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**Date: 29th June 2016**

Dear Sir/Madam,

A meeting of the **Planning Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 6th July, 2016** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

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

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	
Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Planning Committee held on 8th June 2016.	1 - 14

**A greener place Man gwyrdach**

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



To receive and consider the following report(s): -

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

- |   |   |         |
|---|---|---------|
| 4 | Preface Item Code No. 15/0563/OUT - Land at Ty-Mawr, Ty-Mawr Farm Lane, Croespenmaen. | 15 - 36 |
| 5 | Code No. 15/1276/FULL - Penyfan Leisure Park, Manmoel Road, Manmoel, Blackwood.       | 37 - 50 |
| 6 | Code No. 16/0462/FULL - Burcombe Lodge, Windy Ridge, Pontllanfraith, Blackwood.       | 51 - 56 |

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

- |   |   |         |
|---|---|---------|
| 7 | Preface Item Code No. 13/0726/FULL - Robert Price (Builders Merchants) Ltd, 145 Pontygwindy Road, Caerphilly. | 57 - 62 |
| 8 | Code No. 15/0442/OUT - Land at Abertridwr Road, Penyrheol, Caerphilly.  | 63 - 86 |
| 9 | Code No. 16/0261/RET - St Martin's Crescent, Caerphilly.  | 87 - 92 |

To receive and note the following information item(s): -

- |    |   |           |
|----|---|-----------|
| 10 | Applications determined by delegated powers.  | 93 - 106  |
| 11 | Applications which are out of time/not dealt with within 8 weeks of date of registration. | 107 - 110 |
| 12 | Applications awaiting completion of a Section 106 Agreement.                              | 111 - 114 |
| 13 | Appeals outstanding and decided.  | 115 - 116 |

**Circulation:**

Councillors M.A. Adams, J. Bevan, D. Bolter, D.G. Carter (Chair), Mrs P. Cook, W. David (Vice Chair), J.E. Fussell, Ms J. Gale, L. Gardiner, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, J. Simmonds, Mrs E. Stenner, Mrs J. Summers and J. Taylor

And Appropriate Officers



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 8TH JUNE 2016 AT 5:00PM

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#### PRESENT:

Councillor D.G. Carter - Chair

#### Councillors:

J. Bevan, Mrs P. Cook, J.E. Fussell, R.W. Gough, C. Hawker, A. Lewis, K. Lloyd, D. Rees, J. Simmonds, Mrs E. Stenner and J. Taylor.

#### Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), C. Powell (Principal Planner), M. Davies (Principal Planner), C. Boardman (Senior Planner) and E. Sullivan (Democratic Services Officer).

#### APOLOGIES

Apologies for absence had been received from Councillors M. Adams, D. Bolter, W. David, Mrs J. Gale, L. Gardiner, A.G. Higgs, Mrs G. Oliver and Mrs J. Summers.

#### 1. DECLARATIONS OF INTEREST

Declarations of interest were received during the course of the meeting as follows: 16/0520/FULL – Councillors J.E. Fussell and J. Taylor details are minuted with the respective item.

#### 2. MINUTES – 4TH MAY 2016

RESOLVED that the minutes of the Planning Committee held on 4th May 2016 (minute nos. 1-10) be approved and signed as a correct record.

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

#### 3. CODE NO. 15/0563/OUT – LAND AT TY MAWR, TY MAWR FARM LANE, CROESPENMAEN.

It was noted that the application had been subject to a site visit on Monday 6th June 2016, a briefing note of the issues raised was summarised by the Officer and are appended to these minutes.

Following consideration of the application it was moved and seconded that the application be deferred for a further report for reasons for refusal as the proposed development is outside the settlement boundary on a green wedge and highway safety and by show of hands and in noting there were 3 against this agreed by the majority present.

RESOLVED that the application be deferred for a further report with reasons for refusal based on the application being outside the settlement boundary on a green wedge and highway safety.

**4. CODE NO. 15/0774/FULL – LAND AT TYLE CRWTH, SOUTH WEST OF YNYSDDU, NEWPORT.**

It was noted that the application had been subject to a site visit on Monday 6th June 2016, a briefing note of the issues raised was summarised by the Officer and are appended to these minutes.

Councillor Ms. J. Jones spoke on behalf of local residents in objection to the application and Mr D. Coonick the applicant spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved subject to an amendment to condition 13 in relation to the Shadow Flicker Protocol and by 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 following amended condition this application be granted;

Amended Condition (13)

Prior to the commissioning of the wind turbine hereby approved it shall be fitted with a control system that automatically shuts down the turbines during times that shadow flicker occurs, in accordance with a Shadow Flicker Mitigation Protocol that shall have been agreed in writing with the Local Planning Authority. The Shadow Flicker Protocol shall include:

- 1) The mapping of the turbine and the nearby building window sizes, elevations and orientations of potentially affect buildings.
- 2) The creation of a computer model of the turbine, together with details of the nearby window sizes, elevations, orientation, potential blocking points and room occupancy periods.
- 3) A Shadow Flicker Assessment to be undertaken in the computer model which details the days and periods in each day that the turbine may cause shadow flicker to the buildings.
- 4) The times of potential shadow flicker are to be inputted into the turbine control systems, which is to be fitted with a sunlight detector.
- 5) When the control system detects that it is both sunny and is in time of potential shadow flicker then the turbine will shut down until there is no sun or the time passes for potential shadow flicker.

Unless the Local Planning Authority gives its written consent to any variation.

Reason

To control flicker in the interests of the amenity of potential nearby flicker sensitive properties.

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW4.
- (iii) the applicant be advised of the comments of National Air Traffic Services, Wales and West Utilities, Ofcom, Defence Infrastructure Organisation, Council's Ecologist, Public Rights of Way Officer, Senior Engineer (Land Drainage), Glamorgan Gwent Archaeological Trust, Dwr Cymru/Welsh Water and Natural Resources Wales.

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

**5. PREFACE ITEM CODE NO. 16/0286/OUT – SCHOOL HOUSE, TABOR ROAD, MAESYCWMMER, HENGOED.**

It was noted that the application had been subject to a site visit on the 3rd May 2016.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3;
- (iii) the applicant be advised that mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing;
- (iv) the applicant also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), 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 birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

**6. CODE NO. 13/0726/FULL – ROBERT PRICE (BUILDERS MERCHANTS) LTD, 145 PONTYGWINDY ROAD, CAERPHILLY.**

Mr Ryan spoke in objection to the application and the applicant's agent who had been advised did not speak.

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 were 7 against and 4 in favour the motion was declared lost.

It was moved and seconded that the application be deferred for a further report with reasons for refusal based on the impact of the proposed development on residential amenity and by show of hands in noting there were 4 against this was agreed by the majority present.

RESOLVED that the application be deferred for a further report with reason for refusal based on the impact of the development on residential amenity.

**7. CODE NO. 16/0076/OUT – LAND TO THE NORTH OF MEADOWLAND CLOSE, CAERPHILLY.**

It was noted that the application had been subject to a site visit on the 6th June 2016, a briefing note on the issues raised was summarised by the Officer and are appended to these minutes.

Councillor J. Pritchard on behalf of local residents spoke in objection to the application; the applicant who had been advised did not speak.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved subject to an additional condition in relation to a Construction Traffic Management Plan and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the application be deferred to allow the applicant to enter into a Section 106 Agreement on completion of the Agreement and subject to the conditions contained in the Officer's report and the following additional condition this application be granted;

Additional Condition (17)

Notwithstanding the submitted plans no works shall commence on site until after a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide details of the contractors parking provision within the site, details of the HGV delivery movements in terms of size, duration and number of vehicles, the adequacy or otherwise of the entrance through Meadowland Close for us by site traffic and the provision of a suitable turning area within the site for approval. The works thereafter shall be carried out in accordance with the approved plan.

Reason

In the interest of highway safety.

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW4;

- (iii) the applicant be advised of the comments of the Head of Public Services, Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and Natural Resources Wales.

**8. CODE NO. 16/0166/FULL – 34 DOWNEY GROVE, PENPEDAIRHEOL, HENGOED.**

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 this was unanimously agreed.

RESOLVED that this application be REFUSED.

**9. CODE NO. 16/0178/OUT – LAND AT TABOR ROAD, MAESYCWMMER, HENGOED.**

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 this was unanimously agreed.

RESOLVED that: -

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

**10. CODE NO. 16/0520/FULL – 8 CAE FFYNNON, CAERPHILLY.**

Councillor J.E. Fussell declared a personal prejudicial interest in that he had campaigned for the applicant at bi-election and Councillor J. Taylor declared a personal prejudicial interest in that he had acted as Election Agent for the applicant both left the chamber when the application was discussed.

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

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

**11. PLANNING APPEAL DECISIONS**

The Development Control Manager introduced the report which reviewed two recent appeal decisions in respect of housing development.

The report noted that whilst both proposal were on the face of it were contrary to the adopted Local Development Plan (LDP) other material planning considerations, in particular the five year housing land supply, weighed in favour of the proposals.

Members were referred to sections 4.2 and 4.3 of the report which detailed the issues considered by the inspectors when determining the appeals and the conclusions drawn were summarised.

The Officer confirmed that when determining applications Members must consider the strength of the evidence supporting any reason for refusal, the need to take a reasonable approach and the importance of the weight given to the housing land supply shortage held in the decision-making process.

The Chair thanked the Officer for his report and full discussion ensued.

Concerns were expressed with regard to the pressures being placed on local Councillors and the dilemma facing Planning Committee Members with regard to applications on green-wedge sites. Members were of the opinion that these green-wedge applications being contrary to policy under the existing LDP have, for that reason, sufficient grounds for refusal and this would in previous years been sufficient to defend said refusal on appeal. However, as clearly illustrated by the Cwmgelli decision, due to the weight given to 5 year land supply by Inspectors, are being allowed on appeal. They felt that, in essence, the committee's hands were being tied when making decisions on certain policy grounds. Members acknowledged and accepted the requirement of the Planning Authority to ensure sufficient housing land supply but it should not be at the expense of green spaces, particularly when there were so many brown-field sites available throughout the county borough. Reference was made to the withdrawal of the Land Reclamation Grant and the impact of this funding loss was discussed.

The Officer acknowledged the pressures on both Councillors and Officers in this regard but emphasised the need to take a measured and common sense approach to decision making and the responsibility of the Planning Authority to deliver a 5 year land supply would continue to be a material planning consideration going forward.

Members referenced Welsh Governments' response letter to the deposit LDP as part of the on-going consultation process and their comment that the household projections stated therein had been over allocated. The Officer advised that Welsh Government were broadly in support of the document and confirmed that the household projections referenced had been based on Welsh Governments' earlier (2014) recommendation that a housing supply plan should not be based on growth during a time of recession and for this reason Officers had based their projections on a medium period of growth.

Members also expressed concern that the contrary responses from Welsh Government had undermined the document and the integrity and credibility of well respected Officers was being called into question as a result and this was unacceptable.

The Officer confirmed that he had requested clarification from Welsh Government on the conflicting guidance.

Having fully considered its content the Planning Committee noted the report.

## **12. 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 18.39pm.



Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 6th July 2016, they were signed by the Chair.

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CHAIR

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MEMBERS' SITE VISIT UPDATE

PLANNING APPLICATION REFERENCE: 15/0563/OUT

PROPOSED DEVELOPMENT: Erect up to 50 dwellings and access with all other matters reserved

LOCATION: Land at Ty-Mawr, Ty-Mawr Farm Lane, Croespenmaen

DATE OF SITE VISIT: 6 June 2016

MEMBERS PRESENT: Cllr D. Carter, Cllr K. Lloyd and Cllr A. Lewis

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The following points were raised by members, and the answers provided:

- There are existing problems at the junction of Ty Mawr Lane with the main road. The Council's Transportation Engineering Manager is satisfied that the junction is adequate for the additional traffic arising from the development but further information on this matter will be presented at Planning Committee
- Traffic will be increased at the existing traffic light junction at the top of Kendon Hill. The Council's Transportation Engineering Manager is satisfied that the junction is adequate for the additional traffic arising from the development
- How much of the green wedge would be lost? 10.55% of the green wedge defined in the adopted LDP would be lost.
- What is the distance to the existing houses? To the west, the distance between the existing and new houses would be approximately 40m, and to the north that distance would be approximately 34m. The submitted layout is illustrative only and so those distances may change, but there is clearly adequate room on site to accommodate the development and maintain well over the 21m distance between the habitable room windows of existing and proposed properties.

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## MEMBERS SITE VISIT UPDATE

PLANNING APPLICATION REFERENCE 15/0774/FULL

PROPOSED DEVELOPMENT: Erect a single turbine up to a blade tip of 76.45m, 50m hub height, 52.9m rotor diameter and output of 800kW with associated track access, electric cabinet and crane pad.

LOCATION: Land at Tyle Crwth, South West of Ynysddu.

Members Present: Cllr D Carter, Cllr A Lewis, Cllr J Jones

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The following points were raised by Members, and answers provided:

- Shadow flicker protocol  
In addition to condition 13, which requires a control system that automatically shuts down the turbine during times that shadow flicker occurs, this may be reinforced by an additional condition requiring a shadow flicker protocol that could be implemented for the proposed development. Whilst not discussed in detail at the site visit, this could take the form of a computer model being created of the wind turbine together with the details of the nearest buildings window sizes, elevations, orientation, potential blocking points and room occupancy periods. A shadow flicker assessment is undertaken in the computer model which details the days and periods in each day that the turbine may cause shadow flicker to the buildings. The times of the potential shadow flicker are inputted into the turbine control system and the turbine is fitted with a sunlight detector. When the control system detects that it is both sunny and is in a time of potential shadow flicker then the turbine will shut down until there is no sun or the time passes for the potential shadow flicker.
- Content of shadow flicker assessment needs to be updated for certain receptors. The cumulative Shadow Flicker Assessment submitted on the 5/11/15 prepared by Fine Energy provides tables of predicted effects of shadow flicker on seven receptors as detailed in the report. The Department of Energy and Climate Change (DECC) recommended distance to avoid shadow flicker of the proposed turbine is 10 times the rotor diameter, which in this case is 530m. Whilst the tables of predicted levels in respect of receptors 1 – 5 are presented in the report, those for receptors 6 (Wyth-erw) Receptor 7 (Cwmfelinfach) and Receptor 9 (Ty-Isaf) are not presented. This is because they are not within 530m of the proposed wind turbine. Wyth-erw is 862.4m away, Cwmfelinfach is 998.7m away and Ty-Isaf is 1365.9m away.

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MEMBERS' SITE VISIT UPDATE

PLANNING APPLICATION REFERENCE: 16/0076/OUT

PROPOSED DEVELOPMENT: Erect Residential Development

LOCATION: Land to the North of Meadowland Close, Caerphilly

DATE OF SITE VISIT: 6th June 2016

MEMBERS PRESENT: D. Carter, J. Pritchard, P. Bevan and M. Prew

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Meadowlands Close

- Access onto Bedwas Road junction particularly the visibility to the west. This is a matter that is being dealt with separately by Traffic Management (Dean Smith). The junction is considered to be acceptable for the scale of development proposed.
  - Is there scope for a roundabout or traffic lights at the junction? As above, it would not be justified to require any additional provision as the junction is considered to be acceptable in highway safety terms.
  - Near misses at the first junction within the estate. It was noted at the site visit that there were a number of incidences of vehicles cutting the corner at this point. This is not considered to be an issue with regard to the design of the junction, more an issue of drivers not driving to the road conditions.
  - The use of the rear lane for deliveries. An additional condition will be attached to any consent granted requiring that all construction traffic uses the rear lane to access the site in the interests of residential amenity.
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## PREFACE ITEM

APPLICATION NO. 15/0563/OUT

APPLICANT(S) NAME: Trustees Of Llanover Estate

PROPOSAL: Erect up to 50 dwellings and access with all other matters reserved

LOCATION: Land At Ty-Mawr Ty-Mawr Farm Lane  
Croespenmaen Newport

This application was reported to the last Planning Committee at which a decision was deferred to allow Officers to draft reasons for refusal based on the impact of the development on highway safety, and the encroachment on the green wedge. A copy of the original report is attached as an Appendix.

The following reason for refusal would reflect the concerns raised on highway grounds:

The local highway network is inadequate to accommodate the traffic generated by the proposed development, particularly the lane that directly serves the site, and the traffic light junction on the B4251. The proposal would therefore be contrary to policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

A Transportation Assessment was submitted with the application which concluded that the development would have a negligible impact on local traffic levels, amounting to a potential trip generation of 26 two-way movements in the AM peak hour and 30 two-way movements for the PM peak hour. It estimates that only 4 and 5 vehicles per hour, for the AM and PM peak hours respectively, are likely to seek out the lanes to the east and south of the site, which equates to one vehicle every 12 to 15 minutes.

The Transportation Engineering Manager generally agreed with those conclusions, subject to the need for some lane widening between the site and Treowen to the east. When questioned at Committee about the adequacy of the traffic light junction on the B4251, the highway engineer was satisfied that the scheme would not cause any problems in that respect.

Cont....

Application No. 15/0563/OUT Continued

The second reason for refusal could be worded in the following manner:

The proposed development would encroach on a green wedge as defined in the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010, to the detriment of its open character. The development would therefore be contrary to policy SI1 of that plan.

The impact of the development on the green wedge was discussed at committee and it was established that approximately 10.5% of that allocation would be taken up by the development. The impact is further illustrated by the plan attached to the end of this report which shows that the eastern edge of the proposed development aligns with the existing development to the north, and there would remain a substantial area of green wedge separating the two settlements.

The site is outside the settlement boundary as defined in the adopted LDP and within a green wedge, but its development would not be wholly contrary to the strategy set out in that plan for the Northern Connections Corridor. Policy SP2 states amongst other things that development proposals in that area will promote sustainable development that focuses on both brownfield and greenfield sites that have regard for the social and economic functions of the area.

Planning permission was recently allowed on appeal for residential development of some 115 houses at Cwmgelli at the northern end of Blackwood. That site was also outside the settlement and in a green wedge. In that case the inspector stated: "The latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met. As stated above that is not the case here but, in my view, the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings." He went on to conclude that green wedges should be subject of review as advised by Planning Policy Wales; the LDP review shows the site as allocated for housing; questions of prematurity did not weigh against the scheme because it did not go to the heart of the plan; and housing was required now whereas the LDP review would not be adopted until 2017.

