

ROLE OF COMMITTEE AND TERMS OF PUBLIC RIGHTS OF WAY

- ii) The term "public rights of way" is used to mean paths, tracks and unmetalled roads over which the public have the right to walk and in some cases ride horses and possibly drive motor vehicles.

These may be classified as follows:-

A **footpath**: over which the right of way is on foot only.

A **bridleway**: over which there is a right of way on foot and on horseback or leading a horse, and also for the use of a pedal cycle.

A **byway open to all traffic**: this means a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used.

- iii) The Wildlife and Countryside Act 1981 places a duty on the County Borough Council to keep the existing definitive map under continuous review, make Modification Orders as necessary to take account of the occurrence of events requiring the map to be modified and to prepare definitive maps for any part of the area not previously surveyed.
- iv) The definitive map and statement will be modified by means of Orders made by the surveying authority i.e. the County Borough Council. The Wildlife and Countryside Act enables any person to apply to the surveying authority for an order to amend the definitive map.
- v) The procedure for making such an application is detailed in Schedule 14 of the Wildlife and Countryside Act. The application before you complies with these requirements.
- vi) When determining the application members will be acting in a quasi-judicial capacity. Before making an order, members must be satisfied that the evidence shows, **on the balance of probabilities**, that a right of way of a particular description exists. Each application must be dealt with on its own merits, noting the interests of both the applicants and the landowners.
- vii) This application is concerned with rights that are alleged to exist and not as to whether it would be prudent or beneficial to create them. The suitability of a way for users who have a right to use it, for example the nuisance that they are alleged to cause are not factors that should be considered by the Committee. **Members are also required to view the route of the proposed right of way in question.**

- viii) When considering the evidence that follows, members must be aware of the provisions of Section 31 of the Highways Act 1980 thus enabling members to determine whether there is sufficient weight of evidence to make an order.

Section 31 of the Highways Act states:-

"where a way over any land other than a way of such a character that use of it by the public could not be given rise at common law to any presumption of dedication, has been actually enjoyed by the public as a right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

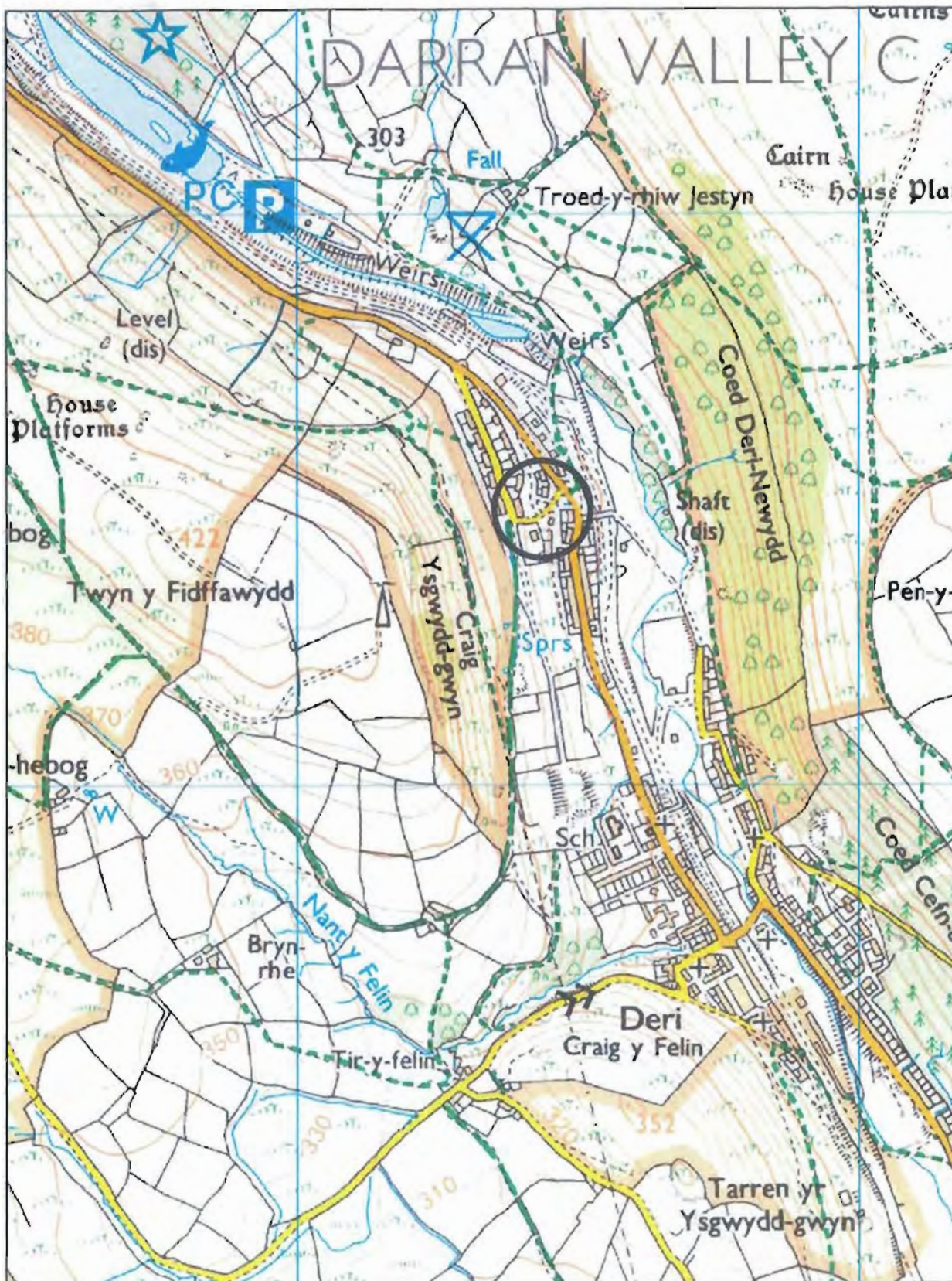
If in the case before you members are satisfied that the right of way has been used for a period in excess of 20 years, then there arises a presumption that the owner intended to dedicate the path as a right of way. It should be noted by members that the said 20 year period must be calculated retrospectively from the date when the way was first called into question.

