregular in shape being wider to the front than to the back with the public house at the front of the site fronting onto Van Road. The public house is a large two-storey building that occupies the whole of the frontage of the site and stretching back approximately one third of the way into the site. The building has been vacant for a number of years and as such is starting to fall into a state of disrepair. There is a grassed area immediately to the rear of the dwelling with a car park to the rear of that.

The rear area is bounded by a low wooden fence to the Goodrich Avenue side with mature trees to the eastern boundary. A small stream also runs to the eastern boundary of the site. The building is situated in a mainly residential area with dwellings to the north and east and on the southern side of Van Road to the front of the site. The property on the opposite corner of Van Road and Goodrich Avenue is a cafe situated within an end of terrace dwelling that has been extended.

Development: The application seeks full planning consent for residential development on the site. It is proposed to demolish the public house (which was the subject of a separate demolition notification application) and erect 12 flats in two separate two-storey blocks. This would comprise of 8 two-bedroom flats and 4 one-bedroom flats. Each block would be arranged in an L-shape around a central courtyard area that provides the private amenity and drying areas for all of the flats.

Cont....

Application No. 15/0072/FULL Continued

The structures will be two stories with apex roofs and each flat would have a separate access with a porch to the main entrance door. A car park providing a total of 12 spaces and a bin store area is to be created on the northern part of the site with access off Goodrich Avenue

Dimensions: The northernmost block measures 23m long by 11m deep by 9.5m high. The southernmost block measures 20.2m long by 17.2m deep by 10m high.

Materials: Face brickwork with a tiled roof.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY

07/0217/FULL - Construct covered decked seating area to rear of property - Granted 16/04/07.

07/1322/FULL - Erect semi-permanent awning to the rear of the hotel, with a timber deck and screening and partially enclose rear grassed area with a 1.8m timber panel fence - Granted 06/03/08.

08/0406/NCC - Remove Condition (01) of Planning Consent 07/1322/FULL - Refused 02/06/08.

13/0511/OUT - Demolish Goodrich Hotel and erect residential development and associated works - Granted 11/02/15.

### POLICY

#### Site Allocation

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP3 (Development Strategy in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation) and CW15 (General Locational Constraints).

Cont....

Application No. 15/0072/FULL Continued

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

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) 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 1 (Joint Housing Land Availability Studies), 2 (Planning and Affordable Housing), 5 (Nature Conservation and Planning) and 12 (Design) are also relevant.

#### CONSULTATION

Senior Arboricultural Officer (Trees) - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

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

Transportation Engineering Manager - No objection subject to conditions including one requiring an additional parking space.

Dwr Cymru/Welsh Water - No objection subject to conditions.

CCBC Housing Enabling Officer - In line with local plan policy 40% affordable housing will need to be provided on this site.

Outdoor Leisure Development Officer - No objection.

Wales & West Utilities - No objection.

Countryside And Landscape Services - No objection subject to conditions.

Natural Resources Wales - No objection in principle subject to the imposition of conditions and the developer applying for a European Protected Species Licence from Natural Resources Wales.

Cont....

Application No. 15/0072/FULL Continued

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice, a press advertisement and 13 neighbour letters.

Response: One letter of objection and a petition containing 20 signatures was received.

### Summary of observations:

1. Timescale for the demolition and build on this site.
2. Noise impacts.
3. Dust pollution.
4. How will access into and out of the street be maintained?
5. Has asbestos been removed from the building?
6. The application was not advertised widely enough.
7. Construction work will make it impossible for night shift workers to sleep during the day thereby making it impossible for them to work at night.
8. What type of residents would be living in the flats?

### 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? Yes.

European protected species have been identified by a survey.

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

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Cont....



Application No. 15/0072/FULL Continued

(ii) There is no satisfactory alternative.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:-

(i) The condition of the building is such that its demolition and redevelopment is considered to be the best option in respect to the physical and social interests of the immediate area. The building is deteriorating in condition. Conversion of the building would not result in achieving the number of flats proposed in this scheme, and there is a shortfall in the provision of new housing in the Caerphilly Borough administrative area. In this regard its demolition is considered as probably the best available solution.

(ii) With regard to the second test there are two main options, (a) do nothing, and (b) consider an alternative use. With regard to the former this is not a viable option due to the deteriorating condition of the building. In respect to the latter the site is located within an area primarily in residential use. There are other uses in the immediate area, e.g. a cul-de-sac with small industrial units is opposite the site, (on the south side of Van Road) and this is a non-conforming use, and one which is designated for housing in the LDP. Consequently the redevelopment of this relatively small site for a limited residential scheme is an acceptable land-use.

(iii) A single Common pipistrelle bat was found to be roosting in the building during a full bat survey carried out by a competent ecologist with proven experience in bat surveying at an appropriate time of year. The survey report concludes that the building is a transient roost for a single bat. The proposed development will therefore result in the destruction of a bat roost, however, adequate mitigation has been put forward in the bat survey report and the method statement dated 25th October 2013. Full details of the provision of alternative roost sites will need to be submitted but those suggested in the method statement are considered to be suitable and all that will be necessary by condition are the detailed drawings of the bat roost and access points. The favourable conservation status of the species is therefore unlikely to be affected by this development, as the mitigation measures will maintain and enhance the roosting opportunities for Common pipistrelle bats (crevice dwelling bats) at this location.

Cont....

Application No. 15/0072/FULL Continued

Is this development Community Infrastructure Levy liable? Yes. The Levy would be £28,800 but applicants are a registered social landlord and may be able to claim an exemption.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is situated in a mainly residential area and as such the principle of housing on this site is considered to be acceptable. Outline planning permission was granted in February 2015 for residential development (Ref. 13/0511/OUT). The scale and massing of the proposed buildings is in keeping with that of the existing building on site and the suggested materials are considered to be acceptable. Adequate privacy is maintained to the surrounding properties having regard for orientation, distances and in respect of the dwellings on the opposite side of Van Road it is felt that whilst a distance of 21m is not achieved the presence of the road in between is sufficient to maintain an adequate level of privacy.

