

# Public Document Pack

Penallta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed CF82 7PG

Ty Penallta,  
Parc Tredomen,  
Ystrad Mynach,  
Hengoed CF82 7PG



[www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)  
[www.caerffili.gov.uk](http://www.caerffili.gov.uk)

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

**Date: 2nd September 2015**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 9th September, 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 5th August 2015.	1 - 8

**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: -

5 Site Visit Code No. 15/0038/OUT - Land North of Pandy Road, Bedwas, Caerphilly. 9 - 48

6 Site Visit Code No. 15/0043/FULL - Land Between Units 4 and 10 Bedwas Business Centre, Bedwas House Industrial Estate, Bedwas, Caerphilly. 49 - 60

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

7 Code No. 15/0360/FULL - 13 Rising Sun Close, Oakdale, Blackwood, NP12 0JB. 61 - 68

8 Code No. 15/0468/RET - Rhosnewydd Terrace Lane, Blackwood, NP12 1DT. 69 - 72

9 Code No. 15/0554/NMA - Bluebell Bungalow, Heolddu Road, Gelligroes, Pontllanfraith, Blackwood, NP12 2HT. 73 - 76

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

10 Preface Item Code No. P/99/0768 - Discharge of Condition 4(5) - Land at Penallta Colliery, Ystrad Mynach, Hengoed. 77 - 80

11 Code No. 14/0024/FULL - Fwrrwm Ishta Inn, 68 Commercial Road, Machen, Caerphilly, CF83 8PG. 81 - 88

12 Code No. 15/0023/COU - Manchester House, Clifton Street, Caerphilly, CF83 1HA. 89 - 98

13 Code No. 15/0397/COU - 3 Station Terrace, Caerphilly, CF83 1HD. 99 - 106

14 Code No. 15/0423/FULL - McDonalds Restaurants Ltd, Unit C, Crossways Park, Parc Pontypandy, Caerphilly, CF83 3NL. 107 - 118

15 Code No. 15/ 0424/ADV - Reconfigure Existing Signage Suite, Crossways Park, Parc Pontypandy, Caerphilly CF83 3NL. 119 - 124

16 Consultation from Welsh Government about Secondary Legislation for Development Management. 125 - 134

17 Increase in Fees 2015. 135 - 136

18 Local List Report. 137 - 142

To receive and note the following information items: -

19	Applications determined by delegated powers.	143 - 154
20	Applications which are out of time/not dealt with within 8 weeks of date of registration.	155 - 160
21	Applications awaiting completion of a Section 106 Agreement.	161 - 162
22	Appeals outstanding and decided.	163 - 164

**Circulation:**

Councillors M.A. Adams, Mrs E.M. Aldworth, J. Bevan, D. Bolter, D.G. Carter (Chair), Mrs P. Cook, W. David (Vice Chair), H.R. Davies, J.E. Fussell, Ms J. Gale, L. Gardiner, 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

This page is intentionally left blank



## PLANNING COMMITTEE

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

---

#### PRESENT:

Councillor D.G. Carter - Chair

#### Councillors:

M. Adams, Mrs E. M. Aldworth, J. Bevan, D. Bolter, Mrs P. Cook, H.R. Davies, Mrs J. Gale, L. Gardiner, R.W. Gough, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, Mrs J. Summers, Mrs E. Stenner and J. Taylor

#### Together with:

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), R. Crane (Solicitor), L. Cooper (Engineer, Highway Planning), C. Davies (Senior Environmental Health Officer), M. Davies (Principal Planning Enforcement Officer), R. Amundson (Principal Planner), C. Boardman (Area Senior Planner), A. Jones (Ecologist), R. Lloyd (Special Projects Officer), G. Mumford (Senior Environmental Health Officer), A. Pyne (Area Senior Planner), C. Evans (Committee Services Officer)

#### APOLOGIES

Apologies for absence had been received from Councillors W. David, J.E. Fussell and A.G. Higgs.

#### 1. DECLARATIONS OF INTEREST

Declarations of interest were received as follows:- Councillor J. Bevan – Agenda Item 7. – 13/0732/MIN, Councillor D. Bolter – Agenda Item No. 6 – 15/0038/OUT, D. Carter – Agenda Item No. 6 -15/0038/OUT and Mr R. Crane (Senior Solicitor) – Agenda Item No. 19 – 15/0038/OUT.

#### 2. MINUTES – 24TH JUNE 2015

Subject to the amendment of the statement from Councillor C. Cuss as noted in minute no. 6, in that he referenced a review of funding bond provisions being proposed by Minister Carl Sargent and not a Senedd debate relating to a moratorium on open-cast mining. It was moved and seconded that the minutes of the Special Planning Committee held on 24th of June be approved as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that the minutes of the Special Planning Committee held on 24th June 2015 (minute nos. 1-8) be approved and signed as a correct record.

**3. MINUTES - 8TH JULY 2015**

RESOLVED that the minutes of the Planning Committee held on the 8th July 2015 (minute nos. 1-12) be approved and signed as a correct record.

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

A request for a site visit was received and accepted by Members of the Planning Committee, as follows:

- (1) 15/0038/OUT – Land North of Pandy Road, Bedwas, Caerphilly.
- (2) 15/0043/FULL – Land Between Units 4 and 10, Bedwas Business Centre, Bedwas, Caerphilly.

**5. SITE VISIT CODE NO.15/0226/COU – 55 CARDIFF ROAD, BARGOED, CF81 8PA.**

Councillor D.G. Carter declared a personal and prejudicial interest in the application on the basis that there could be a public perception that as he is closely involved with what could be perceived to be a rival establishment(s), this involvement, could potentially prejudice his judgement of the merits of this application.

Councillor D. Bolter declared a prejudicial interest in the application on the basis that he was a member of the Licensing Sub-Committee having consideration for and granting the License application. As the item was deferred with no discussion, there was no requirement for him to leave the chamber.

RESOLVED that the application be deferred for further consultation.

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

**6. PREFACE ITEM CODE NO. 13/0732/MIN – NANT LLESG SURFACE MINE, LAND WEST AND SOUTH-WEST OF RHYMNEY**

Councillor J. Bevan declared a personal and prejudicial interest in the item in that he felt that he had a closed mind regarding the application and left the Chamber during the consideration of the item.

Having given due regard to the advice of the Monitoring Officer and Senior Solicitor, Councillors R.W. Gough, and K. Lloyd wished it noted that as they had not been present when the application was first debated they would take no part in its consideration and would abstain from voting.

Following consideration of the Officer's Preface Report, it was moved and seconded that the reason for refusal based on visual impact, be approved and by a show of hands, (and in noting the abstentions of Councillors R.W. Gough and K. Lloyd following the advice of the Senior Solicitor), was unanimously agreed.

RESOLVED that the application be refused on the grounds that the proposed overburden mound and acoustic bund would during their construction and removal have an adverse impact on the visual amenity of the residents of Rhymney, Fochriw and Abertysswg, and an adverse visual impact upon the Brecon Beacons National Park. Those aspect of the proposed development would be contrary to Policy CW2 (A) of the Caerphilly County Borough Council Local Development Plan up to 2021 – Adopted November 2010.

Nominations were sought with regard to defending the reason for refusal at any appeal and Councillors D.G. Carter and Mrs G. Oliver agreed to represent the Planning Committee at any appeal.

## 7. ADJOURNMENT

Following consideration of the item and at 5.30pm, the Chair called for an adjournment. The meeting reconvened at 5.50pm.

## 8. CODE NO. 14/0604/OUT – CAR PARK AIWA TECHNOLOGY PARK, NEWBRIDGE, NEWPORT

Following consideration of the Officer's Preface Report it was moved and seconded that the reasons for refusal contained therein be approved and by a show of hands this was unanimously agreed.

The Development Control Manager, advised Members that Planning Officers would not be in a position to defend all four reasons put forward at any appeal and that the Committee would need to nominate two members to defend any appeal.

Nominations were sought and Councillors A. Lewis and K. Lloyd agree to represent the Planning Committee at any appeal.

RESOLVED that for the following reasons this application be refused: -

- (i) the application site is in close proximity to existing industrial premises where the impact of noise, particularly at night, upon the proposed residential properties cannot be satisfactorily ameliorated other than by methods such as mechanical ventilation which is not suitable for family accommodation. The development would therefore be contrary to policy CW2 (c) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 because it would be incompatible with the existing adjoining land use.
- (ii) the application site is a good quality employment site allocated for employment in the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 and should be retained for modern/manufacturing/new technology employment. The development is contrary to policy EM3.14 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.
- (iii) the proposed pedestrian link to North Road is not considered to provide adequate security for users particularly the underpass section because of the lack of adequate surveillance.
- (iv) the proposed residential development would give rise to a loss of valued jobs at the adjoining industrial site by reason of a perceived lack of security on the part of the occupiers that would cause that company to relocate. The development would therefore be contrary to policy CW2(c) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 because it

would be incompatible with the existing adjoin land use.

**9. CODE NO. 15/0316/FULL – GROESFAEN FARM, GROES-FAEN TERRACE, BARGOED, CF81 9GH**

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands (and in noting there were 2 against) this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the amendments to Conditions 03 and 11, this application be granted;
- (ii) the applicant be advised that the following polices 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 CW4.

**Amended Conditions**

**Condition 03**

During the course of the investigation required by Condition 04, should the wind turbine or be identified as operating above the parameters specified in Condition 02, the wind turbine will be modified, limited or shut down as required to measures shall be applied until such time as maintenance or repair is undertaken sufficient to turbine to within the parameters specified.

**Reason**

In the interest of the amenity of noise sensitive properties.

**Condition 11**

The wind turbine and tower hereby approved together with the group equipment and plant shall be removed from the application site and the land restored to its former condition, 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 the interests of visual amenity.

**Condition 16**

This condition has been removed.

**10. CODE NO. 15/0335/FULL – LAND ON NORTHERN BANK OF RIVER EBBW BETWEEN CROSSKEYS AND PONTYMISTER, RISCA, NEWPORT**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Natural



Resources Wales and Head of Public Protection.

**11. CODE NO. 15/0065/FULL – PLATEAU 1 OAKDALE BUSINESS PARK, LON GELLIDEG, OAKDALE BUSINESS PARK, OAKDALE, NP12 4AB**

Ms. L Rich on behalf of the Gwent Wildlife Trust and Cllr Mrs J. Jones spoke in objection to the application and Mr M. Pullman, Managing Director of I.G Doors, spoke in support of the application.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised on the comments of the Senior Engineer (Land Drainage), Wales and West Utilities, Natural Resources Wales and Countryside and Landscape Services.

**12. CODE NO. 15/0428/FULL – BLUEBELL BUNGALOW, HEOLDDU ROAD, GELLIGROES, PONTLLANFRAITH, BLACKWOOD, NP12 2HT**

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

RESOLVED that: -

- (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 Rights of Way Officer;
- (iii) the applicant be advised that the following policy of the Caerphilly Local Development Plan up to 2021 – adopted November 2010 is relevant to the conditions of this permission: CW2.

**13. CODE NO. 15/0501/NCC – PLATEAU 3 OAKDALE BUSINESS PARK, WATERLOO, OAKDALE, BLACKWOOD**

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

RESOLVED that: -

- (i) subject to the conditions contained in Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that the following 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, CW4, CW5 and CW6;

- (iv) the applicant be advised that there will be a requirements to fund and implement all necessary Traffic Regulation Order in association with the Safe Routes to School scheme works;
- (v) the applicant be advised that the Council's School Travel Plan Coordinator will be available to assist in the preparation, development and implementation of the School Travel Plan;
- (vi) the applicant be advised to discuss and agreed the proposed lighting levels with the Council's Street Lighting Manager.

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

##### **14. PREFACE ITEM CODE NO. P99/0768 – LAND AT PENALLTA COLLIERY, YSTRAD MYNACH, HENGOED**

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

RESOLVED that the details submitted within the Officer's Preface report in respect of the MUGA be approved.

##### **15. PREFACE ITEM CODE NO. 07/0318/FULL – LAND TO EASTERN BOUNDARY OF REDROW DEVELOPMENT (FORMER RAILTRACK) CWM CALON, YSTRAD MYNACH**

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

RESOLVED that the submitted cycle track details be approved.

##### **16. CODE NO. 15/0446/FULL – 11 HENGOED ROAD, PENPEDAIRHEOL, HENGOED, CH82 8BQ**

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

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

##### **17. CODE NO. 15/0320/FULL – NEULAND, 7 WARREN DRIVE, CAERPHILLY, CF83 1HQ**

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that although bats were not known to occur in the building prior to development, the applicant should be advised that if bats are subsequently discovered during works associated with the development hereby approved, all works should stop immediately and Natural Resources Wales should be contacted for advice on any special precautions before continuing;
- (iii) the applicant be advised that there is potential for next birds on/within the dwelling at Newland, 7 Warren Drive, Caerphilly and that all British Birds (while nesting, building a nest or sitting on a nest), 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. If there are any birds nesting on/within the vicinity of the proposed development, then work should therefore be undertaken outside the breeding season for birds (typically between September and February) to ensure their protection. Further advice can be sought from the Local Planning Authority Ecologists.

**18. CODE NO. 15/043/FULL – LAND BETWEEN UNITS 4 AND 10 BEDWAS BUSINESS CENTRE, BEDWAS HOUSE INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY**

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

RESOLVED that the application be deferred for a site visit.

**19. CODE NO. 15/0038/OUT – LAND NORTH OF PANDY ROAD, BEDWAS, CAERPHILLY**

Mr. R. Crane (Senior Solicitor) declared an interest in that a family member owns land adjacent to the proposed development, as the application was deferred without discussion there was no requirement for him to leave the Chamber.

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

RESOLVED that the application be deferred for a site visit.

**20. DEVELOPMENTS OF NATIONAL SIGNIFICANCE**

The report informed Members of a recent consultation from Welsh Government in relation to Developments of National Significance (DNS). It was noted that some 23,000 planning applications per year were submitted in Wales and concerns had been raised with regard to a Local Planning Authorities ability to make timely decisions on some of the most challenging applications.

The consultation proposals were summarised along with the Officer's suggested responses to the questions raised by Welsh Government. Members were advised that the deadline for responses was the 12th August 2015.

Having fully considered the report and the consultation responses from Officer's to the questions raised it was moved and seconded that the comments set out in the report be

forwarded to Welsh Government and by a show of hands this was unanimously agreed.

**21. 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 7.02 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 9th September 2015, they were signed by the Chairman.

---

CHAIRMAN



## PLANNING COMMITTEE – 9TH SEPTEMBER 2015

**SUBJECT: SITE VISIT - CODE NO.15/0038/OUT – LAND NORTH OF PANDY ROAD, BEDWAS, CAERPHILLY.**

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

---

### PRESENT:

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

Councillors Mrs. E.M. Aldworth, Mrs P. Cook, Mrs J. Gale, D. Havard, A. Lewis and Mrs J. Summers.

At the start of the site meeting, Local Ward Members wished to formally record their thanks to the late Councillor Ray Davies in appreciation for his work within the Bedwas, Trethomas and Machen ward and wider borough.

1. Apologies for absence were received from Councillors J. Bevan, H. Davies, L. Gardiner, A.G. Higgs, Mrs G. Oliver and J. Taylor.
2. The Planning Committee deferred consideration of this application on 5th August 2015 for a site visit. Members and Officers met on site on Thursday, 27th August 2015.
3. Details of the outline planning application to erect a 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, on Land North of Pandy Road, Bedwas, Caerphilly were noted. The dimensions of the site were confirmed as 8.3 hectares with an indicative housing layout for 300 houses.
4. Those present viewed the site and examined the plans submitted with the application to fully appreciate the proposals.
5. As an outline application Members were asked to consider the principal of the development, with detailed matters subject to subsequent approvals. It was noted that the site is located in the open countryside adjacent to, but outside the settlement limit contained in the current Caerphilly County Borough Council Local Development Plan (LDP) and lies within a Special Landscape Area (SLA). The Officer advised that the application had been submitted in advance of the site's consideration within the revised LDP, which is currently under review and confirmed that the Council had fallen short in its residential land provision and was under increasing pressure from Welsh Government to increase its housing land supply.

6. Members raised concerns in relation to the accessibility of the access onto Pandy Road and the impact an additional 300-600 cars would make to area already suffering from severe traffic congestion. The Highways Officer confirmed that the front access from the site onto Pandy Road would be widened with increased vision splays. A traffic impact assessment conducted by the applicant and independently verified by the Local Planning Authority had identified two key areas where improvement works would be required, namely traffic signal improvements to A468/B4600 Bedwas Road junction and the Bedwas roundabout. Highway improvements would be subject to the submission of an agreed Travel Plan and would be secured under a Section 106 agreement with the applicant should be application be granted. Members noted the improvements to the south bound route and expressed concern that there would be no such improvements to the north bound route.
7. Members also expressed concern with regard to car-parking spaces for an additional 300 dwellings and the Officer confirmed that transport arrangements and parking requirements would be assessed at the reserve matters stage of the application and would need to meet statutory guidance. It was also noted that other sustainability considerations would included within the Travel Plan including travel vouchers for residents.
8. Clarification was sought in relation to the position of the proposed zebra crossing, the provision of a footpath and that this would narrow the roadway even further and finally whether the new development would be given a priority junction. The Highways Officer confirmed that the zebra crossing siting was purely indicative and all local considerations would be taken into account when determining its final positioning. A 2m footway would run to the front access of the proposed development and would be in essence another pavement. In terms of the junction this would not be a priority but would operate in a similar way to that at 'Manor Park'.
9. A Member expressed the opinion that the application before Members was premature, particularly given the ongoing review of the LDP and its identification of candidate sites. Given the tremendous pressure on the Caerphilly Basin with regard to land availability he felt that all candidate sites should be considered together following the completion of the LDP review and to take an individual application at this point in time would set an unnecessary precedent.
10. Concerns were also raised in relation to the loss of the Special Landscape Area and the Officer confirmed that the Landscape Architects had initially opposed the application however it was felt that there were sufficient material considerations in existence which, on this occasion, outweighed the policy position.
11. Officers confirmed that following advertisement to 99 neighbouring properties and a site notice being posted, 80 individual letters of objection including one from the Local Assembly Member and 3 petitions totally 607 signatures and one letter of support had been received. Details of the objections are within the Officer's original report.
12. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
13. A copy of the report submitted to the Planning Committee on 5th August 2015 is attached. Members are now invited to determine the application.

Author:	E. Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	G. Lewis	Principal Planner
	C. Davis	Environmental Health Officer
	M. Noakes	Senior Engineer (Highway Development Control)
	L. Cooper	Engineer (Highway Development Control)

Appendices:  
Appendix 1 Report submitted to Planning Committee on 5th August 2015

This page is intentionally left blank



Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0038/OUT 19.01.2015	Land Matters Limited C/O Savills Mrs M Lewis 12 Windsor Place Cardiff CF10 3BY	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 Land North Of Pandy Road Bedwas Caerphilly

**APPLICATION TYPE:** Outline Application

**SITE AND DEVELOPMENT**

Location: The site is an irregularly shaped area of land located on the north-western boundary of the village of Bedwas. It lies approximately three-quarters of a mile from the centre of the village and around a mile and a half from Caerphilly Town centre.

Site description: The site falls outside the settlement limit identified in the Adopted Caerphilly County Borough Council Local Development Plan (i.e. the LDP). The land is currently undeveloped and appears to be primarily agricultural in nature. Whilst it is locally referred to as land at Glan Rhymney Farm the applicant indicates that the three parcels of land involved are not currently used for farming or grazing purposes. The three fields are separated by hedgerows, with trees being located mainly around the boundaries.

The fields, as a result of their earlier agricultural use, are comprised of improved grassland with marginal areas of dense bramble scrub and bracken. The site is bound to the south by Pandy Road, beyond which is Bedwas House Industrial Estate. To the east of the site runs Pandymawr Road beyond which are the existing residential properties off Dol-y-Pandy Road and Dan-y-Deri Road.

The site rises from Pandy Road, which runs along its southern boundary, and continues upwards as it climbs the mountainside to the north.

Cont....

Application No. 15/0038/OUT Continued

Development: The proposal is an outline application which seeks to reserve all detailed matters for subsequent approval, although indicative proposals for the site access have been submitted with the application (included in the Transport Assessment) to establish basic principles at this outline stage.

The application proposes a housing scheme with capacity to accommodate up to 300 new homes. The DAS prepared in support of the application sets out the evolution of Indicative Masterplan, considering the opportunities and constraints that the site presents to deliver a scheme and density that is appropriate and reflects its surroundings. Whilst the application is for "up" to 300 dwellings the applicant has indicated that site constraints will probably yield around 270 units. However the consideration of the proposal will be in respect to the higher number.

The applicant indicates that the "proposed housing will reflect a wide range of size, types and tenures in order to cater for the needs and demands of the local population and market place. The final mix of housing (in terms of type and tenure) is to be determined through reserved matters applications and in consultation with the Council".

The description of the development also includes reference to associated open space, landscaping, and highways and service infrastructure.

Indicative layout: The DAS submitted with the application seeks to set out the evolution of the Indicative Masterplan which forms part of that document. It attempts to show how it has considered the opportunities and constraints that the site presents to deliver a scheme and density that is appropriate and reflects its surroundings. It also indicates the provision of public areas of open space.

Indicative access points: The development is accompanied by a preliminary design showing a priority junction from Pandy Road into the south-eastern area of the site. Whilst this is indicative it would appear to be the logical point bearing in mind the alternatives.

In respect to footpath provision there are two Public Rights of Way in the immediate vicinity of the site; FP26 runs east-west towards the northern boundary of the site and FP24 runs opposite on the southern side of Pandy Road through to the Industrial Estate onto Greenway.

Dimensions: The site measures 8.3 hectares in area (i.e. 20.5 acres). The indicative housing layout shows 300 properties which gives an overall density of development of 35.3 dwellings per hectare (i.e. 14.6 dwellings per acre).

Cont....

Application No. 15/0038/OUT Continued

Materials: Not Applicable.

Ancillary development, e.g. parking: Not Applicable.

### PLANNING HISTORY

5/5/92/0040 - Reorganise 11kv lines - Granted 10.06.92.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located in the open countryside adjacent to, but outside the settlement limit contained in the Adopted Caerphilly County Borough Council Local Development Plan (i.e. the LDP). The site lies in a Special Landscape Area (NH1.4, North Caerphilly) and also in a Minerals Safeguarding Area (MN2.9, The Southern Outcrop, Caerphilly/Lower Islwyn,- Coal).

Policies: There are a wide range of policies of relevance to the consideration of this application contained in the Local Development Plan. These are as follows;

Strategy Policies.

1. Policy SP3 Development Strategy.
2. Policy SP4 Settlement Strategy.
3. Policy SP5 Settlement Boundaries.
4. SP6 Place Making.
5. Policy SP7 Planning Obligations.
6. Policy SP10 Conservation of Natural Heritage.
7. Policy SP14 Total Housing Requirements.
8. Policy SP15 Affordable Housing Target.

Countywide policies.

- A. Policy CW1 Sustainable Transport, Accessibility and Social Inclusion.
- B. Policy CW2 Amenity.
- C. Policy CW3 Design Considerations Highways.
- D. Policy CW4 Natural Heritage Protection.
- E. Policy CW6 Trees, Woodland and Hedgerow Protection/LDP 4:Trees and Development.
- F. Policy CW10 Leisure and Open Space Provision
- G. Policy CW11 Affordable Housing Provision.
- H. Policy CW15 General Locational Constraints.
- I. Policy CW22 Locational Constraints Minerals.

Cont....

Application No. 15/0038/OUT Continued

NATIONAL POLICY The Proposal should be considered in line with National Planning Policy and Guidance and in particular the requirements of:

Planning Policy Wales (Edition 7, July 2014);

Technical Advice Note 1: Joint Housing Land Availability Studies (2015);

Technical Advice Note 2: Planning & Affordable Housing (2006);

Technical Advice Note 11: Noise (1997);

Technical Advice Note 12: Design (2014);

Technical Advice Note 15: Development and Flood Risk.

Technical Advice Note 18: Transport (2007).

There are also other policy related matters which require to be considered in respect to this submission. Such matters could constitute material considerations in respect to the determination of this proposal. They are;

The 5 year Housing Land Supply,  
The Annual Monitoring Report,  
The Local Development Plan Revision,  
The Community Infrastructure Levy (i.e. CIL).

#### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes. The proposal exceeded the threshold of 0.5 hectares for such developments.

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 were requested on this application.

#### CONSULTATION

Outdoor Leisure Development Officer - comments that as the application is in outline there are a limited number of comments that could be made. However it is considered that some formal play equipment in the form of a NEAP, a LEAP and possibly a Multi Utility Games Area (i.e. a MUGA) as well as open space should be considered for inclusion in the layout.

Cont....

Application No. 15/0038/OUT Continued

Bedwas, Trethomas & Machen Community Council - "strongly object" to this application on the basis of traffic congestion and the loss of "green-belt" land.

Glam/Gwent Archaeological Trust - made no comment on this application.

Gwent Wildlife Trust - issued a holding objection relating to the need for additional information regarding wildlife habitats. This information was received and considered by the NRW and the County Ecologist and was found to be acceptable.

The Coal Authority - raises no objection to this application on the basis of the information submitted.

Countryside And Landscape Services - the Landscape Architect objects to the application on the basis of its visual impact and the effect on the Special landscape Area.

The Council's Ecologist is satisfied with the information submitted however she requires a range of conditions to be imposed which protect various species.

Senior Arboricultural Officer (Trees) - raises no objection to this application subject to conditions being imposed relating to tree protection measures and an arboricultural method statement.

CCBC - 21st Century Schools - whilst no formal comment has been received the provision of schools is a matter being addressed by way of the Local Development Plan review. Also the financial contribution towards such education provision will come through the Community Infrastructure Levy (i.e. CIL) monies when the detailed application is determined.

Head Of Public Protection – No objection subject to conditions.

CCBC Housing Enabling Officer - has been party to a number of discussions with the developer on the level of affordable housing at the site. Agreement between the parties was subsequently reached and the application, if approved, will be subject to a S106 agreement designed to secure the affordable element of the scheme.

Senior Engineer (Land Drainage) - raises no objection but requests a condition be imposed which requires a comprehensive drainage scheme to be submitted. as part of the detailed scheme.

Cont....

Application No. 15/0038/OUT Continued

Head Of Public Services - does not oppose the application but wishes the applicant to be advised of the need to provide on-site refuse storage facilities.

Transportation Engineering Manager – No objection subject to conditions and a Section 106 Agreement in respect of off-site highway improvements.

Dwr Cymru - raises no objection to the application but request conditions and advice to be included on any permission granted.

Police Architectural Liaison Officer - comments that the Designing Out Crime Unit has no objections to make however the Traffic Management Advisor comments on the need to restrict vehicle parking to only one side of the road to ensure the safe movement of vehicles along this highway.

Wales & West Utilities - comments that a gas main crosses the site and they must be contacted with regard to its apparatus prior to any work commencing on site.

Natural Resources Wales - originally objected to the proposal on the basis of the lack of information relating to the potential bat usage at the site. Additional information in this regard was subsequently submitted and the objection was removed. There were no objections received in respect to flooding or surface water issues.

Rights Of Way Officer - Footpath 26 in the Community of Bedwas crosses the site and must be protected at all times, or alternatively the applicant may seek to temporarily close the path during the works (contact this office to discuss if necessary). Should any part of the proposed development conflict with the footpath a suitable Diversion or Stopping up Order must be in place prior to works affecting the Public Right of Way.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised by way of site, press and direct neighbour consultation letters with 99 properties.

Response: The response to this public consultation exercise is as follows:-

80 individual letters of objection have been received including one from the Local Assembly Member.

3 petitions objecting to the application totalling 607 signatures.

1 letter of support.

Cont....

Application No. 15/0038/OUT Continued

It should be noted that a number of the letters were submitted in respect to the Local Development Plan review process which was undertaken at the start of this year and ran for a time in parallel with the submission of this application. Officers have included both sets of letters in the processing of this application as they both refer to the principle of the site's development and consequently deal with similar concerns.

Summary of observations: The basis of the objections received are as follows;

1. The development would result in serious road traffic congestion, which would exacerbate the already poor situation in the road system that serves this area and thereby impact on road safety. Pandy Road is currently a "rat-run" used to avoid the main roads during peak times.
2. It would cause pollution/noise.
3. It would result in the loss of agricultural land.
4. The implementation of such a scheme would put pressure on local services such as education and health.
5. The drainage arrangements in the area will be overloaded.
6. The land should be retained for farming, which would maintain the pastoral view and assist wildlife.
7. The application is outside the current settlement limits.
8. There are enough "brown-field sites" within settlement limits to develop without looking to use up "green-field" sites in the countryside.
9. It would adversely affect existing water supply/pressure.
10. It would result in the additional use of Pandy Mawr Rd, which is a single track road and not meant for such additional use.
11. The proposed link between the site and the existing playground on the Manor Park estate will result in danger to children crossing the lane and damage to boundary fences.
12. The increased use of Pandy Lane, to the north of the site will be hazardous.
13. The current level of traffic using Pandy Road has increased over recent times and merging into the lane is dangerous due to the capacity and speed of vehicles driving along it.
14. The character of Bedwas has changed over recent times, from a village to a "dormitory" of Caerphilly.
15. On street parking along Pandy Rd. is already an issue.
16. There is "very little space left in the village" as the open countryside is disappearing.
17. Other options should be explored (e.g. loans/grants/compulsory purchase of properties/redevelopment of derelict sites) before agricultural fields are built upon.
18. This proposal will result in further applications in this area for housing.
19. The impact of Manor Park has already "robbed" the area of countryside.