- ix) If following the site visit the Committee decides to make an Order, then once this decision has been reached the County Borough Council has to give notice of its general effect. Following members' decision there is a right of appeal to the National Assembly for Wales. A period of at least 42 days from the date of first publication of the notice must be allowed for objections."

If there are any valid objections the County Borough Council has to refer the Order, together with the objections to the National Assembly for Wales who will then arrange for the Order and the objections to be considered by an independent Inspector. If no valid objections are made within the objection period then the County Borough Council may confirm the order itself as an unopposed Order.

LOCATION PLAN - CLAIMED RIGHT OF WAY 144

1:10,000



CLAIMED RIGHT OF WAY 144 A-B 

1:750



CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.5

FORM OF APPLICATION FOR A MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993 (Schedule 7)

DEFINITIVE MAP AND STATEMENT

COUNTY BOROUGH OF CAERPHILLY

COMMUNITY OF: GELLIGAER

I/We (name of applicant) V.M.PRICE

of (address of applicant) 

Telephone N° (Home).....
(Business).....

hereby apply for an Order under Section 53 (2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:-

1.*Deleting the *(footpath) *(bridleway) *(byway open to all traffic)
shown as N°.....
leading from.....
to.....

OR

2.* Adding the *(footpath) *(bridleway) *(byway open to all traffic)
shown as N° diagonal path
leading from 4 Ogilvie Terrace
to 12 Ogilvie Terrace

3. ~~** (Upgrading) *(Downgrading) to a *(footpath) *(bridleway) *(byway open to all traffic) the *(footpath) *(bridleway) *(byway open to all traffic)~~

~~shown as N°~~

~~leading from~~

~~to~~

OR

4. ~~** (Varying) *(Adding) to the statement particulars relating to the *(footpath) *(bridleway) *(byway open to all traffic)~~

~~shown as N°~~

~~leading from~~

~~to~~

~~(Please state below the modification required)~~

~~.....
.....
.....
.....~~

I/We attach a map and copies of the following documentary evidence (including statements of witnesses) in support of this application:-