In that regard the main points to consider in the determination of this application are the objections raised will be considered in turn below:-

1. It is impossible to be specific in terms of a timescale for the works on site. However, it is not felt that this is a material consideration in the determination of this application.
2. The application has been assessed by the Head of Public Protection and no objection is raised on noise grounds subject to the imposition of a condition requiring the submission of a noise suppression scheme. Whilst there will inevitably be noise associated with construction and demolition, it is not felt that this would be sufficient to warrant refusal of the application subject to compliance with this condition. Moreover, a condition would be attached to any consent granted controlling the hours of work on site.
3. Dust arising from the demolition and construction can be adequately controlled by the imposition of conditions.
4. Maintenance of access into and out of Goodrich Avenue during works is a matter for the Highway Authority under separate legislation.
5. Removal of asbestos from the building is not a planning matter and is controlled under other legislation.

Cont....

Application No. 15/0072/FULL Continued

6. It is accepted that letters were not sent directly to all of the residents of Goodrich Avenue. However, the application was advertised in accordance with the Council's protocol and a site notice was posted in the area.
7. As stated above the hours of operation on site would be controlled by condition. Whilst the circumstances of the objector are noted it would not be reasonable for the Local Planning Authority to prevent works during the daytime hours that are normally considered to be acceptable.
8. Provided that the flats are used for residential purposes falling within Use Class C3 of the Use Classes Order 1988 it would not be for the Local Planning Authority to control the type of persons able to reside there. Indeed Local Plan policy requires the provision of affordable housing in this area and this development makes a positive contribution to meeting those needs.

Comments from consultees: No objections raised. With regard to the request from the Transportation Engineering Services Manager for the provision of an additional parking space it is considered that this can be accommodated within the site. As such it is considered that it would be reasonable to impose a condition requiring the submission of an amended plan.

Comments from public: None.

Other material considerations: This is an area where the affordable housing target is 40% of the development and that could normally be secured by a Section 106 Agreement. However, in this case, the applicants are a registered Social Landlord and so a condition is a satisfactory way of controlling the matter.

In conclusion it is considered that the application is acceptable subject to the imposition of suitable conditions.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

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

Cont....

Application No. 15/0072/FULL Continued

- 02) Prior to commencement of development a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units/bed spaces;
  - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of any market housing;
  - iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- REASON: In order to secure the provision of sufficient affordable housing within the scheme.
- 03) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development comes into beneficial use.
- REASON: In the interests of the visual amenities of the area.
- 04) 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.
- 05) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
- REASON: In the interests of the amenity of the area.

Cont....

Application No. 15/0072/FULL Continued

- 06) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area.
- 07) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 08) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.  
REASON: To ensure adequate protection to protected species.
- 09) Prior to any development and the removal of any vegetation on site the 'Reptile and Amphibian Method Statement' contained in Section 11 of the Ecological and Bat Survey Report dated August 2013 and undertaken by Richard Watkins shall be strictly complied with.  
REASON: To ensure that reptiles are protected.
- 10) No development or site vegetation clearance shall take place until a detailed 'Bat Method Statement' has been prepared by a competent Ecologist and submitted for the approval of the Local Planning Authority. The approved measure shall be strictly complied with.  
REASON: To ensure that reptiles are protected.

Cont....

Application No. 15/0072/FULL Continued

- 11) Bat activity surveys to monitor the new bat roosts within the development hereby approved shall be carried out by a competent Ecologist between May to August for a minimum of 2 years post-completion of the development and the results submitted to the Local Planning Authority annually together with any recommendations of the Ecologist for amendments to the approved scheme arising from the survey results. The approved amendments shall be implemented in full.  
REASON: To provide information on the success of the bat roost mitigation, in the interests of biodiversity.
- 12) Prior to the commencement of any works associated with the development hereby approved a plan showing details of the provision of roosts and a means of access for bats into the new development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: Where works have already commenced on site with the potential to support protected species or where a planning application has been submitted retrospectively, the precautionary principle is applied to ensure proper measures are taken to safeguard the habitat or protected species, in the interests of biodiversity.
- 13) Prior to the commencement of any works associated with the development a buffer strip between the development and the small water course adjacent to the site boundary edge during the construction works shall be created, details of which shall be submitted to and agreed in writing with the Local Planning Authority. This buffer strip shall be retained until the development works are completed.  
REASON: To ensure adequate protection to habitats, in the interests of biodiversity.
- 14) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.  
REASON: To ensure adequate protection to protected species.

Cont....

Application No. 15/0072/FULL Continued

- 15) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new development hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 16) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
  - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
  - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
  - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
  - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
  - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
  - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),

Cont....



- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
  - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
  - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
  - k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
  - l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
  - m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
  - n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
  - o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
  - p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
  - q) the timing of the various phases of the works or development in the context of the tree protection measures.
- REASON: In the interests of visual amenity.
- 17) The development hereby approved relates to the details received on 17th April 2015 by the Local Planning Authority.  
REASON: For the avoidance of doubt as to the details hereby approved.
- 18) Prior to any works commencing on site revised details of the car parking layout shall be submitted to and approved in writing by the Local Planning Authority. The revised details shall make provision for a total of 14 parking spaces which shall be provided prior to the occupation of any of the dwellings and maintained thereafter free of obstruction for the parking of vehicles only.  
REASON: In the interests of highway safety.