Cont....

Application No. 15/0038/OUT Continued

20. The adverse effect on the farming industry in the area, especially at harvest time, will be considerable, especially in respect to transport and relocate produce.
21. Pandy Lane is subject to flooding, this will worsen the situation.
22. There needs to be a new access road to serve this site or it should be refused.
23. Pandy Rd. is not suitable for wheelchair users and this development will make it worse.
24. It will result in the loss of wildlife habitats, along with trees and hedgerows.
25. Disruption will be caused to existing dwellings during the construction phase. Who will bear the cost of this disruption?
26. Such a development will demonstrate that it is a "bad policy" to build such a large site.
27. Inadequate notice has been given to the publication of this application.
28. Loss of view.
29. The litter nuisance in Pandy Lane will increase.
30. The development is a speculative operation which will benefit only a few (i.e developer, estate agents and the landowners).
31. Contrary to the applicant's contention the land is used for agricultural purposes.
32. The site should have its own play area and not rely on the one located within Manor Park.
33. The site has poor public transport links.
34. The Council is charged with protecting and enhancing the countryside.
35. An Environmental Impact Assessment under the relevant Regulations should have been submitted.
36. Inadequate ecological information has been submitted.
37. Vandalism is currently being experienced by industrial uses on the estate to the south. This may worsen as a result of more people using Pandy Lane.
38. A site of this size will be to the detriment of the remainder of the village due to its impact on existing facilities.
39. Loss of walkways and amenity/countryside land.
40. Cycling in this area is too dangerous at present. To suggest additional cycling activity with more vehicles on the road would be reckless.
41. Loss of light, privacy and residential amenity to existing dwellings.
42. There are no local facilities or community buildings shown within the site layout.
43. Householders are being given £250 in an attempt to "buy-off" opposition.

Cont....



Application No. 15/0038/OUT Continued

### SECTION 17 CRIME AND DISORDER ACT

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The application was accompanied by an extended phase 1 survey, which considered the site's suitability for protected species. This was supplemented with additional surveys for reptiles and bats between April and June 2015. These were assessed by the county Ecologist and Natural Resources Wales. Their comments are considered later in this report.

Is this development Community Infrastructure Levy liable? No. The application is in outline only. If it is granted it will be at the approval of reserved matters stage, that the amount of CIL contribution will be calculated. This will be assessed on the floor area created. In the south of the County this is payable at a rate of £40 per square metre. This amount will exclude the affordable housing element contained in the scheme.

### ANALYSIS

Policies: Development Strategy - As can be seen from the policy section above there are a range of policy considerations applicable to this site. In view of the location of the site, being outside the settlement limit, it is evident that there are policies which the application is clearly contrary to. However in a plan led system the legislation states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise" (Planning and Compulsory Purchase Act 2004, Section 38 (6)). As such this section will give an overview of the policy considerations and seek to provide a conclusion based on all the relevant considerations.

Strategy Policies, these are designed to deliver wider aims and objectives of the plan's Development Strategy.

Cont....

Application No. 15/0038/OUT Continued

The first of these policies is SP3 which addresses the development strategy in the Southern Connections Corridor (i.e. SCC). This policy requires development proposals within the SCC to promote sustainable development. Specifically proposals in this area should: be targeted to previously developed land within settlement limits in the first instance; reduce car borne trips by promoting more sustainable modes of travel; make the most efficient use of existing infrastructure; have regard to the social and economic function of the area; and protect the natural heritage from inappropriate forms of development.

The application is for the development of a greenfield site outside of the identified settlement limit, which is clearly contrary to the provisions of Criterion A of Policy SP3. Notwithstanding this, the site is located in an area that is well served by public rights of ways, by bus and is located relatively close to a number of railway stations and it therefore has the potential to be serviced by sustainable modes of transport in line with Criterion B.

In terms of the role and function of the area, the Strategy defines Bedwas as a Local Centre within the SCC, based on its role as a provider of local services and as an area that provides significant employment opportunities. The Local Centres are also the areas that are targeted for new residential development given their position in the settlement hierarchy as defined by Policy SP4 "Settlement Strategy". The LDP targets new residential development in Bedwas to the Bedwas Colliery Site. To date this site has not been developed and consequently Bedwas has experienced very little housing growth over the plan period. The development of housing to serve the Bedwas area would have regard to the social and economic function of the area in line with the provisions of Criterion D of Policy SP3.

Policy SP3 also requires development in the SCC to protect the natural heritage from inappropriate forms of development. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Criterion E of Policy SP3. The majority of such mitigation will be in the form of conditions requiring landscaping and tree protection schemes. These are however issues for the reserved matters application as landscaping is a detailed matter.

Whilst the application is contrary to the provisions of Criterion A, the proposal would be acceptable in terms of the remaining Criteria B to E subject to detailed consideration and appropriate mitigation.

Cont....

Application No. 15/0038/OUT Continued

Policy SP5 "Settlement Boundaries" is the key policy mechanism for achieving resource efficient settlements within the LDP. The delineation of the settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. Importantly, in the SCC it also promotes the full and effective use of urban land and concentrates development on previously used land within existing settlements. The site is greenfield and falls outside but immediately adjacent to the settlement boundary of Bedwas. Therefore the application is clearly contrary to Policy SP5 of the Adopted LDP.

Notwithstanding the existing delineation of the settlement boundary the southern portion of the application site is relatively flat and would constitute a logical rounding off of the existing settlement limit at this location, extending the built form in a westerly direction, which would be partly in line with the development at Bedwas House Industrial Estate, which currently projects further west than the houses on the northern side of Pandy Road.

In line with national planning policy, SP6 Place Making requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features.

The application proposes the development of 300 dwellings in an area of acute housing pressure and in an area of considerable housing need. The proposal would increase the mix of housing available within the area to meet the needs of residents, and critically it would provide much needed affordable housing to meet local housing need.

The location of the development on the edge of Bedwas and close to the Principal Town of Caerphilly will serve to minimise the demand for travel. The site is in a location that can be served by sustainable modes of transport, albeit that it is inevitable that some residents will still rely on the private car. The indicative master plan indicates that good permeability can be achieved to integrate the site with the existing development in the area providing safe pedestrian access into and from the site.

Policy SP6 requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and the where appropriate through the use of Suds. It is unclear from the DAS what consideration, if any, has been given to the need to ensure that the proposed layout of the site maximises the opportunities for passive solar gain.

Cont....

Application No. 15/0038/OUT Continued

Given the location of this site on the edge of settlement, it is suggested that the introduction of a comprehensive landscaping scheme which protects existing trees and natural features and which introduces new natural features into the scheme will serve to enhance the scheme and will integrate the development into the wider landscape in the long term.

The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The proposed layout should be assessed against national design guidance contained in TAN 12 Design and against LDP 6: Building Better Places to Live in order to ensure that the requirements of SP6 are fully met.

Proposals in the SCC are also required to incorporate mitigation measures that serve to improve and maintain air quality. It is worth noting that no comments in respect to air quality are raised in the response of the Head of Public Protection. The site itself is in open countryside and is unlikely to be one where air quality will be an issue.

Policy SP7 "Planning Obligations" recognises that new development has the potential to increase pressure on existing community facilities and as such requires the developer to enter into Planning Obligations to mitigate the effect of that development. In the context of this application, it is considered that the main issues requiring to be secured within such an agreement are those relating to the deliverability of the correct level/tenure/type of affordable housing and also highway improvements that require financial contributions towards off-site traffic light improvements and a number of other highway requirements.

Policy SP10 "Conservation of Natural Heritage" recognises the natural heritage as a positive asset that enriches people's quality of life. In this context Policy SP10 indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Policy SP10.

In this regard the comments of the Council's Landscape Architect and Tree Specialist have been sought. The former was concerned about the impact on the Special Landscape Area and the coalescence of communities which may result from the approval of this development. He concludes with the following comment, " I am therefore of the opinion that unless there is an overwhelming need for residential development in this part of the borough the site should not be developed". It is this phrase which encapsulates the issue relating to this proposal and is discussed further in this report.

Cont....

Application No. 15/0038/OUT Continued

The Tree Officer raises no objections in principle to this application subject to the imposition of a condition attached to any consent granted.

Policy SP14 "Total Housing Requirements" makes provision for 10,269 dwellings for the 15-year period 2006 to 2021. This represents 1,644 (19%) residential units more than the 8,625 units required to meet the housing requirement identified for the plan period. The 19% over-allocation allows for flexibility and choice in recognition of the fact that not all sites will be developed.

The Annual Monitoring Report (AMR) is the main mechanism for reviewing the relevance and success of the LDP and identifying any changes that might be necessary. The main principle of the monitoring process is to identify when the revision of the LDP should take place.

The Council has prepared three reports to date, the most recent of which was considered by Council in October 2014. Notably the AMR monitors Policy SP14 against the annual building rate and therefore against the housing land supply calculated by past building rates. Using these monitoring factors the trigger points for review have not been reached.

Notwithstanding this position, it is evident that new housing has not been delivered at the levels required in the first half of the plan period. Policy SP14 indicates that there is a housing requirement for 8625 new dwellings to be delivered to meet identified need over the plan period. In order to meet this need an average of 575 dwellings needs to be delivered per annum. The 3rd AMR indicated that 3287 units had been delivered (38% of the total housing requirement) up to March 2013.

When the 2014 JHLAS completion figures (i.e. an additional 351 units) are factored into the calculation, completions over the plan period increase to 3638 (42%). Therefore there is a need for a further 4987 (58%) dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement for the plan period.

National indicators are also included within the AMR for housing land supply and notably these require housing land supply to be monitored based on the residual method as outlined in Technical Advice Note 1: Joint Housing Land Availability Studies (2015). TAN 1 seeks to ensure that there is a genuine 5 year land supply available, and thus categorises sites to indicate those that can be included within the 5 year land supply.

Cont....

Application No. 15/0038/OUT Continued

Using this method of calculation the 2014 JHLAS indicated that there was only 2.5 year supply available rising to 3.5 years if all of the S106 sites were included in the land supply. The most recent figures, which are due to be published shortly, confirm that the figure is now 1.9 years of available supply.

It is acknowledged that the housing land supply figure is a material consideration in determining planning applications for housing. It is further acknowledged that where the current study shows a land supply below the 5-year requirement the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies (Para 6.1 TAN 1).

The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period. The 2014 AMR recognises the need to address this issue and recommendation R2 of the report states: "that limited greenfield release be considered on sites that are acceptable in planning terms in order to address the lack of a 5- year supply in the short term." Council approved the 2014 AMR for submission to Welsh Government in October 2014.

The final strategic policy of relevance is Policy SP15 "Affordable Housing Target". This seeks to deliver through the planning system at least 964 affordable dwellings over the plan period in order to contribute to balanced and sustainable communities. The application proposes 300 dwellings in an area of acute housing pressure and in an area with considerable housing need.

Within the SCC the plan seeks to secure a maximum of 40% affordable housing to meet the identified needs in the area. Consequently there is the potential for the proposal to deliver in the region of 120 affordable homes. In the interests of creating sustainable communities a variety of tenures should be considered. In this regard a number of meetings have been undertaken with the developer and officers of the Planning and Housing Departments to achieve a sustainable and justifiable level of affordable housing at this site. In assessing this level due regard has to be paid to the sites viability. As such an exercise was undertaken which was designed to achieve a deliverable element of affordable housing, which was acceptable to both the applicant and the Authority and could be secured by way of a Section 106 Agreement.

The following Local Development Plan policies are area wide ones which set out general criteria against which planning applications are assessed.

Cont....

Application No. 15/0038/OUT Continued

Policy CW1 "Sustainable Transport, Accessibility and Social Inclusion" requires development proposals that have the potential to generate a significant number of trips (either as an origin or a destination) to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. The design process contained in the DAS, has made good provision for pedestrians, however it should also ensure that adequate provision has been made for ease of cycling. In this regard the former railway line to the north of the application site is safeguarded in the LDP for the development of a cycle route as part of the Rhymney Valley Linear Cycle Route, whilst the Caerphilly Basin Radial Routes Project (Policy TR1.13 and TR1.14 refers) lies to the south of the site. If granted a condition could be imposed which provides links to these routes.

Policy CW2 "Amenity" recognises that proposals for development have the potential to constrain the development of neighbouring sites for their identified use. Careful consideration has therefore been given to the relationship of the proposed housing site with the existing employment to the south of the application site. This consideration has been given by the Head of Public Protection who has also given further consideration to the likely impact of any potential nuisance that could arise from the existing Bedwas House Industrial Estate and how that might impact on the residential amenity of properties on the application site. This consideration has resulted in the Head of Public Protection raising no objection to the application subject to conditions being imposed on any consent granted.

Policy CW3 "Design Considerations Highways" requires development proposals to have regard for the safe, effective and efficient use of the transportation network. A Traffic Impact Statement has been submitted with the application which has been assessed by the Transportation Engineering Manager. A subsequent series of meetings have resulted in a highways position that the Council's highway engineers find acceptable, subject to the imposition of conditions and the completion of a Section 106 Agreement which secures financial contributions to improvements and arrangements on and off site.

Policy CW4 Natural Heritage Protection specifies that proposals that affect locally designated natural heritage features will only be permitted where they conserve and where appropriate enhance the distinctive features of the Special Landscape Area. The application site lies within a Special Landscape Area (Policy NH1.4 refers) and as such the policy test needs to be applied to the proposal.

Cont....

Application No. 15/0038/OUT Continued

The site can be divided into two portions as indicated in the DAS. The southern portion is relatively flat and could constitute a logical rounding off of the existing settlement limit. The northern portion is considerably steeper and will extend the settlement northward into the countryside. Whilst development on the steeper part of the site will afford properties with an excellent outlook, it will also inevitably have a greater landscape impact than the southern portion of the site. The applicant has advised that there are constraints in respect to the development of the upper northernmost land on the site. These are the presence of a gas main and more particularly the steeply sloping nature of the site and the presence of rock close to the surface there. With the required cut and fill exercise and the sloping road alignments, they contend, it is highly likely that there would be a loss in net developable land on these higher slopes.

As indicated in the consideration of Policy SP10 above the Council's Landscape Architect objects to the proposal but concedes that if the need for the residential development outweighs the need to protect the heritage features then the proposal could proceed.

It should also be borne in mind that the Special Landscape Area concerned covers the North Caerphilly area and as such is extensive in size. Whilst the development of the application site would inevitably erode part of the Special Landscape Area, it is none the less a small incursion into the SLA on the edge of the Settlement of Bedwas, and on balance would be acceptable in view of the current housing shortfall.

Trees and Hedgerows make a positive contribution to both the natural and built environment. They enhance the character and diversity of the landscape and offer substantial environmental benefits. Policy CW6 "Trees, Woodland and Hedgerow Protection" therefore requires proposals to ensure that effective measures are taken to ensure the protection of existing trees and hedgerows on development sites. This policy is supplemented by LDP 4: Trees and Development. It is noted that a tree survey has been undertaken for the site, which indicates those trees that should be retained and those that would be adversely impacted by the development of the site. In this context the Council's Arboricultural Officer has considered the information submitted and responded to the effect that the development is acceptable subject to conditions relating to the submission of a Tree Protection Plan and a related Arboricultural Method Statement.

Cont....



Application No. 15/0038/OUT Continued

All new housing sites capable of accommodating 10 or more dwellings are required to make adequate provision for well designed open space and appropriate provision for children's play facilities as an integral part of the development under the provisions of Policy CW10 "Leisure and Open Space Provision".

There are four main areas of public open space shown on the Indicative Masterplan. Whilst these are necessary for the proposal's open space provision they do not in themselves provide any formal leisure facilities, such as a Local Equipped Area of Play (i.e a LEAP) or a Neighbourhood Equipped area of Play (i.e. NEAP). It is acknowledged that there is a play area within the adjacent estate, however a site of this size would usually be expected to make provision for a NEAP. Leisure Services have commented that additional formal play equipment is required to satisfy this policy.

The application is currently in outline, with all matters reserved. It is considered that it could be condition to ensure that formal play provision is required to be provided in the detailed application, thereby satisfying the policy.

Policy CW11" Affordable Housing Provision" indicates that where there is evidence of need the Council will seek to negotiate 40% affordable housing within the Caerphilly Basin. This target is indicative and regard should be had for the up to date Local Housing Market Assessment, the information from the Housing Division in terms of the affordable housing waiting list and critically the viability of the development.

This policy dovetails with Strategic SP15 (Affordable Housing Target) which also addresses the provision of affordable dwellings. The consideration applied in respect to policy SP15 is also applicable to this countrywide policy. As indicated above the Chief Housing Officer raise no objection to the application subject the completion of a S106 Agreement designed to secure the number and form of the affordable element.

Policy CW15 "General Locational Constraints" specifies the type of development that will be permitted outside of the settlement boundary. The proposal is for housing and this type of development cannot meet the provisions of Policy CW15. This mirrors the position relating to Strategic policy SP3, criterion A, discussed above. This policy requirement must therefore be considered against other material considerations. These are discussed below under the heading of "Other Matters."

Cont....

Application No. 15/0038/OUT Continued

Policy CW22 Locational Constraints Minerals requires proposals for permanent development that impact on minerals safeguarding areas to meet specified tests as laid out in the policy. The south-eastern corner of the site is a coal safeguarding area (Policy MN2.9 refers) and the whole site is also within a safeguarded sandstone area. The Minerals Officer has verbally commented on the potential sterilisation of the minerals resource by the proposed permanent development of the application site, by confirming that whilst the proposal is generally contrary to the policy, there is a criterion which provides for an exemption should there be an overriding need for the development. Again this is a matter to be assessed against the other material considerations relevant to this matter.

Other Matters.

(A). 5 year Housing Land Supply: TAN 1 (January 2015) seeks to ensure that there is a genuine 5 year land supply available. The 2014 JHLAS indicated that there was only 2.5 year supply available rising to 3.5 years if all of the S106 sites were included in the land supply. as indicated above the most recent figures, which are due to be published shortly, confirm that the figure is now 1.9 years of available supply.

It is acknowledged that the housing land supply figure is a material consideration in determining planning applications for housing. It is further acknowledged that where the current study shows a land supply below the 5-year requirement the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies (Para 6.1 TAN 1).

The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period.

(B). Annual Monitoring Report: The 2014 AMR recognises the need to address this issue and recommendation R2 of the report states: "that limited greenfield release be considered on sites that are acceptable in planning terms in order to address the lack of a 5- year supply in the short term.". Council approved the 2014 AMR for submission to Welsh Government in October 2014.

Cont....

Application No. 15/0038/OUT Continued

(C). LDP Revision: The First Revision of the Adopted LDP is underway. The six-week Preferred Strategy public consultation period has been completed and the Department is now in the process of preparing the Deposit Plan which itself will be the subject of a six-week public consultation period commencing in February 2016. As part of the revision of the plan, there is recognition that there is a need to release greenfield sites in the Caerphilly Basin area to allow for housing development in an area of acute housing pressure.

#### Community Infrastructure Levy

The application is for residential development and whilst this Outline proposal is not CIL liable at the reserved matters stage it would be liable to pay the Community Infrastructure Levy. Bedwas lies within the High Viability Area and as such general market housing is liable to pay £40 per square metre. In order for the development to benefit from any social housing relief, any exemptions need to be claimed strictly in line with the CIL Regulations.

#### Overall Conclusions in respect to the Local Development Plan Policies.

Whilst the application is contrary to the provisions of Criterion A of Strategy Policy 3, the proposal would be acceptable in terms of the remaining Criteria B to E subject to detailed consideration and appropriate mitigation.

The site lies outside the settlement boundary of Bedwas and is clearly contrary to the provisions of Policy SP5. Notwithstanding the existing delineation of the settlement boundary the southern portion of the application site is relatively flat and would constitute a logical rounding off, of the existing settlement limit at this location, extending the built form in a westerly direction which would be partly in line with the development at Bedwas House Industrial Estate, which currently projects further west than the houses on the northern side of Pandy Road.

The development of the application site would inevitably erode part of the Special Landscape Area (i.e. the SLA). The Landscape Architect's professional view was sought to determine if this small incursion into the SLA on the edge of the Settlement of Bedwas, would have an unacceptable impact on the wider SLA. His response was " I am therefore of the opinion that unless there is an overwhelming need for residential development in this part of the borough the site should not be developed".

The Council is required to ensure that there is a genuine 5 year supply of housing land available within the county borough and therefore the lack of 5-year supply is a material consideration in determining this application.

Cont....

Application No. 15/0038/OUT Continued

There is a need for a further 4987 (58%) dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement of 8,625 dwellings identified in the Adopted LDP.

The Council in its consideration of the 2014 Annual Monitoring Report accepted the need to release greenfield sites that are acceptable in planning terms in order to address the lack of a five year land supply in the short term.

The development of the application site for housing would deliver much needed housing, including affordable housing, in an area of considerable housing need.

On balance the need to deliver new housing in this area and the need to increase the housing land supply over-rides the fact that this site lies outside the settlement boundary. The Council in its consideration of the 2014 AMR accepted the need for limited greenfield release to address the land supply shortfall.

The development of this site would therefore be acceptable in planning terms subject to: detailed design assessment; appropriate conditions and mitigation; and the appropriate use of S106 Obligations to deliver the overarching aims and objectives of the LDP.

Having regard to the above therefore a policy objection is not raised to the development of the site for housing, subject to all other policy and material development control considerations being met.

With regard to the applicable National Policies the response are as follows;

Planning Policy Wales (PPW) forms the overarching national planning policy document within Wales, providing guidance to Local Planning Authorities (LPAs) for the preparation of development plans and the determination of planning applications through their development management functions.

National policy requires LPAs to demonstrate a 5-year housing land supply. PPW contains advice in Chapter 9 on the requirement to provide a 5-year supply of land for housing. Paragraph 9.2.3 states that LPAs must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing. TAN 1 (June 2006) provides guidance on the preparation of Joint Housing Land Availability Studies (JHLAS) which identify the level of housing land supply. It states that the purpose of these studies is to:

- (i) Monitor the provision of market and affordable housing;
- (ii) Provide agreed Statements of Residential Land Availability for development planning and control purposes; and

Cont....

Application No. 15/0038/OUT Continued

(iii) Set out the need for action in situations where an insufficient supply is identified.

Paragraph 2.2 states that LPAs must ensure that sufficient land is genuinely available to provide a 5-year supply of land for housing. This land supply must inform the strategy contained in the LDP. It goes on to state that LPAs should have regard to the requirement to prepare and provide timely housing land supply figures to satisfy the requirements of the Wales Programme for Improvement Core Planning Indicators and LDP Annual Monitoring Reports (AMR).

As indicated above in respect to the LDP policies, the Authority currently has less than 2 years housing land supply. This therefore represents a material consideration in respect to this application.

This point is further reinforced by Technical Advice Note 1: Joint Housing Land Availability Studies (2015), which considers the demand for housing at a national level across Wales and sets out issues relating to land availability and action that should be taken by Local Planning Authorities where insufficient land is identified. Importantly, Paragraph 2.2 identifies the need for such Authorities to provide for a 5-year supply of genuinely available land for housing.

Paragraph 5.1 continues and states that:

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

This Authority is currently seeking to address the land supply through the local development plan review.

Technical Advice Note 2: Planning & Affordable Housing (2006) provides guidance to Local Planning Authorities on matters relating to the provision of affordable housing.

During the processing of this application much consideration has been given by your officers, to the level, tenure and type of affordable dwellings required at this site. The Chief Housing Officer has required the completion of a S106 Agreement to secure the requirement at this site.

Cont....

Application No. 15/0038/OUT Continued

Technical Advice Note 11: Noise (1997). The application was accompanied by a Noise Survey, which was considered by the Head of Public Protection. The assessment determines any potential impact concerns that may exist from the existing industrial and commercial units and other existing and future noise sources, including road traffic, on the proposed development.

The Head of Public Protection's response in respect to the information received was positive. As a result no objection was raised on the basis that conditions were imposed which related to double glazing on certain properties and fencing details on all gardens facing Pandy Rd.

Technical Advice Note 12: Design (2014) has been addressed by way of the preparation of a detailed Design and Access Statement (i.e. a DAS). This worked through the relevant elements applicable to this outline submission, in order to demonstrate that the site could be designed in accordance with the advice contained in TAN 12.

Technical Advice Note 15: Development and Flood Risk. The application falls within an area defined in the TAN as having little or no risk from fluvial flooding (i.e. its in Zone A). The proposal was accompanied by a Flood Consequences Assessment which was found to be acceptable by Natural Resources Wales. They requested that the recommendations of the report be incorporated into the detailed design of the scheme. This can be done by the use of a suitably worded condition.

Technical Advice Note 18: Transport (2007), this document is one that links into the Council's own policies on highway access and safety which were discussed above (namely CW1 and CW3). As indicated there a Traffic Impact Statement has been submitted with the application which has been assessed by the Head of Engineering Services. A subsequent series of meetings have resulted in a highways position that the council's highway engineers find acceptable, subject to the imposition of conditions and the completion of a Section 106 Agreement which secures financial contributions to improvements and arrangements on and off site.

In respect to national guidance it is considered that this proposal raises no issues which overturn the conclusion reached in the assessment of the Local Development Plan policies presented above.

Therefore there are no policy objections being raised to this development.

Cont....

Application No. 15/0038/OUT Continued

Comments from Consultees: As can be seen from the consultation responses the majority received do not object to the proposal but do require conditions/agreements to be entered into which will control the proposal to an acceptable level. The Council's Landscape Architect did oppose the application as being contrary to policy, however it is felt that there are material planning considerations in existence which, on this occasion, out-weigh the policy position.

Comments from public: The response to the points raised by the general public are as follows;

1. The Transportation Engineering Manager considers that this proposal can be acceptable subject to conditions and the S106 Agreement provisions contained in the report.
2. The Head of Public Protection raises no objection in this regard.
3. The agricultural nature of the land is not a material consideration which could preclude this development.
4. The infrastructure provision in Bedwas is a matter that will be assessed via the Local Development Plan review. If considered to be necessary sites for schools and health facilities will be identified. The Education Department and the area health board contribute to this process.
5. A condition has been imposed in respect to the provision of a comprehensive drainage scheme to serve the development.
6. The applicant is entitled to apply for residential consent on this green-field land. The proposal is thereafter assessed against policies and all relevant material considerations. If it is successful permission will be forthcoming.
7. There is no dispute that the application is outside settlement limits. However as the report discusses land-use circumstances are changing and have impacted on the situation relating to the adequacy of the supply of housing land.
8. There are indeed "brown-field" site within settlement limits however many of these sites (such as Bedwas Colliery) have complex land use issues involved in their delivery. and cannot readily be brought to the housing market.
9. This would be a matter to be addressed by Dwr Cymru/Welsh Water.
10. See point 1 above.
11. The "Masterplan" submitted with the application is indicative only. The detailed Reserved Matters application will provided the actual linkages between the site and its surroundings. It should be noted however that pedestrian connections between existing settlements is an acceptable arrangement.
- 12, 13 and 15. See point 1 above.
14. This is an opinion expressed by the objector which requires no response
16. This site is private land and is on the extreme western edge of the village. Bedwas will remain bounded to the north by open countryside.

Cont....

Application No. 15/0038/OUT Continued

17. The planning committee is being asked to assess this application on this site. As indicated above the proposal is considered against policies and all relevant material considerations. If it is successful permission will be forthcoming.

18. Any future submissions will be assessed as this one has been. However it must be acknowledged that the Local Development Plan review, when completed, will provide an up-to-date plan better placed to make decisions in respect to prevailing land-use pressures.

19. This is an opinion expressed by the objector which requires no response.

20. This point is not sufficient to justify a refusal of planning permission.

21. Natural Resources Wales do not consider flooding an issue in respect to this development.

22. The application is being considered on the details provided. There is a new access into the site, however it will be from Pandy Road. The Transportation Engineering Manager finds this acceptable subject to the imposition of conditions and the relevant terms of a S106 Agreement.

23. Pandy Road is similar to the majority of roads and streets in this Borough. If however there are particular problems for wheelchair users along this stretch of highway the matter should be taken up independently with the Council as the Highway Authority.

24. It will result in the loss of open fields however the Council's Ecologist and those of Natural Resources Wales consider that conditions can be imposed which would protect wildlife interests to an acceptable level.

25. There will be a level of disturbance/disruption during the construction phase. This is common with all such developments. However conditions can be imposed at the detailed stage which would be designed to control matters such as noise, dust, odour, wheel-washing, working hours etc to acceptable limits during that phase. The issue of any compensation payable is one that must be taken up as a private matter.

26. This is a personal opinion expressed by the objector which requires no response.

27. The application was advertised in the press, on site and by way of 99 letters sent to surrounding properties. In view of the response, in terms of letters and petitions, it is considered that the advertisement process provided members of the public adequate notice to comment on this proposal.

28. Loss of view is not a planning consideration.

29. The issue of litter control is dealt with under different legislation and therefore should be pursued separately to this matter.

30. This is a personal opinion which can form no part of the determination of this application.

Cont....