Overall, the inspector came to the following conclusion, "The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing. The emerging LDP is seeking to address the current housing shortfall but, if found sound, won't be adopted for at least 18 months.

Cont....

Application No. 15/0562/OUT Continued

It is acknowledged that the site lies in a sustainable location and I consider that the development can proceed without causing unacceptable harm to its surroundings. In my view, there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies..." He was also of the view that the site is in a sustainable location.

In considering the implications of that decision, officers offered three broad conclusions to members at the last Planning Committee.

1. The importance of evidence to support a reason for refusal.
2. The need to take a reasonable approach in determining any applications, and to not base decisions on unrealistic scenarios.
3. The importance of the housing land supply in the decision making process, and the need for the LPA to take steps through granting planning permission for housing development to make up for the deficiency in advance of the adoption of a reviewed LDP.

On the basis of that advice, the two reasons for refusal set out above would be difficult to sustain. There is no evidence of existing highway problems, or that the proposed development will cause such issues.

Only a small part of the green wedge will be lost. The reasoned justification to policy S11 states:

"The need to define and maintain open spaces between and within urban areas and settlements to prevent coalescence is considered important for the County Borough to protect the integrity of both the built and natural environment. Within green wedges, it is intended to resist any development proposal that would not maintain this open character."

As can be seen from the plan at the end of this report, a substantial amount of the green wedge would remain to maintain the gap between the two settlements. There would be a very local impact on the open character of the green wedge, but that has to be balanced against the need to take steps to improve the housing and supply. The inspector at Cwmgelli, where some 115 houses were approved, drew attention to that site's allocation for housing in the deposit LDP, and that is also the case at the current site under consideration, where only approximately 50 houses are proposed.

Cont....

Application No. 15/0563/OUT Continued

The Council is seeking to remedy its lack of a five-year housing land supply by reviewing the LDP, but it also has to take other steps in the short-term. Some figures may help to clarify the position:

- In the last year Planning Committee has only consented 12 housing sites, capable of accommodating over 10 units.
- These 11 consents will only provide 253 units once developed.
- The Adopted LDP makes provision for 575 units a year to meet the identified housing requirements over the plan period.
- This under provision in 2015 will further compound the housing land supply position.
- The 2015 JHLAS indicates that we have a 1.9 year land supply; the 2016 study is likely to see this reduce even further when the results of the study undertaken in April 2016 are known.
- The 2015 Local Housing Market Assessment indicates that there is a need to develop 526 dwellings a year to meet the identified housing needs for the county borough.

Against that background the proposed development would make a valuable contribution to rectifying the shortfall.

To conclude, there is no evidence to support a highway reason for refusal; and whilst as a matter of fact the scheme would encroach on the green wedge and have a local impact on its open character, the need to improve the housing land supply weighs heavily against that reason for refusal as well.

Recommendation: That planning permission is granted subject to the conditions on the attached report. However, if members are minded to refuse permission they should limit the reason to the one set out in the report in respect of the loss of the green wedge.

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Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0563/OUT 03.08.2015	Trustees Of Llanover Estate C/o Asbri Planning Ltd Miss L Hughson-Smith Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS	Erect up to 50 dwellings and access with all other matters reserved Land At Ty-Mawr Ty-Mawr Farm Lane Croespenmaen Newport

**APPLICATION TYPE:** Outline Application

**SITE AND DEVELOPMENT**

Location: The application parcel of land is located on the eastern edge of Croespenmaen.

Site description: Grazing land bounded by a mixture of mature trees and hedgerows along its eastern, southern and part of its northern edge. The western and north-western edge is characterised by predominantly timber panelled fencing which demarcate the rear gardens of the existing residential properties along Plynlimon Avenue and Plynlimon Close backing onto the site. The site is roughly rectangular in shape, with varied topography as the land falls from the highest point in the south eastern corner, to the lowest point in the north-west, where the site meets the built edge of Croespenmaen.

The site is bounded to the north and west by existing residential development at Plynlimon Close and Plynlimon Avenue respectively, and to the south by an unclassified lane, which links Croespenmaen with Treowen and Crumlin. To the east of the site is the access track serving Ty Mawr Farm, and beyond that open countryside.

Two public rights of way cross through the site, i.e. along the northern and western periphery. Both of these public rights of way feed into a pedestrian link to Plynlimon Avenue. High voltage, overhead transmission lines run on a north-south axis across the western part of the Site. Overhead power lines also run to the east of the Site. There are two pylons within the confines of the site, located on the western and the south-eastern edges.

Cont....

Application No. 15/0563/OUT Continued

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

50 dwellings are proposed. This includes a mixture of 2-bed houses, 3-bed houses, and 4-bedroom houses.

The proposed dwellings are laid out around a single residential estate road. The vehicular access into the site is located in the south-west corner of the site in a similar position to the existing site access.

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

Dimensions: The site has an area of 2.29 hectares.

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

2-bedroom house: width 4.5 - 5.5m, depth 6.5 - 9.0m, height 7.5 - 9.0m (to ridge height).  
3-bedroom house: width 4.5 - 6.0m, depth 7.5 - 9.0m, height 8.5 - 9.5m (to ridge height).  
4-bedroom house: width 5 - 7m, depth 6.5 - 9.0m, height 7.5 - 9.0m (to ridge height).

Materials: To be agreed at reserved matters stage.

Ancillary development, e.g. parking: A locally equipped area of play located in the south-west area of the site to allow and encourage use by residents of Croespenmaen.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The proposed development is located outside the settlement boundary and within Green Wedge allocation SI1.10 (Croespenmaen and Treowen).

Cont...

Application No.15/0563/OUT Continued

Policies:

Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), Policy SP5 (Settlement Boundaries), Policy SP7 (Planning Obligations), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), Policy CW2 (Amenity), CW3 (Design Considerations - Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation), CW22 (Minerals), Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010), Supplementary Planning Guidance LDP7: Householder Development (November 2010).

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

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes. A Coal Mining Risk Assessment was submitted with the application that was reported to the Coal Authority. In their consultation response, the Coal Authority agreed with the recommendations contained in the report, i.e. that an intrusive site investigation be undertaken in the form of rotary boreholes to confirm coal mining conditions to identify and necessary mitigation measures prior to the commencement of the development. Such a requirement will be controlled by way of condition.

CONSULTATION

Head Of Public Protection - No objection subject to requested conditions relating to noise and dust mitigation, soil/hardcore importation, and noise mitigation for future residents.

CCBC Housing Enabling Officer - Requests provision of 25% affordable units be provided. Such provision will be secured by way of Section 106 Agreement.

Senior Engineer (Land Drainage) - Provides advice to the developer regarding land drainage.

Cont....

Application No. 15/0563/OUT Continued

Outdoor Leisure Development Officer - No objection subject to provision of a suitably sized equipped play facility. Such an area is shown on the submitted plan and will be secured by way of condition.

Head Of Public Services - No objection subject to advice.

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - No objection subject to advice.

Police Architectural Liaison Officer - No objection subject to advice.

Western Power Distribution - Provide advice to the developer.

Countryside And Landscape Services - No objection subject to requested conditions. Several of these conditions relate to biodiversity enhancement works.

Natural Resources Wales - No objection subject to requested conditions.

Rights Of Way Officer - No objection providing public rights of way are not obstructed at any time.

Senior Arboricultural Officer (Trees) - No comments although existing boundary treatments unaffected by layout as proposed.

Principal Valuer - No comments.

The Coal Authority - No objection based on submitted Coal Mining Risk Assessment. Request condition requiring site investigation.

### ADVERTISEMENT

Extent of advertisement: 42 neighbouring properties were consulted and a site notice was displayed near the application site.

Response: 15 objections were received.

### Summary of observations:

- Development in countryside.
- Development in green wedge/encroachment into green wedge.
- Surface water flooding.

Cont....



Application No. 15/0563/OUT Continued

- Impact on sewer capacity.
- Prematurity in relation to deposit LDP.
- Impact on bats and other wildlife.
- Loss of privacy/overlooking.
- Overshadowing impact on neighbouring houses.
- Impact on highway safety as result of additional vehicles using the highway network.
- Impact on local service capacity, i.e. doctors and dentists.
- Risk of explosion from carbon dioxide/methane in ground as ex mining area.
- Inadequate access to site.
- Impact on access to neighbouring farm.
- Dust, noise and odour impact during construction.

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? The submitted preliminary ecological appraisal outlines that with the exception of the boundary hedgerows and mature trees, the habitats associated with the site were generally considered to be of little or no ecological value. Conditions in relation to the protection and/or enhancement of the mature trees and hedgerows surrounding the site are more appropriate at reserved matters stage, when the exact layout of the site would be agreed.

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

ANALYSIS

Policies: This is an outline application with all matters reserved for the erection of 50 houses on the eastern edge of Croespenmaen. The application has been considered in accordance with local plan policies and national planning guidance as referred to above. The main issues considered to be relevant to the determination of this planning application are the relationship of the application site to the existing settlement boundary, its green wedge allocation, its compatibility with surrounding land uses, and highway safety.

Cont....

Application No. 15/0563/OUT Continued

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

Policy SP5 (Settlement Boundaries) states:-

"The Plan defines settlement boundaries in order to:

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

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

Paragraph 5.1 of TAN1 states:

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

The Council's housing land supply, as agreed in the latest Joint Housing Land Availability Schedule is only 1.9 years, compared with the requirement in Planning Policy Wales and TAN 1 to maintain a 5 year supply. The housing land supply is a material consideration in planning applications and the deficit in Caerphilly County Borough Council's housing land supply and remedying this shortfall should be considered a high priority in the determining suitable planning application, such as this one. For these reasons, although the 50 proposed dwellings are located outside of the defined settlement boundary, the lack of a 5 year housing land supply is a material planning consideration, and adds considerable weight in support of the proposed development.

Cont....

Application No. 15/0563/OUT Continued

In reference to the criteria contained in Policy SP5, given the location of the application site, and it being bounded on two sides by the existing settlement boundary, it is not considered to represent ribbon development or fragmented development, and would not lead to the coalescence of settlements. Whilst it would inevitably encroach into the green wedge, it extends no further east than the eastern extent of the Plynlimon Close development to the north.

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

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

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

The application site is served by existing infrastructure in terms of its relationship to the highway network and the employment opportunities afforded at the Croespenmaen Industrial Estate and Oakdale/Pen-y-Fan Industrial Plateaus. Furthermore, a footpath link in the south-west corner of the site will encourage non-car borne trips to local shops and facilities.

Policy SP7 (Planning Obligations) states:-

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

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

Cont....

Application No. 15/0563/OUT Continued

A Section 106 Agreement will form part of any planning permission to secure the required element of affordable housing, 25% in this instance (13 dwellings based on the proposed 50 units). The development site is also CIL liable at a rate of £25 per sq. metre of internal floor area. Such monies will contribute to the above local needs and will be calculated at reserved matters stage.

SP15 (Affordable Housing Target). The Council will seek to deliver through the planning system at least 964 affordable dwellings between 2006 and 2021 in order to contribute to balanced and sustainable communities. The proposed development will contribute 13 dwellings) depending on the reserved matters) towards this target.

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

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

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

The applicant has included a pedestrian access points in the south-west of the site to allow access to Croespenmaen and Oakdale, as well as public transport.

Policy CW2 (Amenity) states that:-

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

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

The proposed development is bounded to the west and north by existing residential development, and the development of the site will not have an unacceptable impact on the amenity of these surrounding residential developments, particularly given the distance the proposed dwellings are set off the boundary. Furthermore, the site benefits from established hedgerows/tree lines of high quality along its southern and eastern boundaries, as well as along part of the northern boundary.

Cont....

## Application No. 15/0563/OUT Continued

The retention of such boundary treatments will soften the impact of the proposed development in the landscape. The proposed development is of a reasonable low density which is appropriate given its edge of settlement location, and therefore it is not considered that the development represents an over-development of the site. It should also be noted that the development is set 60 metres off the north-east corner of the site, which is also the highest part of the land. Such careful urban design will ensure the development sits sympathetically within the landscape when viewed from afar.

To the south, the site is bounded by an existing industrial use (Schulmans). Based on the noise survey submitted by the applicant, the Head of Public Protection is satisfied that the amenity of future residents can be protected by way of condition, i.e. acoustic glazing measures. However, as the layout may change at reserved matters stage, it is deemed more appropriate to revisit a noise attenuation condition at reserved matters stage when the exact layout of the site will be determined. It should also be noted that the properties at Nos. 20-26 Cae Celyn, Cwmroly House and Cwmroly Bungalow are sited closer to this industrial use than any of the proposed dwellings, Cwmroly Bungalow having been approved in 2007.

CW3 (Design Considerations - Highways) states:-

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

The Transportation Engineering Manager is satisfied with the proposed access to the development site, and road network within the development, and raises no objection subject to conditions. Of particular note, a condition is requested requiring lane improvement works between the site at Treowen to the east. Such works primarily involve lane widening at two points along the lane to improve forward visibility in the interests of highway safety.

Cont....

Application No. 15/0563/OUT Continued

The applicant has confirmed that they are agreeable to such a condition. Furthermore, the provision of several pedestrian access points will encourage modes of transport other than that of private car to accord with this policy.

CW10 (Leisure and Open Space Provision) states:-

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

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

As part of the development, a local equipped area of play (LEAP) is proposed in the south-west corner of the site. This area measures approximately 25m x 12m, and given its proposed location will be accessible to users from the surrounding area. Such a facility will provide an equipped amenity area for future occupiers of the development, as well as residents of the surrounding area, on land that is currently privately owned and therefore not accessible to the public.

CW11 (Affordable Housing Planning Obligation) states:-

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

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

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

A Section 106 Agreement will be required to secure the requirement of the Housing Enabling Officer, i.e. the provision of 25% affordable housing onsite, which equates to 13 dwellings on the basis of the submitted plans, and must meet the following tests:

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

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

Cont....

Application No. 15/0563/OUT Continued

(b) It is directly related to the development.

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

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

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

Comments from consultees: No objection is raised by those consulted, although several conditions are requested in order to satisfy the various Consultees. With regard to the comments from Head of Public Protection as the application is for Outline planning permission it is not considered necessary at this stage to attach such conditions. The comments of the Head of Public Protection will be forwarded to the applicant as an advisory note to inform a subsequent reserved matters application.

In respect of the comments of the Countryside and Landscape Manager whilst the provision of bird boxes and bat roosts may be desirable, they are not necessary to enable the development to proceed and therefore are not attached. Furthermore, the requested condition relating to the bird nesting season can be controlled via the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

The requested conditions relating to Light Mitigation Strategy for bats, bat habitat survey and biodiversity landscaping scheme are not considered necessary at outline stage and will be revisited at reserved matters stage. Given that the site is considered to have low potential for reptiles with the exception of the hedgerows along the boundaries of the site, it is not considered necessary to require a reptile survey condition at this stage.

Conditions will be attached to the permission requiring a hedgerow management scheme, bat survey work in relation to any mature trees that may be impacted by the development, and the removal of the invasive plant species Monbretia.

Comments from public:

1. Development in countryside - This matter has been addressed in the analysis section above.
2. Development in green wedge/encroachment into green wedge - This matter has been addressed in the analysis section above.



Application No. 15/0563/OUT Continued

3. Surface water flooding - No objection is raised by Natural Resources Wales and the Councils Senior Engineer (Land Drainage). A condition will be attached to the permission in relation to surface water management.
4. Impact on sewer capacity - Welsh Water do not raise objection to the proposal.
5. Prematurity in relation to deposit LDP - This matter has been addressed in the analysis section above.
6. Impact on bats and other wildlife - This matter has been addressed in the analysis section above.
7. Loss of privacy/overlooking - Based on the indicative layout plan submitted with the application, the nearest residential dwelling to any proposed dwelling on the site is 38 metres away. Such a distance is considered to be acceptable in terms of residential privacy.
8. Overshadowing impact on neighbouring houses - The nearest residential dwelling to any proposed dwelling on the site is 38 metres. Therefore, the proposal will not have such an impact on nearby dwellings.
9. Impact on highway safety as result of additional vehicles using the highway network - The Transportation Engineering Manager raises no objection to the proposed development subject to conditions.
10. Impact on local service capacity, i.e. doctors and dentists - It is for the Health Board to increase services in line with population growth.
11. Risk of explosion from carbon dioxide/methane in ground as ex mining area - The Coal Authority raise no objection based on the submitted Coal Mining Risk Assessment subject to a condition requiring a ground investigation.
12. Inadequate access to site - The Transportation Engineering Manager raises no objection to the proposed development.
13. Impact on access to neighbouring farm - The proposed development does not alter access arrangements to the neighbouring farm.
14. Dust, noise and odour impact during construction - As the application is for outline planning permission it is not considered necessary at this stage to attach conditions relating to noise and dust mitigation. Such conditions would be attached to a reserved matters permission if deemed necessary.

Other material considerations: In the recently allowed (May 2016) appeal decision of Land at Cwmgelli, Blackwood (Appeal Ref: APP/K6920/A/15/3137884), a site considered to be very similar to the application site, i.e. located at the edge of settlement, within a green wedge, and identified as a Candidate site for housing in the Deposit LDP, the Inspector made the following comments:

"The proposed development conflicts with national and local policies relating to the protection of the countryside and Green Wedges. Planning Policy Wales states that substantial weight should be given to any harmful impact that a development would have on a Green Wedge and inappropriate development should not be allowed except in very exceptional circumstances.

Cont....



Application No. 15/0563/OUT Continued

It is necessary, therefore, to consider whether there are any very exceptional circumstances to overcome the harm to the Green Wedge."

"The Council cannot demonstrate a 5 year housing land supply and has not been able to do so since the LDP was adopted. The latest Joint Housing Land Availability Study concluded that the Council could only demonstrate a 1.9 year housing land supply. Technical Advice Note 1; Housing (TAN 1) advises that where land supply falls below 5 years, considerable weight should be given to increasing supply subject to development plan and national policies being met. As stated above that is not the case here but, in my view, the extent of the shortfall weighs heavily in favour of development that can proceed without causing harm to its surroundings."