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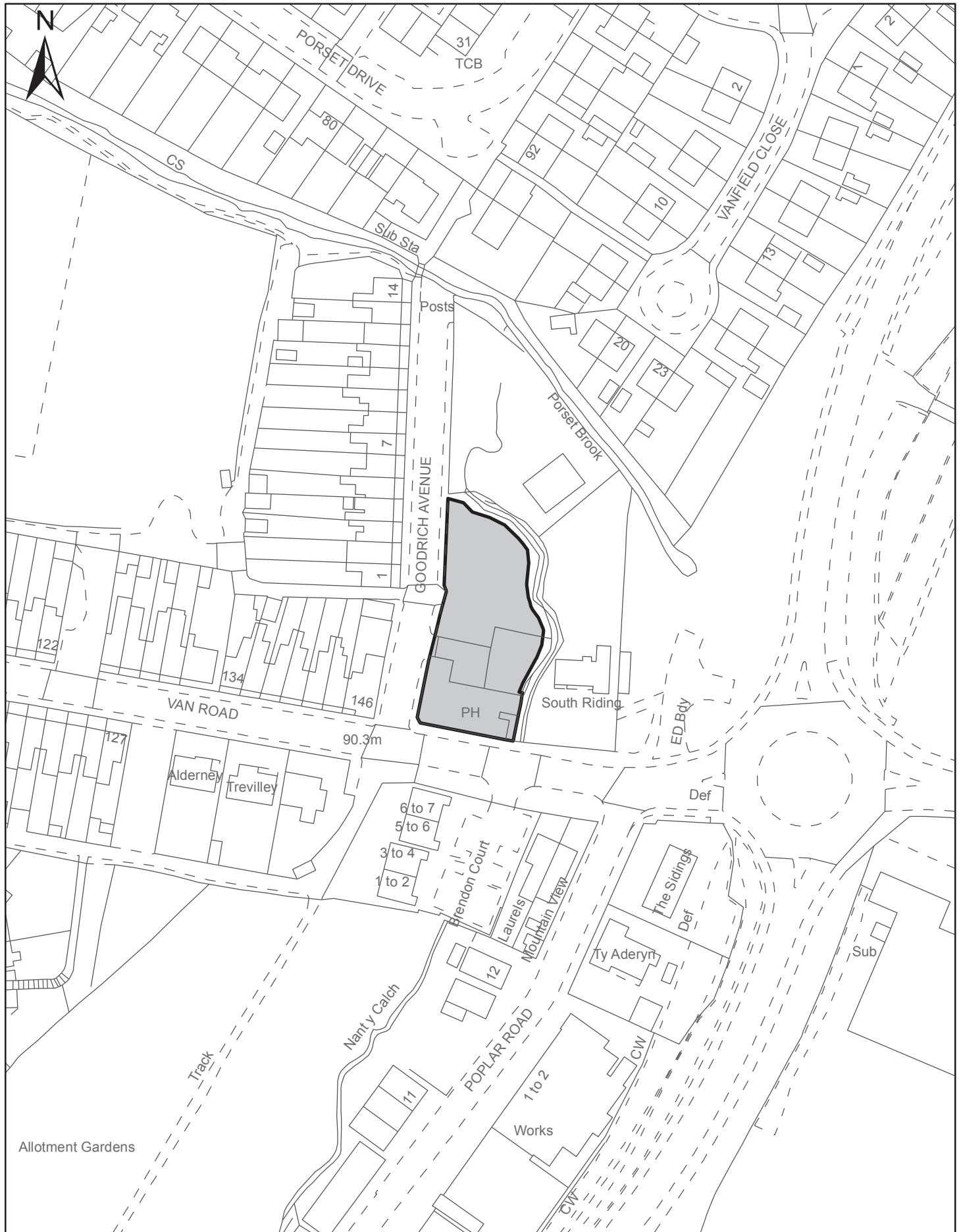
Application No. 15/0072/FULL Continued

- 19) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 33 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.
- 20) The development shall not be occupied until 12 cycle parking spaces have been provided in the location identified for cycle parking on the approved plans.  
REASON: To ensure that the development is accessible by all modes of transport in the interests of sustainability.

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: SP15, CW2, CW3 and CW4.

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# Agenda Item 18

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0109/FULL 24.02.2015	Mr D J Evans 1 Tredomen Terrace Tredomen Hengoed CF82 7BW	Provide external wall insulation 1 Tredomen Terrace Tredomen Hengoed CF82 7BW

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is situated on the southern side of Tredomen Terrace.

House type: The application property is a semi detached dwelling with front and rear gardens. The dwelling is within the Tredomen Conservation Area and is finished in rough cast render with a slate roof. The dwelling has a single storey porch to the front and overhanging eaves.

Development: The application seeks full planning consent for the installation of an external insulation system that includes re-cladding of the building.

Dimensions: The cladding will project out from the face of the building by 100mm.

Materials: The dwelling will be clad in panels finished with pebble dash of either a white or a cream colour.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

No previous planning history.

## POLICY

### Site Allocation

Local Development Plan: Within settlement limits.

Cont....

Application No. 15/0109/FULL Continued

### Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity) and CW15 (General Locational Constraints).

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

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

Circular 61/96 Planning and the Historic Environment advises of the importance of judging development against its effect on the character and appearance of a conservation area.

### CONSULTATION

Conservation & Design Officer - Raises an objection to the proposal as it is considered that it would have a detrimental impact on the character of the conservation area.

Gelligaer Community Council - No objection.

### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

Cont....

Application No. 15/0109/FULL Continued

### SECTION 17 CRIME AND DISORDER ACT

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

### EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. It is acknowledged that the application property is currently clad in rough cast render and that the proposed finishing materials differ from this. The Conservation and Design Officer's concerns with regard to the impact of the works on the character of the conservation area with regard to the use of materials, the projection of the cladding from the face of the host dwelling and the affect that this will have on the architectural detailing on the dwelling are also noted. However, it should be born in mind that a number of dwellings within the conservation area have already changed the finishing materials thereby diluting the overall character of the area. It is also considered that the materials used are not sufficiently far enough removed from the existing materials that the character of the area would be materially affected by the proposal.

In accordance with Section 72 of the Listed Buildings Act 1990 special regard has to be paid to the desirability of preserving or enhancing the character or appearance of that area. For the reasons stated above, the proposal is considered acceptable. Some weight also has to be given to the introduction of insulation at the property and the implications for energy efficiency and carbon reduction.

The possibility of using internal insulation has been suggested the Conservation and Design Officer but in light of the acceptability of the scheme as discussed above it would not be reasonable to make such a request. In that regard the proposal is considered to be acceptable in planning terms.

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Application No. 15/0109/FULL Continued

The final colour of the finish can be controlled by condition.

Comments from consultees: No objections raised.