31. The current use of the land is not the over-riding factor in respect to this proposal. It is evident that the fields are comprised of improved grassland, however it is their development for future use which is being considered at this time. All built development would have been undertaken on countryside at some point in the past.

32. A condition will be imposed in respect to the provision of on-site play facilities to serve the development.

33. There are 4 bus stops within 500m distance of the site, two of which are located within 300m of the site on Greenway and the other two stops are located on Pandy Road itself to the east of the site. The Highway Department along with Bus Operators look at new sites with a view to providing additional services. This could lead to improvements in the public transportation position once the development is occupied.

There is no train service in Bedwas itself, although there are stations approximately 2.5km and 2.7km respectively from the application site.

34. The Council is charged with undertaking a range of land-use functions which invariably involve competing pressures. As such it must make a balanced decision in respect to the merits of the competing uses. In this instance the land supply deficiency is considered to out-weigh the potential loss of this limited area of countryside.

35. The threshold for screening for the need of an Environmental Statement (i.e. and ES) under the Environmental Impact Regulations has been exceeded in this instance. However this does not mean that an ES is automatically required. The proposal was "screened" to assess the need for an ES but it was found that the development did not require such this process to be followed. It should be noted however that the majority of the information required for an ES has been submitted with the current proposal.

36. This is incorrect. Both NRW and the Council's Ecologist are satisfied with the ecological reports provided.

37. This is a current matter for the Police but would not have much weight as a material consideration in respect to the determination of this proposal. There is no evidence that the current proposal would aggravate vandalism.

38. The impact of this development on the village will be taken into account in the Local Development Plan review. This will assess the need for additional allocations to be identified to serve the village.

39. The footpaths near and across the site will remain usable by the public. There will however be a loss of countryside should the site be developed.

40. The aim of the promotion of cycling is to link the development with the cycle routes that exist around the site. This will allow cyclists to have their own defined routes. A condition is proposed to this effect.

Cont....

41. It is impossible to say when considering an outline application what the impact will be on privacy and residential amenity. However it is evident that there is scope to develop this site without causing significant harm in those respects from a planning point of view. It is at the Reserved matters stage that these detailed considerations can be closely looked at and mitigation measures provided.

42. As indicated above there is a condition attached which will seek to ensure that formal play provision is included at the reserved matters stage. The development does not however propose any community buildings. It should be noted however that if the site is developed then the Community Infrastructure Levy will be payable on the majority of dwellings at a rate of £40 per square metre. This money is used to provide leisure, education and highway improvements in the County. As such it will contribute to infrastructure facilities general. With regard to facilities such as a public house or a post office, these are matters for the market to decide.

43. The reference to "£250 per dwelling" is one that has been agreed between the Highway Department and the developer to provide this amount in travel vouchers for each new dwelling to be used towards the cost of bus fares, bicycle purchase or cycling/walking equipment/clothing. This will be secured by way of a requirement in a Section 106 Agreement.

Other material considerations: The recommendation is to require the applicant to enter into a S106 Agreement in respect to Affordable Housing provision and Highway Improvements/Arrangements. The applicant has agreed to enter into such an agreement on the terms outlined. However there are tests for S106s which have to be met.

These are as follows;

- (a) the financial contribution, arrangements and works contained in the obligation are required.
- (b) They are directly related to the development, and;
- (c) They are fairly related in scale and kind to the development.

With regard to the first of these the arrangements required in respect to affordable housing are to comply with Local and National policy. The contributions relating to highways matters are necessary to allow the application to proceed to an approval.

Cont....

Application No. 15/0038/OUT Continued

In respect to the second point this is an area of housing pressure and affordable dwellings are required in the Bedwas area. It is considered essential that this proposal will provide a substantial allocation of such properties for the benefit of residents.

The access highway safety improvements are related to this site and are not being requested to resolve/improve matters unrelated to the development.

The third point relates to fairness of scale and kind. In this regard discussions with regard to site viability have resulted in an affordable provision of 25%, up to 270 houses and 30 % up to 300 houses. In view of the projected financial position for this site these levels were considered to be reasonable.

Likewise with the highway contributions to traffic light provision and Travel Plan initiatives are set at levels which the applicant has accepted as reasonable

In the circumstances it is recommended that the application be deferred pending the signing of a Section 106 Agreement. This will relate to two elements, firstly Affordable Housing provision, the general headings of which are as follows;

1. 25% affordable housing plus an overage on 270 units
2. 30% affordable housing provision on any units above 270 up to 300 units.
3. The affordable units will need to be transferred at the values contained within the Council's current SPG dated July 2015.
4. The social rented units will be delivered to DQR and the low cost home ownership delivered to the developer's standard specification.
5. The affordable units will be transferred to the Council's nominated Housing Association, United Welsh Housing Association.
6. The affordable units will be delivered in an agreed arrangement of units.

Secondly the Highways element. The financial contributions will be as follows;

£30k for traffic signal improvements to A468/B4600 Bedwas Road junction payable upon the 150th occupation of a dwelling.

£50k towards Travel Plan initiatives in the locality.

A sum as necessary to fund the alteration to the speed limit traffic and parking regulation order on Pandy Road.

The Travel Plan includes financial incentives such as:-

£5k Travel Plan reserve fund.

£75K towards sustainable travel vouchers for new residents.

£5k per annum to fund a Travel Plan Coordinator for 3 years.

Upon the completion of this agreement the application be approved on the basis of the conditions stated below.

Cont....

Application No. 15/0038/OUT Continued

RECOMMENDATION (A) that the application is DEFERRED to allow the applicant to enter into a Section 106 Agreement as set out in this report. On completion of the Agreement (B) 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) 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.
- 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) The details submitted in respect to Condition 01 above shall allow for a suitable connection to the proposed cycleway TR1.13 Rhymney Valley Linear Cycle Route.  
REASON: To allow cycle access to a prescribed route.

Cont....

Application No. 15/0038/OUT Continued

- 06) 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 4 metres x 5 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.
- 07) Prior to the commencement of work on site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.  
REASON: To encourage the use of a variety of transport options.
- 08) Pandy Road shall be improved, in a manner to be agreed in writing with the Local Planning Authority before any works commence and be completed in materials as approved by the Local Planning Authority before the development is brought into beneficial use.  
REASON: In the interests of Highway safety.
- 09) Off street parking must be provided in accordance with the standards contained in the Local Planning Authority's Adopted Supplementary Planning Guidance contained in LDP5 Car Parking Standards.  
REASON: In the interests of highway safety.
- 10) The details required in Condition 1 above shall include a Tree Protection Plan (TPP) that details in full all measures necessary to protect the canopy spreads above ground and root systems below ground of those trees highlighted for retention, shall be submitted and agreed in writing with the Local Planning Authority. The TPP shall include an illustrated plan showing clearly the positioning of the tree protection barrier (as previously detailed within the Survey doc - 15\_0038\_OUT-TREE\_SURVEY-4288968 ), and any other measures necessary to avoid damage to the retained trees (e.g. ground protection measures). Thereafter the development shall be undertaken in accordance with these agreed details.  
REASON: To ensure that the trees on site are protected during construction.

Cont....

Application No. 15/0038/OUT Continued

- 11) The details required in Condition 01 above shall include an Arboricultural Method Statement (AMS) which shall detail fully the implementation of the Tree Protection Plan and include all site instructions or prohibitions necessary to the success of the Tree Protection Plan, and shall include a programme for arboricultural supervision and monitoring, and a programme for any pre-development access facilitation works and the requirements for any contractors engaged to provide such services. This plan shall be agreed in writing with the Local Planning Authority and thereafter all works shall be undertaken in accordance with these agreed details.  
REASON: To protect the trees on site during construction works.
- 12) 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.
- 13) All properties located below (south of) the blue line shown on the map in Appendix C of the Environmental Noise Survey submitted with the application subject of this consent shall be fitted with double glazed windows and acoustic trickle vents on windows facing Pandy Road prior to the occupation of those properties.  
REASON: To protect residential amenity.
- 14) The details required in Condition 01 above shall include the means of enclosure of all gardens backing onto Pandy Road. They shall be submitted and agreed in writing with the Local Planning Authority and thereafter implemented concurrently with the development.  
REASON: In the interests of residential amenity.
- 15) 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.

Cont....

- 16) Prior to the commencement of works associated with the development hereby approved, a landscaping and management scheme including at least 75% native and local provenance tree, shrub and wildflower species shall be submitted to the Local Planning Authority for approval. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The management proposals should also be included, along with timing of management, management requirements, who is responsible for management, etc.  
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 Government's Planning policy Wales TAN 5 Nature Conservation and Planning.
- 17) No development or site/vegetation clearance shall take place until a detailed methodology for the capture and translocation of reptiles on site including details of any proposed remedial measures including details of the receptor site, has been submitted to and agreed in writing with the Local Planning Authority. The approved measures shall be carried out in accordance with the agreed details.  
REASON: To ensure that reptiles are protected.
- 18) In the event that development commences after September 2015, no site clearance work shall be undertaken unless an updated Badger survey has been undertaken, and the results and any necessary mitigations measures, submitted to and agreed in writing with the Local Planning Authority. The clearance works shall be undertaken in accordance with the agreed details.  
REASON: To ensure that badgers are protected.
- 19) 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. 15/0038/OUT Continued

- 20) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new development at land north of Pandy Road, Bedwas, 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 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.
- 21) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new development at land north of Pandy Road, Bedwas, 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.
- 22) The details required in Condition 01 shall include a scheme for the drainage of foul, land and surface water at the site. These details 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.
- 23) The details submitted in compliance with condition 01 shall incorporate into the design the recommendations contained in the Flood Consequences Assessment prepared by Marsden Associates, Dec. 2014, which was submitted with this application subject of this consent.  
REASON: To protect the development from flooding.

Cont....



Application No. 15/0038/OUT Continued

- 24) Tree B, identified on the Bat and Reptile Survey Report dated 16th June 2015, should be retained and an updated survey undertaken if felling/pruning is required at a date more than 12 months from the current report. If felling or removal of Tree B is undertaken in 2015, the following precautionary approach should be followed, based on the Bat Mitigation Guidelines (2004):
- The felling contractors briefed on the limited possibility that bats could be present and if a bat were encountered, all work would cease immediately and Natural Resources Wales (NRW) be contacted for advice;
  - Section felling of tree limbs, and lowering of felled limbs to ground and left for 48hrs to allow any bats to escape;
  - Timing of demolition works to avoid the period when likelihood of use by bats (or nesting birds) was greatest. Felling works in Sept/October or March/April would be recommended if practicable.
- REASON: To ensure there will be no detriment to the maintenance of the Favourable Conservation Status of bats, European Protected Species, as a result of the proposals.
- 25) The details submitted in respect to Condition 01 shall include the provision of formal play equipment within the site area. This shall be submitted and agreed with the Local Planning Authority and thereafter implemented prior to the occupation of any dwellings that adjoin or overlook those areas of formal play equipment.
- REASON: To ensure that the site is provided for in respect to formal play provision.
- 26) Prior to the development commencing the intrusive site investigation works should be undertaken in accordance with the recommendations of the Desk Study and Preliminary Geotechnical Report submitted with the application. In the event of the site investigation confirming the need for remedial works to treat areas of shallow mine workings to ensure the safety and stability of the proposed development these works shall be undertaken prior to the commencement of the residential elements of the scheme hereby approved.
- REASON: To protect the dwellings from effects of previous mine workings.

Advisory Note(s)

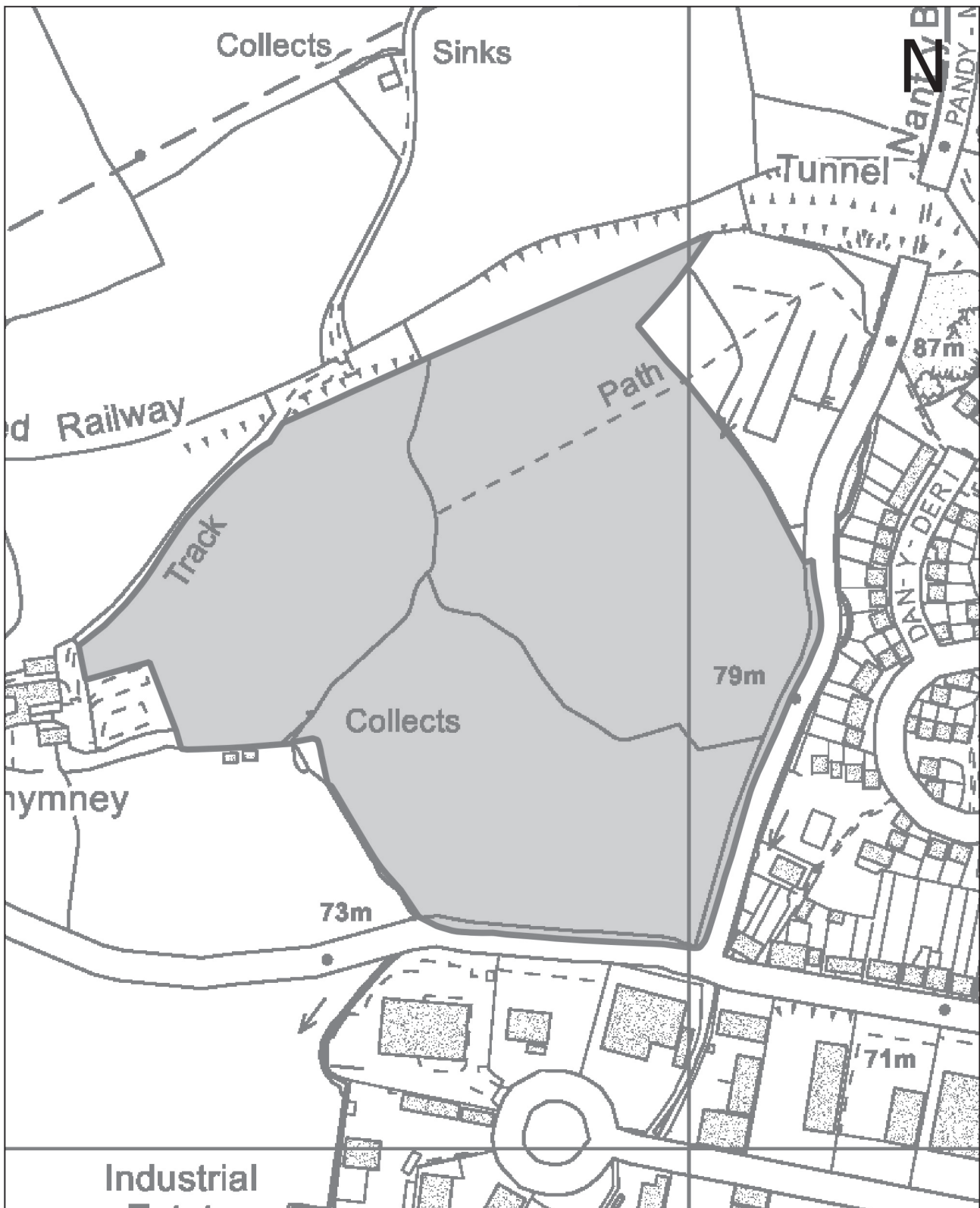
Please find attached the comments of Western Power Distribution, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Natural Resources Wales, Council's Ecologist, Gwent Police Traffic Management and The Coal Authority that are brought to the applicant's attention.

Cont....

Application No. 15/0038/OUT Continued

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: SP3, Sp7, SP14, SP15, CW3, CW6, CW10 and CW11.

---



This page is intentionally left blank



## PLANNING COMMITTEE – 9TH SEPTEMBER 2015

**SUBJECT: SITE VISIT - CODE NO. 15/0043/FULL – LAND BETWEEN UNITS 4 & 10  
BEDWAS BUSINESS CENTRE, BEDWAS HOUSE INDUSTRIAL  
ESTATE, BEDWAS CAERPHILLY.**

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

---

### PRESENT:

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

Councillors Mrs. E.M. Aldworth, Mrs P. Cook, Mrs J. Gale, D. Havard, A. Lewis and Mrs J. Summers

1. Apologies for absence were received from Councillors J. Bevan, H. Davies, L. Gardiner, A.G. Higgs, Mrs G. Oliver and J. Taylor.
2. The Planning Committee deferred consideration of this application on 5th August 2015 for a site visit. Members and Officers met on site on Thursday, 27th August 2015.
3. Details of the application to erect and industrial storage unit, land between units 4 and 10, Bedwas Business Centre, Bedwas House Industrial Estate, Bedwas were noted.
4. Those present viewed the site from the Bedwas House Industrial Estate and from the Conifers, Pandy Road and examined the plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note the application is for the development of an industrial storage building to store non-hazardous lubricants. It was noted that the location and size of the building had been amended from that originally submitted in order to mitigate the impact on neighbouring residential dwellings to the rear of the site. It was also noted that it is proposed that a hedgerow be planted along the rear embankments in order to soften the impact of the developments in terms of visual amenity.

With regard to the hedgerow, Members were concerned that rather than softening the impact it might have the reverse affect and block more light, giving residents a more closed in feeling. Having discussed the maintenance of the hedge, its position and purpose, Members requested that the views of residents on the proposed hedgerow be established and reported back to the Planning Committee. With regard to increasing light to the neighbouring dwellings Members also requested the applicant consider finishing the rear aspect of the building in a lighter colour in order to reflect more light back onto the homes affected and provide consistency of finish with existing units. The Officer agreed to take this forward and report back to the Planning Committee.

6. Members raised concerns in relation to the close proximity of the unit to neighbouring bungalows, particular Plot No. 4, The Conifers. Primarily in relation to loss of light, outlook, noise from vehicle movements and the loading and unloading of skips which was noted as an ongoing issue.

The Officer advised that the skips in question would be moved to provide parking spaces for the storage unit and having considered their present position she would contact the applicant and ask that their removal be undertaken as quickly as possible.

In terms of distances between the nearest point of the proposed unit and the nearest residential dwelling (Plot No. 4) this was confirmed at 7.4m/7.6m to the common boundary, it was noted that the rear roof slope of the rear element of the proposed building had been reduced to a height of 3m rising to 4m height for a length of 11 metres with the remaining building at a height of 7metres. This reduction in the bulk of the building would be immediately to the rear of plot no.4 The Conifers and is proposed to address concerns raised regarding the overbearing and overshadowing impact the original design would have in respect of that property. It was noted that plot 4 the Conifers has three windows in its rear elevation facing the development, comprising an obscured bathroom window, bedroom window and living room window, albeit the living room is dual aspect. It was also explained that guidance suggests suitable daylight for habitable rooms is achieved when a 25 degree vertical angle taken from the centre of the lowest window is kept unobstructed. The revised scheme appears to meet with these criteria in terms of the relationship between plots 4 The Conifers and the proposed development.

7. Concerns were raised with regard to the nature of the chemicals being stored within the unit and their potential impact in terms of health and fire safety.

Members were advised that the unit would store non-hazardous, non-flammable vehicle lubricants and were covered by full risk assessments. As a distributor for Exxon Mobil the applicant was subject to audit by both that company and the Fire Service. There would be no storage of empty containers and a condition had been attached that prohibited outside storage of any kind.

8. Officers confirmed that following advertisement to 15 neighbouring properties, and a site notice being posted, 3 letters of objection had been received with regard to the original plans. Details of the objections are within the Officer's original report.
9. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable in planning terms subject to conditions and Officers recommended that permission be granted.
10. A copy of the report submitted to the Planning Committee on 5th August 2015 is attached. Members are now invited to determine the application.

Author:	E. Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	M. Davies	Principal Planner
	C. Davies	Environmental Health Officer

Appendices:

Appendix 1 Report submitted to Planning Committee on 5th August 2015

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0043/FULL 20.02.2015	Chemical Corporation Mr A Barkham Atlas House Unit 9 Bedwas Business Park Bedwas Caerphilly CF83 8DU	Erect industrial storage unit Land Between Units 4 & 10 Bedwas Business Centre Bedwas House Industrial Estate Bedwas Caerphilly

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The site is located on the Bedwas Business Park between units 4 and 10. To the rear of the site is a residential mobile home development.

Site description: The site comprises a vacant area of grassed land between Units 4 and 10 on the Bedwas Business Park. The site frontage is at the same ground level as the front access road but the ground then rises to form a mound and then falls to the rear of the site. The difference in levels between the site frontage and the rear boundary is around 1 metre.

Development: Full planning permission is sought in respect of the construction of an industrial storage building for the storage of non-hazardous lubricants. The location and design of the building has been amended from that originally submitted in order to address the local planning authority's concerns regarding the impact of the development upon the amenity of the neighbouring residential development at The Conifers to the rear of the site. In this respect the building has been brought further forward within the site and includes a lower roof section on the rear elevation. In addition planting of a hedgerow is proposed along the rear embankment in order to soften the impact of the development in terms of visual amenity.

Dimensions: The footprint of the building measures 22m in width and 10m in depth. The maximum height of the building is 7m but a rear element of the proposed building has a reduced height of 4m.

Materials: Profiled cladding sheets in goosewing grey with goosewing grey roller shutter door and Solent Blue aluminium gutters and grey downpipes.

Ancillary development, e.g. parking: Six parking spaces are proposed at the eastern end of the site.

Cont....

Application No. 15/0043/FULL Continued

### PLANNING HISTORY

No previous planning history.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: SP5 - within the settlement boundary and within the Bedwas House, Bedwas protected secondary employment site as identified by Policy EM2.33.

#### Policies:

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

#### Countrywide Policies

Policy CW2 - Amenity, CW3 - Design considerations - highways, CW13 - Use Class restrictions - Business and Industry and CW15 - General locational constraints.

#### NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 - Design, TAN 18 – Transport.

#### 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 an issue in respect of this planning application.

#### CONSULTATION

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent in respect of parking provision and operational space. He also provides a note to be conveyed to the developer regarding the formation of a vehicular crossover.

Cont....



Application No. 15/0043/FULL Continued

Head Of Public Protection - No objection subject to standard contamination conditions being attached to any consent together with a condition restricting hours of operation and outside storage.

Countryside And Landscape Services - Requests a condition is attached to any consent requiring bird breeding provision in the new unit as a biodiversity enhancement. A Bird Advisory Note is also provided to be conveyed to the developer.

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

### ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 15 neighbouring properties have been consulted.

Response: Three in respect of the original development but none in respect of the revised development.

### Summary of observations:

In respect of the original design submitted, concerns were raised regarding the close proximity of the unit to the residential bungalows at The Conifers, loss of light and outlook, noise pollution currently experienced particularly from the loading and unloading of skips will be exacerbated, light pollution from both delivery vehicles/lorries and buildings, depreciation in value of home, flying debris from industrial estate, will prevent quiet enjoyment of gardens by neighbouring bungalows, which were developed for people over 55 years of age.

### 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? Yes, but it is not chargeable in respect of this type of development.

Cont....

## ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues in the determination of this application are considered to be in terms of design, amenity and highway safety.

Policy SP6 - Placemaking of the LDP considers that development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment, and its special features through amongst other things, an efficient use of land, a high standard of design and a location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all. The site is located on The Bedwas House protected secondary employment site as identified by Policy EM2.33 of the LDP and as such development will be permitted if it is within use class B1, B2, B8, or an appropriate sui generis use, to provide an ancillary facility or service to the primary employment use or an acceptable commercial service unrelated to Class B uses in accordance with Policy CW13 of the LDP. The stated proposed use of the building is for the storage of non-hazardous lubricants, which is a B8 use in planning terms and is in accordance with Policy CW13.

The design, form and external materials used in the proposed building is similar to other industrial units on the estate and is entirely in keeping with the industrial character and context and as such is in accordance with Policy SP6 of the LDP. The unit is located within the settlement boundary for Bedwas on an established industrial estate and is proposed between two existing units on the industrial estate with access provided directly off the adopted highway. Consequently, it is considered the site is in a sustainable location, both vehicle and pedestrian access is easy and safe for all and as such the development is in accordance with Policy SP6 of the LDP.

Policy CW2 of the LDP considers amenity issues. In this respect regard has to be given to the impact the development will have upon the privacy and amenity of the occupiers of neighbouring properties, particularly plots 2, 3 and 4 The Conifers located to the rear of the site. Objections were raised in respect of the original development, concerned that the close proximity of the building would be overbearing resulting in loss of light and their privacy and amenity being adversely affected. The distance between the rear elevation of Plot 4 The Conifers, (the nearest dwelling to the site) and the proposed building is 7.6 metres. The orientation of the bungalow is north facing and as such the rear of the property has the potential to be overshadowed by the proposed building.

Cont....

Application No. 15/0043/FULL Continued

The developer has aimed to address these issues by siting the proposed building further to the front of the site, further away from the properties and redesigning the building by reducing the height of the rear roof slope for a length of 11 metres, where it is immediately adjacent, particularly, to the rear boundary of Plot 4 The Conifers. The revised proposal also includes the planting of a hedgerow on the embankment to the rear of the site in order to provide an element of screening of the development. In this respect it is considered the building together with the planting will provide a screen to any activity occurring on the industrial estate and to the front of the building and as such issues of nuisance from lights from vehicles should be addressed.

Given the longstanding authorised industrial use of the site subject of this application, it is considered that residents of neighbouring dwellings will already experience an element of harm as a result of the industrial and commercial activities associated with an industrial estate. In this respect consideration has to be given to whether the proposed storage building would significantly increase the harm that may already be experienced. This Council's Head of Public Protection has raised no objection to the development subject to conditions being attached to any consent restricting hours of operation to between 7am and 5pm Monday to Friday as per their application, including deliveries; there being no external storage and that the unit can only be used for the storage of non-hazardous substances. In addition it is considered appropriate to attach conditions to any consent that no other openings are permitted in the building other than those indicated on the approved plan, no external plant to be fitted to the building and the use of the building to be restricted to a B8 storage use only and finally a landscaping plan be submitted for consideration and approval in writing with the Local Planning Authority. It is considered the modifications made to the original proposals together with the conditions referred to above will address the concerns raised by residents in terms of amenity issues. The storage of hazardous substances is controlled by other legislation and it would not be appropriate to impose a condition in that respect.

The objection raised regarding the devaluation of property is not a planning matter.

Policy CW3 of the LDP considers highway issues and objections have been raised that the proposed development will result in an increase in traffic to the detriment of highway safety. In this respect the Group Manager (Transportation and Highways) has raised no objection to the development subject to conditions being attached to any consent in respect of the provision and retention of operational space and parking provision.

Cont....

Application No. 15/0043/FULL Continued

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: See above.

Other material considerations: None.

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

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The premises shall only be used for B8 purposes as defined by the Town and Country Planning (Use Classes) Order 1987, or as defined by 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) No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times 7.00am and 5.00pm Monday to Friday.  
REASON: In the interests of residential amenity.
- 04) No goods, materials, plant or machinery shall be stored outside the building hereby approved without the prior written agreement of the Local Planning Authority.  
REASON: In the interests of the amenity of the area.
- 05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or other openings, 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.

Cont....

Application No. 15/0043/FULL Continued

- 06) 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 unit at Bedwas Business Centre, Bedwas shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new unit 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.
- 07) Prior to the commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.  
REASON: In the interests of residential amenity.
- 08) Prior to the commencement of development, details of the hedgerow to be planted along the rear, northern boundary of the site shall be submitted for consideration and approval in writing with the Local Planning Authority. The scheme shall include details of the size and species of plants to be planted. The agreed details shall be implemented in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five 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.  
REASON: In the interests of visual amenity.
- 09) 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.
- 10) 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.

Cont....

Application No. 15/0043/FULL Continued

- 11) 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.
- 12) 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.
- 13) The proposed parking area shall be completed in materials, details of which shall be submitted for consideration and approval in writing with the Local Planning Authority, to ensure loose stones or mud etc are not carried on to the public highway.  
REASON: In the interests of highway safety.
- 14) Rainwater run-off shall not discharge into the highway surface-water drainage system.  
REASON: In the interests of highway safety.
- 15) The area fronting Units 4 and 10 shall be kept free of obstruction at all times to be used as operational space for both units, in order to facilitate deliveries and stock movements and for no other purpose.  
REASON: In the interests of highway safety.
- 16) 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.
- 17) The development hereby approved relates to the details received on 12th June 2015, drawing no: BBP01 revised scheme by the Local Planning Authority.  
REASON: For the avoidance of doubt as to the details hereby approved.

Cont....

Application No. 15/0043/FULL Continued

Advisory Note(s)

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

The applicant is advised of the comments of the Transportation Engineering Manager, Council's Ecologist and Senior Engineer (Land Drainage).

---





# Agenda Item 7

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0360/FULL 03.07.2015	Mr L Hall 11 Cefn Road Blackwood NP12 1QA	Erect dormer extension with internal alterations 13 Rising Sun Close Oakdale Blackwood NP12 0JB

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application is located on the junction of Rising Sun Close and Rhiw Syr Dafydd Hill, Oakdale.

House type: Detached bungalow.

Development: Increase ridge height and insert 2 dormers into the roof space to facilitate creation of first floor living accommodation.

Dimensions: It is proposed to increase the ridge level of the existing bungalow from 5.0 metres to 6.65 metres, i.e. an increase of 1.65 metres. The proposed flat roofed dormers which are proposed on each roof plane measure 9.75 metres in width, 2.4 metres in height and 2.2 metres in depth.

Materials: Dormers and gables - Siberian larch cladding.  
Roof - Slate grey or Alaska grey profiled steel.

Ancillary development, e.g. parking: Enlargement of ground floor window in west facing elevation.

## PLANNING HISTORY

No previous planning history.