List of Documents provided:-

20 statements

1 MAP DERL & GROESFAEN

1 MAP TRANSCO COALBARD

1 MAP ARIAL VIEW

1 MAP ORDINANCE SURVEY

1 MAP WALES & WEST UTILITIES

Dated 30th Aug 2015

Signed

* Please delete as appropriate

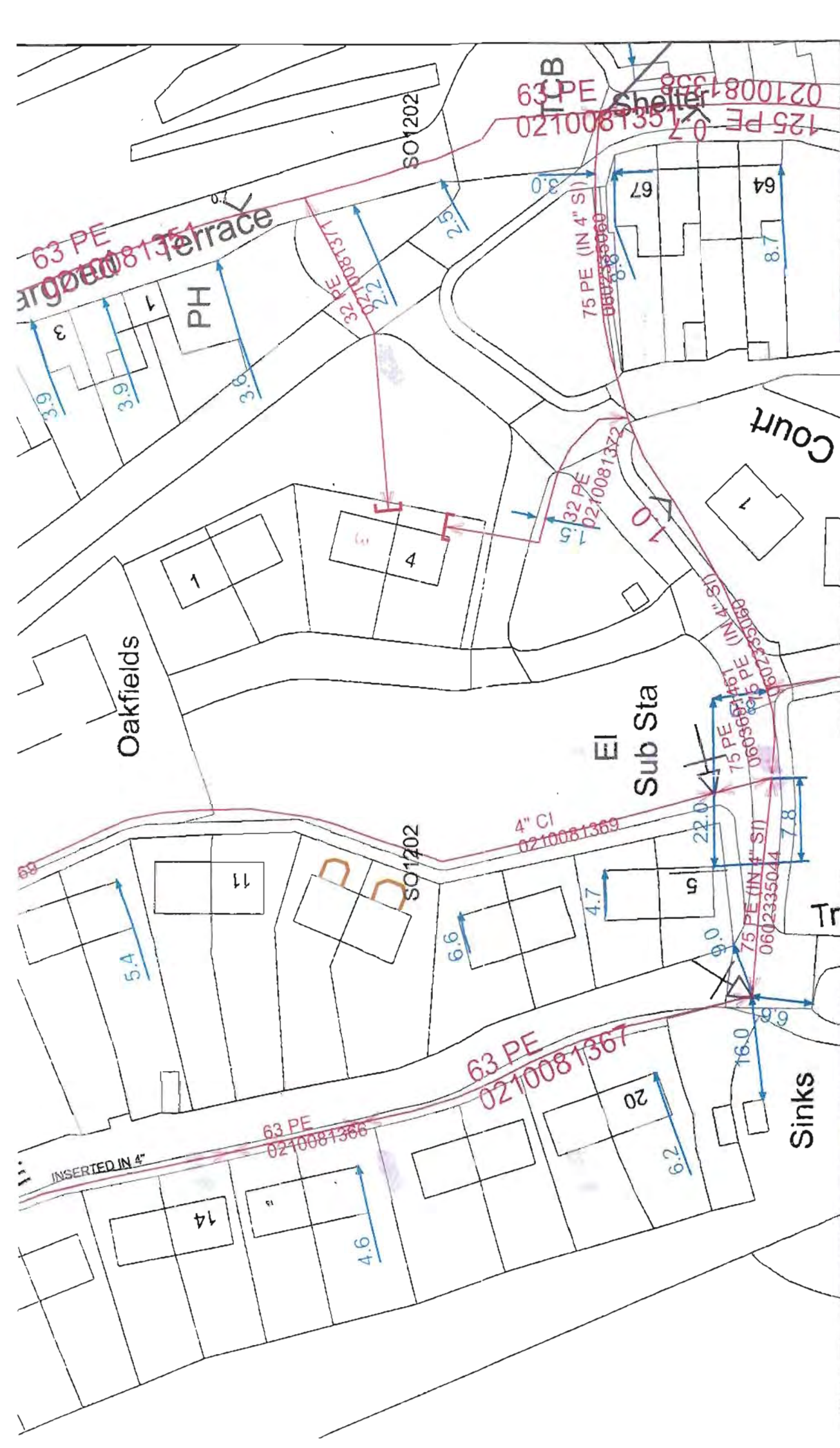
2 photos path top showing path joining diagonal path BOTH TARMAC



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown copyright.
 Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 Caerphilly County Borough Council, LA09004L, 2002.

Atgynhychwyd o fapiau yr Arlofwg Ordnans gyda chwtlad rheolwr Llyfrau ei Mawrtydi hawlloir y Goron.
 Mae atgynhychu heb awdurdod yn torri hawlloir y Goron. Gall hyn arwain at ehyriad neu echos siŵl.
 Cyngor Bwrdeistref Sirol Caerphilly, LA09004L, 2002.