"The Council can only demonstrate a 1.9 year housing land supply. This is well short of what should be provided and the proposed development would provide much needed housing and affordable housing. The emerging LDP is seeking to address the current housing shortfall but, if found sound, won't be adopted for at least 18 months. It is acknowledged that the site lies in a sustainable location and I consider that the development can proceed without causing unacceptable harm to its surroundings. In my view, there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies described above."

The above appeal decision is particularly significant to the application site given the similarity in terms of its allocation, as well as the Inspector referring to the Councils 1.9 year housing land supply as representing very exceptional circumstances. It is accepted that the development will encroach on the green wedge, however, given the extent of the Plynlimon development to the north, coupled with the access track leading to Ty Mawr farm forming a natural boundary to the east, it is not considered that the change to the green wedge outweighs the need to provide additional housing in accordance with Technical Advice Note (TAN) 1.

RECOMMENDATION that (A) The application is Deferred to allow the completion of a Section 106 Agreement as set out in the report. On completion of the Agreement (B) that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

Cont....

Application No. 15/0563/OUT Continued

- 02) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of the permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) The development hereby permitted shall begin 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 later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 05) No development shall take place until an intrusive site investigation has been carried out. The results of the site investigation and methodology used shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.  
REASON: To ensure the stability of the site and to protect the dwellings from the effects of previous mine workings.
- 06) If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in Condition 05), additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall thereafter be carried out in accordance with the agreed scheme.  
REASON: To ensure the stability of the site and to protect the dwellings from the effects of previous mine workings.

Cont....

Application No. 15/0563/OUT Continued

- 07) Prior to the commencement of any site/vegetation clearance associated with the development hereby approved that affect any of the mature boundary trees, a bat roost survey together with an assessment of the impact of the development on this species and if necessary details of any proposed remedial measures shall be carried out and submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.  
 REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity.
- 08) Prior to the commencement of works associated with the development hereby approved, a 5 year hedgerow management plan, which shall include details of the timing of its implementation shall be submitted to the Local Planning Authority for approval. The plan shall include the timing of its implementation.  
 REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2014) TAN 5 Nature Conservation and Planning (2009).
- 09) Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Monbretia on site. The treatment of Monbretia shall be carried out in accordance with the approved details.  
 REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to introduce, plant or cause to grow in the wild any plant listed in Schedule 9 Part 2 of the Act. Monbretia is included within this schedule.
- 10) The details submitted in respect to Condition 01) shall provide for open spaces and play areas to include the provision of a Locally Equipped Area of Play (LEAP). These details shall be submitted and agreed in writing 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.
- 11) The existing lane serving Croespenmaen to Crumlin/Treowen located on the southern boundary of the site shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on the development hereby approved. The improvements shall be in the form of constructing two passing bays along the lane at locations to be firstly agreed in writing and be completed in materials as approved in writing by the Local Planning Authority before the development is brought into beneficial use.  
 REASON: In the interests of highway safety

Cont....

Application No. 15/0563/OUT Continued

- 12) A suitable width footway shall be provided from the proposed site entrance along Melin Place to tie into the existing footway network which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to beneficial occupation of the development hereby approved.  
REASON: In the interests of highway safety.
  
- 13) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 45 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.

Advisory Note(s)

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

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**DEFERRED FOR REASONS FOR REFUSAL**



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# Agenda Item 5

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/1276/FULL 22.01.2016	Mr G Davies Manmoel Road Blackwood NP12 0HY	Erect three vertical axis turbines 31.5m in height (to tip) which will be connected via underground cables to an existing transformer house Penyfan Leisure Park Manmoel Road Manmoel Blackwood NP12 0HY

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application site is located at Penyfan Leisure Park, Manmoel Road, Manmoel. The site is located within an existing caravan park of approximately 17 hectares some 2km north of Oakdale. The wider area is largely rural, with a small number of isolated properties within 500m of the site. There is an industrial estate approximately 1km to the south-east of the caravan site.

Site description: The turbines will be located within the curtilage of the caravan park, adjacent to a caravan storage compound. The turbines will be situated to the north-west of the site, around a caravan storage compound. An existing transformer house is situated to the west of the caravan site, and the turbines would be connected to this via underground cable.

The primary purpose of the turbines is to provide energy to the existing caravan site.

The application is supported by a Landscape and Visual Impact Assessment (LVIA) prepared by Enzygo Environmental consultants dated January 2016 together with a LVIA - Addendum dated March 2016, Coal Mining Risk Assessment prepared by Blandford consulting, a Noise Impact Assessment prepared by Enzygo Environmental consultants dated December 2015, a Planning statement and Design and access Statement (DAS), and Preliminary Ecological Appraisal and Bat Activity Survey both dated 10th June 2016 by Enzygo Environmental Consultants.

Cont....

Application No. 15/1276/FULL Continued

Development: Install 3 x 30kW wind turbines. Each vertical wind turbine and associated infrastructure consisting of a cabinet and inverter cabinet will sit on a concrete platform within its own 2m high palisade fenced compound.

The turbines consist of a mill structure of three blades, mounted on a monopole mast and the structure has a maximum diameter of 11m.

Dimensions: The site amounts to 0.14 hectares. Maximum height of 31.5 metres in height to tip. 24.1m to the hub. The compound measures 12m x 12m.

Materials: Galvanised steel monopole. The turbine blade material will be carbon and fibreglass.

Ancillary development, e.g. parking: Approximately 410m of cable will be required to connect the turbines to the existing transformer house. The cables will be buried underground in a cable trench. The trench will run around the perimeter of the caravan site, and once buried, will be reinstated to the current condition.

#### PLANNING HISTORY 2005 TO PRESENT

07/1259/FULL - Extend field to south-west of caravan storage compound ('k' field) and change the use to touring caravan site - Refused 17.04.08.

10/0017/RET - Retain extension to 'K' field and change of use to retain touring caravan site - Granted 04.03.10.

14/0725/FULL - Erect two 50Kw vertical axis wind turbine generators - Withdrawn 21.09.15.

#### POLICY

##### LOCAL DEVELOPMENT PLAN

Site Allocation: The land is outside the settlement boundary, in the open countryside, with no specific allocated land use.

##### Policies:

Strategic Policies

SP3 (Development Strategy - Development in the Southern Connections Corridor), SP5 (Settlement Boundaries) and SP8 (Minerals Safeguarding).

Cont....



Application No. 15/1276/FULL Continued

Countywide Policies

CW2 (Amenity), CW4 (Natural Heritage Protection), CW3 (Design Considerations - Highways) and CW15 (General Locational Constraints).

NATIONAL POLICY

Planning Policy Wales, 8th Edition, January 2016, Technical Advice Note 12 - Design  
Technical Advice Note 8: Planning for Renewable Energy (2005).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes. The application was subject of a screening request reference EIASCR/16/0001.

Was an EIA required? No.

COAL MINING LEGACY

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

CONSULTATION

Countryside And Landscape Services - This Council's Landscape Planner confirms the Landscape resource and the visual receptors within the study area are capable of absorbing this proposal without significant harm and offers no objection to the proposed development.

This Council's Ecologist has no adverse comments regarding the proposal.

The Coal Authority - The Coal Authority concurs with the recommendations of the Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. This may be addressed by attaching appropriate conditions to any consent.

Minerals Officer - Wind turbines are considered temporary, albeit long-term, development. No mineral extraction is currently permitted or proposed close to the site. Therefore, the proposal is consistent with policy CW22 B in the adopted Caerphilly County Borough Local Development Plan up to 2021 and no objection is raised on mineral safeguarding grounds.

Cont....

Application No. 15/1276/FULL Continued

National Air Traffic Services - The proposed development has been examined from a technical safeguarding aspect and does not conflict with the relevant safeguarding criteria. Accordingly, there is no safeguarding objection to the proposal. They provide advice to be conveyed to the developer.

Ministry Of Defence - No objection but requests a condition is attached to any consent requiring notification of the commencement of works. It provides advice to be conveyed to the developer.

Dwr Cymru - No comments.

Wales & West Utilities - Provides advice to be conveyed to the developer.

British Telecom - Provides advice to be conveyed to the developer.

Natural Resources Wales - No objection but provides advice to be conveyed to the developer.

Gwent Wildlife Trust - Objects to the development in the absence of ecological summer surveys. These surveys have since been carried out and considered by this Council's Ecologist who has raised no objection to the development.

Glam/Gwent Archaeological Trust - No objection but provides advice to be conveyed to the developer.

Mr R Jones - Trunk Road Manager - As all transportation movement associated with the construction will be by standard HGV, he has no objection.

Joint Radio Company Limited - No objection but provides advice to be conveyed to the developer.

OFCOM - Provides advice to be conveyed to the developer.

Public Health Wales - No adverse comments.

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to conditions being attached to any consent restricting and monitoring noise levels from the wind turbines, hours in respect of deliveries and construction works, the height of the turbines and their location, and mitigation measures in respect of shadow flicker occurring.

Cont....

Application No. 15/1276/FULL Continued

Senior Engineer (Land Drainage) - Requests a standard drainage condition is attached to any consent and provides advice to be conveyed to the developer.

Argoed Community Council - Objects to the development because they consider there are too many turbines in the area and believe the proposal is within 500 metres of residential properties.

Rights Of Way Officer - FP1 in the community of Mynyddislwyn crosses the site of turbine number 3. If the proposal is to proceed, the legal line of the footpath must be diverted or stopped up/extinguished by legal order, prior to works commencing. No works are to affect the line of the path, which must remain open for use at all times.

### ADVERTISEMENT

Extent of advertisement: 13 neighbours were consulted by way of letter, a site notice was displayed near the application site, and a press notice was placed in a local newspaper.

Response: Two objections were received.

### Summary of observations:

- Detrimental impact on visual amenity of nearby residential properties and surrounding area;
- Cumulative impact;
- Noise impact;
- Potential shadow flicker;
- Impact on birds and bats;
- Proposed turbines larger than required to power the caravan park.

### 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.

The application was supported by a Preliminary Appraisal and the Bat Activity Survey both dated 10th June 2016 by Enzygo Environmental Consultants, which have been considered by this Council's Ecologist.

Cont....

Application No. 15/1276/FULL Continued

The preliminary ecological appraisal has identified that the application site is of low nature conservation value, due to the disturbed nature of the ground. The site lies adjacent to the Hafodrisclawdd Site of Importance for Nature Conservation (SINC) - however the ancient woodland and associated trees and stream within the SINC are unlikely to be affected due to the position of the turbines away from tree root zones.

In view of the proximity of the Hafodrisclawdd Woodland SINC and the potential for bats that are known to hunt in open habitats such as noctule bats, a bat activity survey was undertaken in May 2016 which included a walked transect on one evening and the use of static detectors that were set at ground level and at the height of the turbine blades. The static detectors were set to run from 30 minutes before dusk to 30 minutes after dawn over 5 nights

No records of bats were returned during the walked transect or from the static detectors set at ground level. The static detector set at height recorded 9 noctule bat passes and 7 common pipistrelle bat passes over the 5 nights of operation. This is considered to be a low level of bat activity, possibly relating to a single animal of each species, and as a result no further surveys are required. The impact on bats is therefore not considered to be significant, and no further mitigation or enhancement is required.

#### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No.

#### ANALYSIS

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

The Welsh Government in Planning Policy Wales (PPW) (Edition 8), January 2016 states its commitment to delivering sustainable development in Wales, including the sustainable use of resources (para 4.1.5) and ensuring Wales uses only its fair share of the Earth's resources. PPW recognises that an adequate and efficient supply of infrastructure, including electricity is crucial for the "economic, social and environmental sustainability of Wales." Wind turbines contribute to this agenda, as such the sustainability aspect of the proposal accords with PPW. The proposal also assists the Welsh Government's renewable energy target, which is currently 7TWh by 2020, including 800MW from on shore wind sources. Similarly Technical Advice Note 8 Planning for Renewable Energy (TAN 8) recognises that in order to try and meet the renewable targets set by the Welsh Government "on-shore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to long term" (Para 2.2).

Cont...

TAN 8 seeks to keep areas outside of Strategic Search Areas (SSA) free of large wind power schemes (para 2.13) and to consider the cumulative impact of small schemes in those areas outside of the SSAs. Applications for wind power below 5MW subject to meeting planning criteria are appropriate in principle outside the SSAs. It is acknowledged in TAN 8 that there is a need to strike a balance between the desire for renewable energy and the need to protect the landscape and natural heritage (Para 2.13). PPW also acknowledges that poorly designed or badly located infrastructure can "exacerbate problems rather than solving them" (Para 12.1.1). TAN 8 explains that there is a need to avoid a situation "where wind turbines are spread across the whole of a country" (Para 2.13). In this following analysis this is interpreted (in part) as the need to identify the areas that must be examined more critically in order to strike that balance and discern whether an area within the County Borough is to be preserved for its particular values.

Policy SP3 of the Council's Adopted Local Development Plan (LDP) sets out broad criteria governing development in the Southern Connections Corridor, and Policy SP5 states that settlement boundaries are defined in order to (among other criteria) prevent inappropriate development in the countryside. Policy CW15 states that outside settlement boundaries proposals would not be permitted unless they fall within certain defined categories which include development associated with the provision of public utilities and infrastructure that cannot reasonably be located elsewhere. It is considered that the proposed turbine would comply with such broad locational policies subject to the following consideration of detailed matters.

#### Landscape and Visual Impacts Assessments.

Objection has been raised regarding the location of the wind turbine on the valley side and cumulative adverse visual impact with existing wind turbines. In this respect this Council's Landscape Planner has considered the Landscape and Visual Impact Assessment (LVIA) prepared by Enzygo submitted with the application and whether or not the proposed development would have a significant detrimental effect in terms of cumulative visual impact and also in terms of impact upon landscape character.

The Heads of the Valleys Smaller Scale Wind Turbine Development Landscape, Sensitivity and Capacity Study Final report - April 2015, commissioned jointly with Heads of the Valleys Authorities, places the application site within, Landscape Unit 21: Southern Sirhowy Valley incorporating hillsides above.

The study focuses upon the sensitivity and capacity of a landscape to absorb the more traditional wind turbine developments but the principles of the study are equally applicable to vertical axis wind turbines.

Cont....

Application No. 15/1276/FULL Continued

Landscape Unit 21, is a large character area identified as having a low sensitivity to three or fewer wind turbines of less than 50m in height to blade tip. The study advocates detailed site assessment and provides generic guidance upon the siting of turbines within this landscape unit, which has been followed by this application.

The LVIA has assessed the proposed turbines as having at worst, a 'slightly adverse - neutral' impacts upon Landscape Character, and 'moderate adverse' impacts upon visual receptors. Although it is considered some of the visual assessments have been slightly underscored, particularly the residential property Hafodrisclawdd Isaf farm, which may potentially experience 'substantial /moderate adverse' impacts, this council's Landscape Planner agrees with the overall assessment. The cumulative impact of the proposal has been assessed as no greater than 'slightly adverse.'

It is considered the Landscape resource and the visual receptors within the study area are capable of absorbing this proposal, without significant harm.

#### Noise Impacts

Objection has been raised regarding potential noise nuisance generated from the wind turbines. As part of the planning application a noise assessment was provided. The information submitted has been assessed having regard for local noise conditions and accepted noise levels set out within the guidance. The assessment was undertaken to the five closest identified permanent sensitive residential receptors to the proposed turbine site. This submission has been assessed by the Council's Head of Public Protection and it is considered that the predicted noise levels from the proposed turbine are within accepted levels. Whilst there are many variables that can affect turbine noise it is considered that the submission was carried out in accordance with relevant guidance and as such its findings is a relevant material planning consideration. Conditions would also be attached to any consent granted controlling the levels of noise that can be produced by the turbine and requiring it to be modified, limited or shut down in order to comply with the guidance.

With respect to noise from construction and decommissioning activities it is considered that given the small scale of the project and short period of construction and decommissioning activities (estimated to be 3 - 4 months), noisy activities are unlikely for prolonged periods. The adoption of standard construction working practices and hours of working would ensure that these temporary phases would not give rise to adverse disturbance.

#### Highways/Transportation Impacts

As all transportation movements associated with construction will be by standard HGV, neither the Welsh Government Transport Division nor this Council's Transportation Engineering Manager has raised any objection to the development.

Cont....

#### Shadow Flicker

Objection has been raised regarding the adverse impact upon residential amenity as a result of shadow flicker. The application has provided details regarding shadow flicker confirming that only one residential property at Hafodrisclawdd-isaf falls within the 177.4m buffer of two of the turbines. As stated within the Landscape Report accompanying this application, views from this house are filtered through vegetation associated with the property. Furthermore the windows at the front of the house do not directly face the turbines. These two factors will reduce the chance of shadow flicker impacting the property. In addition they confirm that by 12am the property is entirely outside of the area which could be impacted by shadow flicker. This information has been considered by this council's Head of Public Protection who has raised no objection to the development subject to noise mitigation conditions referred to above.

#### ECOLOGICAL IMPACT

Objection has been raised regarding the impact of the development upon birds and bats. The main ecological impacts resulting from wind turbines are associated with the site infrastructure i.e. construction compounds, the turbines themselves and cable trenches. These impacts may occur both during construction and during the operation of the turbines. The key potential ecological impacts include:

- Direct and indirect impacts of wind turbine construction on ecological receptors e.g. habitat loss and/or loss of plant or animal species, disturbance and fragmentation.
- Direct and indirect impacts of wind turbine operation on ecological receptors e.g. the disturbance of habitats and birds/bats colliding with the turbine blades during operation (known as 'bird strike').

The application has been supported by relevant ecological surveys as discussed above and it is considered that the proposed development would not have an adverse impact upon ecology.

#### HERITAGE IMPACT

The key impacts of wind turbines, either individually or as larger groups, on features of cultural heritage (such as scheduled ancient monuments; listed buildings; conservation areas; registered historic landscapes; and parks and gardens of special historic interest) include:

- Loss or direct impact on identified features of historic interest, including undiscovered archaeology.
- Indirect impacts on the character or appearance and setting of features of historic interest.

Cont....



Application No. 15/1276/FULL Continued

The application has been considered by this Authority and the statutory consultees have been consulted. No adverse comments have been received in respect of the proposal but conditions are requested to be attached to any consent to ensure no adverse impacts upon cultural heritage assets, which may be within the area.

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.