## POLICY

## LOCAL DEVELOPMENT PLAN

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

Cont'd.....

Application No. 15/0360/FULL Continued.

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

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. However given the nature of the proposal, any coal mining legacy issues will be controlled by way of the Building Regulations.

### CONSULTATION

Dwr Cymru - Provides advice to the developer.

### ADVERTISEMENT

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

Response: 14 objections were received.

Application No. 15/0360/FULL Continued.

### Summary of observations:

- Loss of views;
- Out of keeping with the estate/street scene;
- Overbearing;
- Devaluation of property;
- Incongruous element in streetscene;
- Detract from the character of the nearby Oakdale Conservation Area;
- Works progressing at property prior to granting of planning permission;

▪ Cont'd.....

Application No. 15/0360/FULL Continued.

- Only dormer windows on the rear elevation of the properties along Rising Sun Close have previously been approved;
- Set a precedent for further developments;
- Loss of outlook.

#### SECTION 17 CRIME AND DISORDER ACT

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

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? As it is proposed to create less than 100 sq. metres of additional internal floor space the proposal is not CIL liable.

#### 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 residential amenity of neighbouring properties. The proposal, which incorporates increasing the pitch of the existing roof from approximately 26 degrees to 42 degrees, which will result in an increase in overall ridge height of 1.65 metres, and incorporating 2 almost full width dormers into the roof space, will significantly alter the appearance of the host dwelling. However, given its position, orientation, materials and design, the dwelling is significantly different in terms of its appearance and design than the existing properties from Nos. 1-12, and 18 and 19 Rising Sun Close, and therefore it is not considered necessary to require a scheme that mimics these properties.

Several of the properties on Rising Sun Close have rear dormers, where the ridge level has been raised to facilitate the required head heights internally. Therefore it is not considered that the principle of dormers is unacceptable within the context of the existing streetscene. Whilst the ridge level could be raised by 0.7 metres to facilitate the required head heights, this would result in a flat roofed property that would be undesirable in design terms. Furthermore, it is considered that the proposed materials are of a high specification, and will enhance the appearance of the application dwelling, thereby improving the appearance of the property at the entrance to Rising Sun Close. Conditions will be attached to the permission requiring samples of materials to be agreed prior to the commencement of works, to ensure appropriate materials are used.

Cont'd.....

Application No. 15/0360/FULL Continued.

In terms of the impact of the proposed development on the residential amenity of neighbouring properties, it is not considered that the proposal will result in an overbearing or overshadowing impact on the properties to the east, which are at least 22 metres away and at a higher level. Furthermore, such a distance is considered acceptable in terms of privacy. The property most impacted by the proposal is No. 14 Rising Sun Close, which is to the west of the application site and at a lower level. However, the east facing windows in No. 14 are obscurely glazed windows that serve a kitchen and bathroom. Therefore, given the existing difference in levels, and windows affected, it is not considered that the proposal would result in an increased overbearing impact on this property to a degree to warrant a refusal of planning permission.

The proposal involves increasing the number of bedrooms from 2 to 3, and therefore a condition will be attached to the permission to reflect the Councils Adopted Car Parking Guidelines. For the reasons outlined above, it is considered that the proposed development is considered acceptable subject to conditions.

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

Comments from public:

1. Loss of views - This is not a material planning consideration.
2. Out of keeping with the estate/street scene - The existing bungalow is already a different house type to Nos. 1-12, and 18 and 19 Rising Sun Close and therefore it is not considered that altering the appearance of the existing bungalow by way of adding dormers and changing the external finishes would result in a dwelling any more out of keeping with the existing streetscene than is already the case.
3. Overbearing - The only dwelling that the proposed development could possibly have an overbearing impact on is the bungalow directly to the west, i.e. No. 14 Rising Sun Close that is at a lower level than the application property. However, the only east facing windows in No. 14 are obscurely glazed and serve a bathroom and kitchen. Therefore it is not considered that the proposed development would result in an overbearing impact on any neighbouring property to a degree to warrant a refusal of planning permission.
4. Devaluation of property - This is not a material planning consideration.
5. Incongruous element in streetscene - Although it is accepted that the proposed dwelling would not mimic the majority of properties along Rising Sun Close, neither does the existing dwelling. It is considered that the proposal will improve the appearance of the existing dwelling, and enhance the entrance to Rising Sun Close.
6. Detract from the character of the nearby Oakdale Conservation Area - It is considered that the proposal will improve the appearance of the existing dwelling. Notwithstanding this, given the location of the dwelling, it is not considered that it affects the Oakdale Conservation Area.

Cont'd.....

Application No. 15/0360/FULL Continued.

7. Works progressing at property prior to granting of planning permission - Any works requiring planning permission undertaken by the developer prior to the granting of such a permission are undertaken at the financial risk of the developer.

8. Only dormer windows on the rear elevation of the properties along Rising Sun Close have previously been approved - It is assumed the reason for such a restriction was to maintain the existing streetscene and rhythm of front elevations along Syr Dafydd Avenue. The application property is set in a different context to Nos 1-12 Rising Sun Close and should therefore be considered in its unique setting and context.

9. Set a precedent for further developments - Any further applications in the area for dormer extensions will be considered on their own individual merits.

10. Loss of outlook - The application property is located at least 22 metres away from the nearest properties to the east and set at a lower level. Therefore it is not considered that it will result in a loss of outlook for neighbouring properties.

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, in electronic or printed format 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) Notwithstanding the approved plans before the approved extension works are occupied 3 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.

Cont'd.....

Application No. 15/0360/FULL

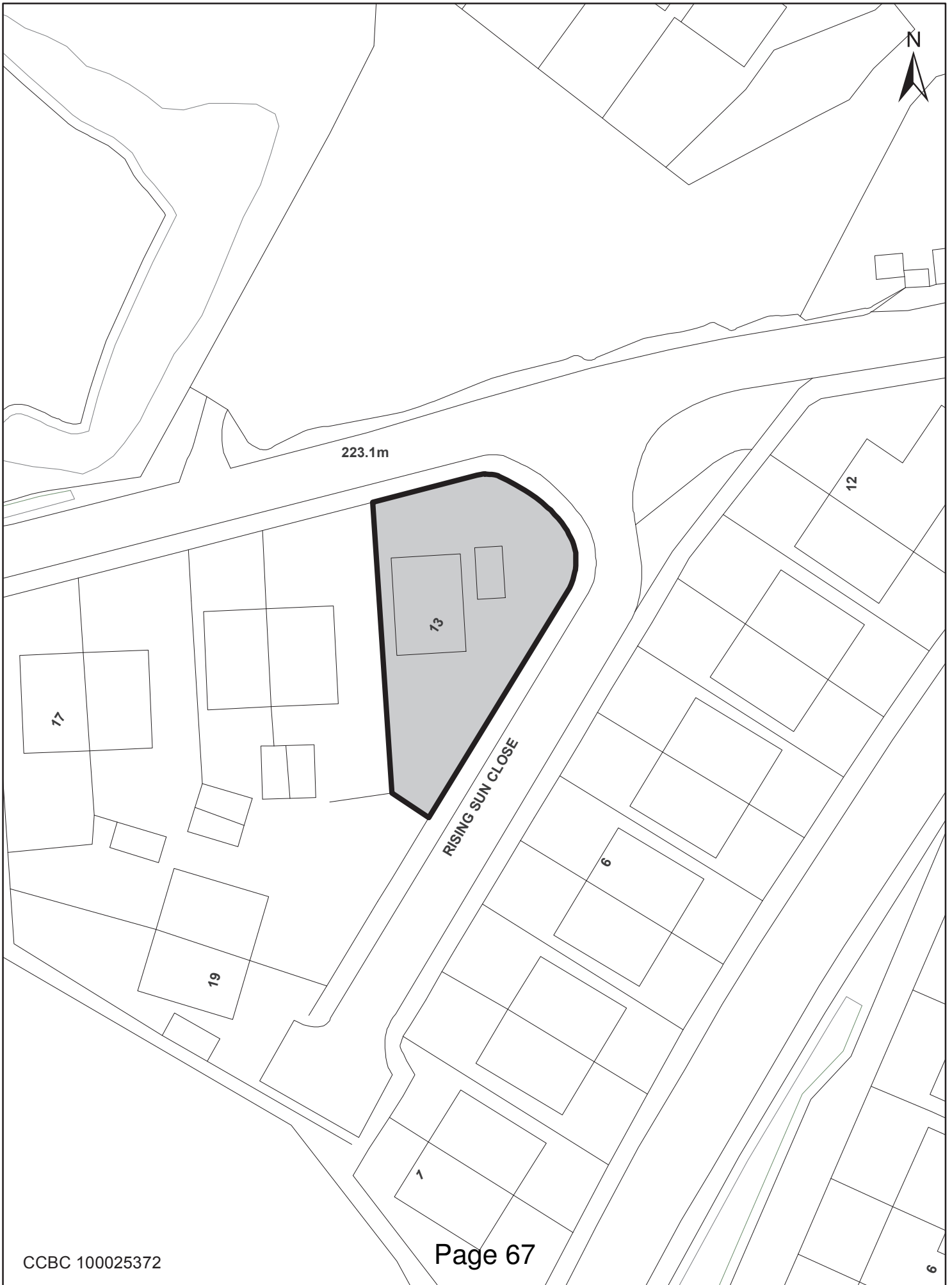
- 04) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing No. 150321/05, 150321/06, 150321/07, received 25 May 2015 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

Advisory Note(s)

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

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



This page is intentionally left blank



# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0468/RET 13.07.2015	Mr A Lane Plas House Rhosnewydd Terrace Lane Blackwood NP12 1DT	Retain a children's playhouse Plas House Rhosnewydd Terrace Lane Blackwood NP12 1DT

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

## SITE AND DEVELOPMENT

Location: The application property is located on Rhosnewydd Terrace Lane, Blackwood.

House type: Two-storey detached property.

Development: Retention of a children's playhouse in the rear garden.

Dimensions: The playhouse measures 2.8 metres in length by 4.6 metres in width and 3.8 metres to ridge level. The application is reported to Planning Committee because the applicant is a member of staff for the authority.

Materials: The majority of the development is constructed from wood and finished in brightly coloured paint, the roof material is felt and the slide is constructed from toughend and formed coated plastic.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2005 TO PRESENT

10/0252/OUT - Erect detached dwelling with associated highway/access improvement works, plus car parking facilities - 09.12.2010 - GRANT.

12/0211/RM - Erect detached dwelling with associated highway/access improvement works, plus car parking facilities - 12.07.2012 - GRANT.

07/0059/OUT - Erect new dwelling - 08.03.2007 - REFUSE.

P/05/0111 - Erect single storey dwelling - 10.03.2005 - REFUSE.

Cont'd.....

Application No. 15/0468/RET Continued.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The application property is located within the settlement boundary.

Policies: Policy CW2 (Amenity) and advice contained within Caerphilly County Borough Council's Adopted Supplementary Planning Guidance LDP7: Householder Development.

NATIONAL POLICY Planning Policy Wales Edition 7 (2014) and TAN12: Design (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? No.

### CONSULTATION

Senior Arboricultural Officer (Trees) - No objection.

### ADVERTISEMENT

Extent of advertisement: A site notice was erected near the application site and 3 neighbours were notified by letter.

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.

Cont'd.....

Application No. 15/0468/RET Continued.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? The development is exempt from CIL because the proposal intends to create less than 100 square metres of additional internal floor space.

### ANALYSIS

Policies: The application has been considered in accordance with National Guidance, Local Plan Policy and Supplementary Planning Guidance. The main point to consider in the determination of this application is whether the proposal would have any detrimental impact on the visual amenity of the area. In that regard, there is no rear streetscene and it is not considered that the development would detract from the visual amenity of the surrounding area. In terms of the impact upon the neighbours to the right of Plas House, there is an approximate distance of 22 metres to the nearest habitable room window, and therefore the development will not impact on this neighbour by way of any overbearing or overshadowing impact.

It should be noted that the householder permitted development rights have been amended by way of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Under these amended permitted development rights, householders can erect an outbuilding/raised platform up to 4 metres high provided they are not within 2 metres of the boundary of the curtilage. If the applicant had taken advantage of their permitted development rights and relocated the position of the playhouse within the rear garden, there would be a far greater impact on the amenity of the neighbours. This 'fall back' position is a material planning consideration. In light of these considerations, it is not considered that the proposal would have an unacceptable impact on the neighbouring property and the proposal is considered acceptable in planning terms.

Comments from consultees: None.

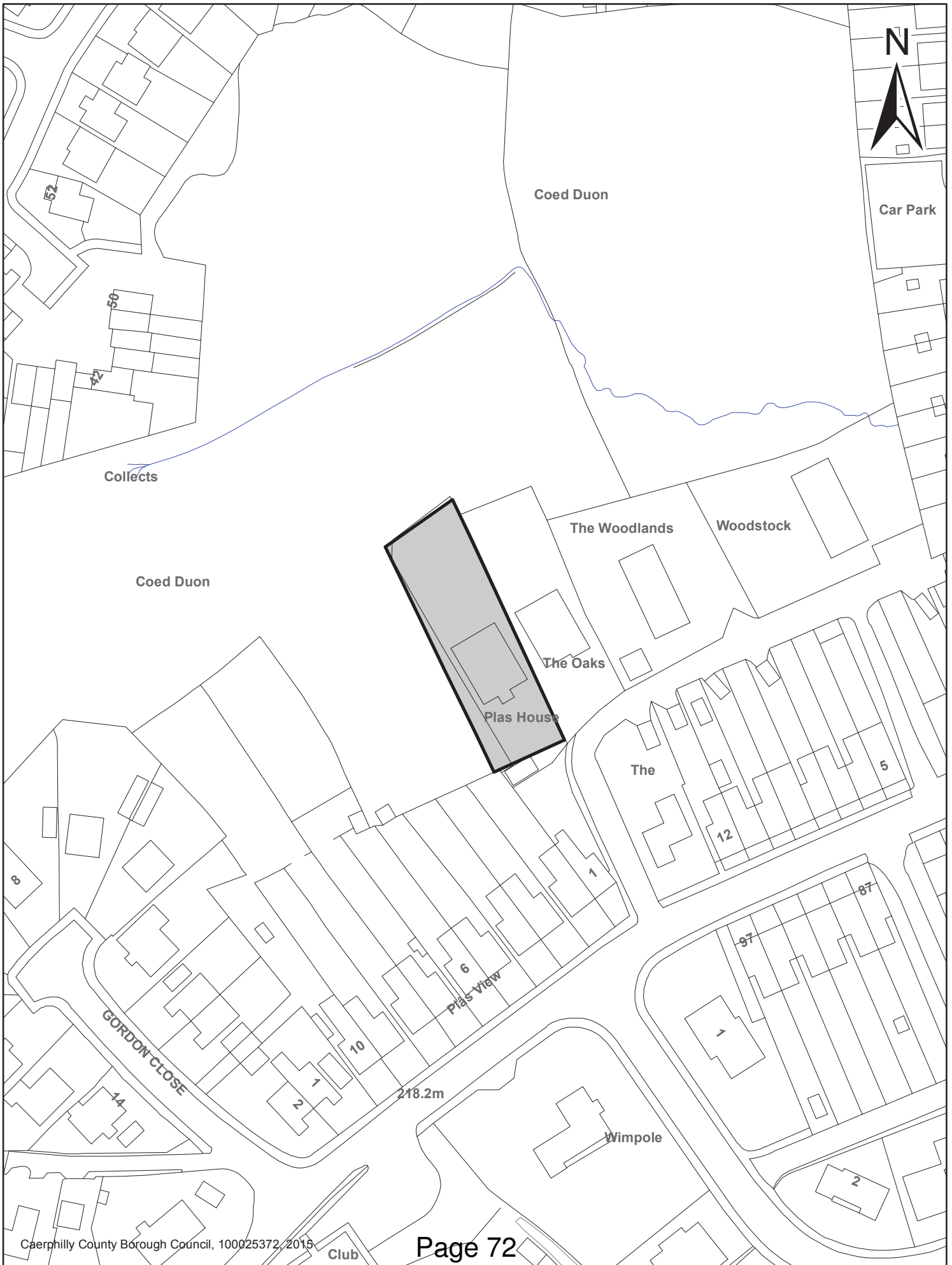
Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be 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.



# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0554/NMA 21.08.2015	Mr H Scull Bluebell Bungalow Heolddu Road Gelligroes Pontllanfraith Blackwood NP12 2HT	Seek approval of a non-material amendment to planning consent 15/0428/FULL (Erect a one bedroom granny annexe) to move annex approximately 4m to the north west Bluebell Bungalow Heolddu Road Gelligroes Pontllanfraith Blackwood NP12 2HT

**APPLICATION TYPE:** Non-Material Amendments

## SITE AND DEVELOPMENT

Location: The application site is located within the grounds of Bluebell Bungalow, Upper Gelligroes.

House type: Detached dormer bungalow.

Development: A non-material amendment is sought to relocate the approved annex 4.4 metres to the south-west of the position approved under planning permission 15/0428/FULL. No alterations are proposed to the approved annex itself. The requirement to re-site the structure is due to the structural stability of the bank to the north-east of the originally approved position.

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

## PLANNING HISTORY 2005 TO PRESENT

15/0428/FULL - Erect a one bedroom granny annexe. Granted 06/08/2015.

## POLICY

## LOCAL DEVELOPMENT PLAN

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

Cont'd.....

Application No. 15/0554/NMA Continued.

Policies: Not Applicable.

NATIONAL POLICY Not Applicable.

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

None.

ADVERTISEMENT

Extent of advertisement: Due to the nature of the application no public consultation was undertaken.

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.

Cont'd.....

Application No. 15/0554/NMA Continued.

## ANALYSIS

Policies: In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as a non material amendment, local planning authorities may wish to consider the following tests:

- (a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
- (a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- (b) would the interest of any third party or body be disadvantaged in planning terms; or,
- (c) would the proposed change conflict with national or development plan policies?

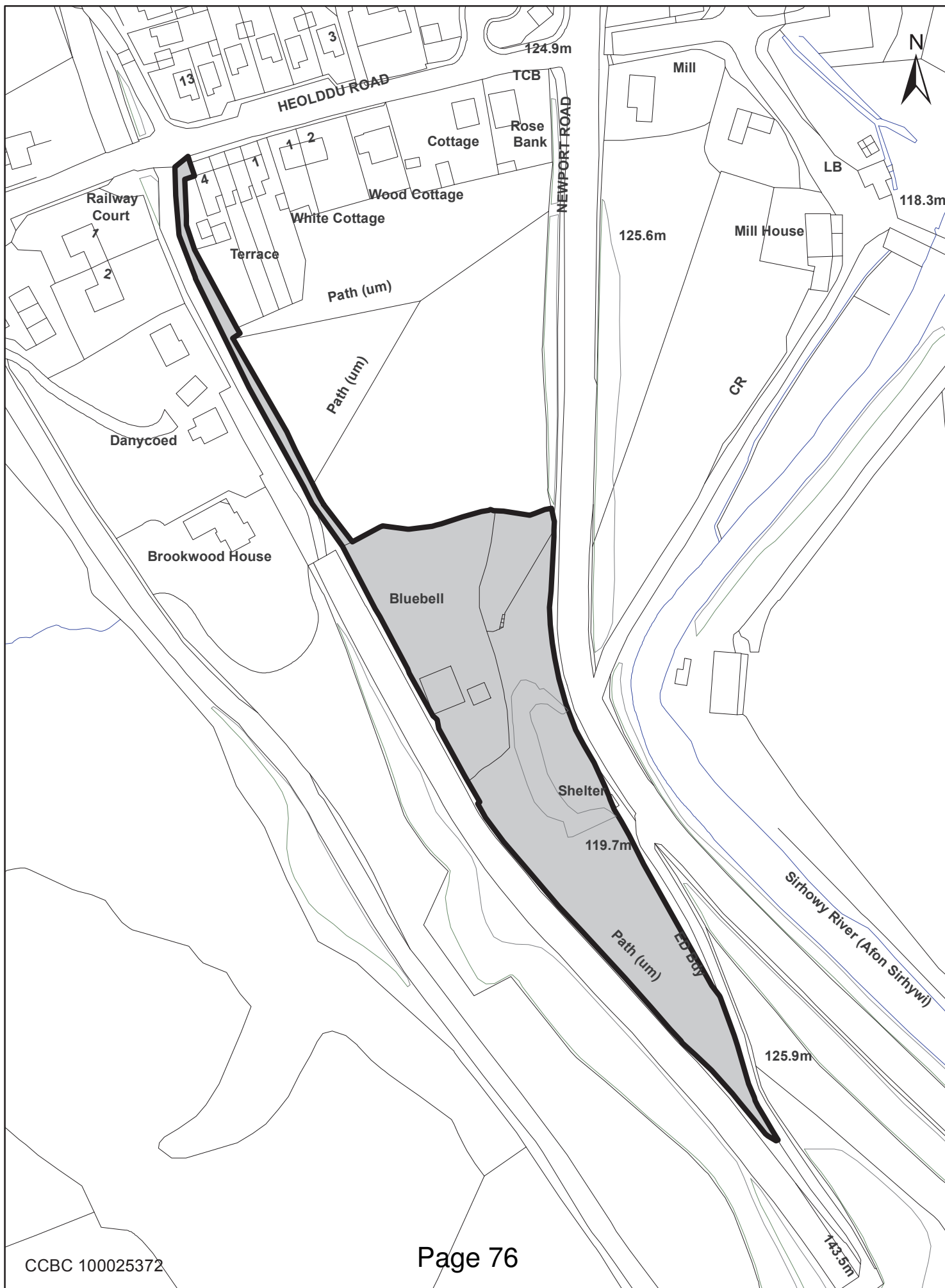
In response to the above, it is not considered that the proposed amendment, which involves moving the structure 4.4 to the south-west of its originally approved position, would cause an impact different to the original approved scheme, given the isolated location of the application dwelling. Furthermore, the proposal would not have a detrimental impact visually or in terms of local amenity. Nobody would be disadvantaged in planning terms as a result of the amendment, and the proposal still complies with relevant local and national planning policies. Therefore it is considered that the proposal can be considered as a non-materials amendment to the scheme approved under planning permission 15/0428/FULL.

Comments from consultees: Not Applicable.

Comments from public: Not Applicable.

Other material considerations: The application is reported to the Planning Committee as the applicant's son-in-law is an employee in the Planning and Regeneration Division.

RECOMMENDATION that Permission be GRANTED





## 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 4(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(5) of the planning permission requires details of open play space provision to be agreed. In this respect the location and size of the LEAP was previously agreed by Members, as part of the Masterplan and Design Brief in December 2004. In these respect details of the proposed play equipment to be installed within the playground has been submitted.

On the 6<sup>th</sup> May 2015 the Planning Committee deferred consideration of this application for a site visit; this was carried out on 20<sup>th</sup> May. The development was then presented to the Planning Committee held on the 10<sup>th</sup> June 2015, where Members agreed the application be deferred to allow further discussions between residents, officers and the applicant in order that consideration be given to the equipment proposed in the LEAP, particularly in relation to a deck with steel slide, which was considered by some residents to be too big.

Following discussions, the applicant has submitted a further revised scheme – Revision 7, which aims to address those concerns by introducing a smaller ‘Crazy Maze play pod toddler unit’ to replace the ‘Zingo Dek with steel slide’, seats changed on swings, and the wet pour area now a less vibrant black and green fleck.

Cont'd.....

Application No. P/99/0768 Continued.

The proposed revised scheme includes equipment considered appropriate for children aged up to 6 years old and includes: -

1. A toddler's unit incorporating steps and slide to replace the deck with steel slide
2. A toddler's roundabout
3. 2.4m high Olympic swing with flat and cradle swing to replace two flat swings
4. 1.8m Olympic wing with two cradles
5. Two springers, which are animal shaped seats on springs

The scheme also includes 2 seats, a closed top litter bin, and 1.2m high bowtop fencing in powder coated green with 2 self-close gates in yellow.

All those residents who objected to the previous Revision 6 scheme were notified of the changes and provided with a copy of the revision 7, in correspondence dated 2<sup>nd</sup> July 2015.

A pre-arranged meeting was then held between the planning officer, four representative residents and Leisure Services Officers on the 15<sup>th</sup> July 2015 to discuss the same. At the meeting the residents expressed their concern with regards to the size of the playground and proposed a smaller footprint of 14.5m x 10m amounting to 145 square metres. This falls far short of the Fields In Trust guidelines, which propose 400 square metres of play area in respect of a LEAP. More discussion ensued via telephone calls and e-mails between residents and officers.

The planning officer requested evidence that the residents represented the views of the majority of residents on the Cwm Calon Estate. It should be noted that there are currently 630 dwellings on the estate. In response to this the resident group carried out a door to door survey, showing residents the Council's proposal i.e. revision 7 – which identifies smaller equipment on a playground with a footprint of 25m x 18m against the residents proposal for a reduction in the footprint of the playground to 14.5m x 10m. They have advised that the pros and cons of each proposal were discussed with each resident. Around 159 properties were visited with 94 residents preferring the smaller playground but with the inclusion of the Council's smaller planned equipment, five residents preferring the larger footprint playground (Revision 7), and there were 60 properties where there were no replies.

It is evident that the planned equipment indicated on Revision 7 would not fit on the proposed smaller footprint of 145 square metres proposed by the residents group but from the survey carried out, it would appear residents were content with the smaller play equipment proposed by the Council. Consequently, a compromise was suggested by the planning officer at a further meeting held with the residents group and Leisure Services Officers on the 19<sup>th</sup> August 2015. In this respect and having regard to the FIT guidelines a smaller footprint was suggested, which could achieve the 20m buffer zone between the façade of a dwelling with a habitable room window and the boundary of the playground, notwithstanding that there is no requirement on buffer zones for Cwm Calon being a high density brownfield site. This would result in the depth of the playground being reduced to 13m.

Cont'd.....

Application No. P/99/0768 Continued.

Whilst the reduction in the dimensions would not accord with the FIT guidelines in terms of the 400 square metres of play area sought, it does not fall far short, giving an area of 325 square metres if the length is retained at 25m. It was considered important to draw the resident group's attention to the pros and cons of such a proposal. Such a proposal would address resident's concerns regarding the size and proximity of the playground to neighbouring dwellings. However it would also result in an area of around 9 metres in depth to the front of the playground fronting Phoenix Way being outside of the control of the Council and as such not maintained by the Council. It would also provide the potential for the area to be used for free play by children and as such bring play nearer to the neighbouring houses and the potential for children to run out onto the road more easily. It also has the potential to be used as a dog fouling area.

The residents group have considered the proposal and have confirmed that having e-mailed those residents who had provided the group with their e-mail address, "the vast majority of these residents reside on Merlin Avenue and Phoenix Way. All were in agreement with the offer made of a smaller park of 25m x 13m in measurement and thought it was a reasonable compromise to conclude negotiations". Members should note that it was made clear to residents that the length of the park may have to be elongated slightly to accommodate the six items of equipment proposed and the seating as listed above. The provision of this level of equipment would then meet with the minimum number of experiences suggested in the FIT standards. Verbally, the resident group have accepted this may be necessary.

The Leisure Services Officer confirms that in terms of play provision, a suitably scaled, equipped play facility that provides a quality and valued fit for purpose facility for the very large community development at Cwm Calon is required and the network of facilities to be provided at Cwm Calon is a basic requirement for a site of this scale. Such provision also has to comply with the Authority's LDP policy in respect of leisure and recreation and the Welsh Government's Play Sufficiency Duty and the Rights of the Child. In terms of anti-social behaviour, he confirms that the leisure services department collaborate very closely with the Council's Community Safety team and the wardens remain alert to this location and will also be able to respond to issues at the site. The area is subject to patrol, the same as the network of other facilities in the borough. He was concerned that the survey undertaken did not cover the whole of Cwm Calon or express the views of the children of Cwm Calon but nevertheless agrees the proposal for a reduced footprint with smaller equipment as agreed by the residents group is an acceptable compromise.

At the time of writing this report a revised site layout for a reduced playground area incorporating the equipment indicated in the Revision 7 drawing is being prepared, which will have a depth of 13 metres and a minimum width of 25 metres. That will be incorporated in the presentation to the Planning Committee.

Recommendation: that the latest revision of the proposed play area is approved.

This page is intentionally left blank

# Agenda Item 11

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0024/FULL 18.02.2014	Mr J Pannu 69 Commercial Road Newport NP20 2PF	Erect new residential development of four 6 bedroom dwellings and three affordable units with associated external works, parking and new garden areas, plus new access road and footpaths Fwrrwm Ishta Inn 68 Commercial Road Machen Caerphilly CF83 8PG

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: This application site is on the south side of Commercial Road, Machen, adjoining the former Fwrrwm Ishta pub.

Site description: The site was the parking area associated with the pub, and is laid mainly to tarmac. The River Rhydney runs along its southern boundary.

Development: It is proposed to erect seven dwellings, four of which would be six-bedroom detached with double garages, the other three being built in a block consisting of one two-bedroom dwelling, and two one-bedroom flats.

Dimensions: The site has an area of 0.3ha. The detached houses would measure almost 18m by 8.65m by 8.4m high to the ridge. The block of three dwellings would be 12m by 9.6m by 8.2m to the ridge.

Materials: A mixture of brickwork, stonework, render and concrete roof tiles.