SWI

Maple and West Village Ltd. Water and Sewer House, Spooner Close, Galis
Sperth, Colchester, Essex, CO10 2PE

All MasterMap data is reproduced by permission of Ordnance Survey
on behalf of HMSO. © Crown copyright and database right (2015). All
rights reserved. Ordnance Survey Licence number 01000494306.

TITLE: Origin Terrace

The plan shows those areas owned by Water & West Village (WVW) in its role as a Licensed Gas Provider (GLP). The information shown on this plan is extracted from records, information and maps held by involved recording plans, and the accuracy of a network is guaranteed. Service pipes, valves, systems, sub connections, etc. are not shown but their presence should be anticipated. No warranty is made in respect of it. WVW its employees and contractors do not accept any liability for any inaccuracy or incompleteness in it.

You must use self-degassing practices, in accordance with HSE/G47, to establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you or other part operators. The information shown on this plan should not be used to depend upon the value of this plan as it is subject to updating.

The plan also provides indications of gas pipes owned by other GLPs, which may be present in this area. This information is not information of WVW and WVW is unable to verify this information or to confirm whether it is accurate or complete. It is supplied voluntarily to assist the user in determining whether to make contact with other GLPs or others. The user must obtain such information from the other GLP or person concerned. WVW, its employees and contractors do not accept any liability for this information or its accuracy or incompleteness in it.