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) No development shall commence until details of a scheme for the disposal of surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 03) Prior to the commencement of the construction of the wind turbine hereby approved the Ministry of Defence shall be notified in writing of the start date for its construction together with confirmation of their maximum height and Ordnance Survey positions.  
REASON: To ensure that military flying charts are properly updated.
- 04) The level of noise from the wind turbine (hereby approved) measured at the nearest non stakeholder noise sensitive residential properties shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.

Cont....



Application No. 15/1276/FULL Continued

- 05) During the course of the investigation, should the wind turbine or turbines be identified as operating above the parameters specified in (Condition No. 04 above) the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.  
REASON: In the interest of the amenity of noise sensitive properties.
- 06) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.  
REASON: In the interest of the amenity of noise sensitive properties.
- 07) Following the commission of the wind turbines hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.  
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.
- 08) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 08.00 and 18.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.  
REASON: In the interest of residential amenity.

Cont....

Application No. 15/1276/FULL Continued

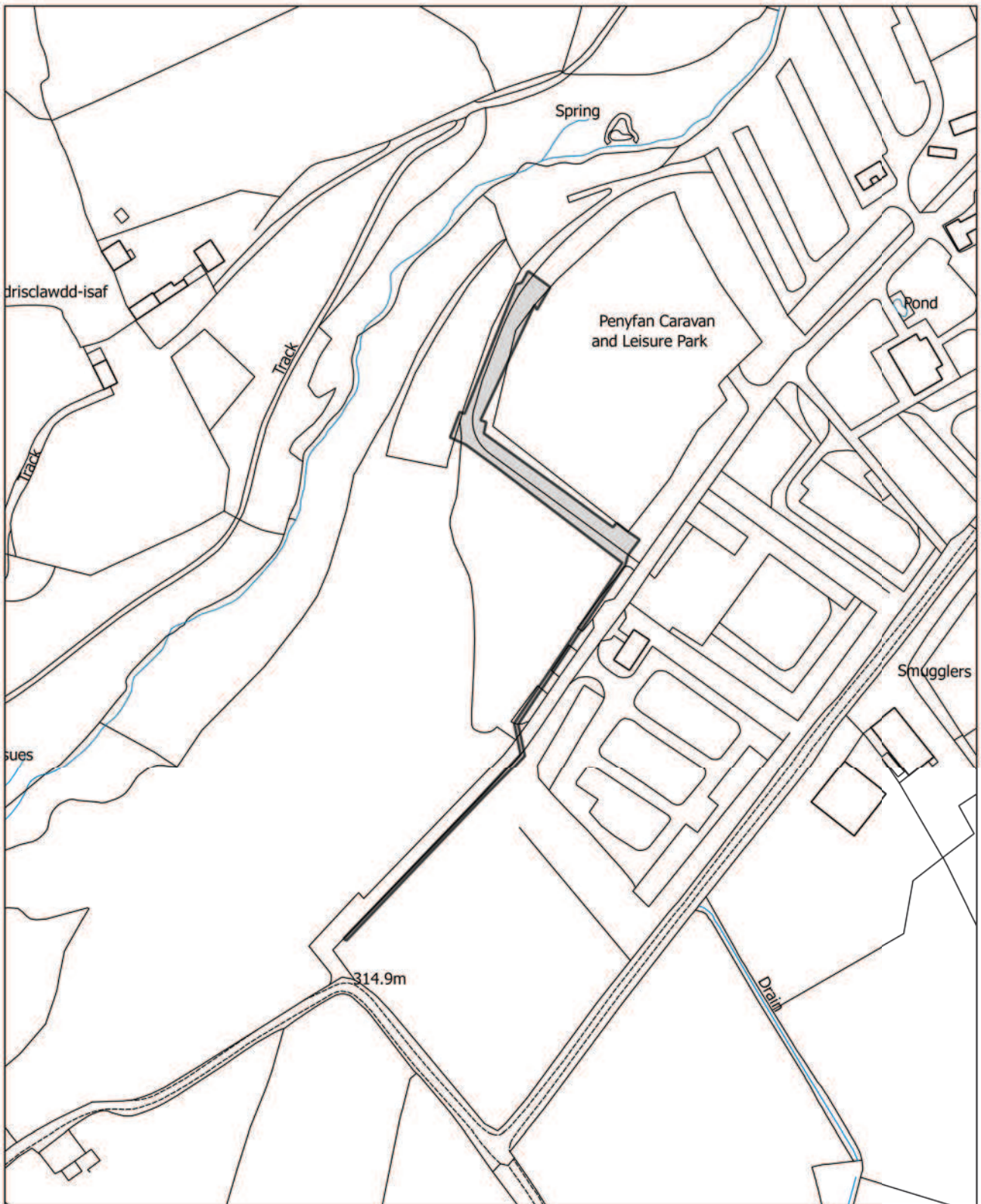
- 09) In the event that the proposed turbine model for installation differs from the machine utilised in the noise information submitted, a revised noise impact assessment report shall be submitted, demonstrating that predicted noise levels comply with the noise condition levels stated in Condition 04).  
REASON: In the interests of residential amenity.
- 10) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commissioning of the wind turbine hereby approved it shall have been fitted with a control system that automatically shuts down the turbines during times should shadow flicker occur, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority.  
REASON: To control flicker in the interests of the amenity of nearby flicker-sensitive properties.
- 11) Following a shadow flicker complaint, a scheme of control shall be agreed in writing with the Local Planning Authority and the turbine shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.  
REASON: To control flicker in the interest of amenity of near by flicker sensitive properties.
- 12) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:  
Site location plan drawing no. CRM.064.002.P.D.004;  
Application boundary drawing no. CRM.064.002.P.D.001;  
Site layout drawing no. CRM 064.002.P.D.002.1 and CRM 064.002.P.D.002.3 ;  
Turbine elevation Section A.A drawing no. CRM 064.002.P.D.003;  
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

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

The applicant is advised of the comments of Joint Radio Company Ltd, Rights of Way Officer, Wales and West Utilities, National Air Traffic Services, National Resources Wales, OFCOM, Coal Authority, Ministry of Defence, Senior Engineer (Land Drainage) and Glam/Gwent Archaeological Trust.

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# Agenda Item 6

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0462/FULL 08.06.2016	Miss H Jones Burcombe Lodge Windy Ridge Blackwood NP12 2DR	Erect a single-storey extension and provide alterations to property Burcombe Lodge Windy Ridge Pontllanfraith Blackwood NP12 2DR

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

Location: The application property is located on the south-western corner of Vicarage Lane, Pontllanfraith.

House type: Large detached bungalow.

Development: Full planning consent is sought to erect a single storey extension to the rear elevation.

Dimensions: The proposed development measures 4 metres in width by 4.2 metres in depth, with a height of 2.7 metres to the eaves and 4.4 metres to ridge height.

Materials: Render, concrete roof tiles and white upvc windows and doors to match the host dwelling.

Ancillary development, e.g. parking: One window and one door in the eastern elevation are to be re-positioned.

## PLANNING HISTORY 2005 TO PRESENT

None.

## POLICY

## LOCAL DEVELOPMENT PLAN

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

Cont ....



Application No. 16/0462/FULL Continued

Policies: CW2 (Amenity) and advice contained in the council's adopted Supplementary Planning Guidance LDP7: Householder Development (2010).

NATIONAL POLICY Planning Policy Wales Edition 8 (January 2016) and TAN 12: Design (March 2016).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within an area where no report is required, however standing advice will be provided to the applicant.

### CONSULTATION

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

Countryside And Landscape Services - No comments have been received at the time of writing the report.

### ADVERTISEMENT

Extent of advertisement: A site notice was erected near the application site and 11 neighbours were notified by letter.

Response: No representations have been received at the time of writing the report as the consultation period had not expired. If any representations are received, these will be reported at Committee.

Summary of observations: None.

### SECTION 17 CRIME AND DISORDER ACT

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

Cont....

Application No. 16/0462/FULL Continued

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as the proposal intends to create less than 100 square metres of additional internal floor area.

### 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 whether the proposals are acceptable from a design perspective and whether the proposals would have a detrimental impact on the amenity or privacy of the neighbouring dwellings.

The proposed extension would be in proportion to the scale of the site and its design and materials are in keeping with the surrounding area and would respect the scale and form of the original building. Given the position of the development it will not result in an overbearing or overshadowing impact on the neighbouring properties, and there will be no loss of privacy as a result of the development. Conditions will be attached to the permission to ensure appropriate materials are used for the external finishes of the extension in the interests of the visual amenity of the surrounding area.

Therefore the proposal accords with Policy CW2 of Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010.

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

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

Other material considerations: The development is acceptable in all other areas.

RECOMMENDATION that Permission be GRANTED

Cont...

Application No. 16/0462/FULL Continued

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:  
Drawing Number 2 As Proposed Elevations received on 8th June 2016  
Drawing Number 3 As Proposed Floor Plan received on 8th June 2016 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.

Advisory Note(s)

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

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>.

Cont....



Application No. 16/0462/FULL Continued

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

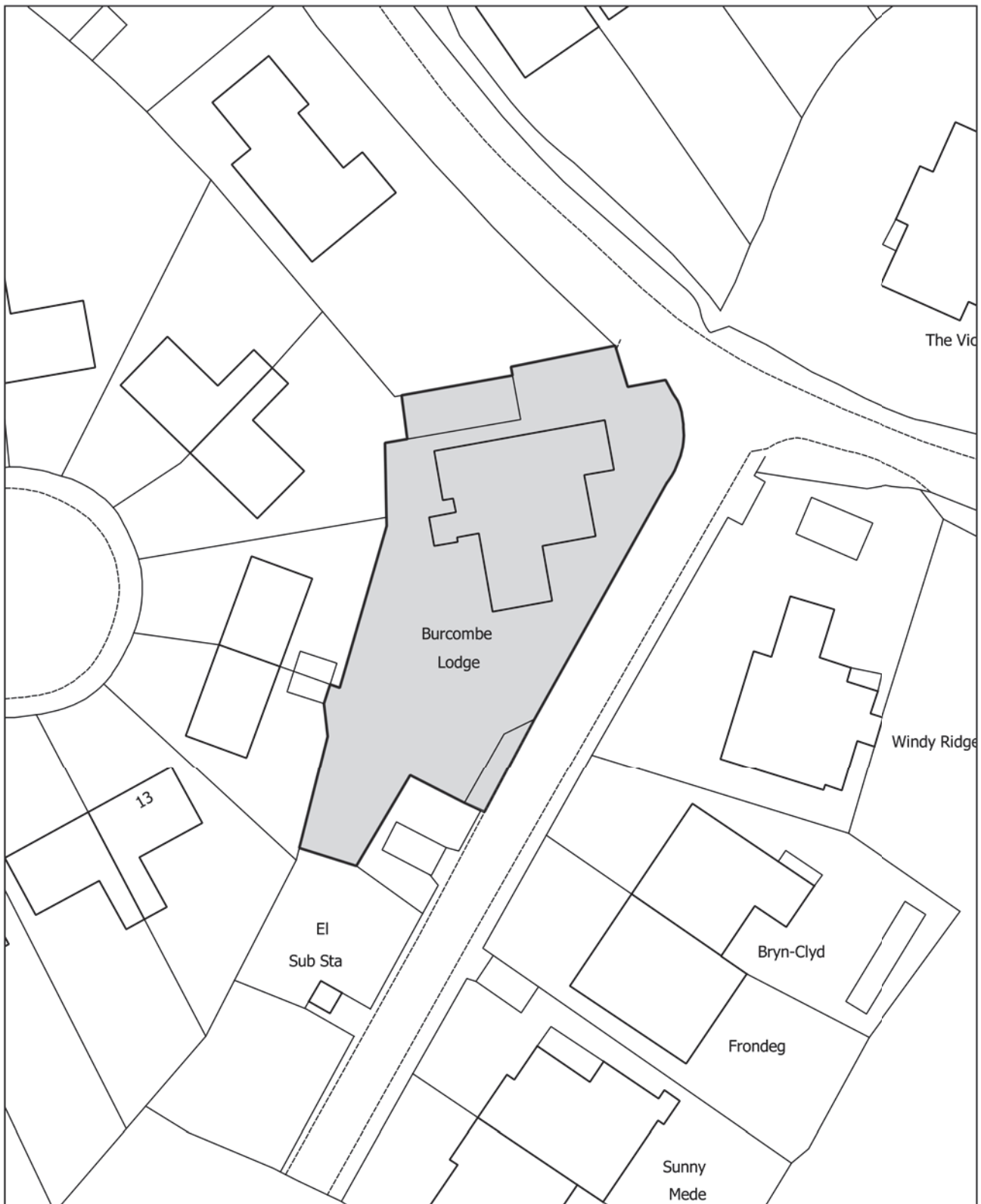
Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com).

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

This Informative Note is valid from 1st January 2015 until 31st December 2016.

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

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## **PREFACE ITEM**

APPLICATION NO. 13/0726/FULL

APPLICANT(S) NAME: Robert Price & Sons Ltd

PROPOSAL: Erect two bay extension to existing storage building

LOCATION: Robert Price (Builders Merchants) Ltd 145  
Pontygwindy Road Caerphilly CF83 3TD

At the last meeting of the Planning Committee held on the 8<sup>th</sup> June 2016, consideration was given to the merits of the application, however Members expressed the view that Officers give consideration to the refusal of the application in respect of the impact the proposed structure would have an adverse impact on the amenity of the neighbouring property.

Recommendation: That planning permission is granted in accordance with the attached report, but if Members are minded to refuse permission, the following reason for refusal is suggested:-

- 1 The development would have an overbearing impact on the neighbouring garden contrary to Criterion A of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
-

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0726/FULL 08.10.2013	Robert Price & Sons Ltd Park Road Abergavenny Monmouthshire	Erect two bay extension to existing storage building Robert Price (Builders Merchants) Ltd 145 Pontygwindy Road Caerphilly CF83 3TD

**APPLICATION TYPE:** Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the western side of Pontygwindy Road.

Site description: The application site is an established builders merchant's including a retail showroom towards the front of the site and a storage yard to the rear. The yard is largely given over to open air storage but there is a large portal frame storage building in the north west corner of the site adjacent to the side boundary of the rear garden of the dwelling at number 151 Pontygwindy Road. The storage building is steel clad with a profile sheeting roof.

The application site is located in a mixed use area with residential properties to the north, a supermarket to the west and south and a public house to the east.

Development: The application seeks full planning consent for the erection of an extension to the existing storage building. It would be a two bay extension of the same width and height as the existing building, having an apex roof to match.

Dimensions: The extension measures 12m long by 15m wide by 6.2m high.

Materials: To match the existing building.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

5/5/95/0409 - Erect single-storey food retail store with associates parking - Refused 26.09.95.

5/5/94/0755 - Erect single-storey retail food store with associated car parking - Refused 11.07.95.

Cont....

Application No. 13/0726/FULL Continued

P/02/0516 - Construct storage building - Granted 05.07.02.

P/02/1102 - Adjust existing vehicular access - Granted 14.11.02.

07/1036/FULL - Erect single-storey extension to accommodate sanitary and canteen facilities, alterations to front elevation of building - Granted 03.10.07.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and 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.

## CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection.

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

## ADVERTISEMENT

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

Cont....

Application No. 13/0726/FULL Continued

Response: One letter of objection was received.

Summary of observations:

1. Loss of light and amenity to rear garden.
2. Increased traffic.
3. Increased noise.
4. Increased dust.

SECTION 17 CRIME AND DISORDER ACT

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

None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? The development would be CIL liable but a rate of £0 is currently charged for industrial development.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is an established builder's merchants and as such the principle of development is established on this site. The main points to consider in the determination of this application are the objections raised by the member of the public and these will be considered in turn below: -

1. The objector alleges that the building would cause a loss of amenity to the rear garden of his property. The area referred to is at the end of the garden that is sited some 50m away from the objector's dwelling. In that regard it is not felt that the proposed building would have any unduly unacceptable impact on the amenity of the neighbouring dwelling. The building was causing shade at the far end of the neighbours' garden, but at the immediate rear of their dwellings, buildings are at a domestic scale and they enjoy adequate light.

Cont....