Ancillary development, e.g. parking: A new private road with access off Commercial Road would serve the four detached houses. Each house would have a double-garage and two parking spaces. The other dwellings would be served off an existing lane that runs along the western side of the former pub, and a total of four parking spaces would be provided.

Cont'd.....

Application No. 14/0024/FULL Continued.

### PLANNING HISTORY

06/0113/ADV - Erect free standing sign - Granted 18.10.06.

06/0145/FULL - Erect raised decking - Granted 15.09.06.

12/0063/COU - Temporary erect marquees and gazebos to host a rural market on a monthly basis of up to 10 events a year, between the hours of 10.00 a.m. and 2.00 p.m. on a Saturday only, in part of the car parking area of the Fwrrwm Ishta Inn - Refused 15.10.13.

13/0595/COU - Change the use from A3 (pub/restaurant) to C3 (residential), alter and refurbish existing Fwrrwm Ishta public house to create new five-bedroom single family dwelling with associated external works, parking and new garden area - Granted 28.11.13.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the settlement, and its riverside boundary is within a site of importance for nature conservation (SINC).

#### Policies:

SP3 Development Strategy in the Southern Connections Corridor

SP4 Settlement Strategy

SP5 Settlement Boundaries

SP6 Place Making

SP7 Planning Obligations

SP10 Conservation of Natural Heritage

SP14 Total Housing Requirements

SP15 Affordable Housing Target

SP21 Parking Standards

CW2 Amenity

CW3 Design Considerations: Highways

CW4 Natural Heritage Protection

CW11 Affordable Housing Planning Obligation

CW15 General Locational Constraints

NH3 Sites of Importance for Nature Conservation (SINCs)

Cont'd.....

Application No. 14/0024/FULL Continued.

NATIONAL POLICY Planning Policy Wales (2014), TAN12 Design, and TAN15 Development and Flood Risk.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. The applicants submitted a coal mining risk assessment (CMRA) and The Coal Authority is satisfied with its content and proposals for accommodating the mining legacy.

### CONSULTATION

Bedwas, Trethomas & Machen Community Council - Has requested more details, drawings and specifications.

The Coal Authority - No objections

Transportation Engineering Manager - Objection is raised because the smaller dwellings are served off a private lane over which the applicant does not appear to have control. Also it is not clear whether adequate visibility can be achieved at the junction with Commercial Road, and whether a continuous footway to the dwellings could be provided.

Head Of Public Protection - No objections subject to conditions concerning dust and noise control during construction.

Senior Engineer (Land Drainage) - No objections subject to conditions concerning drainage. Attention is drawn to the location of the site within a flood zone identified by TAN 15.

Dwr Cymru - No objections subject to conditions, and attention is drawn to two sewers running through plot 4, close to which no development will be allowed.

Countryside And Landscape Services - No objections subject to details of landscaping.

Conservation & Design Officer - No objections - the scheme does not have a significant impact on any listed buildings, including the war memorial.

Cont'd.....

Application No. 14/0024/FULL Continued.

CCBC Housing Enabling Officer - 40% affordable housing would be needed amounting to three units consisting of one 2-bedroom house, and two 1-bedroom flats.

Police Architectural Liaison Officer - No objections, but the scheme should be designed to Secure by Design standards.

Natural Resources Wales - The purpose of a flood consequences assessment (FCA) is to ensure that all parties, are aware of the risks to, and from, the development, and ensure that if practicable, appropriate controls can be incorporated in a planning permission to manage the risks and consequences of flooding. The evidence submitted in the FCA does not demonstrate this, therefore, NRW objects to this application in its current form.

Outdoor Leisure Development Officer - No objections subject to a financial contribution to outdoor leisure in the locality.  
Manager -

#### ADVERTISEMENT

Extent of advertisement: Twenty neighbouring properties were consulted, and the application advertised on site and in the press.

Response: Two letters have been received.

#### Summary of observations:

- A valuable asset and amenity has been removed from the village of Machen now the Ffwrwm Ishta has been turned into a domestic property.
- More social/affordable housing should be provided for the young people of Machen not six -bedroom properties. Who in Machen will be able to afford such properties?
- Planning gain should be a consideration and the developer should return something of use to the residents of Machen, such as improving road safety measures i.e. safe pedestrian crossings throughout the village - at least two more - together with other traffic calming measures.

#### SECTION 17 CRIME AND DISORDER ACT

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

Cont'd.....



Application No. 14/0024/FULL Continued.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Yes, it is liable, and the charge in the event of an approval of planning permission would be £54,909.

## ANALYSIS

Policies: The site is within the settlement defined in the LDP where housing schemes of this type are acceptable in principle. The design, appearance and layout of the scheme, and the relationship with neighbouring properties are generally acceptable. The main issues that cause concern are access to the affordable dwellings, and flooding.

The affordable housing turns its back on the remainder of the development and faces a lane that currently serves three large garages on the western side of the site. Ideally the affordable housing should be integrated with the other houses but that would not amount to a reason for refusal. However, the lane is privately owned, and it is not included within the application site. The developer has not shown that he has control over the lane to provide access to those properties, that the necessary visibility splays can be provided at the junction with Commercial Road, or that a pavement can be provided for the full length of the lane.

Part of plot 3 and the whole of plots 4, 5, 6 and 7 would be within flood zone C2 as defined in Welsh Government TAN 15 Development and Flood Risk. That document states that:

"New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,

Cont'd.....

Application No. 14/0024/Full Continued.

- iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,
- iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable."

The development does not comply with either of the first two tests. The site is previously developed land in that it was the car park to the pub so the scheme is satisfactory on the basis of the third test. However, NRW have advised that the submitted FCA does not demonstrate that all parties are aware of the risks to, and from, the development, and that measures will be taken to ensure that if practicable, appropriate controls can be incorporated in a planning permission to manage the risks and consequences of flooding.

Comments from Consultees: Apart from those of the Transportation Engineering Manager, and the NRW, which are considered above, there are no adverse comments from other consultees.

Comments from public: The comments received as a result of neighbour publicity would not justify reasons for refusal in this case.

Other material considerations: At present the local planning authority does not have a five-year housing land supply. The current supply is some 1.9 years, and that is a material consideration in determining any application for housing. However, the delivery of sufficient dwellings, including affordable housing, would not outweigh the significant objection to this scheme on flood risk grounds.

**RECOMMENDATION that Permission be REFUSED**

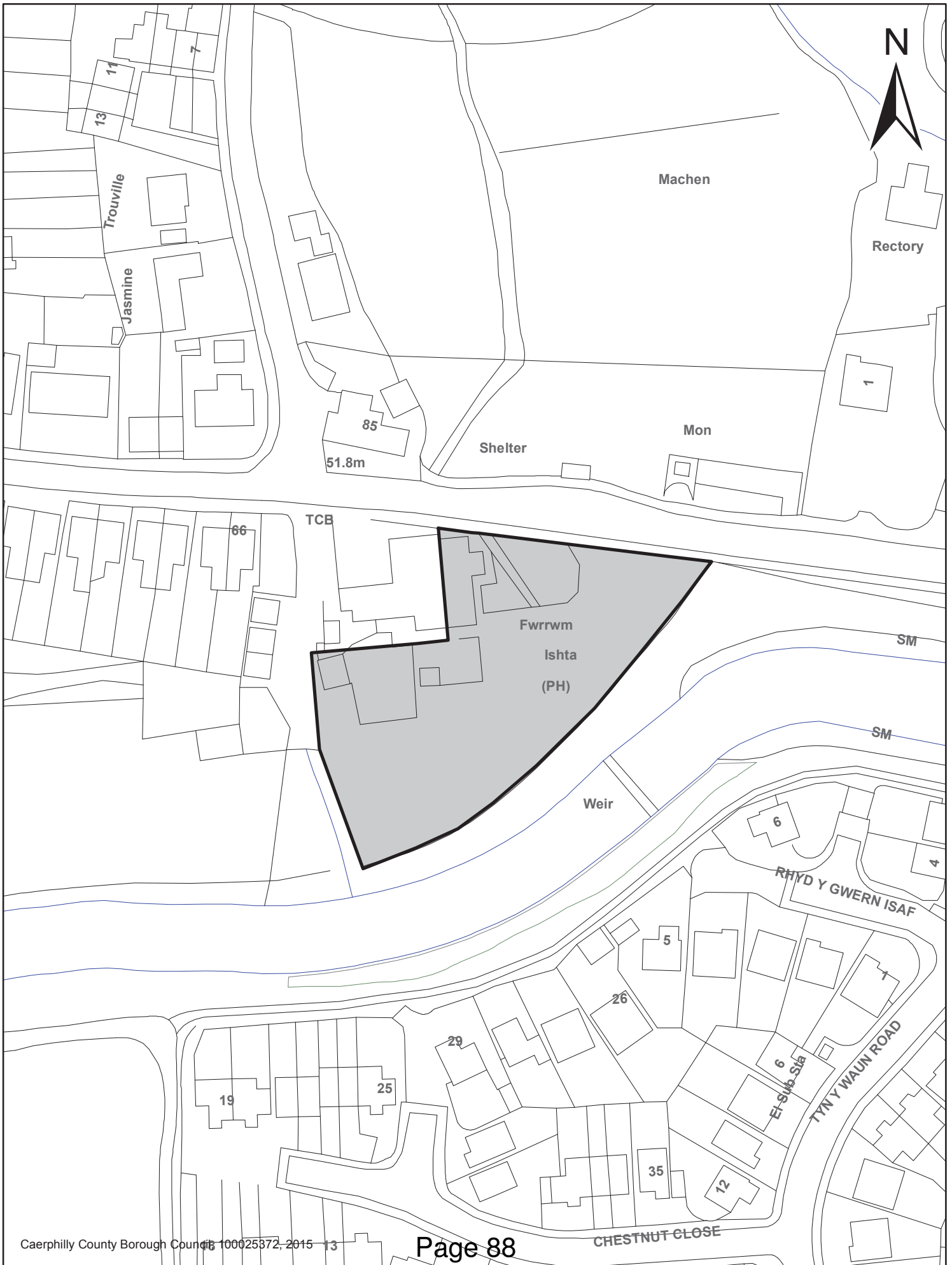
The reason(s) for the Council's decision is/are

- 01) The applicant has failed to demonstrate that he has sufficient control over the lane on the western side of the site to provide vehicular and pedestrian access to the dwellings at plots 5, 6 and 7, that the necessary visibility splays can be provided at the junction with Commercial Road, or that a pavement to those dwellings can be provided for the full length of the lane. Without those facilities the development would be contrary to policy CW3 of the Caerphilly County Borough Local development Plan up to 2021 – Adopted November 2010.

Cont'd.....

Application No. 14/0024/FULL Continued.

- 02) The development would not be necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; nor would it be necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region. The submitted FCA does not demonstrate that all parties are aware of the risks to and from the development, and that measures will be taken to ensure that if practicable appropriate controls can be incorporated in a planning permission to manage the risks and consequences of flooding. Therefore the location of part of plot 3 and the whole of plots 4, 5, 6 and 7 of the development in a 'C' flood zone would be contrary to Welsh Government Technical Advice Note 15 Development and Flood Risk.



# Agenda Item 12

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0023/COU 27.01.2015	Mr J Khehra 192 Bedwas Road Caerphilly CF83 3AU	Retain A1 use part ground floor and convert upper floors to residential Manchester House 1 Clifton Street Caerphilly CF83 1HA

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: The application property is situated on the junction of Clifton Street with Van Road.

Site description: The application property is a large and imposing corner property that is currently vacant but has most recently been used as a furniture shop. The building is largely two storeys with some accommodation in the roof space of part of the building. It is finished in render with a part tiled roof, with part of the roof being flat.

The part of the building on the very corner has the accommodation in the roof space and has an apex roof with a chamfered corner feature in keeping with many Victorian or Edwardian corner buildings. To the left of this and facing onto Van Road is a further two storey element that has a flat roof whilst to the right and facing onto Clifton Street is a single storey element.

As stated above the building is currently vacant but it is a long established retail premises with retail to the majority of the ground and first floors. There is a small area of storage to the ground floor with living accommodation to approximately one third of the first floor and in the roof space.

The property is located on the edge of Caerphilly Town Centre with a public house to the north and on the opposite side of Van Road, the new Caerphilly Library to the west and on the opposite side of Clifton Street, and residential property to the east and south along Van Road and Clifton Street.

Cont'd.....

Application No. 15/0023/COU Continued.

Development: The application seeks full planning consent for the change of use of the building to a mixed use of retail and residential. The use will encompass the retention of a retail use to the majority of the ground floor together with the provision of staff facilities, a store room, bin stores for the retail unit and the flats, a cycle store and stair access. There will then be 6 flats to the first floor (with the living room of one of the flats being on the second floor) including five two-bedroom flats and one one-bedroom flat. The flats will be accessed via the stairwell from the ground floor with a doorway off Clifton Street. Each flat will then have a separate access within the building off a shared corridor.

Some alterations to the exterior of the building are also proposed including the erection of an extension to the first floor of the single storey element on Clifton Street, the addition of three new windows and two new doors into the Clifton Street elevation, two new windows into the south elevation (facing the side of number 2 Clifton Street) and five new windows into the east elevation (facing the side of number 1 Van Road).

Materials: All windows and doors are to be repaired in matching materials with the exterior render being repaired. The extension will have a flat membrane roof.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY

No previous planning history.

## 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).

Cont'd.....

Application No. 15/0023/COU Continued.

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

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

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (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

Dwr Cymru - Provides advice to be conveyed to the developer.

Transportation Engineering Manager - No objection is raised given the less intensive demand in parking terms of the proposed uses against the existing uses of the premises, when measured against LDP 5 Car Parking Standards.

CCBC Housing Enabling Officer - The developer will need to provide 40% affordable housing on this site.

Head Of Public Protection - No objection subject to conditions.

### ADVERTISEMENT

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

Response: 12 letters of objection were received.

Cont'd.....

Application No. 15/0023/COU Continued.

Summary of observations:

- 1 Loss of privacy;
- 2 Lack of off street car parking;
- 3 Increased noise pollution;
- 4 This town centre property should be put to better use;
- 5 Detrimental impact on the character of the area;
- 6 Additional danger to pedestrians;
- 7 This type of accommodation is not required in this area;
- 8 The proposal would increase pollution in the area;
- 9 Concerns that the applicant will be unable to manage and maintain the property correctly;
- 10 The proposal will affect bats;
- 11 The building is not fit for purpose.

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 the bat survey submitted with the application it is possible that Pipistrelle bats may roost in the building. In that regard the developer will need to apply for a Development Licence prior to any works commencing on site.

Is this development Community Infrastructure Levy liable? Yes. Based on an increased residential floor area of 242.33 square metres an amount £9,693.20 is payable. However, the developer may be eligible for relief for the affordable housing element.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application property is situated within settlement limits and on the edge of the defined town centre with residential properties nearby. In that regard it is considered that the principle of a mixed use retail and residential use in this area is acceptable in planning terms. Indeed from an economic development perspective, the mixed use (and bringing this currently vacant property back into beneficial use) would have a positive impact on the area and would help to maintain the vitality and viability of the town centre.

Cont'd.....



Application No. 15/0023/COU Continued.

Notwithstanding the above comments the main points to consider in the determination of this application are the objections raised by members of the public and they will be considered in turn below.

1 It is accepted that the application proposes the introduction of new windows into the eastern and southern elevations of the building, which would face the properties at 1 Van Road and 2 Clifton Street respectively. However, it should also be noted that the application proposes to fit obscure glazing to the bottom half of those windows up to a height of 1.5m from ground level. It is considered that this would give an adequate degree of privacy to the neighbouring properties as any views into the rear gardens of those dwellings would be restricted and would result more in looking over rather than overlooking. It should also be noted that the windows in the southern elevation would face the pine end of the dwelling at number Clifton Street and as such there would be no direct overlooking in any event.

2 In terms of off street parking the Transportation Engineering Manager has offered the following comments: -

'No objection is raised given the less intensive demand in parking terms of the proposed uses against the existing uses of the premises, when measured against LDP 5 Car Parking Standards.'

It is calculated that the existing uses at the property require a total of 13.5 parking spaces whilst the proposed uses require 11 spaces which results in a net reduction in spaces. The central and sustainable location of the property also has to be taken into account with the building being located on the edge of the town centre with local amenities nearby and regular public transport services in the area. In that regard it is not felt that the lack of off street parking would be unacceptable in planning terms or that it would justify the refusal of the application.

3 The application property is an established retail premises within a defined town centre and it is on this basis that the noise impacts of the development have to be judged. The proposed use would lead to a reduction in the scale of the retail use in the building which should be beneficial in terms of noise nuisance whilst residential development is unlikely to have a detrimental impact on the amenity of neighbouring residential uses. In that regard it is not felt that the proposal would have a detrimental impact as a result of noise nuisance. It should also be noted that The Head of Public Protection has suggested conditions restricting the operational hours of the retail unit in order to protect the amenities of the occupiers of the flats and this should have a positive impact in terms of the amenity of neighbouring dwellings also.

Cont'd.....

Application No. 15/0023/COU Continued.

4 Whilst it may be considered that an alternative retail or commercial use of the application property would be preferred the Local Planning Authority has a duty to determine the application as submitted and considered it on its own planning merits.

5 It is considered that a mixed use of residential and retail at this edge of town centre location would be in keeping with the mixed use character of the area.

6 The application has been considered by the Transportation Engineering Manager in terms of highway safety and no objection has been raised. It is not considered that a mixed use would result in any increased dangers to pedestrians than the existing use.

7 Whilst it is not for the Local Planning Authority to consider whether this type of accommodation is required in this area, it is considered that this assumption is incorrect. The Council's Local Housing Market Assessment produced in April 2015 identifies a need for 1-and 2- bedroom units in the Caerphilly area and this development meets that need.

8 The application has been assessed by the Head of Public Protection and no objections have been raised. Whilst the proposed extension may increase the canyon effect alluded to by the objector it is not felt that this would lead to a marked increase in pollution. Moreover, it is considered that the lack of off street car parking in this development would be of benefit in terms of air pollution as it would result in less vehicular movements in the area.

9 The applicant's inability to manage and maintain the premises is not a valid reason to refuse the application.

10 A bat survey has been submitted with the application and this has been assessed by the Council's Ecologist. It is considered that there may be potential impacts on bat roosts but that this can be adequately covered by condition.

11 The objector has not stated why it is considered that the building is not fit for purpose. In any event it is not for the Local Planning Authority to consider this in this instance.

Comments from consultees: No objections raised. With regard to the conditions requested by Head of Public Protection and the Council's Ecologist it is considered that these are reasonable and necessary to make the application acceptable in planning terms.

Comments from public: Addressed above.

Cont'd.....

Application No. 15/0023/COU Continued.

Other material considerations: In conclusion it is considered that the proposed development would be acceptable in planning terms. The re-introduction of a retail use into this vacant premises together with the introduction of the residential use to the first floor would have a beneficial impact on the vitality and viability of the town centre and as such the proposal has economic benefits to the wider area. It is not felt that there would be any detrimental impacts on highway safety, amenity or privacy as a result of the proposal and the housing provision would meet an identified need in the area.

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

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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.
- 03) The development hereby approved shall be carried out fully in accordance with the recommendations made in Section 10 The outline Method Statement of the Bat Survey Report dated December 2014, prepared by Richard Watkins unless otherwise agreed in writing by the Local Planning Authority. The details shall be implemented before the development hereby approved is first occupied.  
REASON: To ensure adequate protection for protected species.
- 04) 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.

Cont'd.....

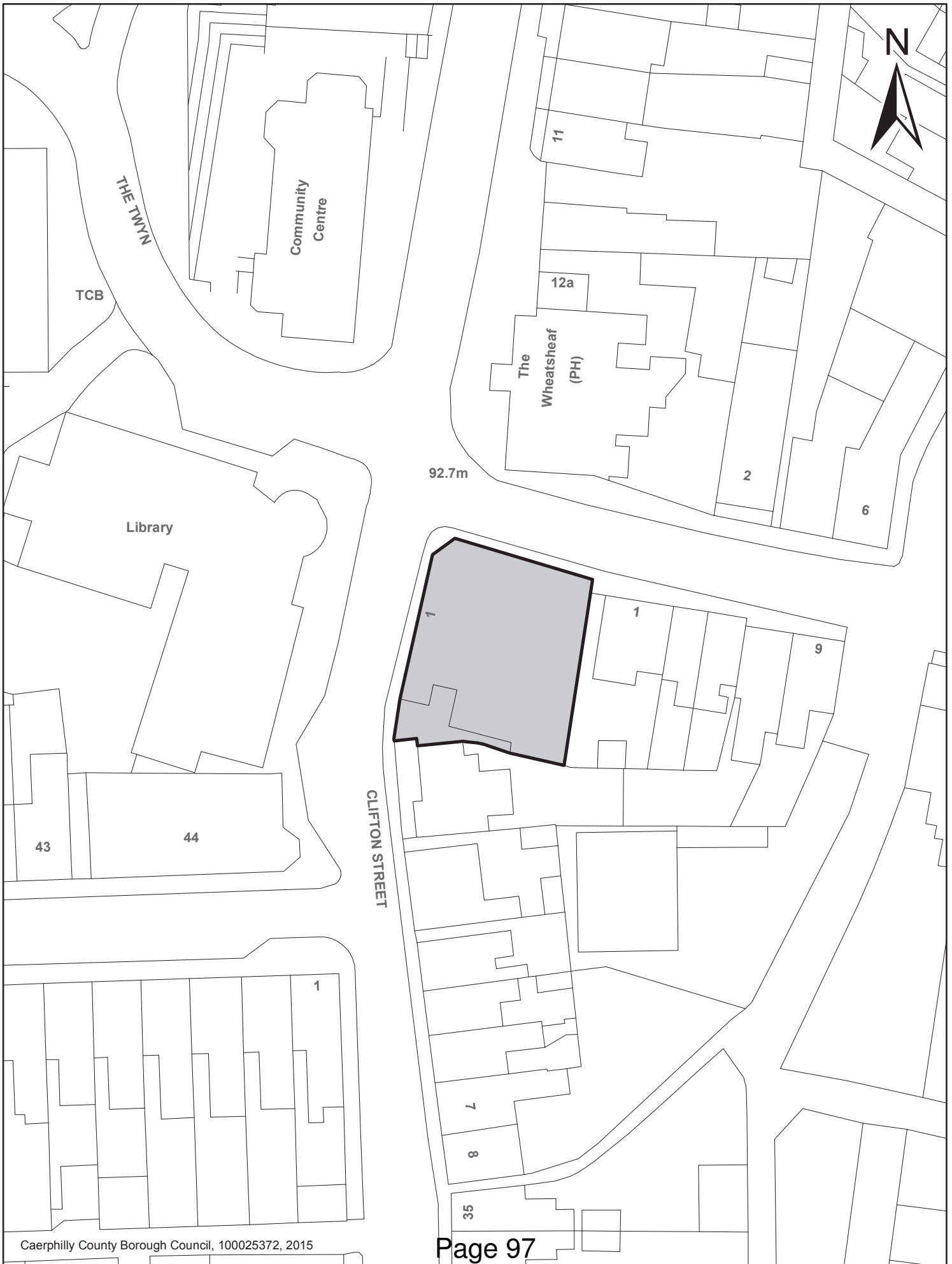
Application No. 15/0023/COU Continued.

- 05) 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.
- 06) 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 property at 1 Clifton Street, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 07) The use hereby permitted shall not be open to customers outside the following times 08.00hrs to 18.00hrs Monday to Saturday 10.00hrs to 16.00hrs on Sundays.  
REASON: In the interests of residential amenity.
- 08) No deliveries shall be taken at or dispatched from the site outside the hours of 08.00hrs to 18.00hrs Monday to Saturday with No deliveries on Sundays.  
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: .

Please find attached information in relation to bat and bird boxes.



This page is intentionally left blank

# Agenda Item 13

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0397/COU 12.06.2015	Mr I Jaura 48 Penylan Road Penylan Cardiff CF24 3PF	Change the use to a cafe/hot food takeaway on ground floor with residential flat on first floor (A2 to A3 and C3) 3 Station Terrace Caerphilly CF83 1HD

**APPLICATION TYPE:** Change of Use

## SITE AND DEVELOPMENT

Location: 3 Station Terrace, Caerphilly.

Site description: The application property is an end of terrace two storey building located at the southern end of Caerphilly town centre close to the train station. The building is stone fronted and most other elevations are rendered apart from the gable end elevation of a two storey rear projection which is a mixture of stone and brick.

To the west of the site the principal frontage of 3 Station Terrace faces onto the road, and an area of public realm works lies beyond with a public convenience block and a taxi rank. To the south is the train station and bus station with associated parking area. To the north is 1 and 2 Station Terrace which is part of the same terrace and have office/retail uses on ground floor with residential at first floor level. To the east are properties on Station Terrace which are a mixture of commercial and residential properties.

Development Description The proposed development is for a change of use from the existing office use to a cafe/takeaway at ground floor level with a new residential flat at first floor level.

The proposed ground floor layout has a waiting/dining area at the front of the unit with servery/kitchen area behind and a toilet. To the rear of the ground floor is a preparation room/cold store. The plans also show an additional entrance door to be added to serve the ground floor cafe/takeaway with a new corridor created to allow for dedicated access to the first floor flat.

The proposed first floor layout shows a two bedroom flat with kitchen, lounge and bathroom.

Cont'd.....

Application No. 15/0397/COU Continued.

Dimensions: The property is located on a corner plot and tapers in shape. It has an existing two storey rear gable projection.

Main building: The width of the property varies from approximately 5 metres on the principal elevation to 8 metres at the rear of the main part of the building. The length of the main part of the building is 7.5 metres

Rear gable projection: The rear two storey element has a footprint of 4 metres wide by 3.4 metres long.

Materials: The property is stone fronted with other elevations rendered and has concrete roof tiles.

Ancillary development, e.g. parking: A plan has been submitted identifying one parking space within a rear courtyard area behind the building.

#### PLANNING HISTORY 2005 TO PRESENT

14/0259/ADV - Display wall mounted external sign - Granted 12/08/14.

#### POLICY

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

Site Allocation: The site lies within the defined settlement boundary and the Principal Town Centre Boundary of Caerphilly.

Policies: CM1 Principal Town Centre Boundaries, CW2 (Amenity), CW3 (Highways), CW14 (Use Class Restrictions - Retail), SP6 (Place making).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

Cont'd.....



Application No. 15/0397/COU Continued.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, but this is not a concern in this case because no buildings are proposed.

### CONSULTATION

Transportation Engineering Manager - No objection subject to a condition requiring details of car parking.

Head Of Public Protection - No objections subject to imposition of conditions.

Senior Engineer (Land Drainage) - No comments.

Dwr Cymru - No objections, provide standard advice.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 5 nearby properties.

Response: No public responses received relative to the consultation exercise. The application was requested by a Councillor to be reported to Planning Committee for consideration.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

It is considered that the impact on crime and disorder will be acceptable noting its location within an existing town centre.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Yes the appropriate amount is £3490.50.

Cont'd.....

Application No. 15/0397/COU Continued.

## ANALYSIS

Policies: The application site is located within the Principal town centre boundary as defined by Policy CM1 in the Caerphilly Local Development Plan but is sited outside of the designated Primary Retail Area. The building was last used for a use falling with Class A2 (Financial and Professional Services) of the General Permitted Development Order as a Solicitors practice. The restrictions within Local Development Plan Policy CW14 (Use Class Restrictions - Retail) relate to changes of use of ground floor units where the existing unit falls within Class A1 (Retail) uses and therefore it is considered that in this instance there is no policy objections to a change of use from Class A2 to Class A3 subject to detailed planning considerations.

The building is located close to the main shopping area and lies in close proximity to transport connections including the train station and bus station. There are commercial uses in the adjacent two units in the terrace (Mortgage Advisors and a Pet Shop) with residential usage at first floor level. In the surrounding area there is a mixture of commercial and residential uses including a number of A3 (Food and Drink) premises such as the Irish Tymes Public House, the Malcolm Uphill Wetherspoons public house, several restaurants (Algarve and Tillies) and a cafe (Tyfos).

It is considered that the proposed ground floor use as a cafe/takeaway is acceptable in principle noting the property's location within the town centre boundary albeit towards the edge of the town centre. The amenity of existing residents has been considered; however considering the scale of the use, the centralised location and existing busy character of the area, distribution of other commercial uses and proximity to transport links facilitating dispersal it is considered that the development will not lead to an unacceptable level of additional noise or disturbance. It is considered that with the imposition of conditions to require the submission of schemes for odour control and noise mitigation to the proposed first floor flat that the impact on amenity for the flat above and surrounding properties will be acceptable. It is considered that proposal accords with Policy CW2 (Amenity).

The proposed parking provision would be located to the rear of the building in an existing courtyard area shared with the neighbouring terrace properties. The parking area would be accessed from a lane to the north of the site across the adjacent courtyard area of 1 and 2 Station Terrace. The Highway Authority requested clarification in relation to vehicular access rights to the proposed parking area and the applicant has provided a letter from the neighbouring property (1/2 Station Terrace) stating that a right of way to the rear of the application property exists for the applicant. It is considered that two parking spaces would be required for the development however the area to the rear of the building is sufficient to accommodate this with some amendments to the proposed layout. It is considered that with conditions a suitable parking arrangement can be achieved. It should also be borne in mind that the existing use of the premises would have generated traffic.

Cont'd.....