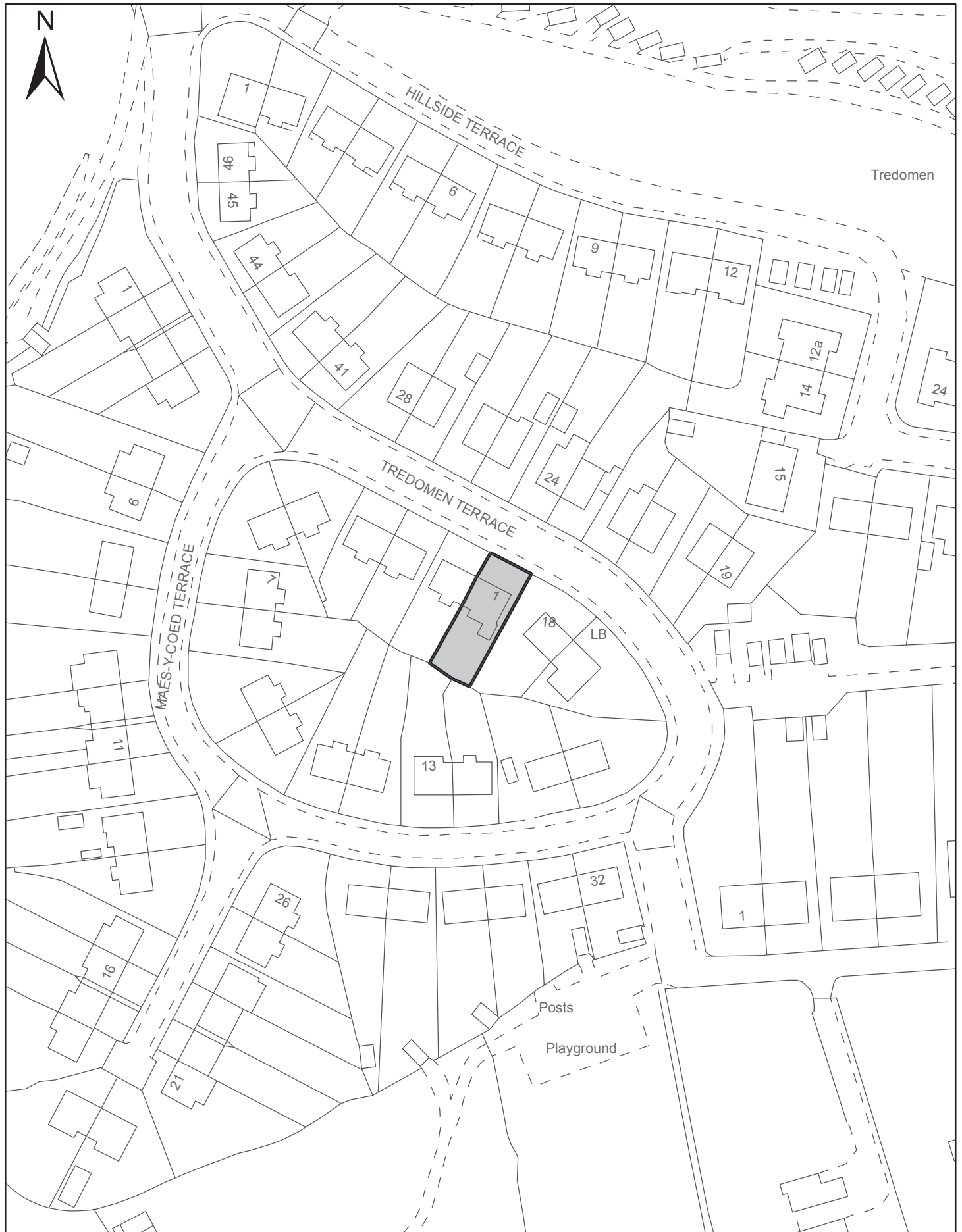
Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
  
  - 02) 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.
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## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
14/0854/NCC 19.12.2014	NET Energy Group Ltd Mr K Green 9 Catherine Place London SW1E 6DX	Vary Conditions 9 and 20 of planning consent 12/0510/FULL to modify the shape and layout of the buildings and allow specific and minimal external equipment and plant to be operated on Saturday afternoons, Sundays and bank holidays NET Energy Ltd Unit 6 Capital Valley Eco Park Rhymney	Granted 30.03.2015
15/0056/FULL 19.01.2015	Mr D Gilbert 28 Goodrich Street Caerphilly CF83 1JY	Remove single-storey extension and erect a single- storey extension 28 Goodrich Street Caerphilly CF83 1JY	Granted 30.03.2015
15/0062/FULL 26.01.2015	Frontier Medical Group Ltd Block G Newbridge Road Industrial Estate Pontllanfraith Blackwood NP12 2YN	Erect a new single-storey link block comprising entrance, reception, waiting area and WC's and provide new elevational treatment to existing R & D block, including changes to the fenestration and external hard and soft landscaping Frontier Medical Group Ltd Block G Newbridge Road Industrial Estate Pontllanfraith	Granted 30.03.2015
15/0071/FULL 02.02.2015	Mr J Barnard Lakeside Farm Nant-Yr-Helyg Bute Town Rhymney Tredegar NP22 5QT	Construct a detached garage Lakeside Farm Nant-Yr-Helyg Bute Town Rhymney	Granted 30.03.2015
15/0080/COU 03.02.2015	Mrs F Amesbury 1 Britannia Terrace Pengam Blackwood NP12 3TE	Change the use from B1 office to D1 children's day nursery Units 2 & 3 Hawtin Business Park Gelli-haf Pontllanfraith	Granted 30.03.2015

15/0010/FULL 06.01.2015	Mr Neville 10 Main Road Maesycwmmmer Hengoed CF82 7RN	Erect lean-to conservatory to rear at 10 Main Road Maesycwmmmer Hengoed CF82 7RN	Granted 31.03.2015
15/0039/FULL 19.01.2015	Mr & Mrs G Mears 10 Gelli Dawel Energlyn Caerphilly CF83 2QT	Erect single-storey side extension 10 Gelli Dawel Energlyn Caerphilly CF83 2QT	Granted 31.03.2015
15/0042/NCC 28.01.2015	Mrs A Jarman 34-36 Hillside Park Bargoed CF81 8NL	Vary Condition 07 of planning consent 14/0771/NCC to allow front road access and off road parking on Land Adjacent To 34-36 Hillside Park Bargoed CF81 8NL	Granted 31.03.2015
15/0074/ADV 03.02.2015	Vodafone Limited Mr A Morgan The Connection Newbury Berkshire RG14 2FN	Provide new corporate image fascia and projection sign Unit 22 Castle Court Caerphilly CF83 1NU	Granted 31.03.2015
14/0848/FULL 18.12.2014	Mr S Al-Ibrahim C/o AEW Architects Mr B O'Donovan The Zenith Building Spring Gardens Manchester M2 1AB	Install a new aluminium framed shop front in enlarged opening with aluminium framed door, a new stone lintel above, replace windows and provide a rear access door Nelson Police Station Dynevor Terrace Nelson Treharris	Granted 01.04.2015
14/0856/FULL 23.12.2014	Mr R Orford 10 Tai'r Heol Penpedairheol Hengoed CF82 8DL	Convert a three-bedroomed bungalow into a five-bedroomed house 10 Tai'r Heol Penpedairheol Hengoed CF82 8DL	Granted 01.04.2015
15/0068/FULL 30.01.2015	Mr J Cuddihy 17 Llanddwyn Island Close Caerphilly CF83 2AS	Erect a first storey extension over the existing garage and a ground floor extension to the rear of the property 17 Llanddwyn Island Close Caerphilly CF83 2AS	Granted 01.04.2015