Application No. 13/0726/FULL Continued

2. The area where the storage building is located is already used for storage purposes but the extension will allow better storage for materials that cannot be left out in the elements. The extension is also relatively small in comparison to the existing buildings on site and as such it is not felt that it would lead to a marked increase in traffic to the site.
3. As the extension would increase the covered storage within the site and also create a screen on the common boundary with the objector's property it is felt that the proposal would actually lead to a reduction in noise impacts.
4. Again the extension would increase the covered storage on site and therefore it is considered that there would be a decrease in dust impact as a result of the development.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: In conclusion it is considered that the proposal is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

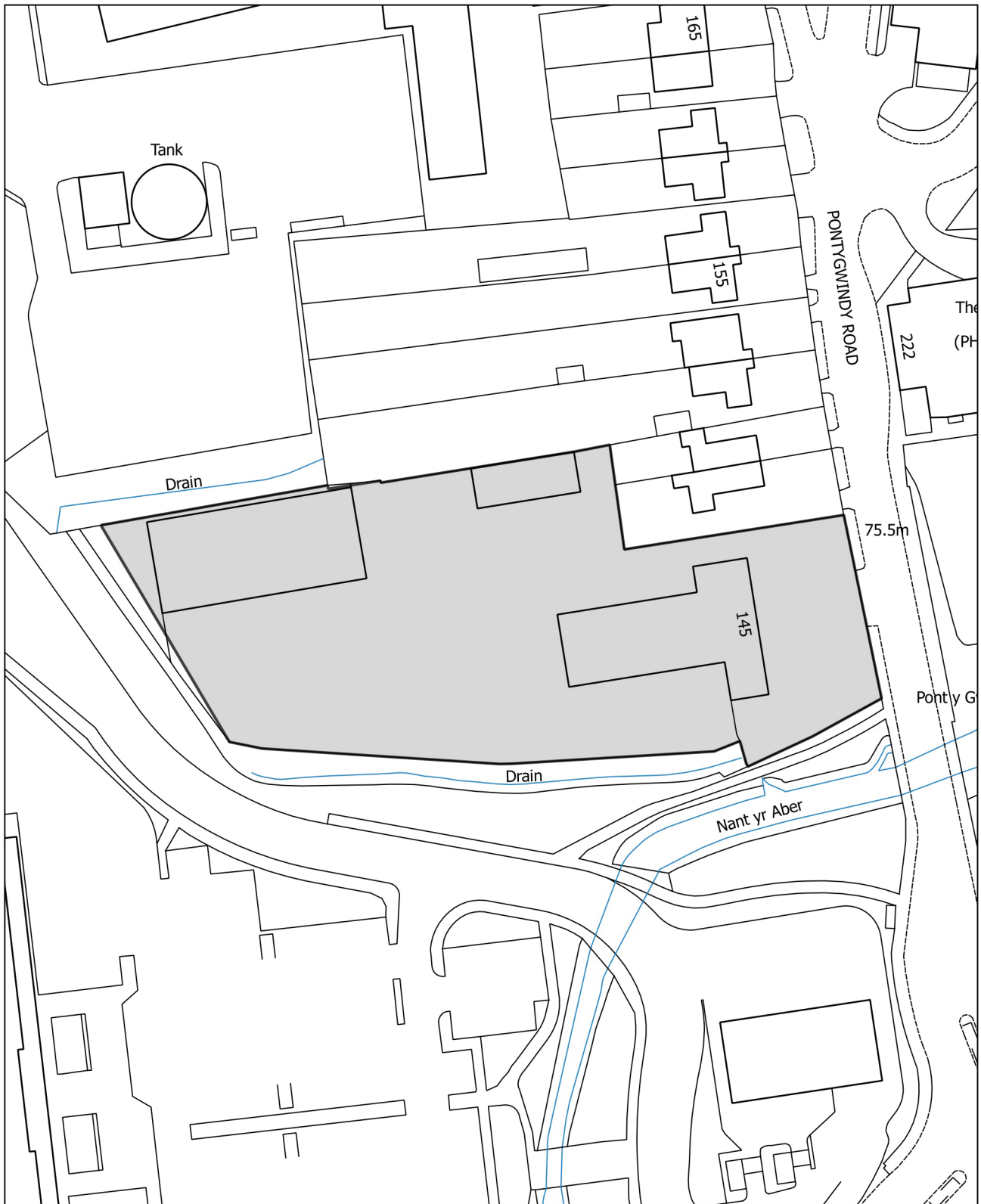
- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The materials to be used in the construction of the external surfaces of the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

Advisory Note(s)

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

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DEFERRED FOR REASONS FOR REFUSAL





# Agenda Item 8

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0442/OUT 22.07.2015	Hallventure Ltd C/o RPS Park House Greyfriars Road Cardiff CF10 3AF	Erect residential development comprising approximately 18-20 houses and 8 flats Land At Abertridwr Road Penyrheol Caerphilly

**APPLICATION TYPE:** Outline Application

## SITE AND DEVELOPMENT

Location: The application site is situated on the north east side of Abertridwr Road and to the south west of Heol Caradog.

Site description: The application site is a steeply sloping parcel of land situated adjacent to the main Penyrheol to Abertridwr Road. It is overgrown with scrub planting and ferns with a mature hedgerow to the road frontage. There is a lay by to the front that forms part of the public highway and there is an existing gated access to the highway. The site is bordered to the south east and north east by existing dwellings with the road to the south west boundary and open countryside to the north west.

Development: The application seeks outline planning consent for residential development. Whilst all matters other than access are reserved for future consideration the submitted plans show the provision of 20 dwellings and 8 flats. The dwellings would be detached whilst the flats would be in two separate blocks of four at the south west end of the site. Given the topography of the site only the lower part is proposed to be developed with a landscape buffer being created on the upper part and adjacent to Heol Caradog. A new access would be created off Abertridwr Road and this would necessitate the removal of the existing lay by. A pedestrian crossing of the B4263 together with a refuge in the centre of the carriageway and road widening is proposed in order to improve pedestrian facilities in the area. A bus stop is also proposed on the south bound carriageway.

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Application No. 15/0442/OUT Continued

Dimensions: The site measures 250m long by 60m wide and occupies an area of 1.5hectares. There would be two dwelling types with House Type 1 having upper scale parameters of 6.1m by 9.6m by between 8.53m and 11.155m high with House Type 2 having upper scale parameters of 8.652m by 9.44m by between 9.806m and 12.431m high. The flats will have upper scale parameters of 14.9m by 7.6m by 7.713m high.

Materials: Not applicable.

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

### PLANNING HISTORY 2005 TO PRESENT

No previous planning history.

### POLICY

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), SP10 (Conservation of Natural Heritage), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW10 (Leisure and Open Space Provision), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints), CW22 (Locational Constraints Minerals), SI1.20 (Green Wedge - Penyrheol, Hendredenny and Abertridwr), NH1.3 (Special Landscape Area - Mynydd Eglwysilan), NH3.158 (Sites of Importance for Nature Conservation - Craigfedw, Abertridwr).

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

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

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National Policy: Planning Policy Wales (2014).

4.7.8 Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

4.8.10 Local designations such as green wedges may be justified where land is required to serve the same purpose to a Green Belt (see 4.8.3), but these designations do not convey the permanence of a Green Belt.

4.8.14 When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Local planning authorities should attach substantial weight to any harmful impact which a development would have on a Green Belt or green wedge.

4.8.15 Inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan.

4.11.9 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.

5.2.8 The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. Local planning authorities must address biodiversity issues, insofar as they relate to land use planning, in both development plans and development management decisions. Local planning authorities should consider how they might accommodate a response to climate change as part of their overall approach towards meeting biodiversity objectives.

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Ways in which the adaptation needs of biodiversity could be considered include identifying the scope for minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors. Local planning authorities should ensure that development minimises impact within areas identified as important for the ability of species to adapt and/or to move to more suitable habitats.

5.5.2 When considering any development proposal (including on land allocated for development in a development plan) local planning authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment. Where other material considerations outweigh the potential adverse environmental effects, authorities should seek to minimise those effects and should, where possible, retain and, where practicable, enhance features of conservation importance.

5.5.3 In some cases it will be necessary to refuse planning permission on conservation grounds. However, local planning authorities must always consider whether environmental issues could be adequately addressed by modifying the development proposal or by attaching appropriate planning conditions or obligations. Where this is not possible and the adverse effect on the environment clearly outweighs other material considerations the development should be refused.

9.2.3 Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study. The Welsh Government will monitor development plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained.

9.3.1 New housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern. Where housing development is on a significant scale, or where a new settlement or urban village is proposed, it should be integrated with existing or new industrial, commercial and retail development and with community facilities.

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Application No. 15/0442/OUT Continued

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area. Significant incremental expansion of housing in rural settlements and small towns should be avoided where this is likely to result in unacceptable expansion of travel demand to urban centres and where travel needs are unlikely to be well served by public transport. Residential development in the vicinity of existing industrial uses should be restricted if the presence of houses is likely to lead residents to try to curtail the industrial use.

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

9.3.4 In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where high densities are proposed the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential areas.

National Planning Guidance contained in: -

- 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 18: Transport (2007).

## CONSULTATION

Penyrheol Trecenydd & Energlyn Community Council - Raises objection to the application on the grounds of highway safety/traffic management, lack of additional infrastructure, nature conservation, loss of amenity space, dangerous access and overbearing impact of the flats.

Countryside And Landscape Services - No objection in principle.

Cont ....

Application No. 15/0442/OUT Continued

Minerals Officer - Raises no objection provided that the need for housing overrides the need to protect the mineral resources in the area.

Strategic & Development Plans - No objection as the need to provide additional housing to meet the 5 year land supply outweighs the location of the proposal outside the defined settlement limits.

Head Of Public Protection - No objection subject to conditions relating to noise and dust control.

CCBC Housing Enabling Officer - The developer shall be required to provide 30% of the scheme as affordable housing.

Senior Engineer (Land Drainage) - No objection subject to a condition requiring a drainage scheme.

Outdoor Leisure Development Officer - No objection subject to the provision of adequate open space.

Transportation Engineering Manager - No objection subject to conditions regarding vision splays and road improvement. Advice is provided.

Dwr Cymru - No objection subject to a condition requiring a drainage scheme.

Wales & West Utilities - Provides advice to be conveyed to the developer.

Aber Valley Community Council - Raises objection to the application on highways grounds as there are existing congestion problems in the Aber Valley.

#### ADVERTISEMENT

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

Response: 63 letters of objection were received in respect of the original submission. A further 43 letters were received in respect of the amended scheme. Another 14 letters were received in respect of the latest round of consultations.

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Summary of observations:

1. The extra vehicles from this development will have a significant impact on the already congested highway in the area.
2. The proposed access to the site is on a dangerous bend and on a dangerous road with traffic travelling above the speed limit.
3. There is insufficient infrastructure in the area (i.e. doctors surgeries, hospitals schools etc) to accommodate the additional people.
4. Water supplies, sewerage facilities and land drainage are also at capacity and unable to deal with this development.
5. The development would have a harmful impact on the green aspect of the area.
6. The proposed dwellings would have an overbearing impact on the adjacent dwellings.
7. The proposal would cause a loss of privacy to neighbouring dwellings.
8. The proposed flats would lead to a loss of light to the properties in Ty Isaf. This would be a contravention of the Human Rights Act.
9. The proposals would lead to noise impacts on the neighbouring dwellings.
10. The proposed dwellings are out of scale and character with the neighbouring dwellings.
11. There is concern with regard to the stability of the ground in the area.
12. The layout of the development is unacceptable.
13. The proposal represents an unacceptable form of development in the green belt.
14. The development would increase pollution in the area.
15. Loss of view.
16. Loss of property value.
17. The development will have a detrimental impact on the ecology of the area.
18. New houses should be built on brownfield land and not on existing green spaces.
19. There is no need for new houses in the area.
20. Insufficient time has been given to comment on the application.
21. Not all residents within the Estates of Energlyn, Cae Caradog, Caledfryn, Penyrheol and Ty Isaf have been consulted on the application.
22. The development represents inappropriate ribbon development.

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.

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EU HABITATS DIRECTIVE

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

Is this development Community Infrastructure Levy liable? Outline applications are not liable for CIL payments as these are calculated at the reserved matters or full application stage if an application is approved.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is unallocated and lies outside of the settlement boundary as defined in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 (LDP). The application is considered against the relevant policies contained within the LDP:-

The application site is a greenfield site located in the Southern Connections Corridor (SCC) located on the outskirts of the Principal Town of Caerphilly. Policy SP3 Development Strategy (SCC) 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.

In terms of the role and function of the area, the Strategy defines Caerphilly as a Principal Town within the SCC, based on its role as a provider of retail and other services and as an area that provides significant employment opportunities. The Principal Towns 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 Caerphilly to a number of brownfield sites throughout the Caerphilly Basin area. A significant number of these have since been developed and the plan has successfully regenerated these areas as a consequence. Five brownfield allocations remain undeveloped, however two of these are no longer available and one site is likely to be developed in the short term. The development of additional housing to serve Caerphilly would have regard to the social and economic function of the area in line with the provisions of Criterion D of Policy SP3.

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Application No. 15/0442/OUT Continued

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.

Therefore the application is contrary to the provisions of Criterion A of Policy SP3 in that the application site is not on previously developed land. However the proposal would be acceptable in terms of the remaining Criteria B to E in that efforts have been made to promote more sustainable modes of travel by providing a pedestrian crossing and a bus stop as part of the development. It should also be noted that the site is adjacent to an existing built up area and as such the development is well related to the existing pattern of settlement and the infrastructure provided therein.

The site lies outside of the settlement boundary, as defined by Policy SP5 Settlement Boundaries of the LDP. The settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. The settlement boundary serves to promote the full and effective use of land and thus concentrate development within settlements; prevent the coalescence of settlements and fragmented development and prevent inappropriate development in the countryside.

Notwithstanding the existing delineation of the settlement boundary the application site could constitute a logical rounding off of the existing settlement limit at this location, as it would follow the existing pattern of development along Abertridwr Road and Penyrheol. Whilst there is currently a view of an open green space in close up views of this site when travelling along Abertridwr Road, when viewed from further afield the site is seen against the backdrop of the existing housing to the east and as such it is considered that the development would not represent inappropriate ribbon development or create the coalescence of the settlements of Penyrheol and Abertridwr.

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 26-28 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.

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Application No. 15/0442/OUT Continued

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. Suitable conditions can be attached to any consent granted requiring adequate mitigation for disturbance to protected species as part of the development. It should also be noted that the application proposes the retention of the trees and hedgerow at the road frontage and it is considered that this would help to screen the development from close up views from Abertridwr Road and help to retain some of the existing character.

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 dwelling 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 four reports to date, the most recent of which was passed by Council on 28th October 2015. It is evident from the AMR 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 8,625 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 4th AMR indicated that 4,052 units had been delivered (49% of the total housing requirement) up to March 2015. Therefore there is a need for a further 4,573 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. Using this method of calculation the 2015 JHLAS indicated that there was only 1.9 year supply available.

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Application No. 15/0442/OUT Continued

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 (agreed by Council in October 2014) recognises the need to address this ongoing issue and recommendation R2 of the report states: The 2015 AMR has indicated that there is a continuing need to address the lack of a 5 year housing land supply. As this development would make a positive contribution to the housing land supply it is considered that this is a factor that weighs strongly in its favour. Consequently any consideration that is considered to be finely balanced in the normal course of events would need to also be weighed against the need to provide the housing and in that regard it is considered that this outweighs the location of the development outside of the defined settlement limits.

Policy SP15 Affordable Housing Target 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 26-28 dwellings in an area of acute housing pressure and in an area with considerable housing need. Within the SCC, Policy CW11 of the plan seeks to secure 40% affordable housing to meet the identified needs in the area, although these targets should be seen as indicative. In that regard the application proposes the provision of 30% affordable housing in the form of the flat units in the south western part of the site. They have provided information in relation to the viability of providing the affordable housing on the site and this has been checked by the Council's Housing Enabling Officer. It is clear that 40% of affordable housing would not be viable in this particular instance due to a number of factors such as the topography of the site and additional build costs associated with this. In that regard it is considered that it would be acceptable in planning terms for 30% of the proposed dwellings to be affordable units in the form of 8 'walk up flats' to be sold to the council's nominated Social Housing Provider at an acceptable rate. This will need to be secured via a legal agreement under Section 106 of the Town and Country Planning Act 1990.

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## Application No. 15/0442/OUT Continued

Policy CW2 Amenity indicates that development proposals must ensure that the proposal would not result in over-development of the site and/or its surroundings. Furthermore, the policy indicates that the proposed use would need to be compatible with the surrounding land uses. Its location adjacent to a residential area means that the principle of housing is acceptable. As the application is in outline only with all matters other than access being reserved for future consideration issues such as privacy and amenity are difficult to assess here. However, the indicative site layout and scale parameter plans submitted with the application indicate that 28 units can be accommodated within the site without having a detrimental impact on the surrounding properties. The applicant has also submitted sections through the site showing the relationship of the proposed dwellings and the topography of the site with the neighbouring dwellings and these indicate that the proposed dwellings would be acceptable in planning terms.

Policy CW3 Design Considerations - Highways states that development proposals must meet a number of highways requirements including that new access roads are designed to an appropriate standard. Full details of the access have been provided for this application and these have been assessed by the Transportation Engineering Services Manager. He has raised no objection to the application subject to the imposition of conditions and as such it is considered that the proposal is acceptable in terms of access. The Transportation Engineering Services Manager also considered that a pedestrian crossing and a bus stop would be required in order to ensure that the development had regard for more sustainable forms of travel and amended plans have been submitted that reflect this requirement. The amended plans have also been assessed and are considered to be acceptable subject to the imposition of conditions.

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 the Mynydd Eglwysilian Special Landscape Area as defined by Policy NH1.3 of the LDP. The Council's Landscape Architect has been consulted on the application and has offered the following comments:-

"The site is immediately adjacent to the B4236, and occupies rising ground on the lower slopes on the south west facing side of the valley. The development is likely to be visible from the B4236 in the immediately vicinity of the site and from the mid and upper valley slopes on the opposite side of the valley, along an arc extending from north west, west to south west. In all these views the proposed development is likely to be seen in context of the urban form of Ty Isaf Housing estate, which sits adjacent to the northern and eastern boundaries of the site.

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The release of this site for development would mean the loss of a very small finger of land at the edge of the large Special Landscape Area. Special Landscape Areas within Caerphilly County Borough are primarily based upon an evaluation of all five LANDMAP topic layer datasets. The site is generally a small part of the much larger aspect areas of the five LANDMAP topic layers. The overall evaluations for the Geological, Cultural aspect areas within which the site is located is 'moderate', the Historic aspect area overall evaluation was 'unassessed', the Visual and Sensory aspect area overall evaluation was 'low' and the Landscape Habitat overall evaluation was 'High'. This suggests that on the basis of the LANDMAP evaluation alone, the prime reason for including this area within the SLA was its Landscape Habitat value.

The site is covered by the Penyrheol, Hendredenny, and Abertridwr Green wedge designation which seeks to retain the individual character of each of these settlements and prevent coalescence between these settlements. The existing north western boundary of Cae Cadarog within the Penyrheol estate, which forms the north eastern boundary of this site, already extends to the north western limit of the proposed development site. Therefore whilst there would be a loss of a relatively small area of the Green Wedge if this site were developed the separation distance between the settlements would not change. Consequently there is no objection on Landscape grounds to the principle of this area being developed for residential use and as such the proposal complies with local plan policies in this regard.

CW6 Trees, Woodland and Hedgerow Protection identifies criteria against which developments containing trees will be permitted, and states that development will only be permitted where development proposals have made all reasonable efforts to retain, protect and integrate trees within the development. The proposed layout will result in the loss of some trees as well as part of the hedgerow alongside Abertridwr Road. However, as discussed above it is not considered that the loss of this small amount would be unacceptable in planning terms. It is noted that a number of trees were removed from the site prior to the submission of the planning application. This issue has been investigated and no action can be taken in this regard.

Policy CW10 on Leisure and Open Space Provision requires a site of 10 or more dwellings to make provision for well-designed useable space as an integral part of the development and appropriate children's play and outdoor sports provision either on or off site. It is noted that the proposal does include a landscape buffer between the proposed dwellings and the existing houses on Cae Caradog but due to the topography it is not clear how useable this open space will be. Exact details of the open space provision will need to be assessed in detail at the reserved matters stage, a legal agreement would also be needed to secure its provision as part of that application.