Application No. 15/0397/COU Continued.

The proposed use of the first floor of the building as a residential flat has been carefully considered. The submitted plans have indicated that the flat can be served from a dedicated entrance door on the front elevation of the building separated by a new internal corridor from the proposed ground floor cafe/takeaway. The flat would have two bedrooms and it is considered that there would be sufficient privacy for the flat and it would not introduce unacceptable overlooking to any neighbouring properties. To the west of the site beyond the courtyard is number 4 Station Terrace which is an end of terrace property occupied by an accountancy firm and this building has limited fenestration on the side elevation facing the application site with no windows at first floor level.

There are limited physical changes proposed to the application property with general refurbishment works including rendering of the rear elevation. It is proposed to provide a separate front entrance door for the ground floor cafe/takeaway and on the rear facade an additional door is proposed to provide an exit route from the servery/kitchen to the rear courtyard.

Comments from consultees: The Environmental Health Officer has offered no objections in principle to the development but has requested the imposition of conditions to require restrictions on opening hours and deliveries (07:00-23:00 Monday through Sunday). This is an hour later in relation to the morning opening hours than the applicant had sought. It is also recommended that a condition should be imposed to require a scheme of control for noise to ensure that measures are secured to protect future occupiers of the flat from noise from the takeaway at ground floor level.

The Highway Authority have indicated that following confirmation from the applicant they have right of access to the area proposed for parking across the courtyard that subject to a scheme for parking being submitted which achieves two parking spaces that they have no objections to the development.

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.

Cont'd.....

Application No. 15/0397/COU Continued.

- 02) The ground floor cafe/takeaway use hereby permitted shall not be open to customers outside the following times 07:00 to 23:00.  
REASON: In the interests of residential amenity.
- 03) No deliveries shall be taken at or dispatched from the site outside the hours of 07:00 to 23:00.  
REASON: In the interests of residential amenity.
- 04) No part of the buildings shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from the building and associated plant and equipment. The measures included in the approved scheme shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenities of the area.
- 05) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:  
- Site Location Plan, received 12.06.15  
- Proposed Plans (drawing ref 879/P.02 No revision), received 12.06.15  
- Proposed Section and Elevations, (drawing no 879/P.04 No revision), received 12.06.15  
- Proposed Site Plan (drawing ref 879/P.05, No revision), received 12.06.15  
; (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.
- 06) Notwithstanding the submitted plans, the uses hereby approved shall not commence until details have been submitted to and approved in writing by the Local Planning Authority which provide 2 off-street parking spaces within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to the beneficial occupation of the development commencing and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety and to ensure that adequate parking facilities are provided within the curtilage of the site.

Cont'd.....

Application No. 15/0397/COU Continued.

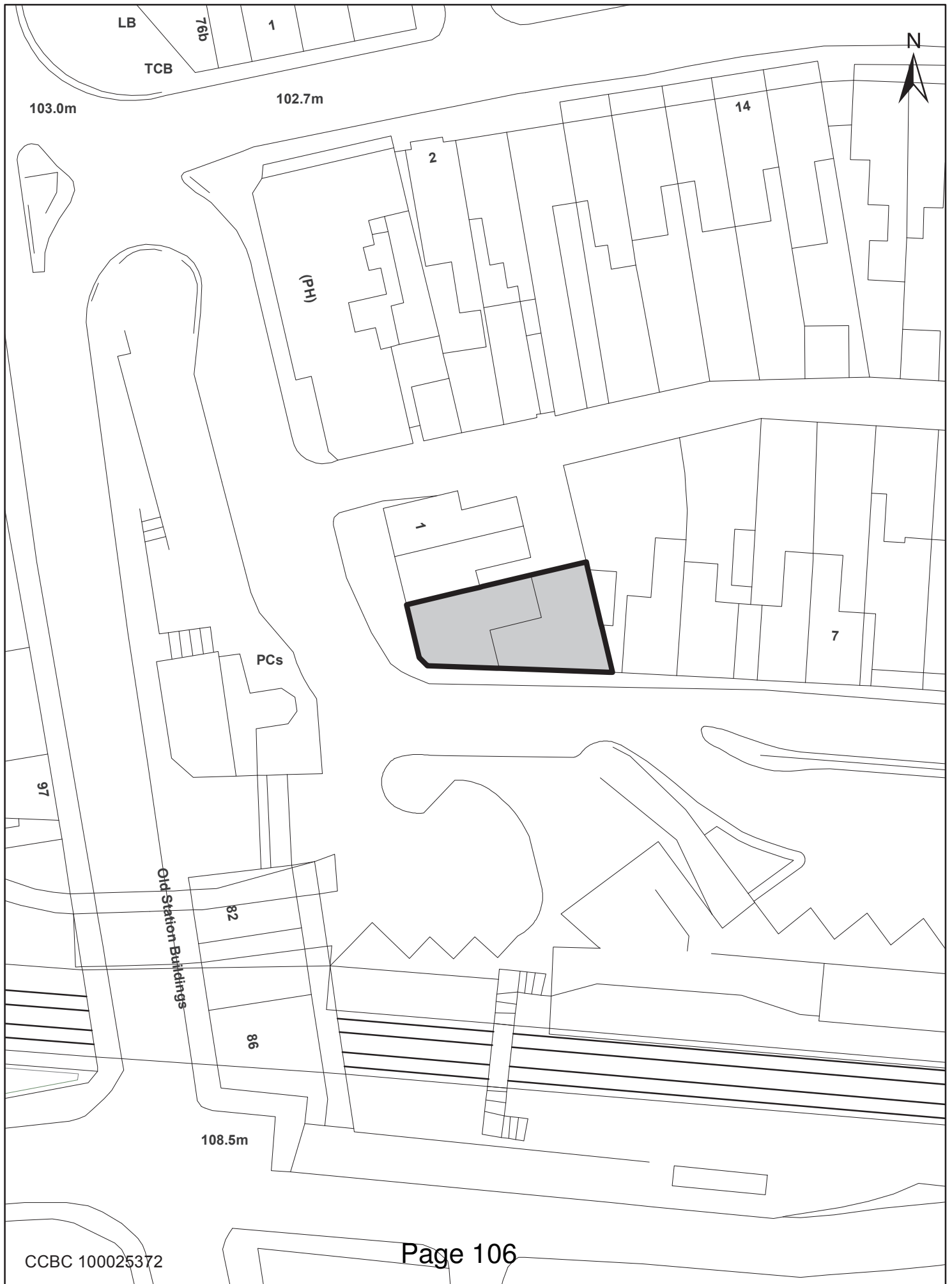
- 07) Notwithstanding the submitted plans prior to the beneficial occupation of the first floor residential use details of boundary enclosures within the rear courtyard area shall be submitted for the written approval of the Local Planning Authority. The boundary treatments shall be erected in accordance with the approved details.  
REASON: In the interest of the visual amenity of the area and to ensure the boundary treatments do not inhibit the implementation of parking for the development.
- 08) Notwithstanding the details submitted prior to the commencement of the development a scheme for on-site refuse storage (including any open air storage facilities) and for waste material awaiting disposal (including details of any screening) shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the agreed details prior to the first occupation of the development.  
REASON: In the interests of public health and the amenity of the area.
- 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.

Advisory Note(s)

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

The developer is advised that in preparing the schemes for control of noise and odour advice should be sought from the Council's Environmental Health Officer (01495 235279). The scheme for control of noise should incorporate measures to protect the future occupiers of the first floor flat from noise from the takeaway at ground floor level.

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: CM1, CW2, CW3, CW14, SP6.



# Agenda Item 14

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0423/FULL 14.07.2015	McDonald's Restaurants Ltd 11- 59 High Road East Finchley London N2 8AW	Erect extensions, provide minor reconfiguration of the car park, alter the roof, install new glazing and stall riser including associated works to the site  McDonalds Restaurants Ltd Unit C Crossways Park Parc Pontypandy Caerphilly CF83 3NL

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is the McDonalds restaurant at Crossways/ Gallagher Retail Park, Caerphilly.

Site description: The premises are an existing purpose-built single storey A3 restaurant which is largely rectangular in shape with a Mansard style roof. The building is finished in face brickwork with large glazed areas beneath a tiled roof. The site is bounded to the east by the A469 Caerphilly By pass, to the north by the Nant yr Aber and then the Tesco store, to the north west by the Pizza Hut Restaurant and to the south by the Travel Inn Motel and the Crossways Public House. To the west of the site is the roundabout on the junction of Parc Pontypandy and Heol Ty Merchant. Dwellings are located on either side of Heol Ty Merchant.

Development: The application seeks full planning consent for the erection of an extension to the front and side of the premises. The extension will enable a re-configuration of the internal layout of the premises to provide an increased capacity by 14 seats. This encompasses a rectangular extension to the side of the premises and a narrow rectangular extension to the front. Consent is also sought for the erection of two small extensions to the rear of the building to accommodate additional office and staff dining space.

Dimensions: The extension to the side measures 5.1m by 9.9m whilst the front extension measures 0.85m by 12m. The rear extensions measure 2.91m by 0.945m and 1.686m by 3.137m.

Cont'd.....

Application No. 15/0423/FULL Continued.

Materials: To match the host building.

Ancillary development, e.g. parking: The proposed side extension will be built on the area currently occupied by disabled parking spaces. As a result the application also seeks consent for a re-configuration of the car park including the loss of five standard parking spaces and one disabled parking space. The new disabled parking spaces will be provided to the rear of the side extension.

#### PLANNING HISTORY 2005 TO PRESENT

08/0270/NCC - Vary condition (6) of planning consent 5/5/96/0148 to allow the drive-thru facility only, to be open between the hours of 11.00p.m. and 7.30a.m. on Friday and Saturday nights only - Granted 20/05/2008.

08/0908/NCC - Vary condition 6 of planning consent 5/5/96/0148 to allow restaurant to open from 5am on Monday to Sunday inclusive - Granted 23/10/2008.

08/1052/FULL - Refurbish restaurant and alter elevations - Granted 04/11/2008.

08/1053/ADV - Install customer order display and various new signage - Granted 04/11/2008.

09/0521/NCC - Vary Condition (06) of Planning Consent 5/5/96/0148 to allow restaurant to open from 6.00 a.m. to 11.00 p.m. Monday to Sunday inclusive - Granted 10/09/2009.

10/0673/NCC - Vary Condition 6 of Planning Consent 5/5/96/0148 to allow restaurant to open from 6.00 a.m. Monday to Sunday inclusive - Granted 03/12/2010.

11/0248/NCC - Vary condition (06) of 5/5/96/0148 to allow the restaurant to trade 24 hours a day seven days a week with drive through only restriction between 11pm - 6am daily (for a 12 month temporary period) - Granted 07/07/2011.

11/0336/FULL - Create new drive thru lane, 2 no. new customer order display units, reconfigure car park and create 3 no. additional parking spaces together with associated hard and soft landscaping works - Granted 16/09/2011.

11/0337/ADV - Erect 3 no. rotating double three-sided menu units, relocate 2 no. rotating double three-sided menu units and relocate the existing height restrictor monolith - Granted 16/09/2011.

Cont'd.....



Application No. 15/0423/FULL Continued.

11/0762/NCC - Vary Condition (5) of Planning Permission 11/0336/FULL to widen bays to 2.6 metres - Granted 16/01/2012.

11/0810/NCC - Vary Condition 6 of Planning Permission 5/5/96/0148 to allow the restaurant to open 24 hours a day seven days a week with drive thru only trading between 11.00 p.m. and 6.00 a.m. daily - Granted 20/01/12.

12/0004/ADV - Erect illuminated double sided appendage, featuring the 24 hour logo to be fixed to the existing McDonalds Sky Sign - Granted 15/03/12.

13/0537/FULL - Extend existing car park on adjacent vacant land which includes the introduction of 38 new bays, with the reconfiguration of the existing car park and site access with associated works to the site - Granted 28/11/2013.

14/0278/NCC - Vary Condition 7 (Landscaping scheme) of planning consent 13/0537/FULL (Extend existing car park on adjacent vacant land which includes the introduction of 38 new bays, with the reconfiguration of the existing car park and site access with associated works - Granted 26/06/2014.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries)

SP6 (Place Making)

CW2 (Amenity)

CW3 (Design Considerations: Highways)

CW15 (General Locational Constraints).

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

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

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

Cont'd.....

Application No. 15/0423/FULL Continued.

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, a coal mining risk assessment has been submitted with the application. This has been assessed by The Coal Authority who has requested that a revised assessment be submitted prior to the determination of the application.

### CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to conditions.

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

Dwr Cymru - Raises no objection but provides advice to be conveyed to the developer.

Principal Valuer - No objection.

Rights Of Way Officer - Advises that FP55 in the Community of Caerphilly abuts the site and must be protected at all times.

The Coal Authority - Objects to the application until such time as a revised Ground Stability Report is submitted.

### ADVERTISEMENT

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

Response: Three letters of objection have been received from residents of the nearby housing estate, one with a 31 signature petition attached.

Cont'd.....

Application 15/0423/FULL

Summary of observations: The stated reasons for objection are:-

- excessive late night noise - shouting and screaming at night, racing car engines - all leading to disturbed sleep patterns;
- traffic problems - dangerous driving (e.g. too fast, and wrong way around the roundabout);
- the barriers previously installed as part of the application to extend the car park of the premises are not being raised and lowered at the correct times;
- traffic enters the extended car park the wrong way;
- litter - food packaging thrown from car windows, resulting in litter in the surrounding streets and even the gardens of the objectors; and,
- unwanted cooking odours;
- the police do not patrol the area
- a reduction in the number car parking spaces at the site;
- the fence on the south west boundary of the site does not adequately screen the car park from resident's homes.

In addition, the letters of objection include suggestions to deal with the issues raised above, as follows:-

- Revert the drive through opening hours to those in place before the 24/7 permission was granted;
- Install additional traffic calming measures at pedestrian crossing points along Parc Pontypandy;
- HGV vehicles should be re-routed through the northernmost entrance into the retail park;
- Carry out an acoustic monitoring report of the vehicles using Parc Pontypandy;
- Carry out a Transport Assessment for the application.

#### 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?

Late night hot food takeaways are often associated with anti-social behaviour, although one does not necessarily follow the other. In this case, this is an area where there are already a number of such uses, and it would be unreasonable to object to the scheme on crime and disorder grounds unless there was firm evidence that these small extensions would give rise to significant problems.

Cont'd.....

Application No. 15/0423/FULL Continued.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

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 main points to consider in the determination of this application are the design of the extensions and the impact of the proposal on the amenity of neighbouring properties. With regard to the design of the extensions it is considered that they are in keeping with the character of the host building. Whilst the largest of the extensions is on the elevation facing the front of the site, it is to be constructed in the same materials as the host building and would have the same architectural features. There is a large car park to the front of the site with the building being located to the rear of the site and as such it is not felt that it would be incongruous when viewed from public viewpoints.

In terms of the impact of the proposal on the amenity of the neighbouring properties it should be noted that the nearest residential properties are over 100m away from the facade of the proposed extension and there is a roundabout and the access road through the site in between. It should also be noted that the extension is a relatively modest structure with a floor area of approximately 50 square metres and which will accommodate an increase of 14 seats. In that regard it is not felt that the extension would lead to a marked increase in the numbers customers using the facility and as such there would be no unacceptable impact on the amenity of neighbouring residents.

Comments from consultees: Whilst The Coal Authority has raised an objection to the application until such time as a revised Coal Mining Risk Assessment is submitted, it should be considered that the application site is located within a defined retail park where a number of similar buildings have been erected. It is felt that a solution to provide adequate foundations to construct the extension in a mining area can be achieved and as such it would not be reasonable to withhold consent when a condition could be attached to any consent granted requiring the provision of an amended assessment together with details of an acceptable means of construction. No other objections were received from statutory consultees.

Comments from public: Each of the objections will be considered in turn below.  
Cont'd.....

Application No. 15/0423/FULL Continued.

1 Whilst it is accepted that customers may be attracted to the Parc Pontypandy area as a consequence of the late night opening hours operated by McDonalds, that use has the benefit of planning consent. As stated above the proposed extension is a modest structure which would provide a small increase in the number of customers able to be accommodated within the restaurant itself. It would not lead to an increase in the opening hours of the restaurant itself and would not increase the number of customers that could be served by the drive through facility that operates after 10pm. In that regard it is not felt that the extension would have any impact on late night nuisance.

Moreover, such nuisance issues are a matter for the police in this case.

2 Residents have alleged that the area experiences high levels of traffic late at night with numerous examples of dangerous driving. Accident data for the area does not show a high level of problems, and there is no evidence that these small extensions could aggravate any existing problems.

3 The operation of the barriers at the site has been monitored by officers of the Local Planning Authority over a short period earlier this year following the receipt of complaints from local residents. The matter was pursued and it was noted that the barriers were lowered before 8am in breach of the condition attached to the consent. A letter was sent to McDonalds and the breach was ceased. Whilst the lowering of the barriers before 8am would be a breach of the condition, the Local Planning Authority would need to consider whether it is expedient to pursue enforcement action. In respect of the monitoring carried out by officers it is not felt that there was any impact on the amenity of local residents and as such it would not have been expedient to take enforcement action.

4 Whilst vehicles may enter the car park through the exit road, this would not allow them to enter the enlarged car park. Moreover this is not a material planning consideration.

5 Littering is a matter for Environmental Health legislation. McDonalds provide litter bins in their car park and these are frequently emptied to prevent overflow.

6 The Council's Environmental Health Division has received no complaints in respect of odours at McDonalds in over ten years.

7 Lack of police presence is not a material planning consideration.

8 Whilst the proposal would lead to a reduction in the number of parking spaces at the site, there is currently an over provision of spaces. Therefore the proposal would not lead to an increase in off-site parking.

9 The screen fence at the front of the site has the benefit of planning consent and is considered to be acceptable in planning terms. Its adequacy as a screen to this development is not relevant to the determination of this application.

The following comments are made in reference to the residents' suggestions as to how the Council should deal with McDonalds restaurant:

Firstly, the restaurant is a lawful use in planning terms, serving a wide community, and has all the necessary planning permissions in place, including permission for 24 hours operation of the drive through facility. If the Council were to withdraw or seek to take away those permissions, the compensation payable to McDonalds would probably be extremely high.

Cont'd.....

Application No. 15/0423/FULL Continued.

Road safety measures, such as speed restrictions and the use of 'traffic calming', are matters for the Highway Authority to address.

Re-routing of HGV vehicles through the northernmost access to the retail park is not a matter for the Local Planning Authority and has no bearing on the determination of this application.

As the use of the site as a retail park is established by planning consent and policy allocations it is reasonable to expect that there would be a high level of vehicular movement within the site. Indeed, from an economic development perspective such high levels of traffic should be welcomed as it is an indication of economic success within the area. In any event it would not be reasonable either to require McDonalds to carry out such a survey in respect of this consent or indeed to withhold consent for this proposal until such time as a survey is carried out.

A Transport Assessment would only be required for a retail development with a floor area in excess of 1000 square metres.

Other material considerations: The plans indicate a banner that would be a form of advertising for the restaurant. It is proposed to attach a condition clarifying the position that a separate application would be necessary for advertisement consent.

In conclusion it is considered that this modest extension to an established A3 restaurant within a defined retail park is acceptable in planning terms and that planning consent should be granted 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) 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'd.....

Application No. 15/0423/FULL Continued.

- 03) 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.
- 04) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 05) 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.
- 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 car park indicated on the approved plan shall be retained for the parking of vehicles at all times.  
REASON: In the interests of highway safety.

Cont'd.....

Application No. 15/0423/FULL Continued.

- 08) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of any building(s) on site 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 together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to the Local Planning Authority prior to works commencing on site. Additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in accordance with the aforementioned details and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development. REASON: To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.

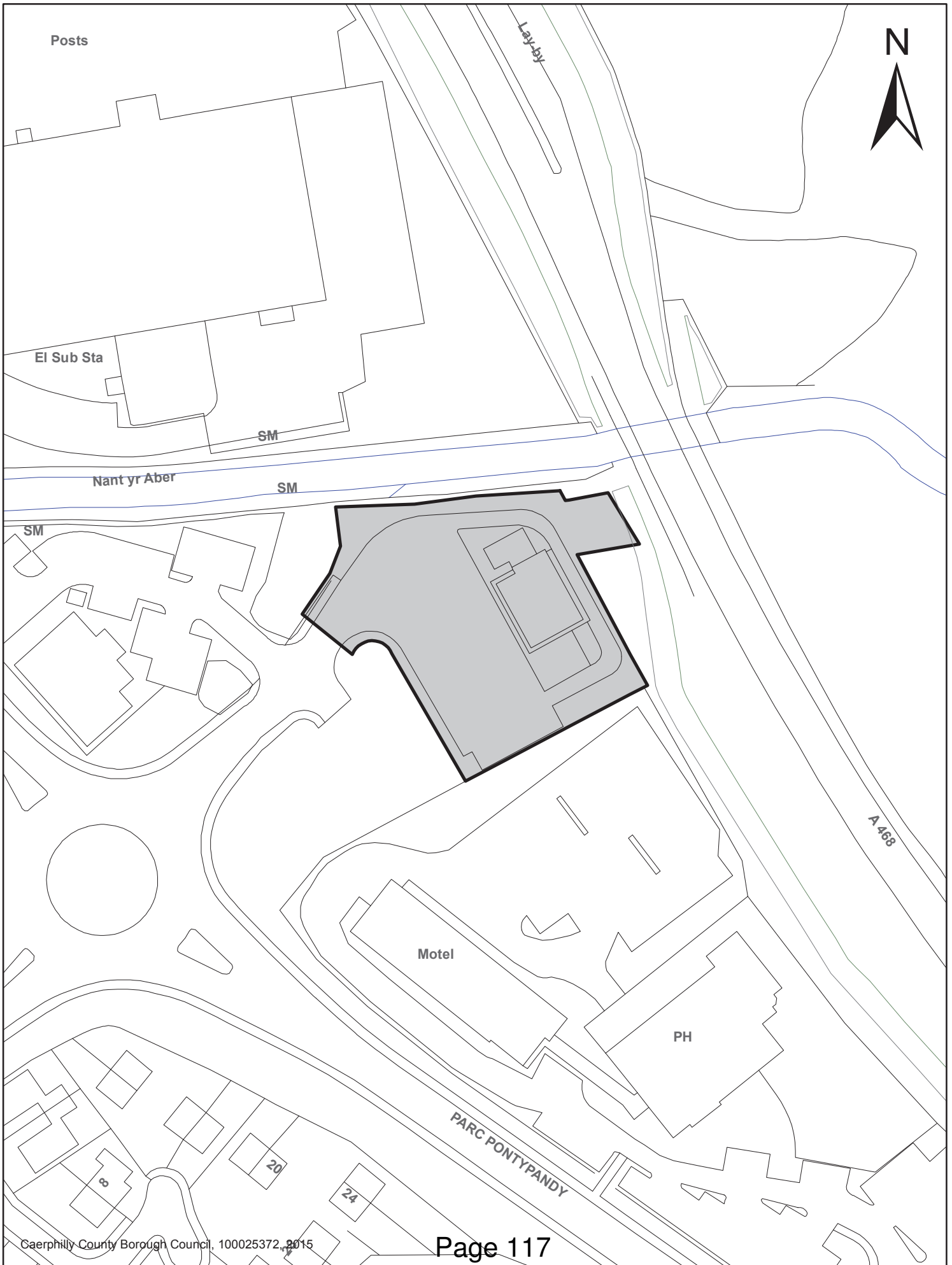
Advisory Note(s)

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.

Public Footpath FP55 in the Community of Caerphilly abuts the site and must be protected and available throughout the duration of the works.

Please find attached comments from Dwr Cymru/Welsh Water and the Council's Senior Engineer (Land Drainage).





This page is intentionally left blank

# Agenda Item 15

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0424/ADV 24.06.2015	McDonald's Restaurants Ltd 11-59 High Road East Finchley London N2 8AW	Reconfigure existing signage suite Crossways Park Parc Pontypandy Caerphilly

**APPLICATION TYPE:** Application to Display Adverts

## SITE AND DEVELOPMENT

Location: The application site is the McDonalds restaurant at Crossways/ Gallagher Retail Park, Caerphilly.

Site description: The premises are an existing purpose-built A3 restaurant use, in an area of the retail park that includes other A3 uses.

Development: Express consent is sought in respect of the re-configuration of the existing signage at the premises. The signage is to be re-configured in association with an extension that is the subject of a separate planning application. The existing roof signage to the front and side elevations of the building is to be removed and re-sited on the elevations of the proposed extension.

Dimensions: The large M to the side elevation measures 1.2m high by 1.42m wide with the McDonalds lettering to the front and side elevations measuring 0.606m high by 5.5m wide.

## PLANNING HISTORY 2005 TO PRESENT

08/0270/NCC - Vary condition (6) of planning consent 5/5/96/0148 to allow the drive-thru facility only, to be open between the hours of 11.00p.m. and 7.30a.m. on Friday and Saturday nights only - Granted 20/05/2008.

08/0908/NCC - Vary condition 6 of planning consent 5/5/96/0148 to allow restaurant to open from 5am on Monday to Sunday inclusive - Granted 23/10/2008.

08/1052/FULL - Refurbish restaurant and alter elevations - Granted 04/11/2008.

Cont'd.....

Application No. 15/0424/ADV Continued.

08/1053/ADV - Install customer order display and various new signage - Granted 04/11/2008.

09/0521/NCC - Vary Condition (06) of Planning Consent 5/5/96/0148 to allow restaurant to open from 6.00 a.m. to 11.00 p.m. Monday to Sunday inclusive - Granted 10/09/2009.

10/0673/NCC - Vary Condition 6 of Planning Consent 5/5/96/0148 to allow restaurant to open from 6.00 a.m. Monday to Sunday inclusive - Granted 03/12/2010.

11/0248/NCC - Vary condition (06) of 5/5/96/0148 to allow the restaurant to trade 24 hours a day seven days a week with drive through only restriction between 11pm - 6am daily (for a 12 month temporary period) - Granted 07/07/2011.

11/0336/FULL - Create new drive thru lane, 2 no. new customer order display units, reconfigure car park and create 3 no. additional parking spaces together with associated hard and soft landscaping works - Granted 16/09/2011.

11/0337/ADV - Erect 3 no. rotating double three-sided menu units, relocate 2 no. rotating double three-sided menu units and relocate the existing height restrictor monolith - Granted 16/09/2011.

11/0762/NCC - Vary Condition (5) of Planning Permission 11/0336/FULL to widen bays to 2.6 metres - Granted 16/01/2012.

11/0810/NCC - Vary Condition 6 of Planning Permission 5/5/96/0148 to allow the restaurant to open 24 hours a day seven days a week with drive thru only trading between 11.00 p.m. and 6.00 a.m. daily - Granted 20/01/12.

12/0004/ADV - Erect illuminated double sided appendage, featuring the 24 hour logo to be fixed to the existing McDonalds Sky Sign - Granted 15/03/12.

13/0537/FULL - Extend existing car park on adjacent vacant land which includes the introduction of 38 new bays, with the reconfiguration of the existing car park and site access with associated works to the site - Granted 28/11/2013.

14/0278/NCC - Vary Condition 7 (Landscaping scheme) of planning consent 13/0537/FULL (Extend existing car park on adjacent vacant land which includes the introduction of 38 new bays, with the reconfiguration of the existing car park and site access with associated works - Granted 26/06/2014.

Cont'd.....

Application No. 15/0424/ADV Continued.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries)

SP6 (Place Making)

CW2 (Amenity)

CW3 (Design Considerations: Highways)

CW15 (General Locational Constraints).

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

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

## CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection.

## ADVERTISEMENT

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

Response: None.

Summary of observations: Not applicable.

## SECTION 17 CRIME AND DISORDER ACT

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

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

Cont'd.....