13/0674/RET 16.09.2013	Pepa Capital Limited C/o Mango Planning & Development Limited Mrs F Evans Number One Waterton Park Bridgend CF31 3PH	Retain change of use from petrol filling station to hand car wash Star Hand Car Wash Nant Court Glenview Terrace Llanbradach	Refused 02.04.2015
14/0799/NCC 24.11.2014	Rainbow Construction Mr S Cronk Unit 25 Darren Road Prince Of Wales Industrial Estate Cwmcarn Newport NP11 5AR	Remove conditions 09 and 10 (Code for Sustainable Homes level 3 conditions) from planning consent 13/0669/FULL (Erect new dwelling) 23 Commercial Road Machen Caerphilly CF83 8NB	Granted 02.04.2015
14/0742/FULL 03.12.2014	Mr C Capel Fair View Garage Woodland Place Pengam Blackwood NP12 3QX	Redevelop the original building and infill open areas with small industrial units Knight Court (Block A) St Davids Industrial Estate Pengam Blackwood	Granted 07.04.2015
14/0832/RM 12.12.2014	Mr & Mrs S Rogers 15 Groves Road Newport NP20 3SP	Seek approval of the reserved matters regarding appearance, layout and scale in connection with the residential development approved under planning application 12/0104/NCC Plot 2 Church View Aberbargoed Bargoed	Granted 07.04.2015
15/0070/FULL 02.02.2015	Whitehall Property Developments Mr C Jones 149 Bedwellty Road Aberbargoed Bargoed CF81 9DN	Erect single-storey extension to extend existing lounge accommodation and erect an extension to the existing detached ancillary outbuilding Neuaddwen Inn Bedwellty Road Aberbargoed Bargoed	Granted 07.04.2015
15/0084/FULL 09.02.2015	Mrs L Brinkworth Brynhyfyd Commercial Street Pengam Blackwood NP12 3UA	Erect single-storey extension Brynhyfyd Commercial Street Pengam Blackwood	Granted 07.04.2015

15/0090/ADV 10.02.2015	ACCA Ltd Devonshire Business Centre Works Road Letchworth Garden City Hertfordshire SG6 1GJ	Erect fascia sign and projecting sign Y Coed Duon 151 High Street Blackwood NP12 1AB	Granted 07.04.2015
15/0052/OUT 19.01.2015	Mr T Jenkins Swn-y-Nant 76A Heol-y-Ddol Caerphilly CF83 3JN	Erect one residential dwelling Land South-east Of Swn-y- Nant 76A Heol-Y-Ddol Caerphilly CF83 3JN	Granted 08.04.2015
15/0091/FULL 11.02.2015	Leighton Rowlands - Gwynns Opticians Mr D Evans 39 Hanbury Road Bargoed CF81 8QU	Replace flat roof with new pitched roof 39 Hanbury Road Bargoed CF81 8QU	Granted 08.04.2015
15/0093/FULL 11.02.2015	Mr C Tiley 8 Severn Road Pontllanfraith Blackwood NP12 2GA	Erect a garden shed 8 Severn Road Pontllanfraith Blackwood NP12 2GA	Granted 08.04.2015
15/0057/FULL 21.01.2015	Mr R Selway 28 Clos Cae Mawr Penpedairheol Hengoed CF82 7TH	Partially convert garage to a dining room with the remainder being used as a store 28 Clos Cae Mawr Penpedairheol Hengoed	Granted 09.04.2015
15/0082/RET 06.02.2015	Mr & Mrs R Owens Pentre Poeth Farm Penllwyn Lane Machen Caerphilly CF83 8RL	Retain the change the use from agricultural land to land within the residential boundary Pentre Poeth Farm Penllwyn Lane Machen Caerphilly	Granted 09.04.2015
15/0015/FULL 07.01.2015	Mr P Nutt 12 Blaen Ifor Caerphilly CF83 2NW	Construct single-storey extension to form a lounge and conservatory 12 Blaen Ifor Caerphilly	Refused 10.04.2015
15/0124/FULL 24.02.2015	Mrs E Jenkins 41 Golwg Y Bont Blackwood NP12 3FT	Erect two-storey rear extension 8 Victoria Terrace Newbridge Newport NP11 4ET	Granted 10.04.2015

14/0045/NCC 17.01.2014	The Powell Trust & Hallventure Ltd C/o Eastgate Market Street Caerphilly	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 Land At 2, 4 & Former Beulah Methodist Church Pontygwindy Road Caerphilly	Granted 13.04.2015
14/0388/RET 13.06.2014	The Celt Experience Ltd (Newmans Brewery) Mr T Newman Unit 29-30 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly CF83 3HU	Retain the change of use from B2 (brewery) to a mixed-use brewery and bar/bowling alley The Celt Experience Ltd (Newmans Brewery) Unit 29-30 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly	Refused 13.04.2015
14/0815/FULL 08.12.2014	Mr J Chard Hillsborough 70 St Martin's Road Caerphilly CF83 1EN	Demolish the existing detached garage to the rear of the site and construct a new single storey detached dwelling Hillsborough 70 St Martin's Road Caerphilly CF83 1EN	Granted 13.04.2015
15/0081/FULL 09.02.2015	Ixon Developments Ltd C/o GVA Mr O Griffiths One Kingsway Cardiff CF10 3AN	Erect 3 No. freestanding wooden poles to support 3 No. bat boxes (temporary bat mitigation) Former Blackwood Junior School Pentwyn Road Blackwood NP12 1HN	Granted 13.04.2015
15/0092/FULL 11.02.2015	International Green Investments Holding Portfolio Ltd Mr D Davern 9 Fitzwilliam Square Dublin Ireland	Refurbish existing (vacant) industrial unit and develop adjoining land, including the erection of tyre storage bays for the operation of a tyre recycling facility and the provision of car parking, security fencing, site drainage and associated engineering operations and landscaping Former Neuson Heads Of The Valleys Industrial Estate Rhymney Tredegar	Granted 13.04.2015