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Application No. 15/0442/OUT Continued

The Affordable Housing Planning Obligation required by Policy CW11 has been discussed above and the provision of 30% affordable housing is considered to be acceptable in this instance.

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. However, as discussed above the need to provide housing to meet the 5 year land supply outweighs this consideration provided the application is acceptable in all other respects.

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 whole of the site is within a safeguarded sandstone area. The views of the Council's Minerals Officer have been sought and it is clear that development of the site would sterilise an area of the minerals resource on the south west side of the B4236 because of the need to provide a 300m buffer around any new mineral working. Therefore the proposal does not satisfy criterion i, ii and iv set out in Policy CW22 and the decision in terms of mineral safeguarding will rest on whether there is an overriding need for the development (criterion iii).

In conclusion the site lies outside the settlement boundary of Caerphilly and is contrary to the provisions of Policy SP5. Notwithstanding this, it is well related to the existing settlement and would constitute a logical rounding off, given the existing pattern of development along Abertridwr Road and directly east.

The SINC and SLA designations on the site have received detailed consideration from Countryside and Landscape Officers but in principle do not preclude development, subject to appropriate mitigation. There is concern, however, that this development will affect the openness of the green wedge designation between Penyrheol and Hendredenny as there will be an impact on the open character of this part of Abertridwr Road. However, this would only be a small intrusion into the green wedge and would be seen in both short term and medium term views against the backdrop of the existing housing to the north and east.

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. The Council in its consideration of the 2014 Annual Monitoring Report accepted the need to continue to consider this issue 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.

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Application No. 15/0442/OUT Continued

On balance the need to deliver new housing including affordable housing in this area and the need to increase the housing land supply is considered to outweigh the fact that this site lies outside the settlement boundary as this would be a suitable rounding off. Therefore subject to the imposition of conditions as suggested by statutory consultees in respect of appropriate mitigation to reduce the impact of the development on the Green Wedge, SLA and SINC, and subject to the provision of safe highway access there is no objection raised to the development.

Comments from consultees: No objections raised.

Comments from public: The objections raised are considered in turn below:-

1. It is noted that the highway network surrounding the application site currently experiences high levels of traffic during peak periods. However, the application was supported by a Transport Statement which suggests that the proposed development will increase traffic flows during peak periods by 2.4% (am) and 2.2% (pm). It is not considered that this increase in traffic flows would place an unacceptable burden on the highway network in the area. Moreover such an increase would not be sufficient to warrant refusal of the application.
2. The access to the site has been assessed by the Transportation Engineering Manager who has raised no objection to the application. The proposed access complies with design guidance in terms of layout, alignment and visibility and as such it is not considered that it would be unacceptable in highway safety terms.
3. The provision of infrastructure within the area is currently being assessed as part of the review of the Local Development Plan. Service providers and stakeholders are consulted and have an input into this process and are able to identify where facilities need to be provided in the future. In that regard, the provision of such facilities is not for consideration as part of this application. However, the information held by the Council indicates that such facilities are not required in the area. Indeed in terms of spaces within the schools within the catchment it is clear that even if all of the dwellings proposed as part of the LDP review were to be built there would still be capacity within the local Primary School and the local Secondary School would be deficient by two spaces. Clearly this indicates that there is not an issue of under provision in the area. Moreover, it is not felt that a development for 28 units would place any undue burden on the services in the area.

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Application No. 15/0442/OUT Continued

4. No objections have been received from statutory consultees in respect of the provision of services such as drainage and water to the site. If there was insufficient capacity on the area then the service providers would have a duty to provide improved facilities but no such issue has been identified in this instance.
5. The effect of the proposal on the green aspect of the area has been assessed above.
6. Any potential overbearing impact has been addressed above.
7. Loss of privacy has been addressed above.
8. Loss of light has been addressed above.
9. Whilst there would inevitably be noise impacts as part of the construction of any dwellings on this site, this activity would be a small and transient part of the development. The resultant development of the dwellings on the site is unlikely to have any more affect on the noise impacts in the area than the existing houses and as such it is not felt that the development would cause any noise issues which would warrant refusal of the application.
10. The design of the dwellings is reserved for future consideration. However, the scale parameters submitted are not considered to be out of keeping with the character of the area and are similar to a number of dwellings in the locality. With regard to the proposed flats, the scale of these has been reduced in response to the first round of consultations and that scale is considered to be acceptable in terms of both design and affect on the amenity of neighbouring dwellings. Whilst it may be argued that there are no flats on the housing sites immediately adjacent to the application, there are some in the wider area and in any event the design of the flats can be such that the character is in keeping with the surrounding area.
11. The Coal Authority has been consulted on the application and has raised no objection. In that regard it is accepted that there are no mining legacies that would affect the development. Any developer of the land would have a responsibility to develop the site in a proper manner in order to ensure that no damage is caused to adjacent land, but this is a private matter that has no bearing on the determination of this application.

Cont ....



Application No. 15/0442/OUT Continued

12. Whilst the indicative layout submitted presents a very linear development that is not in keeping with current design guidance, it is strongly constrained by the topography of the site. Moreover, this is in keeping with the linear nature of the existing development in the area and as such it is not considered to be unacceptable in planning terms.
13. The location of the site within the green belt is addressed above.
14. The application has been considered by the Council's Head of Public Health and Protection and no objection has been raised. In any event, the application site is not in an area that is currently affected by high levels of pollution and as such this development is unlikely to increase pollution to an unacceptable degree.
15. Loss of view is not a material planning consideration.
16. Loss of property value is not a material planning consideration.
17. The affect of the development on ecology is addressed above.
18. Whilst Policy SP5 promotes the use of brownfield land in preference to greenfield sites, it does not preclude the use of greenfield sites that are considered to be acceptable in all other regards.
19. The need for housing in the area is addressed above.
20. This application was made valid on the 22nd July 2015 and three rounds of public consultation have been carried out since that date. Objection letters have been accepted throughout that period and the high volume of objections received is an indication that adequate opportunity has been given to comment on the application.
21. It is accepted that not all of the residents within the surrounding housing estates were consulted on this application. However, the consultation was carried out in accordance with the Council's protocol and letters were sent to all of those people who live within 4m of the application site or have a common boundary with it together with a site notice and a press notice.
22. The proposed development would better represent rounding off of the existing settlement and as discussed above it is considered that this is acceptable in planning terms.

Other material considerations: None.

Cont....

Application No. 15/0442/OUT Continued

RECOMMENDATION that (A) The application is Deferred to allow the completion of a Section 106 Agreement for the provision of 30% Affordable Housing and Open Space Provision as set out in the 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 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 appearance, landscaping, layout and scale of the development, of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Design and Access Statement, Transport Statement, Extended Phase 1 Ecological Survey and Plans T2171-PA-01, T2171-PA-02, T2171-PA-03D, T2171-PA-04, T2171-PA-05, T2171-PA-06, T2171-PA-07A, T2171-PA-08, T2171-PA-09, T2171-PA-10, T2171-PA-11, T2171-PA-12 and T2171-PA-14 (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.

Cont....

Application No. 15/0442/OUT Continued

- 06) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 07) The proposed means of access shall be laid out, constructed and maintained thereafter with vision splays of 2.4m x 120m. No obstruction or planting when mature exceeding 900mm in height shall be placed or allowed to grow in the required splay.  
REASON: In the interests of highway safety.
- 08) The B4263 Abertridwr Road shall be improved in a manner to be agreed in writing by the Local Planning Authority before any other works commence. The highway improvements shall consist of a carriageway widening, provision of a pedestrian refuge island, provision of a bus stop facility and the alteration to the existing layby, as indicated on drawing number T2171-PA-03D.  
REASON: In the interests of highway safety.
- 09) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area.
- 10) 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.
- 11) 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. 15/0442/OUT Continued

- 12) Prior to the commencement of works associated with the development hereby approved, a 5-year hedgerow management plan, which shall include details of the timing of its implementation, shall be submitted to the Local Planning Authority for approval and the approved management plans shall be carried out as agreed.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 13) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 14) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 25% 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 occupation of the development. Any trees or plants which within a period of five years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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- 15) Prior to the commencement of the development hereby approved a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. Those details shall include:
- (a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and
  - (b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and
  - (c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- REASON: In the interests of the visual amenity of the area.
- 16) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
- REASON: To retain effective control in the interest of the visual amenity and character of the area.
- 17) The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.
- REASON: To ensure that adequate provision for refuse, recycling, food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.

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Application No. 15/0442/OUT Continued

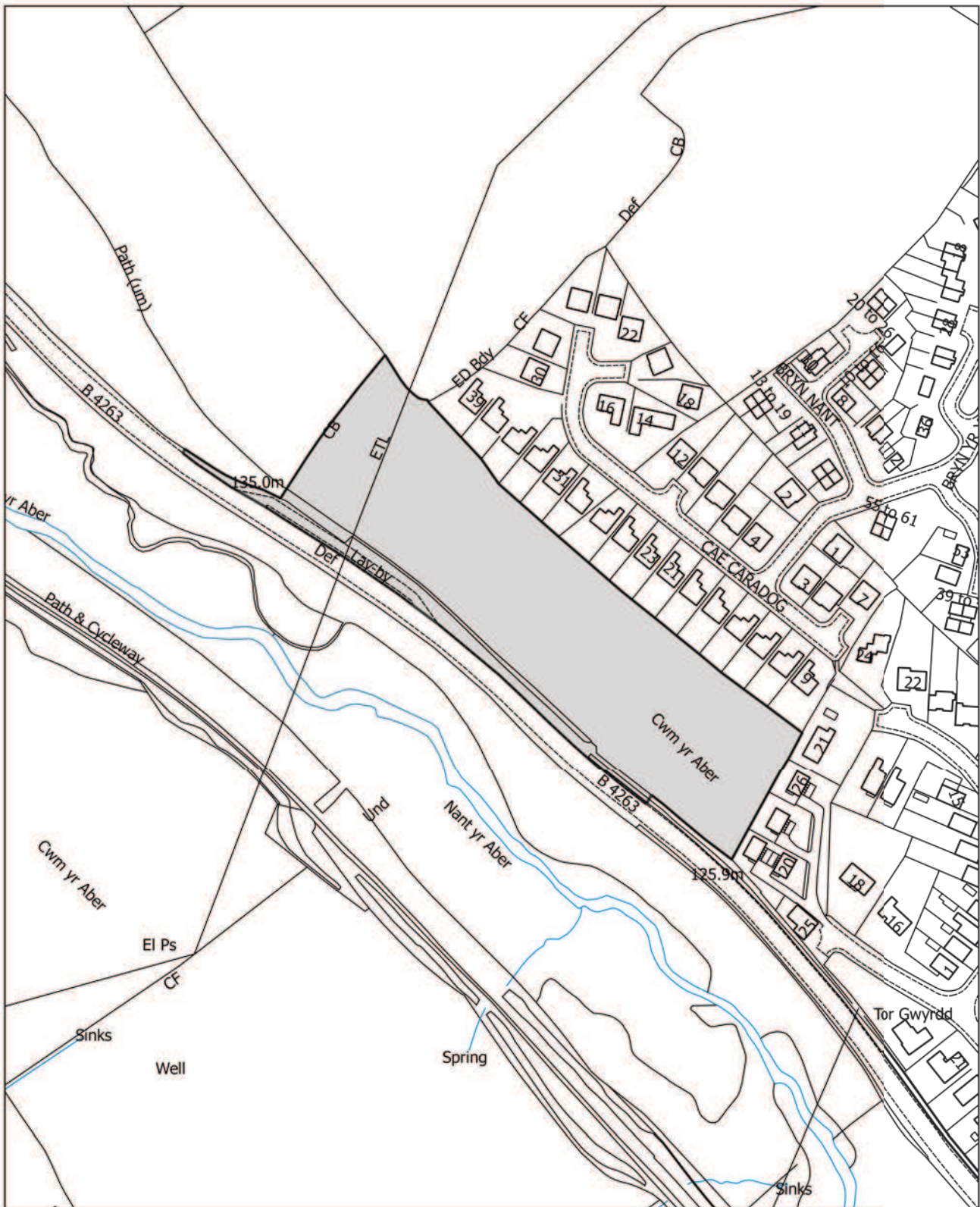
Advisory Note(s)

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

Please find attached comments from Dwr Cymru/Welsh Water, Transportation Engineering Manager and Wales and West Utilities.

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# Agenda Item 9

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0261/RET 27.04.2016	Ms F Bowen Westways St Martin's Crescent Caerphilly CF83 1ER	Retain pool room, shed, decking and fence screening Westways St Martin's Crescent Caerphilly CF83 1ER

**APPLICATION TYPE:** Full Application

## SITE AND DEVELOPMENT

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

House type: The application property is a detached bungalow with front and rear gardens. The rear garden of the dwelling is lower than the main house with steps down from the patio area at ground level. St Martin's Crescent slopes such that the dwelling at Maesawelon to the north together with the dwellings at St Martin's Road are at a lower level than the application property. Consent was recently granted for the erection of a building in the garden of the dwelling to house a hydrotherapy pool.

Development: The application seeks full planning consent for the retention of a smaller building than that approved together with a decked area and access ramp to the front of the structure. The as built structure is the same height and depth as the approved structure but it is 3.45m narrower. A large decked area has also been erected in front of the building in order to provide an access to it and to provide an outside seating area. The submitted plans also show a timber lattice screen fixed above the handrail in order to provide privacy to the neighbouring dwellings.

Dimensions: The pool room measures 6m wide by 3.5m deep by 3.3m high. The decked area has overall measurements of 7m wide by 4.9m deep and it is 1.2m above the existing garden level. The lattice screen will be a total of 1.7m high.

Materials: The pool room is finished in timber cladding whilst the decking is constructed in upvc.

Ancillary development, e.g. parking: The application also proposes the planting of a hedgerow along the northern boundary of the site in order to improve privacy.

Cont....

Application No.16/0261/RET Continued

## PLANNING HISTORY 2005 TO PRESENT

15/1090/FULL - Erect hydrotherapy pool room and decking - Refused 16.12.15.

15/0020/FULL - Provide hydrotherapy pool enclosure and shed in rear garden - Granted 07.05.2015.

## POLICY

Local Development Plan: Within settlement limits.

### Policies

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

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

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

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

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

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

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

## CONSULTATION

None.

Cont....

Application No. 16/0261/RET Continued

### ADVERTISEMENT

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

Response: Two letters of objection have been received.

### Summary of observations:

1. The decking causes a loss of privacy to the neighbouring property at Maesawelon.
2. The proposed timber lattice is unacceptable from a design perspective.
3. The as built structure bears no resemblance to the approved structure.

### SECTION 17 CRIME AND DISORDER ACT

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

### 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. Consent has previously been granted for a larger pool room and a smaller less elevated area of decking under application reference number 15/0020/FULL and as such the principal of the development is established. In that regard the main point to consider in the determination of this application are encompassed within the objections raised by the neighbours and therefore are dealt with in turn below -

1. A previous application to retain the as built pool room and decking was refused under application reference number 16/1090/RET as it was felt that the decking caused a loss of privacy to the adjacent dwelling at Maesawelon. In order to overcome that objection the applicant has suggested attaching a 1.7m high lattice to the handrail around the decking.

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Application No. 16/0261/RET Continued

Whilst a lattice would not completely screen views into the adjacent dwelling, it is considered that given the distance between the decking and the affected windows and the amount of screen that the lattice does provide would be adequate in this instance. In that regard it is not felt that the proposed deck would cause a loss of privacy to the neighbouring dwelling and as such the proposal complies with Criterion A of Policy CW2 of the Local Development Plan.

2. It is accepted that an element of latticing above the existing handrail may have an unusual appearance. However, as such a structure would not be uncommon in a residential context it is not felt that this would justify the refusal of the application.

3. It is acknowledged that the as built structures are different to the approved structures and that is the purpose of this application to seek consent to retain them. There is provision in planning law for this and as such it is not a reason to refuse the application.

In conclusion it is considered that the proposals are acceptable in planning terms and therefore planning consent should be granted.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: The submitted plans show the provision of planting to the northern boundary of the application property in order to provide a privacy screen. In light of the above comments in respect of privacy it is not considered that this is necessary in planning terms. However, as the Local Planning Authority has no control over the planting of a hedgerow it is not considered reasonable to control this element of the proposal.

It should also be noted that authority has been granted to take enforcement action in respect of the existing unauthorised structure. If members are minded to approve this application then that decision would supersede the decision to enforce.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: 273-140-01 and 273-14-03E (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.