Application No. 15/0424/ADV Continued.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

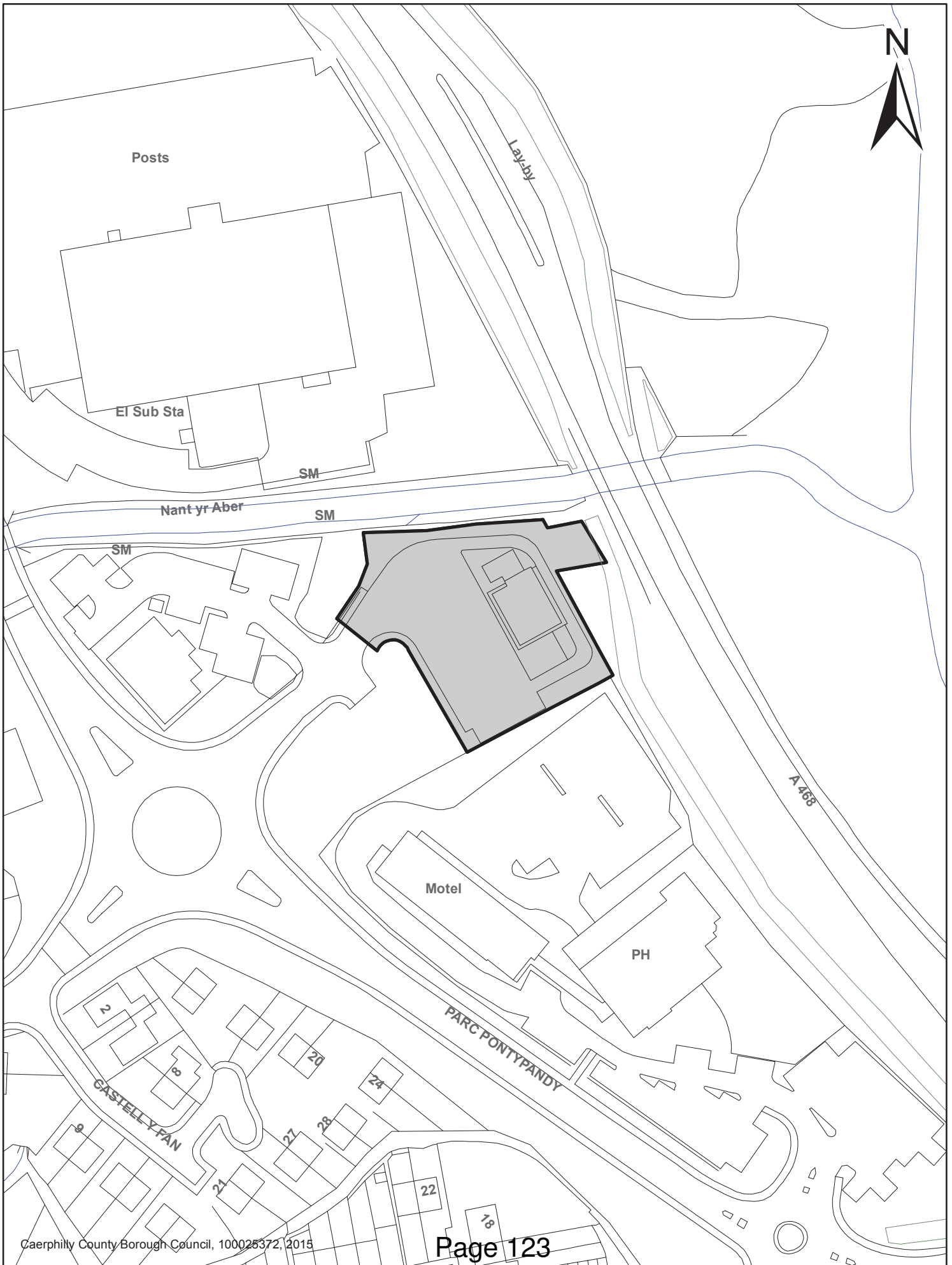
Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The basis on which all applications for advertisement consents can be determined as set out in legislation and is strictly limited to the effect on public safety and amenity. This application seeks consent to re-configure existing signage on this established restaurant in association with extensions that are the subject of a separate planning application. Whilst members may have concerns with regard to the application for the extensions it would not be reasonable to refuse this application in light of those concerns but rather the application should be considered against the two criteria set out above. In that regard it is considered that the proposed signage would not have a detrimental impact on public safety and in terms of amenity the signage would have no greater impact than it has in its current location. Consequently it is considered that the signage is acceptable in planning terms.

Comments from consultees: No objections raised. The conditions requested by the Transportation Engineering Services Manager are not considered to be necessary in this instance as the application property is situated some way off the adopted highway and as such the signage would have little or no impact on highway safety.

Comments from public: None.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED



This page is intentionally left blank





## PLANNING COMMITTEE – 09<sup>TH</sup> SEPTEMBER 2015

**SUBJECT: CONSULTATION FROM WELSH GOVERNMENT ABOUT SECONDRY LEGISLATION FOR DEVELOPMENT MANAGEMENT**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

---

1. Welsh Government (WG) has consulted on secondary legislation for development management. It is seeking the LPA's views by 11 September 2015 on:

- Invalid applications: notices and appeal
- Decision notices
- Notification of development
- Consultations etc. in respect of certain applications for approval
- Urgent Crown development
- Appeal against a notice issued in respect of land adversely affecting amenity (unsightly land)
- Post submission amendments
- Applications that fall within Section 73 of TCPA 1990, and
- Pre-application fees

The proposals are summarised below, and answers suggested to the questions raised by WG.

2. Invalid applications

Section 29 of the Planning (Wales) Bill amends the TCPA to provide for:

- the giving of a notice by an LPA that an application is not valid
- the appeal by the applicant against the notice and the information that is to accompany an appeal.

LPAs will be given the power to issue a notice of invalidity that will specify the following:

- a) the allocated application number and description of the application to which the notice relates;
- b) identify the requirement under the appropriate legislation (if relevant) under which an application for planning permission is invalid;
- c) in the case of an application for consent, agreement or approval required by a condition or limitation subject to which a planning permission has been granted;
- d) identify reasons why it does not comply with these requirements;
- e) provide a brief description how the applicant can comply with the requirements; and
- f) be accompanied by an explanatory note explaining the appeal process.

**WG question:** Do you agree that a notice that an application is not valid should include criteria a) to f)?

Yes.

**WG question:** Is there any additional information you think should accompany a notice of non-validation? If so, why is this information necessary?

No.

3. Applicants will be given 14 days to appeal, and Welsh Ministers will be given 21 days in which to determine it. If appeals are successful, the date the application will be considered valid will be the date on which it was first submitted.

**WG question:** Do you agree that a period of 14 days for the applicant to submit their appeal is sufficient time given the desired quick turnaround of appeals against notice of non-validation?

Yes

**WG question:** Do you agree that the Welsh Ministers should be required to determine appeals within 21 days of the start of the appeal period?

Yes. Should the appeal be allowed the period for the determination of the application should commence on the date of that decision, not the original submission of the application. LPAs should be encouraged to make sound validation decisions, but they should not be penalised where they decide to ask for more information based on their fair assessment of the legislation. Validating the application from the date of the original submission may encourage LPAs to accept poorer quality information.

4. It is proposed that the LPA should retain the planning application fee until the appeal against validity is determined. In the event that the appeal is dismissed, the fee could then be returned.

**WG question:** Where an application is considered to be invalid and an appeal submitted in respect of a notice of non-validation, do you agree that the fee should be retained by the LPA pending the outcome of that appeal?

Yes

5. Decision notices:

The Bill amends the TCPA 1990 to require that decision notices must specify the plans and documents in accordance with which the development is to be carried out, for decision notices to be updated and a revised version issued where consents are given or conditions changed, and to specify the need to notify the LPA of the date development is to begin and to display a notice of the decision

An example of the requirement to update decision notices is given below:

*Prior to the construction of the building hereby approved details of the materials to be used in the construction of the external surfaces of the building 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.*

On approval of the required details the condition will become:

*Prior to the construction of the building hereby approved details of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the local planning authority [Date Details Approved: xx/xx/xx, Application Reference No: xxxxxx]. The Development shall be carried out in accordance with the approved details.*

**WG question:** Do you agree that when a decision notice is revised it should include a) the date of the approval; and  
b) the relevant application reference in the updated version of the notice?

No. It would be easier to just add a sentence below the relevant condition stating when and what details were approved.

6. Where permission is granted to remove or amend a condition by an LPA or at appeal, an amended decision notice will have to be issued.

**WG question:** Do you agree that the Development Management Procedure Order should be updated to require LPAs to keep a copy of the most recent decision notice on the planning register?

Yes - this will make it clear which is the correct decision notice from a statutory point of view.

7. Notification of development

The Bill inserts a section into the TCPA to require developers to notify LPAs of the date a development is to begin. It also requires developers to display a notice of the decision to grant planning permission at or near to the development site at all times when it is being carried out. It is intended that such notifications will only be required for major developments and developments of national significance. Secondary legislation will specify that:

- the notice of decision to be displayed on site is the most up to date version of notice
- the notice should be visible and legible to anyone passing by without having to enter the site
- if the notice is removed, destroyed or deteriorates to a condition where it is no longer legible then it must be replaced.

The LPA will by condition be able to require that more than one notice be displayed if the site is particularly large.

**WG question:** Are there any other requirements which you think should be made of the developer in respect of the form, content or display of a notification of development?

No.

8. Consultations etc. in respect of certain applications for approval

Consultees in respect of planning applications will be required to provide substantive responses within a specified time period. Where discretionary consultation occurs, LPAs must not determine the associated application until 21 days after consultation, or when all consulted bodies have provided a substantive response, whichever is the sooner. It will be possible for extensions of time to be agreed where appropriate between LPAs and consultees.

**WG question:** Do you agree that LPAs shall not determine an application subject to consultation until any of the following periods have elapsed:

- a) a period of 21 days; or
- b) until all statutory consultees have provided a substantive response, whichever is the sooner, or
- c) subject to a longer period if agreed in writing between the LPA and consultee?

Yes

9. Urgent Crown development

Where Welsh Ministers consult bodies in respect of urgent Crown Development, replies must be made within 14 days, rather than 21. It is not intended to change that period due to the urgent nature of such work.

**WG question:** Do you agree that earliest time that Welsh Ministers can determine an application made under s.293A of the Town and Country Planning Act 1990 (TCPA) should remain as 14 days after giving statutory consultees notice of the application, as stated in Article 15 of the DMPO?

No. Whilst this matter is of little concern to this LPA, as a matter of equity, all developers should be treated the same, and a 21 day period would be appropriate.

10. Appeal against a notice issued in respect of land adversely affecting amenity (unsightly land)

Appeals against these notices, commonly known as section 215 notices, are currently to the Magistrates' Court. It is intended to amend legislation to allow the appeal to be made to the Welsh Ministers.

**WG question:** Do you agree that appeals determined by Welsh Ministers under s.217 of the TCPA should follow the same format as existing enforcement appeals?

Yes.

11. LPAs would be given four weeks in which to provide a statement in support of their case. The presumption would be that most appeals would follow the written procedure, but it would be up to Welsh Ministers to decide in each case.

**WG question:** Do you agree that a four-week period for LPAs to write their appeal statement is reasonable? If you consider an alternative period is more appropriate for s.217 appeals, please state why.

No. If the intention is to make the procedure similar to the enforcement one, and overall to simplify the planning system, all appeals should have the same deadlines i.e. six weeks.

12. Post-submission amendments

Developers often amend schemes once an application is submitted. Where the alteration are complex, it is proposed to extend the determination period of the planning application by four weeks either from the date of the receipt of the proposed amendment or from the end of the statutory period for determination whichever is the latest. Where the LPA does not accept that the proposed amendment is minor in nature and in fact a new application is required, no extension will be provided as making this decision should not have any significant impact upon the overall time taken to determine the application.

**WG question:** Do you agree that where an amendment is submitted in relation to major development applications, LPAs should be given an additional four weeks to determine the planning application?

Yes, but this should not be confined to major applications. All types of application can be amended, and require further consultation, and so the additional time period should apply in all cases. Also some schemes go through a number of amendments before they are found to be acceptable. Will an additional four weeks be allowed for each amendment?

13. It is intended to introduce a fee (£160 on the basis of the current scale, but £190 when the fees are raised in October 2015) for minor amendments to major development schemes.

**WG question:** Do you think a fee should be charged for minor material amendments to major applications which have yet to be determined?

ii) If yes, do you agree that £190 is an appropriate fee to charge in light of the recent consultation on planning application fees?

Yes, and the proposed fee is appropriate. However, some schemes go through a number of amendments before they are found to be acceptable. Will a fee be chargeable for each amendment?

14. Applications that fall within Section 73 of the TCPA 1990

Applications made under section 73 can be broadly separated into three types:

- renewal applications – those that extend the time limit referred to in conditions that place a limit on commencing the development
- minor material amendments to planning permissions - such as changing the design of the proposed schemes; and,
- the variation or removal of a condition attached to a planning permission that does not fall within the above categories - such as the opening hours of an establishment.

It is proposed to amend and effectively reduce the validation, consultation and notification requirements for such applications to reflect the fact that they follow the main permissions that would have been accompanied by all the necessary information, and involved the full consultation process.

**WG question:** Renewals

- i). Should the validation requirements for a renewal application be the same as the original application?
- ii). Should the LPA have discretion over the consultation requirements for a renewal application?
- iii). Should the LPA have discretion over the notification requirements for a renewal application?

Reduced validation requirements would appear reasonable, i.e. the plans and particulars of the original scheme do not need to be submitted, but consideration needs to be given to time sensitive information such as wildlife surveys, which need to be updated every two years or so, Also, how would changes in legislation be accommodated, e.g. if the validation requirements for an outline application are amended to require the submission of more information than at present, shouldn't the same apply to an application to vary a condition to renew an existing outline permission. The requirements for consultation and notification should be at the discretion of the LPA, although consideration should be given as to whether that includes public consultation.

**WG question:** Minor material amendments

- i) Should the validation requirements for a minor material amendment application be the same as the original application?
- ii) Should the LPA have discretion over the consultation requirements for a minor material amendment application?
- iii) Should the LPA have discretion over the notification requirements for a minor material amendment application?

The validation requirements should only cover those aspects of the scheme that are affected by the minor material amendment. The requirements for consultation and notification should be at the discretion of the LPA.

**WG question:** Variation or removal of a condition attached to a planning permission that does not fall within the above categories (renewal and minor-material)

- i) Should the validation requirements for these applications be the same as the original application?
- ii) Should the LPA have discretion over the consultation requirements for these applications?
- iii) Should the LPA have discretion over the notification requirements for these applications?

The validation requirements should only cover those aspects of the scheme that are affected by the minor material amendment. The requirements for consultation and notification should be at the discretion of the LPA.

15. Approved developments can be amended in a number of ways. If an amendment is judged to be non-material, e.g. introducing a small window in the side of a new house that does not overlook any neighbours, an application for a non-material amendment can be submitted with a fee of £25 for householder applications, and £83 in other cases. If a minor material amendment is proposed, e.g. the window referred to above overlooks a neighbouring house, a section 73 application to vary conditions specifying the approved plans on the original permission can be submitted with a fee of £166. Major changes would need a further full permission.
16. It is proposed to amend the fee requirements so that if an application for a non-material amendment is refused because it is not non-material, the fee for a subsequent application under section 73 for a minor material amendment would be reduced by the amount already paid.

**WG question:** Should the fee to accompany an application that falls within s.73 submitted after refusal of an application under section 96A of the TCPA only be that required to make up the difference in fee cost?

No. The developer should have made pre-application queries before submitting the application for the non-material amendment. The subsequent section 73 application is more likely to involve consultation, including neighbour consultation, and would involve far more work than the original application. The Local Planning Authority should not be penalised because the applicant did not make pre-application queries to establish the appropriate process.

17. Pre-application Fees

This LPA already provides pre-application advice, and raises a charge for that service. It is now proposed to put that on a statutory basis. The developer will be required to complete a pre-application enquiry form, which will provide the following information:

- (i) Contact details of the developer/agent (name, address, tel. no. email address)
- (ii) Description of development, to include volume of floorspace, number of units being created
- (iii) Site address
- (iv) Location plan (on OS base)
- (v) Plans, additional supporting information and reports that will assist the LPA to provide a helpful, focused response. Enquiries relating to householder development will need to be supported by elevation drawings.

18. The intention is that the content of the written response from the LPA will be different for householder enquiries and all other enquiries. As a minimum, the written response will comprise:

Householder enquiries:

- 1. Relevant planning history.
- 2. Relevant development plan policies against which the proposal will be assessed.
- 3. Any relevant supplementary planning guidance.
- 4. Any other material planning considerations.
- 5. Views of the case officer that address the merits of the proposal in the context of points 1, 2, 3 and 4.

All other enquiries:

- 1. Relevant planning history.
- 2. Relevant development plan policies against which the proposal will be assessed.
- 3. Any relevant supplementary planning guidance.

4. Any other material planning considerations.
5. Whether any Section 106 or Community Infrastructure Levy contributions are likely to be sought and an indication of the scope and amount of these contributions.
6. The information required to enable validation of any subsequent application.
7. The view of the case officer that addresses the merits of the proposal in the context of points 1, 2, 3 and 4.

The timescale for a response to be provided from the LPA to the applicant should be, at the most, 21 days from the receipt of a valid pre-application enquiry. But, provision is made to allow an extension of time when this is agreed in writing by the LPA and applicant for complex cases.

**WG question:** Do you agree that extensions of time should be permitted, subject to both the LPA and applicant agreeing in writing?

Yes, but the basic timescale needs to be lengthened in the first place. Considering pre-application proposals can be as complex as determining a planning application particularly on more complex applications. Also, developers need to provide more time in the design process for considering planning matters. Four weeks should be allowed for considering householder schemes, and eight weeks in all other cases.

19. Standard national fees are proposed for pre-application advice. These are set out in the table below. They are not dissimilar to those charged by this Council and in some cases are higher.

Type of Development	Description of Development	Proposed Fee
<b>Householder</b>	<p>The enlargement, improvement or alteration of existing dwellinghouses.</p> <p>The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse.</p>	£25
<b>Minor developments</b>	<p>1 to 9 residential units or a residential site area under 0.5 hectare.</p> <p>Non-residential development when the gross floorspace is under 1000 square metres or the site area is under 0.5 hectare</p>	£100

	<p>Change of use when the gross floorspace is under 1000 square metres or the site area is under 0.5 hectares</p> <p>Mixed use development where the gross floorspace is under 1000 square metres</p>	
<b>Major development</b>	<p>10 to 24 residential units or a residential site area is 0.5 hectare or over but under 1 hectare</p> <p>Non-residential development when: The gross floorspace is 1,000 square metres or over but under 2000 square metres; or the site area is 0.5 hectares or over but under 1 hectare</p> <p>Change of use when: the gross floorspace is 1,000 square metres or over but under 2000 square metres; or the site area is 0.5 hectares or over but under 1 hectares</p> <p>Mixed use development when the gross floorspace is 1,000 square metres or over but under 2,000 square metres</p> <p>Minerals and waste development</p>	£300
<b>Large major development</b>	<p>25 or more residential units or a residential site area of 1 hectare or more</p> <p>Non-residential development when: the gross floorspace is 2,000 square metres or more; or the site area is 1 hectare or more</p> <p>Change of use when:</p>	£600



	<p>the gross floorspace is 2,000 square metres or more; or the site area is 1 hectare or more</p> <p>Mixed use development when the gross floorspace is 2,000 square metres or more</p>	
--	---	--

20. For the pre-application service associated with the Developments of National Significance, which would be determined by Welsh Ministers, it is proposed to charge a flat rate fee of £1000.

**WG question:** Do you agree with the level of proposed fees set out in Table 1? If not, what should the fee be?

Yes apart from it would be reasonable to charge £48 for the householder queries, and £150 for the minor developments.

**WG question:** Do you have any other comments to make regarding the statutory pre-application service? No.

Recommendation: That Welsh Government is advised of the answers set out in this report.

This page is intentionally left blank



## PLANNING COMMITTEE – 09<sup>TH</sup> SEPTEMBER 2015

**SUBJECT: INCREASE IN FEES 2015**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

---

1. As a result of The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015, the fees for the submission of planning applications are going to change from 1 October 2015 along with other legislative changes, which are set out below:
  - an increase in fees by approximately 15%, e.g. householder applications will increase from £166 to £190, and changes of use from £330 to £380;
  - fees paid in respect of applications for planning permission or for the approval of reserved matters are refunded if the LPA fail to determine the application within specified times;
  - fees are payable in respect of applications for consent, agreement or approval required by any planning condition or limitation, and any such fee is refunded if the LPA fail to determine the application within specified times;
  - fees in respect of deemed applications in enforcement proceedings are to be paid to the LPA rather than half to the LPA and half to the Welsh Ministers;
  - a fee is payable to the LPA on a revised application for approval of reserved matters where those reserved matters have previously been approved. Under the 1989 Regulations such an application was exempt from payment of a fee where conditions were met; and,
  - where applications are made for planning permission, for approval of reserved matters or for certificates of lawful use or development which relate to land in the area of two or more LPAs, a fee is payable to each LPA. Under the 1989 Regulations the fee was payable to the LPA in whose area the largest part of the land was situated.
2. Fees have been increased intermittently over the years, but apart from the introduction of fees for the agreement of information submitted as result of a condition on a planning permission, the most significant change is the requirement to refund a fee should a decision not be given within a certain period. Once a planning application has been validated, Welsh Government expects the LPA to make a decision on the proposal as quickly as possible, and in any event it is expected that 80% of applications should be determined within the statutory time limit of eight weeks (sixteen weeks where an application is subject to an Environmental Impact Assessment) unless a longer period is agreed in writing with the applicant. The LPA must seek agreement to the extension of that period if necessary. If the applicants do not give consent, they will be entitled to a refund of the fee if they have not appealed against non-determination.
3. The time period after the statutory limit when a refund should be given is:
  - 8 weeks after the determination date for applications for householder development; and,
  - 16 weeks after the determination date for all other applications.

If an extended period is agreed, the 8- and 16-week periods will run from the end of the agreed extra period.

4. This matter is brought to members' attention because it forms part of a number of measures being introduced by Welsh Government to, in their view, improve the planning service given by LPAs, which will require this Council to review its working practices. Overall performance will have to be set out in an annual monitoring report. Development Management officers and their consultees will have to ensure that applications are dealt with promptly, and where appropriate, applications are reported to the earliest Planning Committee to ensure that a decision is made within the appropriate timeframe without having to return a fee. Members' site visits often prolong the determination period, and it is intended in due course to recommend that this Council adopt the procedure already exercised by other LPAs of having them before the committee to which the application is reported. In the meantime, members are requested to check the weekly list of planning applications, and as required by the Council's constitution, advise officers within 21 days of the publication of the list of those applications they want to be reported to Planning Committee, and whether they are likely to request a site visit.

Recommendation: That the contents of the report are noted.



## PLANNING COMMITTEE – 09<sup>TH</sup> SEPTEMBER 2015

**SUBJECT: LOCAL LIST REPORT**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

---

### 1. New procedure for validating planning applications

Welsh Government through the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 has introduced a new scheme for the validation of planning applications for major development. There is now a national list of information that must be submitted in all cases, and then a local list that applies only to major development that has to be adopted by the local planning authority (LPA) and published on its website. Major development is defined in the following manner

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

### 2. The national list

In addition to the standard application forms and plans, the national list requires the submission of the following information with applications for outline or full planning permission for major and minor development in the appropriate circumstances:

- Biodiversity survey and report
- Coal mining risk assessment
- Flood consequences assessment
- Noise assessment
- Retail impact assessment
- Rural enterprise dwelling appraisal
- Transport assessment
- Tree survey

Legislation also requires that in certain circumstances a design and access statement or an environmental statement may be required, but they will not be considered further here as the need to submit them is covered by other statutes.

### 3. The local list

It is recommended to reflect local planning circumstances and the experience of dealing with planning applications in this borough that the following additional information will be required to accompany major proposals in the appropriate circumstances:

- Air quality assessment
- Open spaces assessment
- Affordable housing provision
- Draft planning obligation
- Land contamination assessment
- Sustainable urban drainage systems (SUDS), foul, surface water and land drainage report
- Landscape strategy
- Bin storage and refuse collection provision
- Travel plan
- Tree protection plan (TPP), arboricultural implications assessment (AIA), and an arboricultural method statement (AMS)

### 4. Criteria for requiring the submission of additional information

The tables at the end of this report set out both the national and local lists, and explains in what circumstances the additional information would be required. Where there is any dispute, about what information is required Welsh Government document *Applying For Planning Permission and Other Related Consents: A Guide To The Standard Application Form ('1app') and Validation Of Applications (April 2012)* will be taken into account in resolving any disagreement, along with any guidance in Planning Policy Wales and the relevant TANs

## 5 RECOMMENDATION

### 5.1 That officers follow the appropriate publicity prior to the adoption of the local list.

<b>NATIONAL LIST</b>				
	<b>Information item</b>	<b>Type of application that requires this information</b>	<b>When will information be required?</b>	<b>Further guidance</b>
1	Biodiversity survey and report including mitigation proposals	Full (F), outline (O), major and minor including householder	Where the development affects habitats and species protected under European legislation, the Wildlife and Countryside Act 1981, or the Protection of Badgers Act 1992	TAN 5, Caerphilly CB LDP
		Major applications	Where the development is within or adjoins a site of interest for nature conservation (SINC) or Local Nature Reserve (LNR) defined in the adopted or emerging local development plan (LDP)	
2	Coal mining risk assessment	F, O, major and minor but not householder	New operational development in a high risk area	The Coal Authority website

3	Flood consequences assessment	F, O, major and minor but not householder	Development within flood zones C1 and C2	TAN 15
4	Noise assessment	F, O, major and minor but not householder	Where noise sensitive development is proposed next to an 'A' road or trunk road, or a noise generating use. Where noise-generating development is proposed next to noise sensitive use.	TAN 11 or BS4142 for industrial and commercial sound
5	Retail impact assessment	F, O, major	Retail developments over 2,500 square metres gross floor space	TAN 4
6	Rural enterprise dwelling appraisal	F, O, major and minor but not householder	New permanent and temporary rural enterprise dwellings outside the settlement in the Caerphilly CB LDP	TAN 6
7	Transport assessment	F, O, major	Food retail > 1,000m <sup>2</sup> gross floor area Non-food retail > 1,000m <sup>2</sup> gross floor area Cinemas and conference facilities > 1,000m <sup>2</sup> gross floor area Leisure facilities > 1,000m <sup>2</sup> gross floor area Business > 2,500m <sup>2</sup> gross floor area Industry > 5,000m <sup>2</sup> gross floor area Distribution and warehousing > 10,000m <sup>2</sup> gross floor area Hospitals > 2,500m <sup>2</sup> gross floor area Higher and further education > 2,500m <sup>2</sup> gross floor area Schools All new schools (see D5 below) Stadia > 1,500 seats Housing > 100 dwellings Hotels > 1,000m <sup>2</sup> gross floor area	TAN 18
8	Tree survey	F, O, major and minor but not householder	Any building or engineering works where there are trees within or adjoining the application site.	CCBC adopted SPG LDP4: Trees and development; BS 5387

<b>LOCAL LIST</b>				
	<b>Information item</b>	<b>Type of application that requires this information</b>	<b>When will information be required?</b>	<b>Further guidance</b>
1	Air quality assessment	Full (F), outline (O), major	Where the development is within a declared air quality management area or would result in a significant increase in traffic passing through the AQMA. Proposals that generate high levels of air pollution, such as significant industrial developments (for example large factories producing high levels of pollutants such as Nitrogen Dioxide)	Caerphilly CBC Pollution Control team
2	Open spaces assessment	F, O, major	Where the development results in the loss of open space	CCBC adopted SPG LDP8 - Protection of Open Space
3	Affordable housing statement, including viability assessment where appropriate	F, O, major	Residential development	LDP policy CW11; CCBC adopted SPG LDP1 - Affordable Housing Obligations; and CCBC Housing Enabling Officer
4	Draft planning obligation	F, O, major	Where an obligation is needed to set out the provision of those matters that are necessary to make the proposal acceptable in planning terms (including affordable housing)	TAN 11
5	Land contamination assessment	F, O, major	Where development is proposed on previously developed or	Caerphilly CBC Pollution Control team



			contaminated land where the condition of the land and its implications for the development are uncertain	
6	Sustainable Drainage Systems (SuDS), foul, surface water and land drainage report	F, O, major	New operational development should incorporate SuDS or be accompanied by a report setting out why they cannot be utilised	SuDS Wales website. TAN 15
7	Landscape strategy	F, O, major	New operational development should include appropriate landscaping based on a strategy	
8	Bin storage, refuse, litter and dog fouling collection provision	F, O, major	New operational development	CCBC Public Services
9	Travel plan	F, O, major	New operational development	CCBC Transportation Engineering team
10	Arboricultural Implications Assessment (AIA) in accordance with BS5837:2012 or any subsequent edition, accompanied by a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) subject to site circumstances?	F, O, major	New operational development where there are trees on site or on adjoining land where the root protection area overhangs the site	CCBC adopted SPG LDP4: Trees and development, BS 5837
11	Heritage statement (including historical, archaeological features and scheduled ancient monuments)	F, O, major	New operational development within, adjoining or adjacent to a listed building, conservation area, or scheduled ancient monument (SAM)	Welsh Office circulars 60/96 and 61/96, and CCBC Conservation Officer
12	Restoration strategy and aftercare proposals for all mineral working and landfill proposals  Dust assessment and mitigation measures for all mineral working and outdoor inert waste recycling or landfill	F, O, major	Minerals and waste proposals	Minerals Planning Policy and Minerals Technical Advice Note, and CCBC Minerals and Waste Officer

<p>Hydrological/hydrogeological assessment where surface and ground water may be affected</p> <p>Odour assessment for waste developments such as anaerobic digestion or composting (and bioaerosol assessment?)</p> <p>Health impact assessment for coal- required by MTAN 2: Coal</p> <p>Economic impact assessment for major mineral and waste schemes</p> <p>Planning statement - for minerals to cover information about the mineral resource, borehole data, any special characteristics, the end use, markets, phasing, benches, faces, need for the development, blasting. For waste a description of the processes proposed and likely effects, sources of inputs and markets for outputs.</p> <p>Landscape impact assessment including photomontages</p> <p>Transport assessment - proposed haul routes, method of transportation and HGV numbers</p>			
--	--	--	--

## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
15/0350/FULL 21.05.2015	Mr C Lewis 120 Heol-Y-Ddol Caerphilly CF83 3JN	Erect a two-storey side extension and a single-storey rear extension 120 Heol-Y-Ddol Caerphilly CF83 3JN	Granted 28.07.2015
15/0357/FULL 22.05.2015	Mr D Ogden Pant Y Gollen Mountain Road Thornhill Caerphilly CF83 1LY	Demolish existing outbuilding and construct new kitchen/family room Pant Y Gollen Mountain Road Thornhill Caerphilly	Granted 28.07.2015
15/0214/COU 22.04.2015	Mr G Phillips Barnfield Cottage Ty'r Sais Farm Lane Argoed Blackwood NP12 0JA	Change use to form a nursery The Goldmine Bar And Grill Bridge Street Newbridge Newport	Granted 30.07.2015
15/0362/FULL 27.05.2015	Mr & Mrs T Bourne Westleigh 7 Brynheulog Road Newbridge Newport NP11 4RG	Erect conservatory Westleigh 7 Brynheulog Road Newbridge Newport	Granted 30.07.2015
15/0364/FULL 28.05.2015	Seren Living Mr S Traves Exchange House The Old Post Office High Street Newport NP20 1AA	Adapt existing supported housing into supported self contained units 23 Church Road Risca Newport NP11 6FG	Granted 30.07.2015
15/0386/FULL 05.06.2015	Mr D Ball 4 Duffryn Street Ystrad Mynach Hengoed CF82 7GJ	Construct detached garage 4 Duffryn Street Ystrad Mynach Hengoed CF82 7GJ	Refused 30.07.2015

15/0371/FULL 02.06.2015	New Eagle SA V Urvashi 102 Ealing Road Wembley Middlesex HA10 4TH	Remove existing shop front glazing and roller shutter and install a new curtain wall type glazing and double door flush with the main frontage and incorporate a new solid single door within the glazing to provide independent access to the first floor 127 High Street Blackwood NP12 1AB	Granted 31.07.2015
15/0383/FULL 05.06.2015	Mr J Hyde Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood NP12 2BJ	Provide replacement dwelling and associated access and groundworks Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood	Granted 31.07.2015
15/0338/FULL 18.05.2015	Mr M Coxe Unit 1 Albion Industrial Estate Cilfynydd Road Pontypridd CF37 4NX	Erect single-storey extension and loft conversion 30 Caerphilly Road Senghenydd Caerphilly CF83 4FU	Granted 03.08.2015
15/0363/FULL 28.05.2015	Ms A Sharp 68 Gwyddon Road Abercarn Newport NP11 5GZ	Renew and extend existing rear patio and associated retaining wall 68 Gwyddon Road Abercarn Newport NP11 5GZ	Granted 03.08.2015
15/0359/FULL 26.05.2015	Mr J Shorter C/o Mike Gilbert Planning Ltd 62 Broadmarsh Lane Freeland Witney Oxfordshire OX29 8QR	Create one car parking space 1 Laburnum Houses St David's Avenue Woodfieldside Blackwood	Granted 04.08.2015
15/0367/FULL 01.06.2015	United Welsh Housing Association Mr R Mann 13 Beddau Way Caerphilly CF83 2AX	Construct a new 20 no. space car park and install associated flood lighting 13 Beddau Way Caerphilly CF83 2AX	Granted 04.08.2015

15/0391/COU 10.06.2015	Mrs M Miles C/o Asbri Planning Ltd Mr B Davies Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Change of use of the property to a single residential dwelling Sunnybank House Sunnybank Road Blackwood NP12 1HT	Granted 04.08.2015
15/0378/FULL 10.06.2015	Mr Bennett 86 Brynglas Penyrheol Caerphilly CF83 2PL	Convert existing garage to living accommodation and construct off road parking area to front elevation 86 Brynglas Penyrheol Caerphilly CF83 2PL	Granted 05.08.2015
15/0393/FULL 10.06.2015	Mrs S Aziz Western House 347 Western Avenue Llandaff Cardiff CF5 2BB	Erect an external flue extraction system 1 Lewis Terrace Oak Terrace Llanbradach Caerphilly	Refused 05.08.2015
15/0373/NCC 03.06.2015	Ynysddu Nursing Home Mount Pleasant Ynysddu Newport NP11 7JQ	Vary Condition 01 of planning permission 10/0484/FULL (Erect extensions to an existing nursing home, to provide additional accommodation and administration facilities) to extend the period of time within which the development may commence by a further five years Ynysddu Nursing Home Mount Pleasant Ynysddu Newport	Granted 06.08.2015
15/0374/FULL 04.06.2015	Mr J Lewis Maes Deri Bont Pren Crumlin Newport NP11 5BH	Erect two-storey side extension and brick skinning to dwellinghouse 21 Clytha Square Abercarn Newport NP11 5JZ	Granted 06.08.2015
15/0375/RET 04.06.2015	Mr Atkins Nyth Gwennol Caernarvon Court Hendredenny Caerphilly CF83 2RL	Retain conservatory Nyth Gwennol Caernarvon Court Hendredenny Caerphilly	Granted 06.08.2015

15/0464/NMA 09.07.2015	Mr L Hurley Ty Webb Penrhiw Avenue Oakdale Blackwood NP12 0EW	Seek approval of a non-material amendment to planning consent 14/0778/FULL (Convert first floor flat into two units with the addition of a roof extension at second floor level and additional parking provision to the rear) to provide a minor enlargement of the dormers located on the front elevation 206 High Street Blackwood NP12 1AJ	Granted 06.08.2015
15/0346/FULL 20.05.2015	Mr N Hodson 61 Raglan Road Hengoed CF82 7LY	Erect single and two-storey rear extension and erect a detached single-storey garage 61 Raglan Road Hengoed CF82 7LY	Granted 07.08.2015
14/0630/OUT 22.09.2014	Mrs B Payne Waun Y Gof House Thorne Avenue Newbridge Newport NP11 4EP	Erect 1 No. two-storey dwelling Waun Y Gof House Thorne Avenue Newbridge Newport	Granted 10.08.2015
15/0313/FULL 06.05.2015	UK Power Reserve Limited Mr G Woodberry 6th Floor Radcliffe House Solihull West Midlands B91 2AA	Develop a small scale standby electricity generation plant in individual sound proof containers Capital Valley Eco Park Rhymney Tredegar	Granted 10.08.2015
15/0387/FULL 05.06.2015	Mr G Morris 9 Maes-Y-Drudwen Caerphilly CF83 2QG	Erect a two-storey extension to side of property 9 Maes-Y-Drudwen Caerphilly CF83 2QG	Refused 10.08.2015
15/0421/FULL 23.06.2015	UK Power Reserve Limited Mr G Woodberry 6th Floor Radcliffe House Solihull West Midlands B91 2AA	Develop a small scale standby electricity generation plant in individual sound proof containers North Court Block C Newbridge Road Industrial Estate Pontllanfraith	Granted 10.08.2015

14/0136/RET 10.03.2014	PHS Unit 14B Greenway Bedwas House Industrial Estate Bedwas Caerphilly CF83 8DW	Retain an air filtration unit and associated changes to car park including the relocation of a disabled parking space PHS Unit 14B Greenway Bedwas House Industrial Estate	Granted 11.08.2015
15/0503/NMA 14.07.2015	Mr H Carey 54 Beaumaris Way Cefn Fforest Blackwood NP12 1DE	Seek approval of non-material amendment to planning consent 15/0190/FULL (Erect single-storey side and rear extension) to include a velux window in the new kitchen roof, to exclude a small kitchen window at the rear of the property and to replace a door and window in the kitchen with french doors 54 Beaumaris Way Cefn Fforest Blackwood NP12 1DE	Granted 11.08.2015
15/0258/FULL 24.03.2015	Mitchells & Butler Retail Ltd Mr B Fletcher 27 Fleet Street Birmingham B3 1JP	Erect 4 new houses with associated garages and highway works Land At Church View Woodfieldside Blackwood	Granted 12.08.2015
15/0377/FULL 04.06.2015	Mr S Jones 9 Clos-Yr-Arad Caerphilly CF83 1TN	Convert roof space to create additional bedrooms/bathroom including dormer windows and an increase in ridge height 9 Clos-Yr-Arad Caerphilly CF83 1TN	Granted 12.08.2015
15/0395/LA 11.06.2015	CCBC Education Department Ty Penallta Tredomen Park Tredomen Ystrad Mynach Hengoed CF82 7PG	Erect a single storey Modular Nursery Classroom Ysgol Gymraeg Cwm Gwyddon Gwyddon Road Abercarn Newport	Granted 12.08.2015
15/0355/FULL 22.05.2015	Mr M Martin 18 Heolddu Crescent Bargoed CF81 8UQ	Erect a double rear extension with parking to the rear garden 56 Heolddu Road Bargoed CF81 8RQ	Granted 13.08.2015

15/0417/FULL 19.06.2015	Mr M Nicholls Wern Caiach Farm Cottage Springfield Terrace Nelson Treharris CF46 6NN	Demolish garage and erect a detached garage at the rear Wern Caiach Farm Cottage Springfield Terrace Nelson Treharris	Granted 14.08.2015
15/0475/NMA 20.07.2015	Mr J Chatters The Caravan 15 Heol Fawr Nelson Treharris CF46 6NW	Seek approval of a non-material amendment to planning consent 14/0840/FULL (Demolish single-storey extension and construct a two-storey extension) to widen bi-folding doors to the kitchen, provide an additional ground floor window to the kitchen in gable wall and locate the kitchen door in its current (original) position 15 Heol Fawr Nelson Treharris CF46 6NW	Granted 14.08.2015
15/0415/FULL 22.06.2015	Mr W Pole 10 Y Dolydd Watford Caerphilly CF83 1NT	Erect two-storey rear extension 10 Y Dolydd Watford Caerphilly CF83 1NT	Granted 17.08.2015
15/0275/FULL 09.04.2015	Mr R Davies 1 Llys Cyncoed Oakdale Blackwood NP12 0NQ	Convert garage to study and utility room 1 Llys Cyncoed Oakdale Blackwood NP12 0NQ	Granted 18.08.2015
15/0356/FULL 22.05.2015	Mrs D Morgan 28 Bridge Street Risca Newport NP11 6DE	Erect single-storey rear extension 28 Bridge Street Risca Newport NP11 6DE	Granted 18.08.2015
15/0400/FULL 15.06.2015	Mr J Whitehead Long Barn Pen-Deri Farm Lane Argoed Blackwood NP12 0JA	Erect a single-storey garage and tool storage outbuilding Long Barn Pen-Deri Farm Lane Argoed Blackwood	Refused 18.08.2015
15/0437/FULL 23.06.2015	Mr M Ashcroft 43 Brynawel Penyrheol Caerphilly CF83 2EX	Erect a two storey side extension 43 Brynawel Penyrheol Caerphilly CF83 2EX	Granted 18.08.2015



15/0482/NMA 22.07.2015	Mr I Ackerman 12 Ael-y-Bryn Terrace Newbridge NP11 3DG	Seek approval of a non-material amendment to planning consent 12/0779/FULL (Erect kitchen extension to provide wet room and lobby area and construct detached garage) to increase the pitch of kitchen roof and change the covering to tiles, to fit roof window and to apply insulated render system to existing kitchen wall 12 Ael-Y-Bryn Terrace Treowen Newport NP11 3DG	Granted 19.08.2015
15/0396/FULL 11.06.2015	Interclad Property Services Ltd Mr J Patterson 24 Acacia Terrace Newport NP11 5JG	Carry out minor amendments to elevations Tredegar House 92 Gladstone Street Crosskeys Newport	Granted 20.08.2015
15/0398/FULL 12.06.2015	Mr G Bishop 77 St David's Way Watford Caerphilly CF83 1EZ	Install a pre-cast concrete garage 77 St David's Way Watford Caerphilly CF83 1EZ	Granted 20.08.2015
15/0427/FULL 22.06.2015	Mr A Lynch 23 Garth Estate Abertridwr Caerphilly CF83 4ES	Erect a single storey rear extension 23 Garth Estate Abertridwr Caerphilly CF83 4ES	Granted 20.08.2015
15/0425/COU 25.06.2015	Mr S Hathaway 21 Price Street Rhymney Tredegar NP22 5HQ	Change the use of the Post Office to a reception/family room 21 Price Street Rhymney Tredegar NP22 5HQ	Granted 20.08.2015
15/0426/FULL 25.06.2015	Ashtenne Industrial Fund Unit 8 Village Way Greenmeadow Springs Tongwynlais Cardiff CF15 7NE	Demolish derelict fire damaged industrial unit and erect a single storey steel clad industrial unit Unit 2 Fern Close Pen-y-fan Industrial Estate Pen-y-fan	Granted 20.08.2015
15/0441/FULL 25.06.2015	Mr R Harry 1 Llwyn Derwen Cwmfelinfach Newport NP11 7BN	Erect greenhouse to side of house 1 Llwyn Derwen Cwmfelinfach Newport NP11 7BN	Granted 20.08.2015

15/0035/COU 16.01.2015	Mrs J S Thomas Caerllwyn Ganol Farm 8 Quarry Cottages Twyn-gwyn Road Mynyddislwyn Newport NP11 7AY	Convert and change the use of the existing basement into a self contained flat 54 Gladstone Street Crosskeys Newport NP11 7PL	Granted 21.08.2015
15/0240/FULL 05.05.2015	Lawrence And Harris Opticians Mr G Harris Hillside House 93 Cardiff Road Caerphilly CF83 1FQ	Erect a single-storey rear/side infill extension Lawrence And Harris Opticians Hillside House 93 Cardiff Road Caerphilly	Granted 21.08.2015
15/0345/COU 20.05.2015	Mr D Williams Station View Bungalow Picton Street Pontlottyn Bargoed CF81 9PS	Change the use of the land to extend the curtilage and erect an extension to the side of the dwelling Station View Bungalow Picton Street Pontlottyn Bargoed	Granted 21.08.2015
15/0354/CLEU 22.05.2015	Ferryman Ltd Mrs C Hamar-Davies Unit 2 Parc Ferryman - Block B Newbridge Road Industrial Estate Pontllanfraith Blackwood NP12 2XF	Obtain a Lawful Development Certificate for the existing use class B8 - Warehousing & Distribution Ferryman Ltd Unit 2 Parc Ferryman - Block B Newbridge Road Industrial Estate	Granted 21.08.2015
15/0402/FULL 16.06.2015	Mr A Adams 1 The Bungalows Heol Fawr Nelson Treharris CF46 6NR	Demolish existing rear bathroom extension, provide an attic conversion and erect a front porch 1 The Bungalows Heol Fawr Nelson Treharris	Granted 21.08.2015
15/0420/FULL 23.06.2015	Mr James 11 Pandy Road Bedwas Caerphilly CF83 8EH	Construct conservatory extension to rear elevation 11 Pandy Road Bedwas Caerphilly CF83 8EH	Granted 21.08.2015
15/0449/FULL 02.07.2015	Mr J Griffiths 4 Goitre Coed Isaf Abercynon Rhondda Cynon Taff CF45 4EL	Erect porch to front elevation Ysgubor Maen Tydu Road Nelson Treharris	Granted 21.08.2015

15/0450/FULL 02.07.2015	Mrs J Evans Gwern Ty Isaf Mill Road Deri Bargoed CF81 9HF	Raise roof to provide additional living space along with conservatory and rear balcony Cwm Deri Bungalow Bailey Street Deri Bargoed	Granted 21.08.2015
15/0438/FULL 29.06.2015	Mrs H Davies 58 Llanfach Road Abercarn Newport NP11 5LA	Erect a two storey rear extension 58 Llanfach Road Abercarn Newport NP11 5LA	Granted 24.08.2015
15/0527/NOTA 27.07.2015	Natural Resources - Forestry Mr A Shinton Natural Resources Wales Office Resolven Neath SA11 4DR	Construct new tracks to facilitate felling of larch trees infected with phytophthora ramorum and for purposes of restocking the woodland Woodland Sirhowy Country Park Ynysddu Newport	Notification - Details Approved 24.08.2015
14/0781/FULL 11.11.2014	Mr A J Davies 20 Waunfach Street Caerphilly CF83 3HL	Erect a two bedroom dwelling 20 Waunfach Street Caerphilly CF83 3HL	Refused 25.08.2015
15/0289/FULL 20.04.2015	Whitbread Group Plc Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable LU5 5XE	Replace existing timber windows with UPVC windows Premier Travel Inn Corbetts Lane Pwllypant CF83 3HX	Granted 25.08.2015
15/0321/FULL 12.05.2015	Mrs T Matthews Highfields Barn Heol Fawr Nelson Treharris CF46 6PL	Convert existing stables into 2 No. holiday cottages Highfields Barn Heol Fawr Nelson Treharris	Refused 25.08.2015
15/0333/FULL 15.05.2015	Price & Co Farming Ltd Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed CF82 8FY	Erect an agricultural building to be used as a dry calving shed Gelliargwellt Uchaf Farm Gelligaer Road Gelligaer Hengoed	Granted 25.08.2015
15/0401/FULL 15.06.2015	Mr D Mitchell 34 Druids Close Caerphilly CF83 2XR	Convert existing integral double garage into a study/playroom 34 Druids Close Caerphilly CF83 2XR	Granted 25.08.2015

15/0439/FULL 30.06.2015	CRAI District Scout Council Mr T Payne 59 Gilfach Street Bargoed CF81 8LS	Demolish former health centre building and construct a pair of semi-detached dwellings with associated ground and access works 1st Oakdale Scout Group Oakdale Scout Hall Kincoed Road Oakdale	Granted 25.08.2015
15/0444/FULL 30.06.2015	Mr S Nicholas 1 Brintirion Penyrheol Caerphilly CF83 2PZ	Erect two-storey extension to side of house, comprising garage to ground floor and bedroom and en-suite to first floor 1 Bryntirion Penyrheol Caerphilly CF83 2PZ	Granted 25.08.2015
15/0454/FULL 06.07.2015	Mr P Nutt 12 Blaen Ifor Caerphilly CF83 2NW	Convert garage to lounge and erect an extension to form a conservatory 12 Blaen Ifor Caerphilly CF83 2NW	Granted 25.08.2015
15/0457/CLEU 08.07.2015	Axiom Manufacturing Services Ltd Unit 1 Aiwa Technology Park Newbridge Newport NP11 5AN	Obtain a Lawful Development Certificate for the existing use classes B1, B2 and B8 Axiom Manufacturing Services Unit 1 Aiwa Technology Park Newbridge Newport	Refused 25.08.2015
15/0314/RM 07.05.2015	Ixion Developments Limited Mr H Jones C/o Bilfinger GVA Mr O Griffiths One Kingsway Cardiff CF10 3AN	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with planning consent 13/0810/OUT for residential development Former Blackwood Junior School Pentwyn Road Blackwood NP12 1HN	Granted 27.08.2015
15/0322/COU 21.05.2015	Mr M Jones Rosewood 3 Cae Pen-Y-Graig Caerphilly CF83 2AD	Change use of land and relocate existing boundary fence to include a triangular piece of land which is currently not in use, to bring the land within the garden of 7 Cae Ffynnon 7 Cae Ffynnon Caerphilly CF83 2UT	Granted 27.08.2015

15/0470/FULL 15.07.2015	Mr P Baker 1 Bridge Street Danygraig Risca Newport NP11 6DE	Erect detached single garage Garage Bridge Street Risca Newport	Granted 27.08.2015
15/0477/FULL 20.07.2015	Mr N Sloane 5 Paxton Close Penpedairheol Hengoed CF82 8HL	Construct bay window extension 5 Paxton Close Penpedairheol Hengoed CF82 8HL	Granted 27.08.2015
15/0537/NMA 12.08.2015	Mr I Townsend Ty Croeso Abertridwr Road Penyrheol Caerphilly CF83 2AP	Seek a non-material amendment to planning consent 15/0051/FULL (Carry out alterations to the ground floor and provide a dormer extension to the side of the first floor) to revise the roof construction from flat roof to gable pitch on dormer extension Ty Croeso Abertridwr Road Penyrheol Caerphilly	Granted 27.08.2015

This page is intentionally left blank

## 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.
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.
13/0799/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.
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.
14/0431/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.

14/0560/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	Awaiting structural calculations.
14/0678/OUT 14.10.14	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.
14/0725/FULL 18.11.14	Erect two 50Kw vertical axis wind turbine generators at Penyfan Caravan And Leisure Park Manmoel Road Manmoel Blackwood	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.
14/0802/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.
14/0855/FULL 23.12.14	Erect a residential development and associated works at Land At Watford Road Caerphilly	Subject to further discussion and consideration.
15/0029/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.
15/0053/RET 20.01.2015	Retain the change of use from agricultural land to an educational based resource centre and retain the existing buildings on site at Lylac Ridge, Dan Y Graig Stables Dan Y Graig Road, Risca, Newport	Subject to further discussion and consideration.
15/0054/COU 20.01.15	Erect cattery at Llanbradach Fawr Farm Llanbradach Farm Lane Llanbradach Caerphilly	Awaiting highway information.
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.



15/0100/COU 12.02.15	Convert existing storage building to the rear of the property into two flats with alterations to openings and the provision of rooflights at 57 Thomas Street Abertridwr Caerphilly	Subject to further discussion and consideration.
15/0139/FULL 02.03.2015	Demolish dwelling and construct one replacement and three new dwellings at The Ranch, New Row, Machen, Caerphilly	Awaiting wildlife survey.
15/0148/LA 05.03.15	Provide public realm improvement works including hard and soft landscape works to the 'Village Green', footpath and the creation of a viewing platform with associated interpretation and artwork at Land At Bute Town Rhymney Tredegar	Subject to further discussion and consideration.
15/0163/FULL 06.03.15	Erect an extension to existing cafe to provide additional seating area at 24 Penallta Road Ystrad Mynach Hengoed	Awaiting additional information.
15/0177/OUT 08.03.15	Erect a detached dwelling at 66 Bryn Road Markham Blackwood	Awaiting appropriate certification.
15/0197/LA 10.03.15	Carry out re-roofing and associated roof repairs including taking down and rebuilding of all the chimney stacks, the provision of new regularised roof lights to rear elevation, the replacement of fascia and soffit, the replacement of rainwater goods and repairs and reinstatement works to the side and rear masonry boundary walls at 1 - 13 Middle Row & Windsor Arms, 14 - 28 Lower Row, 1-14 Collins Row & St Aidan's Church Bute Town Rhymney Tredegar	Subject to further discussion and consideration.
15/0198/LBC 09.03.15	Carry out re-roofing and associated roof repairs, replace fascias, soffits and rainwater goods and provide repairs and reinstatement works to the side and rear masonry boundary walls at 1 - 13 Middle Row & Windsor Arms, 14 - 28 Lower Row, 1-14 Collins Row & St Aidan's Church Bute Town Rhymney Tredegar	Subject to further discussion and consideration.
15/0218/FULL 22.05.15	Erect a residential development of four units at Land At Old Brewery Lane Rhymney Tredegar	Awaiting views of consultees.

15/0246/FULL 18.03.15	Erect a new building consisting of four apartments and associated car parking and a private and communal amenity space at 5A Commercial Road Abercarn Newport	Subject to further discussion and consideration.
15/0251/FULL 19.03.15	Demolish the existing chapel hall and erect two dormer bungalows at Former Tabernacle Chapel Hall 9 Chapel Street Deri Bargoed	Awaiting further information.
15/0252/OUT 20.03.15	Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access at Land At Cwmgelli Blackwood	Subject to further discussion and consideration.
15/0278/RET 10.04.2015	Retain metal recycling centre at Unit 15 Darren Drive, Prince Of Wales Industrial Estate, Abercarn	Awaiting additional information about parking space.
15/0279/FULL 09.04.15	Erect two industrial units at Knight Court (Block A) St Davids Industrial Estate Pengam Blackwood	Awaiting contamination information.
15/0308/FULL 15.05.15	Erect a first floor to the rear ground floor at 5 Greenmeadow Machen Caerphilly	Awaiting views of consultees.
15/0310/COU 14.05.15	Change the use of derelict land to garden use including the filling to new levels and boundary enclosures at Land To The Rear Of 13 - 17 Glyn Derwen Llanbradach Caerphilly	Awaiting flood consequences assessment.
15/0314/RM 15.05.15	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with planning consent 13/0810/OUT for residential development at Former Blackwood Junior School Pentwyn Road Blackwood	Awaiting further information about levels and retaining structures.
15/0325/COU 21.05.15	Convert existing first floor storage into two apartments, and sub-divide existing ground floor retail area into two independent shops at 127 - 129 Commercial Street Pontymister Risca Newport	Awaiting wildlife survey.

15/0330/FULL 26.05.15	Demolish existing dwelling (Honeysuckle), erect two-storey extension to existing dwelling (Hillside) and erect a three-storey structure to house a double garage, domestic office space, storage and glasshouse served by new entrance driveway at Hillside And Honeysuckle The Graig Cwmcarn	Awaiting wildlife survey.
15/0389/FULL 08.06.2015	Provide alterations and adaptations to increase the useable floor space of the existing building and extend the building to provide a new blacksmith and saddling enclosure, stalls and storage on the ground floor, a saddle and tack room, a visitors seating/viewing gallery and eleven hostel bed spaces and ancillary accommodation facilities on the first floor and the erection of a waterproof enclosure to provide all-year training facilities over the existing menage and ancillary external works at Lisvane Riding School Ltd, Forest View, Rudry Road Lisvane	Awaiting views of consultees.
15/0405/RM 17.06.2015	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in regard to planning application 14/0795/NCC (Erect two detached dwellings) on Land Adjacent 12 Mountain Road Caerphilly	Awaiting views of consultees.
15/0406/CLEU 17.06.2015	Obtain a Lawful Development Certificate for the existing use as a plant storage operation at Graig-yr-hufen Farm Bungalow, Graig-yr-hufen Road Senghenydd, Caerphilly	Awaiting additional information.
15/0408/FULL 18.06.2015	Demolish former derelict buildings and erect 29 residential units and associated works at Crumlin Mining School Site Mining School Hill, Crumlin, Newport	Awaiting consultee views on amended plans.
15/0409/OUT 18.06.2015	Erect one dwelling at The Haven 4 Old Parish Road, Hengoed	Awaiting views of consultees.
15/0412/OUT 19.06.2015	Erect residential development of up to 260 dwellings with open space on Land North Of Hendredenny Drive Hendredenny, Caerphilly	Subject to further discussion and consideration.

15/0418/FULL 22.06.2015	Provide an access track for the construction of a solar park with attendant infrastructure being determined by Merthyr Tydfil County Borough Council on Access Track On Land At Cwm Bargoed West Of Fochriw Merthyr Tydfil	Awaiting highway information.
15/0433/FULL 26.06.2015	Create 4.1MW solar farm, consisting of around 15,796 solar modules, on-site access tracks, substation, three combined inverter/transformer stations, underground cables, perimeter fencing and CCTV cameras at Pen-y-fan Farm Pen-y-fan Farm Lane, Manmoel Blackwood	Awaiting views of consultees.

## 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. No further update.
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. Chased. Solicitors say they are having problems with mortgage company. Chased again.
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. Planning will contact applicant again.

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. Chased.
14/0129/NCC 06.03.14	Vary conditions 3 & 4 of Planning Permission 07/1477/OUT to extend the period of time within which to submit reserved matters and commence development at Gryphonn Concrete Products, Viaduct Works, New Road, Hengoed.	Sent engrossments.
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 engrossments for signing.
14/0674/OUT 10.10.14	Erect residential development at GLJ Recycling Ltd, Newtown Industrial Estate, Crosskeys, Newport, NP11 7PZ.	Agreement in process of being drafted.
14/0841/OUT 17.12.14	Erect a residential development of eleven houses on Land South of Glendale, Van Road, Caerphilly	Trying to resolve Solicitors issues with draft.
15/0156/NCC 12.03.2015	Vary condition 3 of planning consent 10/0215/OUT (Erect residential development with alterations to existing access) to extend the period of time to submit reserved matters by a further three years at Quarry Court North Road, Newbridge, Newport	Sent Solicitors initial letter.

## OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
15/0006/REF 14/0559/FULL	Mrs C O'Shea 14 Plymouth Road Penarth CF64 6LR	Demolish lean-to outbuilding and construct a single-storey rear extension at 28 Penallta Road Ystrad Mynach Hengoed	03.06.15
15/0007/REF 11/0594/OUT	Ms V Veale Fernbank 34 Lon-Y-Llyn Caerphilly	Erect residential development at Land Adj To Groeswen Farm Groeswen Road Groeswen Cardiff	16.06.15
15/0008/REF 14/0518/NCC	Au Trust SIPP - DM Watts ISS0295 C/o Au Trust Ltd Imperial House Imperial Way Newport NP10 8UH	Vary Condition 01 of planning permission 09/0197/NCC (Remove condition (1) from planning application P/04/0219 to erect residential development) to extend the time limit within which development can commence for a further five years	25.06.15
15/0009/REF 14/0801/FULL	Mr S Owen Lwyncelyn Central Avenue Oakdale Blackwood NP12 0DX	Drop kerb to public footpath and provide drive access	14.07.15
15/0010/REF 14/0689/RET	Mr A Blackwell 76 Abernant Road Markham Blackwood NP12 0QJ	Retain conservatory to the front of the house	21.07.15

**APPEALS DECIDED**

<b>APPEALS DECIDED APPEAL REF/ PLANNING APP NO.</b>	<b>PROPOSAL &amp; LOCATION APPEAL</b>	<b>DECISION/ DATE</b>	<b>COMM/ DEL</b>
15/0001/REF 13/0483/FULL	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	Allowed 06.08.15	COMM
15/0002/REF 14/0622/FULL	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	Dismissed 28.07.15	DEL