15/0094/FULL 12.02.2015	Mrs R Chivers 26 Brynawel Penyrheol Caerphilly CF83 2EX	Erect rear single-storey extension to existing dormer bungalow 26 Brynawel Penyrheol Caerphilly CF83 2EX	Granted 13.04.2015
15/0095/LA 12.02.2015	Caerphilly County Borough Council Mr S Couzens Ty Croeso - The Reception Centre Victoria Terrace Newbridge Newport NP11 4ET	Erect fence above existing boundary wall Ty Croeso - The Reception Centre Victoria Terrace Newbridge Newport	Granted 13.04.2015
15/0106/FULL 16.02.2015	Mr & Mrs S Jones 11 Burnet Drive Pontllanfraith Blackwood NP12 2FN	Erect three-storey extension to rear of dwelling 11 Burnet Drive Pontllanfraith Blackwood NP12 2FN	Granted 13.04.2015
15/0107/FULL 16.02.2015	Mr P Morrison 26 St Ilan's Way Watford Caerphilly CF83 1EW	Erect two-storey extension to side of dwelling 26 St Ilan's Way Watford Caerphilly CF83 1EW	Granted 13.04.2015
15/0113/CLPU 16.02.2015	Mr P Morrissey 1 Station Cottages Glan-y-nant Blackwood NP12 3XN	Obtain a Lawful Development Certificate for the proposed erection of a conservatory 1 Station Cottages Glan-y-nant Blackwood NP12 3XN	Refused 13.04.2015
15/0143/FULL 04.03.2015	Aldi Stores Ltd C/o Turley Miss A Rees 18 Windsor Place Cardiff CF10 3BY	Demolish the existing garden centre canopy, erect a loading bay and provide external alterations to the existing retail unit and an extension to the car park Unit 1 Blackwood Gate Retail Park Blackwood NP12 2FS	Granted 13.04.2015
15/0085/FULL 09.02.2015	Mr R Jones 32 Clos Dwyerw Caerphilly CF83 1TE	Demolish existing conservatory to rear and build a single-storey extension across the rear facade 32 Clos Dwyerw Caerphilly CF83 1TE	Granted 14.04.2015

14/0831/FULL 11.12.2014	Charter Housing Association Ltd Mr N Taylor Exchange House The Old Post Office High Street Newport NP20 1AA	Erect residential development of 13 dwellings and associated external works on vacant land Land Rear Of Woodbine Road Blackwood	Granted 15.04.2015
15/0096/FULL 12.02.2015	Mr P Heathcote Min-Y-Coed Dan Y Graig Road Risca Newport NP11 6DR	Erect single-storey extension to form extended kitchen and dining area Min-Y-Coed Dan Y Graig Road Risca Newport	Granted 15.04.2015
15/0122/FULL 19.02.2015	Ms S Mossa 32 Lewis Street Blackwood NP12 1PX	Erect rear first floor bedroom extension 32 Lewis Street Blackwood NP12 1PX	Granted 16.04.2015
15/0086/FULL 10.02.2015	Mr R Wicks 29 Dynevor Terrace Nelson Treharris CF46 6PD	Create a private drive, erect a brick wall (1.8m x 25m) and remove 5.5 metres of existing wall to install an electrically operated gate Land At Huntersmoon & 29 Dynevor Terrace Nelson Treharris	Refused 17.04.2015
15/0099/ADV 12.02.2015	Mitchells & Butlers PLC 27 Fleet Street Birmingham B3 1JP	Replace signage scheme in keeping with the Toby brand The Cedar Tree Corbetts Lane Pwllpant Caerphilly	Granted 17.04.2015
15/0104/ADV 13.02.2015	Mr H Stone Celyn Collieries Institute and Memorial Hall Ltd. High Street Newbridge NP11 4FH	Erect illuminated 'MEMO' lettering fixed at high level to existing parapet brickwork, illuminated 'MEMO' lettering fixed above institute main entrance and erect illuminated 'What's On' notice-board located within memorial garden Celyn Colliers Institute And Memorial Hall High Street Newbridge Newport	Granted 17.04.2015
15/0105/FULL 15.02.2015	Mr S Williams 17 St Fagans Street Caerphilly CF83 1FZ	Erect first floor rear extension 17 St Fagans Street Caerphilly CF83 1FZ	Refused 17.04.2015



15/0061/FULL 26.01.2015	Miss R Llewellyn 6 Y Ffordd Wen Aberbargoed Bargoed CF81 9EE	Convert existing garage to provide further ground floor accommodation for a utility room and playroom, also utilising the existing dropped kerb line to create an additional (third) parking space at the front of the property 6 Y Ffordd Wen Aberbargoed Bargoed CF81 9EE	Granted 20.04.2015
15/0117/FULL 23.02.2015	Mr M Jones 4 Station Terrace Brithdir New Tredegar NP24 6JT	Erect a garage 4 Station Terrace Brithdir New Tredegar NP24 6JT	Granted 20.04.2015
15/0103/FULL 13.02.2015	Mr H Stone Celyn Collieries Institute And Memorial Hall Ltd High Street Newbridge Newport NP11 4FH	Provide new hard and soft landscaping (including sculpture) to form Memorial Garden to the north side Celyn Colliers Institute And Memorial Hall High Street Newbridge Newport	Granted 21.04.2015
15/0078/COU 05.02.2015	Rev L Philbrick 107 Derlwyn Street Phillipstown New Tredegar NP24 6BA	Change the use from Class A1 (pharmacy) of the Town and Country Planning (Use Classes) Order 1987 to Class D1 (community use) of that order Former Pharmacy White Rose Medical Centre White Rose Way New Tredegar	Granted 22.04.2015
15/0098/FULL 12.02.2015	Mrs L Northwood 26 The Walk Ystrad Mynach Hengoed CF82 7AH	Erect a single storey extension to rear 26 The Walk Ystrad Mynach Hengoed CF82 7AH	Granted 22.04.2015
15/0101/NCC 12.02.2015	Mr P McMahon Ty Digionedd Coronation Terrace Rhymney Tredegar NP22 5EX	Remove conditions 11, 12 and 13 (Code for Sustainable Homes conditions) from planning consent 14/0222/FULL (Erect detached dormer bungalow) Land Rear Of Ty Digionedd Coronation Terrace Rhymney	Granted 22.04.2015