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Application No. 16/0261/RET Continued

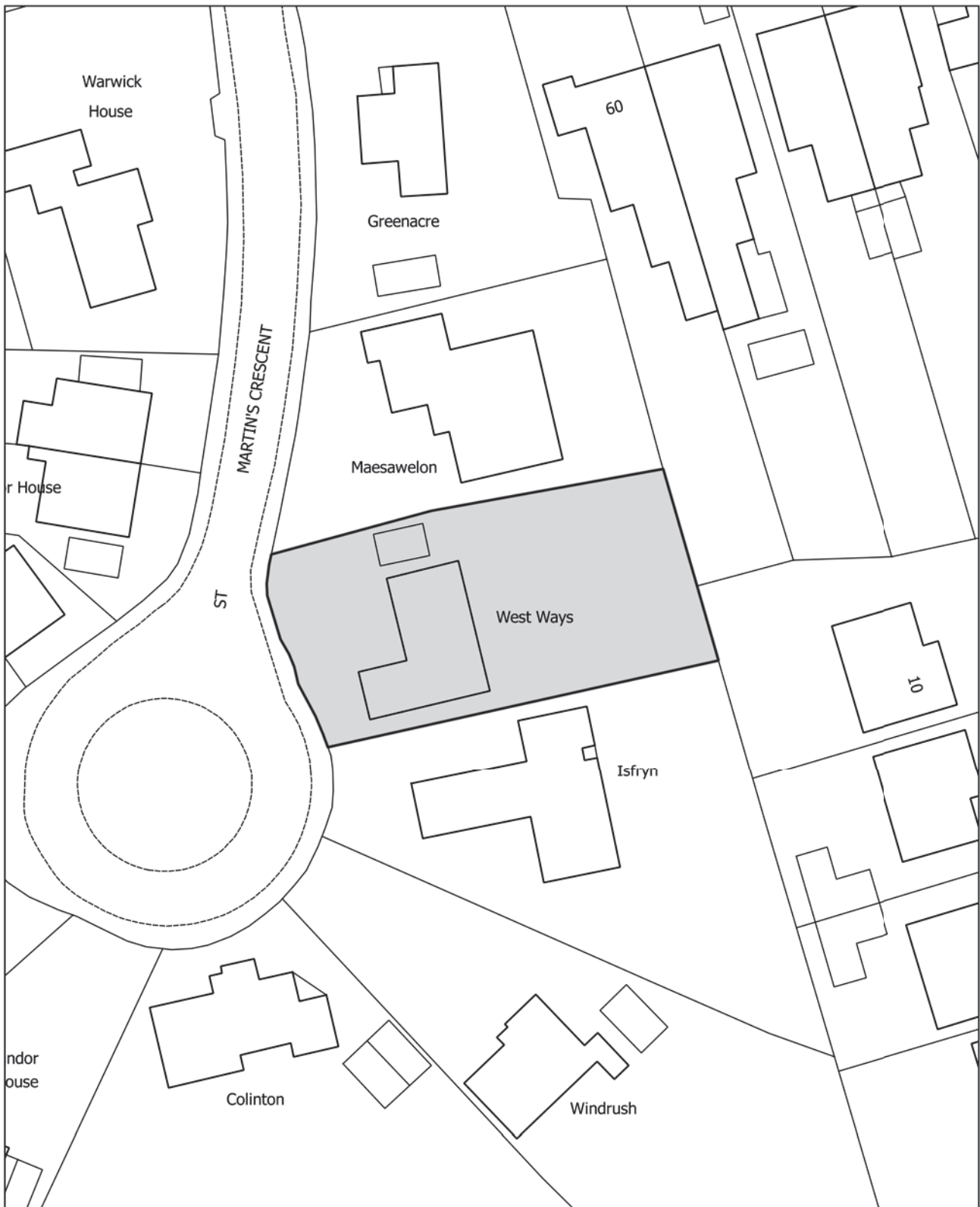
- 02) The timber lattice hereby approved shall be fixed to the decking within one month of the date of this consent and shall thereafter be retained in perpetuity unless written consent is obtained for its removal.

REASON: In the interests of residential amenity.

Advisory Note(s)

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

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## APPLICATIONS DETERMINED BY DELEGATED POWERS

APP NO. DATE REC'D	NAME AND ADDRESS OF APPLICANT(S)	PROPOSAL & LOCATION	DECISION
16/0167/FULL 05.04.2016	Mr A Jones 20 Van Terrace Caerphilly CF83 3EE	Erect a rear extension and erect an outbuilding at the bottom of the garden 19 St Margarets Road Caerphilly CF83 1DB	Granted 31.05.2016
16/0157/FULL 22.03.2016	Mr J Evans 9 Hillside Terrace Deri Bargoed CF81 9JD	Erect single-storey rear extension and front porch 9 Hillside Terrace Deri Bargoed CF81 9JD	Granted 01.06.2016
16/0296/FULL 29.03.2016	Mr P Cobley Cwm-yr-Allt House Cwm-Yr-Allt Lane Tir-y-berth Hengoed CF82 8AW	Convert first floor of garage into a granny flat Cwm-yr-Allt House Cwm-Yr-Allt Lane Tir-y-berth Hengoed	Granted 01.06.2016
16/0307/ADV 01.04.2016	KFC (GB) Ltd Orion Gate Guildford Road Woking Surrey GU22 7NJ	Erect various signage KFC 1 North Court High Street Blackwood	Granted 01.06.2016
16/0320/FULL 06.04.2016	Starburst Ltd C/o DPP Mr G Sutton Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Erect a Class B1/B2/B8 development with associated parking Unit 13 (Yard) Darren Drive Prince Of Wales Industrial Estate Abercarn	Granted 01.06.2016
16/0321/FULL 06.04.2016	Mr A Potter Ty Hapus 3 Cae Sheldon Pentwyn-mawr Newport NP11 4HY	Construct a two-storey, four bedroom detached house with detached garage Plot 2 17 Homeleigh Newbridge Newport	Granted 01.06.2016
16/0322/FULL 06.04.2016	Mr N Griffiths 23 Pen-Y-Lan Terrace Treowen Newport NP11 3DH	Construct a two-storey, four bedroom detached house with integral garage Plot 1 17 Homeleigh Newbridge Newport	Refused 01.06.2016
16/0155/CLPU 22.03.2016	Mr K Alexander 11 Park Avenue Bedwas Caerphilly CF83 8AL	Obtain a Lawful Development Certificate for the proposed single-storey rear extension 11 Park Avenue Bedwas Caerphilly CF83 8AL	Granted 02.06.2016

16/0306/FULL 01.04.2016	KFC (GB) Ltd Orion Gate Guildford Road Woking Surrey GU22 7NJ	Provide new entrance door, relocate fire exit door, provide general decoration, form new external store and bin store within yard and provide new cycle tracks and bins KFC 1 North Court High Street Blackwood	Granted 02.06.2016
16/0310/FULL 01.04.2016	Mr A Creedy 18 Lon Uchaf Caerphilly CF83 1BR	Increase depth of single-storey extension to the rear and insert a window to the roof space 18 Lon Uchaf Caerphilly CF83 1BR	Granted 02.06.2016
16/0174/COND 07.04.2016	Nuaire Ltd Mr M Lyons Block A Western Industrial Estate Caerphilly CF83 1HA	Discharge Condition 2 (external finishes) of planning application 15/0419/FULL (Install a nitrogen storage tank and vaporisers) Nuaire Home Ventilation Ltd Block A Western Industrial Estate Caerphilly	Decided - Discharge of Conditions 02.06.2016
16/0232/COND 07.04.2016	Mr N Morris 1 Church View Bedwellty Road Aberbargoed Bargoed	Discharge conditions 2 (timing and phasing of infrastructure), 3 (drainage), 4 (ecological working methodology), 5 (bat roosts), 6 (nesting sites for birds) and 14 (materials) of planning consent 14/0828/FULL (Erect a three-storey five bedroom house with detached garage) 1 Church View Bedwellty Road Aberbargoed Bargoed	Decided - Discharge of Conditions 02.06.2016
16/0147/FULL 15.03.2016	Mr K Moore 8 Fields Park Terrace Crosskeys Newport NP11 7DA	Erect garage with storage area Land Opposite 8 Fields Park Terrace Crosskeys Newport	Granted 03.06.2016
16/0233/TPO 08.04.2016	Mr T Morgan Lower Lodge - Woodfield Park Park View Bungalows Penmaen Oakdale Blackwood NP12 0DE	Reduce lime tree by 10% and take out centre mass of shoots (TPO No. 119/81/GCC) Lower Lodge - Woodfield Park Park View Bungalows Penmaen Oakdale	Granted 03.06.2016



16/0138/CLPU 14.03.2016	Mr S Mason 35 Mary Street Trethomas Caerphilly CF83 8HN	Obtain a Lawful Development Certificate for a proposed single-storey side extension to the kitchen 35 Mary Street Trethomas Caerphilly CF83 8HN	Granted 06.06.2016
16/0308/FULL 01.04.2016	Mr & Mrs A Hadfield The Ridge 30 Tyn-Y-Coed Tredomen Hengoed CF82 7DD	Erect a single-storey extension The Ridge 30 Tyn-Y-Coed Tredomen Hengoed	Granted 06.06.2016
16/0319/FULL 06.04.2016	Mr & Mrs G Earey 5 Cae Pen Y Waun Hengoed CF82 7RQ	Erect two-storey side extension 5 Cae Pen Y Waun Hengoed CF82 7RQ	Granted 06.06.2016
16/0326/FULL 11.04.2016	Mr M Pentland Brynteg 81 Pengam Road Ystrad Mynach Hengoed CF82 8AB	Demolish existing detached garage and replace with new detached garage Brynteg 81 Pengam Road Ystrad Mynach Hengoed	Granted 06.06.2016
16/0239/LA 12.04.2016	CCBC Mr P Griffiths Countryside And Landscape Services Tredomen House Tredomen Park Ystrad Mynach Hengoed CF82 7WF	Erect two CCTV poles Pen-y-fan Country Park Pen-y-fan Pond Road Pen-y-fan Newport	Granted 06.06.2016
16/0330/FULL 12.04.2016	Mr & Mrs G Carter 9 Warn's Terrace Abertysswg Tredegar NP22 5AG	Erect two-storey extension to rear of dwelling 9 Warn's Terrace Abertysswg Tredegar NP22 5AG	Granted 06.06.2016
16/0331/FULL 12.04.2016	Mr & Mrs J Niblett 8 Woodridings Avenue Hatch End Middlesex HA5 4NQ	Erect first floor bathroom extension and ground floor porch extension 1 York Place Risca Newport NP11 6FR	Granted 06.06.2016
16/0435/ADV 18.04.2016	5th Risca Scouts Scouts' Hall Hafod-y-bryn Pontymister Risca Newport NP11 6QL	Replace flag pole to display national scout flag Scouts' Hall Hafod-y-bryn Pontymister Risca	Granted 06.06.2016

16/0160/COND 24.03.2016	Mr & Mrs Evans 29 Ty Fry Road Aberbargoed Bargoed	Discharge Conditions 5 (design brief), 6 (drainage), 7 (site investigation report), 8 (contamination), 9 (remediation strategy), 10 (soil importation), 11 (working method statement), 12 (bird protection), 13 (light mitigation), 14 (bat roosting), 15 (bird nesting), 16 (secure fencing), 17 (access), 18 (car parking), 19 (road junction improvement) & 20 (timetable for infrastructure) of planning consent 14/0472/OUT (Erect residential development (15 plots)) Land To Rear Of Ty Fry Road Aberbargoed Bargoed	Decided - Discharge of Conditions 07.06.2016
16/0237/RET 12.04.2016	The Celt Experience Mr T Newman The Celt Experience Ltd (Newmans Brewery) 29-30 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly CF83 3HU	Retain the change of use from B2 (brewery) to a mixed-use brewery and bar/bowling alley The Celt Experience Ltd (Newmans Brewery) 29-30 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly	Granted 07.06.2016
16/0332/FULL 12.04.2016	Mr & Mrs J & G Sanger 14 Knights Walk Caerphilly CF83 2XN	Convert the existing single garage into a playroom and storage area 14 Knights Walk Caerphilly CF83 2XN	Granted 07.06.2016
16/0122/LA 15.02.2016	Caerphilly County Borough Council Chief Housing Officer Cherry Tree House Carlton Drive Pen-y-fan Industrial Estate Crumlin Newport NP11 4EA	Remove existing PRC panels and columns to cornish type dwellings, construct new steel frame skin (NTHAS approved) with insulated render system finish and replace existing windows and doors 1 - 3, 5 - 11, 13 - 19 Bryngoleu, 2 - 8, 10 - 16 Brynteg, 20 - 26 , 28 - 34 Bryn Glas And 15 - 21, 23 - 25 Bryntirion Bedwas Caerphilly CF83 8AT	Granted 08.06.2016

16/0241/TPO 13.04.2016	Little Einsteins Mr I Bray Block B Britannia Centre For Enterprise Britannia Blackwood NP12 3SP	Provide various tree works (TPO No. 54/09/CCBC) Little Einsteins Academy Ltd Block B Britannia Centre For Enterprise Britannia	Granted 08.06.2016
16/0570/NOTR 13.04.2016	Network Rail Ms H Hodgson 5th Floor 5 Callaghan Square Cardiff CF10 5BT	Construct an access for all footbridge incorporating lifts Station Road Pengam Blackwood NP12 3XL	Notification Railway Granted 08.06.2016
15/0568/FULL 03.09.2015	Mr R Parfitt Highwinds New Bryngwyn Road Newbridge Newport NP11 4NF	Construct four detached houses White Hart Inn Newbridge Road Pontllanfraith Blackwood	Granted 09.06.2016
15/1139/FULL 16.11.2015	Mr & Mrs D Flanagan 11 Coedcae Tirphil New Tredegar NP24 6HH	Erect detached dwelling with associated access and groundworks 2 Cae Glo Coedcae Tirphil New Tredegar	Refused 09.06.2016
16/0124/LBC 15.02.2016	Mr J A F Napier Rhyd-y-Gwern Farm Rhyd Y Gwern Lane Draethen Newport NP10 8GJ	Replace damaged stone roof tiles with new where required Rhyd-y-Gwern Farm Rhyd Y Gwern Lane Draethen Newport	Granted 09.06.2016
16/0243/FULL 14.04.2016	Mr K Clement 36 Shirdale Close Maescwmmer Hengoed CF82 7QL	Erect extension to side of property to provide additional bedrooms and improved kitchen facilities 36 Shirdale Close Maescwmmer Hengoed	Granted 09.06.2016
16/0244/FULL 14.04.2016	Mrs J Pope 66 Hanbury Street Glan-y-nant Blackwood NP12 3XP	Erect rear extension for kitchen, utility and bathroom 66 Hanbury Street Glan-y-nant Blackwood NP12 3XP	Granted 09.06.2016
16/0045/LBC 21.01.2016	Mr C Leader Horeb Baptist Chapel Castle Hill Gelligaer Hengoed CF82 8EB	Convert Grade II listed chapel into a residential property Horeb Baptist Chapel Castle Hill Gelligaer Hengoed	Granted 10.06.2016

16/0223/COU 09.03.2016	Mr H Griffiths 113 Bailey Street Deri Bargoed CF81 9HX	Convert church to create one residential dwelling English Congregational Church High Street Fleur-de-lis Blackwood	Granted 10.06.2016
16/0315/FULL 04.04.2016	Mr J Davies 24 Craig Ysguthan Llanbradach Caerphilly CF83 3PY	Erect rear two-storey extension plus extension to front porch 24 Craig Ysguthan Llanbradach Caerphilly CF83 3PY	Refused 10.06.2016
16/0375/FULL 15.04.2016	Mr B Green Ty-Carreg Maesmawr Farm Mountain Road Risca Newport NP11 6FY	Erect extension for a 4th bedroom above existing kitchen Ty-Carreg Maesmawr Farm Mountain Road Risca	Granted 10.06.2016
16/0309/COND 02.04.2016	Mr S Collier The Cottage Darren Farm Darren Farm Lane Argoed Blackwood NP12 0HX	Discharge Conditions 1 (commencement), 4 (method statement), 6 (additional method statement), 7 (soil import testing), 10 (drainage), 11 (ecological licence), 12 (mitigation for protected species), 14 (security lighting) and 15 (nesting sites for birds) of planning application 11/0268/COU (Change the use of redundant agricultural barn to dwelling house) The Cottage Darren Farm Darren Farm Lane Argoed	Decided - Discharge of Conditions 13.06.2016
16/0336/FULL 12.04.2016	Mr & Mrs W Slocombe 30 Pentwyn Isaf Caerphilly CF83 2NR	Erect two-storey side extension to provide granny annexe 30 Pentwyn Isaf Caerphilly CF83 2NR	Granted 13.06.2016
16/0249/FULL 15.04.2016	Mr & Mrs Lees 44 Pandy Road Bedwas Caerphilly CF83 8EJ	Erect a single, two-storey four bed house Land Adjacent To Swyn-y-Nant 76A Heol-Y-Ddol Caerphilly	Refused 13.06.2016

16/0431/NCC 18.04.2016	3 Elms Investment Ltd Mr R Pettit Chequered Flag Petrol Station Newport Road Trethomas Caerphilly CF83 8GB	Vary condition 1 of planning consent 11/0240/FULL (Extend, alter and partially demolish existing filling station kiosk, extend existing forecourt canopy, rearrange fuel pumps, tarmac rough ground and mark out parking spaces, and relocate air/water dispenser and vacuum facility) to extend the period of time within which development can commence by a further five years Chequered Flag Petrol Station Newport Road Trethomas Caerphilly	Granted 13.06.2016
16/0334/COND 12.04.2016	Mr A Sexton 14 Dan-Y-Deri Bedwas Caerphilly CF83 8HR	Discharge Conditions 2 (materials), 5 (bat roosts), 6 (nesting sites for birds) and 7 (protection of retained trees) of planning consent 15/1065/FULL (Demolish existing attached garage to side of property and construct a two-storey extension to provide enlarged living room and bedroom) 14 Dan-Y-Deri Bedwas Caerphilly CF83 8HR	Decided - Discharge of Conditions 14.06.2016
16/0447/COND 19.04.2016	Mr J Hyde 11 Pentwyn Avenue Blackwood NP12 1HS	Discharge Conditions 5 (materials), 9 (means of enclosure), 10 (bat protection), 11 (bird protection) and 12 (drainage) of planning consent 15/0383/FULL (Provide replacement dwelling and associated access and groundworks) Tirfilkins Farm Tir-Philkins Woodfieldside Blackwood	Decided - Discharge of Conditions 14.06.2016

16/0386/NMA 17.05.2016	Mr I Jones 60 Heol Ty-Gwyn Llanbradach Caerphilly CF83 3PB	Seek approval of a non-material amendment to planning consent 14/0243/FULL (Erect single-storey infill extension to front elevation and additional wrap around extension to side/rear of existing dwelling) to re-design the roof form and pitch 60 Heol Ty-Gwyn Llanbradach Caerphilly CF83 3PB	Granted 14.06.2016
16/0477/OUT 20.04.2016	Mr K & J Evans Edlogan Cottage Avondale Road Sebastopol Pontypool NP4 5EL	Erect two dwellings Allotment Gardens Twyncarn Road Pontywaun Newport	Refused 15.06.2016
16/0154/RET 18.03.2016	Mr M Robinson The Old Barn Twyn Gwyn Farm Lane Mynyddislwyn Newport NP11 7BA	Retain the conversion of cow sheds into a residential dwelling Caerllwyn Mawr Farm Twyn Gwyn Farm Lane Mynyddislwyn Newport	Granted 16.06.2016
16/0491/COND 16.04.2016	G2 Energy Renewable Developments Limited Mr P Hill 25 Osier Way Olney Office Park Olney Buckinghamshire MK46 5FP	Discharge condition 10 (traffic management plan) of planning consent 15/0316/FULL (Erect a single wind turbine, with a maximum blade tip height of 77m, along with accompanying access track, crane hardstanding, substation and temporary construction compound) Groesfaen Farm Groes-Faen Terrace Bargoed CF81 9GH	Decided - Discharge of Conditions 16.06.2016
16/0515/FULL 21.04.2016	Premier Inn Hotels Limited Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable LU5 5XE	Construct 28 bedroom hotel annexe with changes to parking arrangements, install air conditioning compound and associated works Premier Travel Inn Unit 2 Crossways Park Parc Pontypandy	Granted 16.06.2016