15/0127/FULL 25.02.2015	Mr K Morgan 8 Westville Abertysswg Rhymney NP22 5BD	Erect part two-storey and part single-storey rear extension and hardstanding with store 8 Westville Abertysswg Rhymney NP22 5BD	Granted 22.04.2015
15/0128/FULL 25.02.2015	Mr G Perrott 36 Waungoch Road Oakdale Blackwood NP12 0LL	Remove existing timber patio to rear of property and replace with brick/block concrete structure 36 Waungoch Road Oakdale Blackwood NP12 0LL	Granted 22.04.2015
14/0838/FULL 16.12.2014	Brindavan Care Limited Mr Selvakumran 50 Commercial Street Aberbargoed Bargoed CF81 9BU	Erect new front porch entrance, a new ramped access, new interview area and office and additional parking in Pant Street Brindavan Care Home 50 Commercial Street Aberbargoed Bargoed	Granted 23.04.2015
15/0076/RET 03.02.2015	Mr M Griffiths Enterprise Autos (Newbridge) Ltd Newbridge By-Pass Crumlin Newport NP11 4QJ	Retain three bay car port including a single clad storage bay Enterprise Autos (Newbridge) Ltd Newbridge By-Pass Crumlin Newport	Granted 23.04.2015
15/0130/FULL 26.02.2015	Mr M Pope 9 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Erect single-storey rear extension, two-storey side extension, loft conversion with dormers, internal alterations, new retaining wall and first floor balcony 9 Penallta Villas Ystrad Mynach Hengoed CF82 7GH	Granted 23.04.2015
15/0216/NMA 10.03.2015	Mr K Miles 3 Pen Y Bont Penpedairheol Hengoed CF82 8HD	Seek approval of a non-material amendment to planning consent 12/0596/RET to switch the pitch of the roof KJM Autos Clearway Service Station Church Road Penpedairheol	Granted 23.04.2015

15/0188/NMA 30.03.2015	United Welsh Housing Association Mr P Seaborne C/o Agent	Seek approval of a non- material amendment to planning consent 13/0568/FULL to vary condition 05 and remove conditions 11, 12 and 13 Land Adjacent To 79 Penallta Road Ystrad Mynach Hengoed	Granted 23.04.2015
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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.
12/0511/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, Pontygwindy Industrial Estate, Caerphilly.	Subject to discussion concerning additional information.
13/0646/COU 03.09.13	Change use of ground floor from cafe/shop to apartment at 24 Church Street, Bedwas, Caerphilly	Seeking CIL details.

13/0667/NCC 13.09.13	Vary Condition 1 of planning consent 07/1524/FULL (Construct 87 dwellings with associated garaging and car parking) to extend the period within which the development can commence at Suflex Estate Newport Road Pontymister Risca	Awaiting information about flooding.
13/0688/COU 24.09.13	Convert old stone barn/old coaching house into a four bedroom dwelling and integrated livery yard office at Cwm Farm Caerphilly	Awaiting CIL details.
13/0726/FULL 08.10.13	Erect two bay extension to existing storage building at Robert Price (Builders Merchants) Ltd, 145 Pontygywindy 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.
13/0778FULL 28.10.13	Erect class B1/B2/B8 units with associated external alterations at Land At Dyffryn Business Park, Ystrad Mynach Hengoed	Subject to discussion regarding nature conservation.
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.
14/0120/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 NRW.
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.

14/0365/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.
14/0455/FULL 25.06.14	Construct a ground-mounted solar PV generation project and associated works at Darran Farm, Argoed, Blackwood.	Awaiting archaeological assessment.
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.
14/0560/RET 22.08.14	Retain the extension of the domestic curtilage and the erection of a changing room and hot tub at 14 Cwm Darran Place, Deri, Bargoed, CF81 9GA	Awaiting structural calculations.
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.
14/0630/OUT 22.09.14	Erect 2 no. single-storey bungalows at Waun Y Gof House Thorne Avenue Newbridge	Awaiting further information concerning highways.
14/0678/OUT	Erect residential development of 3 no. detached dwellings with upgraded site access at Fair Oak Farm Woodland Terrace Argoed Blackwood	Subject to further discussions and consideration.

14/0688/LA 28.10.14	Carry out internal works to provide a Waste Transfer Station, office accommodation and welfare facilities, fleet and vehicle maintenance, stores and carry out external works to provide a car park, a lorry park, a fuel station, stores/compounds and re-profile the ground to provide for household waste refuse/recycling centre at Ty Dyffryn, 5A & 5B Alder Avenue Dyffryn Business Park Ystrad Mynach	Awaiting additional information following comments from consultees.
14/0725/FULL 18.11.14	Erect two 50Kw vertical axis wind turbine generators at Penyfan Caravan And Leisure Park Manmoel Road Manmoel Blackwood NP12 0HY	Awaiting various details including noise survey.
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.
14/0756/NCC 24.10.14	Remove conditions 18 and 19 of planning consent 13/0808/FULL (Erect 5 new build link houses with associated gardens, landscaping, access and car parking) at Lyndaryn Court Cliff Road Blackwood	Considering additional information.
14/0781/FULL 11.11.14	Erect a two bedroom dwelling at 20 Waunfach Street Caerphilly	Awaiting amended plans.
14/0802/OUT 26.11.14	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from the A4049 and footpaths and the installation of new services and infrastructure, ecological mitigation and enhancement works and other ancillary works and activities at Land At Hawtin Park Gelli-haf Pontllanfraith Blackwood	Subject to further discussion and consideration.
14/0808/FULL 01.12.14	Erect single-storey lounge extension with raised patio area at 19 Birchwood Close Blackwood NP12 1WX	Awaiting amended design.
14/0817/FULL 18.12.14	Provide a new one 'way in' one 'way out' roadway access off the Sirhowy Enterprise Way Land Adjacent To Perry's Coaches New Road Woodfieldside Blackwood	Discussing highway matters.
14/0828/FULL 11.12.14	Erect a three-storey five bedroom house with detached garage at Plot 1 Church View Bedwellty Road Aberbargoed	Awaiting amended details of design and layout.