16/0521/FULL 21.04.2016	Mr G Pearce 40 Cefn Fforest Avenue Cefn Fforest Blackwood NP12 3NN	Erect flat roof single-storey extended lobby to allow disabled motorised buggy to park and turn before exiting 40 Cefn Fforest Avenue Cefn Fforest Blackwood NP12 3NN	Refused 16.06.2016
16/0404/NMA 19.05.2016	Forgebank Properties Ltd Mr C Tucker Brynheulog House Old Parish Road Hengoed CF82 7HU	Seek approval for a non material amendment to planning consent 15/0210/RET (Retain two dwellings) to vary the low level roof to the single-storey rear extensions to a mono pitch and install a high level window to the road elevation for both plots 1 & 2 Viaduct View Court Victoria Road Maesycwmmmer Hengoed	Granted 16.06.2016
16/0313/NCC 04.04.2016	Mr J Jones-Bell 4 Valley Meadow Close Pantside Newport NP11 5BU	Vary condition 04 of planning consent 06/0421/FULL (Erect sixteen dwellings and associated roadworks and services) to replace garage door (integral garage) with double glazing french doors and use the room for storage 4 Valley Meadow Close Pantside Newport NP11 5BU	Granted 17.06.2016
16/0575/FULL 25.04.2016	Mr D Thomas 55 Cae'r Fferm Caerphilly CF83 2QB	Erect single-storey rear extension with pitched roof 55 Cae'r Fferm Caerphilly CF83 2QB	Granted 17.06.2016
16/0585/COND 26.04.2016	G2 Energy Renewable Developments Limited Mr P Chambers 25 Osier Way Olney Office Park Olney	Discharge Condition 20 (bat protection) of planning consent 14/0194/NCC (Remove conditions 07 & 08 and vary condition 22 of planning consent 13/0582/FULL (Erect single wind turbine and associated works)) Bryn Ysgawen Farm Mountain Road Maesycwmmmer To Machen Ystrad Mynach Hengoed	Decided - Discharge of Conditions 17.06.2016



16/0586/ADV 26.04.2016	Asda Stores Ltd Asda House South Bank Great Wilson Street Leeds West Yorkshire LS11 5AD	Erect window vinyls, signage on posts and totem panel replacements Asda Stores Ltd Pontygwindy Road Caerphilly CF83 3SX	Granted 17.06.2016
16/0342/FULL 29.04.2016	Mr R Lawford 44 Burnet Drive Blackwood NP12 2FN	Erect side extension 7 St Peters Drive Blackwood NP12 2ER	Granted 17.06.2016
16/0305/COU 31.03.2016	Shadow Scaffolding Mr Mills Unit B Angel Lane Industrial Estate Angel Lane Aberbargoed Bargoed CF81 9FW	Change the use of the warehouse building from B2 to B8 and provide a new roller shutter door to the rear elevation Shadow Scaffolding Unit B Angel Lane Industrial Estate Angel Lane	Granted 20.06.2016
16/0352/FULL 14.04.2016	Mr R Smith 7 Langport Avenue Llanrumney Cardiff CF3 5TL	Erect double-storey rear extension 94 Ty-Isaf Park Avenue Pontymister Risca Newport	Granted 20.06.2016
16/0432/FULL 14.04.2016	Mr & Mrs Betts 41 Sycamore Crescent Ty Sign Risca Newport NP11 6AF	Provide external vertical lift to front garden for wheelchair access including forming new opening in low garden boundary wall, retaining walls for vertical lift, concrete ramp/path and railings to upper platform 41 Sycamore Crescent Ty Sign Risca Newport	Granted 20.06.2016
16/0492/FULL 20.04.2016	Convatec Ltd Mr D Connolly Unit 20 First Avenue Deeside Industrial Park Deeside Flintshire CH5 2NU	Replace the existing VOC Abatement system (Bio- scrubber) with the Best Available Technology (BAT) - established as a 3 can Regenerative Thermal Oxidiser (RTO) Convatec Ltd Unit 1 - 2 Heads Of The Valleys Industrial Estate Rhydymney	Granted 20.06.2016



16/0526/FULL 22.04.2016	Baptist Union Corporation Ltd Mr S Wing C/o Bute Surveyors 1 St Anne's Court Talygarn Pontyclun CF72 9HH	Demolish the existing Seion Church and construct two detached houses Seion Baptist Church Glenview Terrace Llanbradach Caerphilly	Granted 20.06.2016
16/0578/FULL 25.04.2016	Mr D Bowen St Govans Tabor Road Maesycwmmmer Hengoed CF82 7PU	Erect a garden shed up to the rear boundary St Govans Tabor Road Maesycwmmmer Hengoed	Granted 20.06.2016
16/0275/FULL 29.04.2016	Mr M Thomas 16 Coed-Y-Graig Ystrad Mynach Hengoed CF82 7FJ	Erect first-floor bedroom and en-suite side extension over the existing and enlarge driveway 16 Coed-Y-Graig Ystrad Mynach Hengoed CF82 7FJ	Granted 20.06.2016
16/0351/COND 06.05.2016	Eden Stone Homes Mr R Kelso Priory House Priory Street Usk Monmouthshire NP15 1BJ	Discharge condition 17 (materials) of planning consent 07/0453/RM (Construct 20 dwellings and associated works) Land At Hillary Rise Pontywaun Newport NP11 7GL	Decided - Discharge of Conditions 20.06.2016
16/0150/FULL 18.03.2016	Rev C Moss Chapel House High Street Argoed Blackwood NP12 0HQ	Carry out various renovation works Argoed Baptist Chapel High Street Argoed Blackwood	Granted 21.06.2016
16/0317/ADV 06.04.2016	T J's Play Center Ltd Mrs C Mayne 1 Bevan Crescent Blackwood NP12 1EW	Erect illuminated signs above the entrance of the building Unit A4 Pinewood Court St David's Industrial Estate Pengam	Granted 21.06.2016
16/0328/RET 12.04.2016	New Wave Installations Cardtronics UK Ltd Ms N Dickinson Hope Street Rotherham Yorkshire S60 1LH	Retain ATM through shop front and white laminate security infill panel incorporating the ATM installation to the left of the entrance door Spar Unit 4-6 4 - 8 Penallta Road Ystrad Mynach	Granted 21.06.2016

16/0329/ADV 12.04.2016	New Wave Installations Cardtronics UK Ltd Ms N Dickinson Hope Street Rotherham Yorkshire S60 1LH	Retain various signage Spar Unit 4-6 4 - 8 Penallta Road Ystrad Mynach	Granted 21.06.2016
16/0327/COND 29.04.2016	Mr R Sorrell The Square Royale 41 Aeron Place Gilfach Bargoed CF81 8JA	Discharge conditions 5 (odour - scheme of control) and 6 (waste from commercial premises) of planning consent 16/0059/COU (Change of use of the ground floor from A1 to A3 (shop to pub/restaurant)) The Square Royale - Unit A Bank Chambers 24 - 25 High Street Bargoed	Decided - Discharge of Conditions 21.06.2016
16/0343/FULL 05.05.2016	Mr J Bailey 28 Brook Rise Oakdale Blackwood NP12 0ES	Erect single-storey extension to rear of dwelling 28 Brook Rise Oakdale Blackwood NP12 0ES	Granted 21.06.2016
16/0262/FULL 27.04.2016	Mr & Mrs R Gemmell 13 High Street Pengam Blackwood NP12 3SY	Erect two-storey rear extension, convert loft and raise the existing ridge line by 450mm Noddfa 41 Hengoed Road Penpedairheol Hengoed	Granted 22.06.2016
16/0267/FULL 27.04.2016	Mr M Coxe 50 The Crescent Trecenydd Caerphilly CF83 2SW	Erect two new semi-detached houses in a garden plot Land Within Curtilage Of 50 The Crescent Trecenydd Caerphilly	Refused 22.06.2016
16/0269/NCC 28.04.2016	Ms B Hoskins 6 Maes y Pandy Manor Parc Bedwas Caerphilly CF83 8HQ	Vary condition 10 of planning consent 15/0515/COU (Convert existing redundant open sided barn building and lean-to stable into a one bedroom dwelling) to add a window to the w.c. Land At Gwaun-y-bara Farm Pentwyngwyn Road Rudry Caerphilly	Granted 22.06.2016

16/0268/COND 28.04.2016	Mr R Aston C/O Agent	Discharge conditions 2 (approved drawings), 3 (engineering details) and 4 (highway provision) of planning consent 12/0432/FULL (Erect replacement garage, single detached dwelling with off- street parking and turning facilities) Land Adjacent To Bryngwyn Cottages Pennar Lane Newbridge	Decided - Discharge of Conditions 23.06.2016
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**LIST OF PLANNING APPLICATIONS WHICH ARE OUT OF TIME/NOT DEALT WITH  
WITHIN 8 WEEKS OF DATE OF REGISTRATION**

<b>APPLICATION NUMBER  DATE RECEIVED</b>	<b>DESCRIPTION &amp; LOCATION OF DEVELOPMENT</b>	<b>COMMENTS</b>
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.
12/0441/FULL 07.06.12	Demolish existing chapel and erect four 1 bed apartments in a single block at Chapel, De Winton Terrace Llanbradach, Caerphilly	Subject to further discussion and consideration.
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.
14/0328/FULL 19.05.14	Erect a detached six bedroom dwelling on Land Adjacent To Brook House Pandy-Mawr Road Bedwas Caerphilly	Awaiting amended plans.
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.

15/0060/COU 22.01.15	Convert first and second floors to 6 No. one bedroom flats at 1 Pentrebane Street Caerphilly	Awaiting additional information.
15/0278/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 and wildlife.
15/0311/FULL 05.05.15	Erect a new dwelling at Brynhyfryd 6 Old Parish Road, Hengoed	Subject to further discussion and consideration.
15/0348/COU 20.05.16	Change the use of part of ground floor and first floor to add three flats to existing A1 use at 101 - 103 Commercial Street Pontymister, Risca	Extension of time agreed and subject to further discussion.
15/0440/CON 30.06.16	Demolish former health centre building at 1st Oakdale Scout Group, Oakdale Scout Hall, Kincoed Road, Oakdale	Subject to further discussion and consideration.
15/0459/RET 07.07.15	Retain the installation of a biomass unit incorporating flues and railway container housing kiln at Chris Howell Timber And Landscaping Supplies, Nantgarw Road North UI, Caerphilly	Awaiting further details.
15/0466/FULL 30.06.16	Erect single-storey lounge/dining extension plus two-storey extension, rebuilding garage with ground floor study and first floor bedroom at 10 Cwrt Pantycelyn, Pontllanfraith, Blackwood	Additional information requestd.
15/0502/COU 13.07.15	Change of use of the first and second floors from offices to 6 residential flats at Caerphilly Indoor Market 5 Pentrebane Street, Caerphilly	Re-consulting on amended plans
15/0708/FULL 06.11.15	Erect outhouse and garden retaining walls at Shangri La, Bryn Road Pontllanfraith, Blackwood	Subject to further discussion and consideration
15/0792/LBCC 18.12.15	Construct new reinforced concrete retaining walls and lined concrete channel south of Abercarn Aqueduct and carry out remedial works and measures to Abercarn Aqueduct comprising of a lined concrete channel, vegetation clearance and localised repairs/repointing of existing masonry parapets at Monmouthshire And Brecon Canal Twyncarn Road, Crosskeys, Newport	Deferred to National Assembly

15/1175/FULL 25.11.15	Erect B1/B2/B8 units together with associated parking/servicing At Phase 5 Dyffryn Business Park, Ystrad Mynach Hengoed.	Awaiting wildlife information.
16/0009/COND 07.01.16	Discharge Conditions 2 (land drainage), 5 (wind turbine data), 7 (shadow flicker), 8 (Traffic Management Plan), 9 (highway survey), 10 (access route), 11 (switchgear housing), 12 (reptile mitigation strategy), 13 (archaeological written scheme of investigation) and 16 (anti-collision lighting) of planning consent 15/0499/FULL (Erect a single wind turbine of max 77m to tip, along with associated infrastructure including an access track and electrical housing) at Castell Llwyd Farm Heol Las Nelson Treharris	Subject to further discussion and consideration.
16/0127/COND 17.02.16	Discharge conditions 03 (Drainage), 07 (Parking), 8 (drainage) 11 (External Surfaces) & 12 (Boundary Walls) of planning permission 15/0033/FULL (Erect residential development (3 No. units)) on Land Off Duffryn Road, Brynawel Wattsville, Newport	Further discussions regarding drainage.
16/0151/LBC 18.03.16	Carry out various renovation works at Argoed Baptist Chapel, High Street Argoed	Deferred to CADW.
16/0198/COND 29.02.16	Discharge Conditions 2 (engineering details), 7 (bat enhancement), 8 (bird enhancement), 9 (street light strategy), 10 (Foul and surface water drainage), 13 (tree protection plan), 14 (landscaping), 16 (acoustic barrier) and 17 (contamination) of planning permission 15/0675/FULL (Remediate the site and develop 32 residential dwellings (C3), associated vehicular and pedestrian access from the existing Cwm Calon site, formal landscaping, drainage, related infrastructure, engineering works and the relocation of an existing bus gate) on Land North Of Cwm Calon Penallta, Hengoed	Subject to further discussions with Highways.
16/0208/OUT 05.03.16	Erect up to 200 dwellings and access with all other matters reserved at Catnic Pontypandy Industrial Estate Caerphilly	Subject to further discussion and consideration.

16/0234/COU 11.04.16	Change the use from light industrial B2 use to a health and fitness centre D2 use at Unit A, De Clare House 4 Sir Alfred Owen Way Pontygwindy Industrial Estate Caerphilly	Subject to further discussion and consideration.
16/0248/COND 15.04.16	Discharge conditions 03 (bat roosts), 4 (nesting sites for birds), 11 (materials and finishes), 14 (contamination - scheme to treat), 15 (contamination - validation) & 16 (contamination - soil import testing) of planning consent 14/0350/FULL (Demolish existing hospital building plus associated outbuildings and erect three two-storey terraced houses, two semi-detached houses and one dormer bungalow) at Redwood Memorial Hospital, The Terrace, Rhymney Tredegar	Subject to further discussion and consideration.
16/0335/FULL 12.04.16	Erect new dwelling on Land Rear Of 39 Highfield Road, Pontllanfraith Blackwood	Additional information requested.



## 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. File closed pending further instructions.
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.	Position being reviewed because of lack of response from Applicants about the S106. Waiting for confirmation from Planning is application been refused.
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. Waiting to hear from Planning.
14/0239/NCC 16.04.14	Vary condition 3 of 09/0688/OUT (Erect residential development) to extend the time period for the approval of reserved matters on Land At Albertina Road Treowen Newport	Sent amended draft. Solicitors waiting for instructions.

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	Sent Draft for comments.
14/0855/FULL 15.01.15	Erect residential development and associated works at Land At Watford Road Caerphilly	UWHA emailing Solicitor about title issues. UWHA going to discuss issues at monthly meeting. Latest proposal for them to provide unilateral undertaking.
15/0156/NCC 12.03.15	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 amended drafts to Solicitors. Chased.
15/1241/FULL 15/12/15	Redevelop site with 8 residential units (3 No. 3 bed units & 5 No. 2 bed units) and associated parking on Land Off Victoria Road Rhymney Tredegar	Sent amended draft to Solicitors.
16/0016/NCC 08/01/16	Vary condition 1 of planning consent 2/06678 (Quarrying of Grit stone. 8.5 hectares) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Opening file.
16/0017/NCC 08/01/16	Vary condition 1 of planning consent 2/07947/T (Storage of overburden from adjacent Quarry) to extend the consent end date/expiry date to 31st December 2027 at Hafod Quarry Hafod Fach Lane Abercarn Newport	Sent Agent letter.
16/0085/NCC 05/02/16	Vary conditions 03 and 04 of planning permission 13/0058/NCC to extend the period of time for the submission of reserved matters and the commencement of the development at Land Off Pencoed Avenue Cefn Fforest Blackwood	Clarifying instructions with Planning.

16/0076/OUT 28/01/16	Erect residential development on Land To The North Of Meadowland Close Caerphilly	New Instruction.
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## OUTSTANDING APPEALS

APPEAL REF/ PLANNING APP. NO.	APPELLANT	PROPOSAL & LOCATION	DATE APPEAL REGISTERED
15/0012/REF 15/0038/OUT	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 at Land North Of Pandy Road Bedwas Caerphilly	23.11.2015
15/0015/REF 15/0023/COU	Mr J Khehra 192 Bedwas Road Caerphilly CF83 3AU	Retain A1 use part ground floor and convert upper floors to residential at Manchester House 1 Clifton Street Caerphilly CF83 1HA	14.12.15
16/0007/NONDET	Dr M A Alam 21 St Peters Drive Libanus Fields Blackwood NP12 2ER	Vary condition 1 of planning consent 10/0902/FULL (Erect new house and integral garage) to extend the period of time within which to commence development at 45 Gelynos Avenue Argoed Blackwood NP12 0AT	18.04.16
16/0008/REF 16/0028/FULL	Mr M Thompson 7 Gelliargwelt Road Penybryn Hengoed	Erect a detached dwelling on Land Between 75 & 77 Upper Road Elliot's Town New Tredegar	26.05.16

**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>
16/0001/REF 15/0161/OUT	Erect a dwelling house and associated external works at Chez Nous, 26 Sunny Bank Terrace, Machen, Caerphilly CF83 8PY	Allowed 15.06.16	DEL
16/0005/REF 15/0674/FULL	Construct a single-storey dwelling for manager (and family) of adjacent nursing home at Rosewood Nursing Home Dan Y Graig Road Risca Newport	Allowed 19.05.16	DEL