14/0830/COU 11.12.14	Change the use from a public house to a private residence and provide alterations to the existing extension at the rear at Penllwyn Manor The Grove Pontllanfraith Blackwood	Awaiting amended design.
14/0836/FULL 16.12.14	Create new pedestrian access onto site at The Surgery Oakfield Street Ystrad Mynach Hengoed	Subject to further discussion and consideration.
14/0847/FULL 18.12.14	Erect three detached residential dwellings at Land To The Rear Of Brynmynach Avenue Ystrad Mynach Hengoed	Subject to further discussion and consideration.
14/0855/FULL 23.12.14	Erect a residential development and associated works at Land At Watford Road Caerphilly	Subject to further discussion and consideration.
15/0021/FULL 12.01.15	Erect new entrance porch and provide garden works at 4 Cae Uwchllyn Caerphilly	Awaiting amended design.
15/0023/COU 12.01.15	Retain A1 use part ground floor and convert upper floors to residential at Manchester House 1 Clifton Street Caerphilly	Subject to further discussion and consideration.
15/0029/FULL 15.01.15	Erect (and operate) a single wind turbine up to 36.6m tip height with electrical control cabinet and formation of temporary access trackway at Cefn-y-brithdir Farm Mountain Road Cefn-Y-Brithdir To Tirphil Brithdir New Tredegar	Awaiting additional information re: landscape and transport.
15/0032/FULL 15.01.15	Erect orangery type structure at Hillcrest Homeleigh Newbridge	Awaiting amended plans.
15/0033/FULL 16.01.15	Erect residential development (3 No. units) at Land Off Duffryn Road Brynawel Wattsville Newport	Awaiting highway information.
15/0038/OUT 19.01.15	Erect residential development with associated public open space, landscaping and highways infrastructure including a new highway access from Pandy Road and footpaths and requiring the installation of new services and infrastructure and other ancillary works and activities at Land North Of Pandy Road Bedwas Caerphilly	Subject to further discussion and consideration.



15/0043/FULL 28.01.15	Erect industrial storage unit at Land Between Units 4 & 10 Bedwas Business Centre Bedwas House Industrial Estate Bedwas	Subject to further discussion and considerations.
15/0054/COU 20.01.15	Erect cattery at Llanbradach Fawr Farm Llanbradach Farm Lane Llanbradach Caerphilly	Awaiting highway information.
15/0055/LBC 19.01.15	Provide internal alterations, extend and provide new roof and take down one chimney and part of the boundary wall at Penllwyn Manor The Grove Pontllanfraith Blackwood	Awaiting amended design.
15/0060/COU 22.01.15	Convert first and second floors to 6 No. one bedroom flats at 1 Pentrebane Street Caerphilly	Awaiting additional information.
15/0097/FULL 12.02.15	Erect a single wind turbine with a maximum blade tip height of up to 78 metres and associated infrastructure including the installation of a new access track and upgraded access track; a crane pad (measuring approximately 25m by 40m) and a substation at Land At Cefn Bach Farm Cefn Road Upper Deri	Awaiting further landscape information.

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## APPLICATIONS AWAITING COMPLETION OF A SECTION 106 AGREEMENT

APPLICATION NUMBER & DATE RECEIVED	DESCRIPTION & LOCATION OF DEVELOPMENT	COMMENTS
P/06/0037 13.01.06	Redevelop site incorporating 545 residential units and 2.5 acres for a primary school at Waterloo Works, Machen.	Planning in discussions with developers over new terms; waiting to hear from Planning. Meeting has been planned.
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. Solicitors asked for information which was provided. Documents are with the mortgage company for signing.
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. Down to one point on the Agreement. Sent our point to Solicitors. Still negotiating terms.
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. Planning waiting for ecological report.
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.	Awaiting costs to complete agreement.
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. Chased. Waiting to hear from Solicitors. Told they have appealed and may have a case. Waiting for advice from planning.
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 draft to Solicitors. Waiting for affordable housing clauses issues to be resolved.
14/0411/OUT 21.06.14	Erect residential development and associated works on Land At Ton Y Felin Croespenmaen Newport	Sent draft.
14/0818/FULL 10.12.14	Demolish the existing fire station and construct 8 No. 2-bedroom affordable dwellings (C3), 6 No. 1-bedroom affordable apartments (C3) and construct a residential block (C2) comprising 8 apartments and associated office space to provide accommodation and support for independent living and mental health well being at Former Bargoed Fire Station, William Street, Gilfach, Bargoed.	Sent draft for internal comments.

## OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
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
14/0018/NONDET 14/0091/FULL	Mr & Mrs McDermott Hill View Poultry Caerllwyn Farm Abertridwr Caerphilly CF83 4FG	Erect a one bedroom agricultural dwelling to replace temporary caravan at Hill View Poultry Caerllwyn Farm Abertridwr Caerphilly CF83 4FG	23.12.14
15/0001/REF 13/0483/FULL	REG Windpower Mr S Zappulo Suite 2 Kelston Park Bath BA1 9AE	Install three wind turbines and construct associated infrastructure on land used for grazing, the maximum height to blade tip of each turbine will be 110m above existing ground level and infrastructure associated with the wind turbines including on-site access tracks, lay-bys and turning areas, with ditch culverts where required, permanent crane hardstanding areas and external switchgear buildings for each turbine, a substation, underground on-site electrical cabling and the creation of a temporary construction compound and laydown area at Pen Bryn Oer Merthyr Road Rhymney	21.01.15

15/0002/REF 14/0622/FULL	Mr D T Jones Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly	Install 2 no 500kw wind turbines with overall tip height of 64m including temporary infrastructure at Pen Yr Heol Las Farm Heol Las Energlyn Caerphilly	
15/0003/REF 14/0794/RET	InPost UK Ltd 655 Foxhunter Drive Milton Keynes MK14 6GD	Retain the installation of a parcel locker at Premier Stores 1 Newbridge Road Pontllanfraith Blackwood	11.03.15
15/0004/REF 14/0596/NCC	Mr C Vaughan 44 Y Cedrwydden Blackwood NP12 1FD	Erect a fence on the front and side boundary at 44 Y Cedrwydden Blackwood NP12 1FD	23.03.15
15/0005/REF 14/0441/FULL	Mrs A Mahoney Nantyglesiad Cottage 14 White Hart Machen Caerphilly CF83 8QQ	Erect detached dwelling on Land At Nantyglesiad Cottage 14 White Hart Machen Caerphilly CF83 8QQ	07.04.15

**APPEALS DECIDED**

<b>APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION</b>	<b>APPEAL DECISION/ DATE</b>	<b>COMM/ DEL</b>
	None		