1: 500 @A3

The use of Court

14/03/2015

Enabling: 312417

Northings: 202509

VA Response

Low Pressure

Medium Pressure

Intermittent Pressure

High Pressure

101 Other Pipelines

Contact Zones

M/S Piping

0 12.5 25 Meters

Draw

Change

Print

SO1202

SO1702

0210081366

63 PE

63 PE 0210081366

63 PE 0210081367

63 PE 0210081368

63 PE 0210081371

63 PE 0210081372

75 PE (IN 4" SI) 0602335044

75 PE (IN 4" SI) 0602335045

75 PE (IN 4" SI) 0602335046

75 PE (IN 4" SI) 0602335047

75 PE (IN 4" SI) 0602335048

75 PE (IN 4" SI) 0602335049

75 PE (IN 4" SI) 0602335050

75 PE (IN 4" SI) 0602335051

75 PE (IN 4" SI) 0602335052

75 PE (IN 4" SI) 0602335053

75 PE (IN 4" SI) 0602335054

75 PE (IN 4" SI) 0602335055

75 PE (IN 4" SI) 0602335056

75 PE (IN 4" SI) 0602335057

75 PE (IN 4" SI) 0602335058

75 PE (IN 4" SI) 0602335059

75 PE (IN 4" SI) 0602335060

75 PE (IN 4" SI) 0602335061

75 PE (IN 4" SI) 0602335062

75 PE (IN 4" SI) 0602335063

75 PE (IN 4" SI) 0602335064

75 PE (IN 4" SI) 0602335065

75 PE (IN 4" SI) 0602335066

75 PE (IN 4" SI) 0602335067

75 PE (IN 4" SI) 0602335068

75 PE (IN 4" SI) 0602335069

75 PE (IN 4" SI) 0602335070

75 PE (IN 4" SI) 0602335071

75 PE (IN 4" SI) 0602335072

75 PE (IN 4" SI) 0602335073

75 PE (IN 4" SI) 0602335074

75 PE (IN 4" SI) 0602335075

75 PE (IN 4" SI) 0602335076

75 PE (IN 4" SI) 0602335077

75 PE (IN 4" SI) 0602335078

75 PE (IN 4" SI) 0602335079

75 PE (IN 4" SI) 0602335080

75 PE (IN 4" SI) 0602335081

75 PE (IN 4" SI) 0602335082

75 PE (IN 4" SI) 0602335083

75 PE (IN 4" SI) 0602335084

75 PE (IN 4" SI) 0602335085

75 PE (IN 4" SI) 0602335086

75 PE (IN 4" SI) 0602335087

75 PE (IN 4" SI) 0602335088

75 PE (IN 4" SI) 0602335089

75 PE (IN 4" SI) 0602335090

75 PE (IN 4" SI) 0602335091

75 PE (IN 4" SI) 0602335092

75 PE (IN 4" SI) 0602335093

75 PE (IN 4" SI) 0602335094

75 PE (IN 4" SI) 0602335095

75 PE (IN 4" SI) 0602335096

75 PE (IN 4" SI) 0602335097

75 PE (IN 4" SI) 0602335098

75 PE (IN 4" SI) 0602335099

75 PE (IN 4" SI) 0602335100

75 PE (IN 4" SI) 0602335101

75 PE (IN 4" SI) 0602335102

75 PE (IN 4" SI) 0602335103

75 PE (IN 4" SI) 0602335104

75 PE (IN 4" SI) 0602335105

75 PE (IN 4" SI) 0602335106

75 PE (IN 4" SI) 0602335107

75 PE (IN 4" SI) 0602335108

75 PE (IN 4" SI) 0602335109

75 PE (IN 4" SI) 0602335110

75 PE (IN 4" SI) 0602335111

75 PE (IN 4" SI) 0602335112

75 PE (IN 4" SI) 0602335113

75 PE (IN 4" SI) 0602335114

75 PE (IN 4" SI) 0602335115

75 PE (IN 4" SI) 0602335116

75 PE (IN 4" SI) 0602335117

75 PE (IN 4" SI) 0602335118

75 PE (IN 4" SI) 0602335119

75 PE (IN 4" SI) 0602335120

75 PE (IN 4" SI) 0602335121

75 PE (IN 4" SI) 0602335122

75 PE (IN 4" SI) 0602335123

75 PE (IN 4" SI) 0602335124

75 PE (IN 4" SI) 0602335125

75 PE (IN 4" SI) 0602335126

75 PE (IN 4" SI) 0602335127

75 PE (IN 4" SI) 0602335128

75 PE (IN 4" SI) 0602335129

75 PE (IN 4" SI) 0602335130

75 PE (IN 4" SI) 0602335131

75 PE (IN 4" SI) 0602335132

75 PE (IN 4" SI) 0602335133

75 PE (IN 4" SI) 0602335134

75 PE (IN 4" SI) 0602335135

75 PE (IN 4" SI) 0602335136

75 PE (IN 4" SI) 0602335137

75 PE (IN 4" SI) 0602335138

75 PE (IN 4" SI) 0602335139

75 PE (IN 4" SI) 0602335140

75 PE (IN 4" SI) 0602335141

75 PE (IN 4" SI) 0602335142

75 PE (IN 4" SI) 0602335143

75 PE (IN 4" SI) 0602335144

75 PE (IN 4" SI) 0602335145

75 PE (IN 4" SI) 0602335146

75 PE (IN 4" SI) 0602335147

75 PE (IN 4" SI) 0602335148

75 PE (IN 4" SI) 0602335149

75 PE (IN 4" SI) 0602335150

75 PE (IN 4" SI) 0602335151

75 PE (IN 4" SI) 0602335152

75 PE (IN 4" SI) 0602335153

75 PE (IN 4" SI) 0602335154

75 PE (IN 4" SI) 0602335155

75 PE (IN 4" SI) 0602335156

75 PE (IN 4" SI) 0602335157

75 PE (IN 4" SI) 0602335158

75 PE (IN 4" SI) 0602335159

75 PE (IN 4" SI) 0602335160

75 PE (IN 4" SI) 0602335161

75 PE (IN 4" SI) 0602335162

75 PE (IN 4" SI) 0602335163

75 PE (IN 4" SI) 0602335164

75 PE (IN 4" SI) 0602335165

75 PE (IN 4" SI) 0602335166

75 PE (IN 4" SI) 0602335167

75 PE (IN 4" SI) 0602335168

75 PE (IN 4" SI) 0602335169

75 PE (IN 4" SI) 0602335170

75 PE (IN 4" SI) 0602335171

75 PE (IN 4" SI) 0602335172

75 PE (IN 4" SI) 0602335173

75 PE (IN 4" SI) 0602335174

75 PE (IN 4" SI) 0602335175

75 PE (IN 4" SI) 0602335176

75 PE (IN 4" SI) 0602335177

75 PE (IN 4" SI) 0602335178

75 PE (IN 4" SI) 0602335179

75 PE (IN 4" SI) 0602335180

75 PE (IN 4" SI) 0602335181

75 PE (IN 4" SI) 0602335182

75 PE (IN 4" SI) 0602335183

75 PE (IN 4" SI) 0602335184

75 PE (IN 4" SI) 0602335185

75 PE (IN 4" SI) 0602335186

75 PE (IN 4" SI) 0602335187

75 PE (IN 4" SI) 0602335188

75 PE (IN 4" SI) 0602335189

75 PE (IN 4" SI) 0602335190

75 PE (IN 4" SI) 0602335191

75 PE (IN 4" SI) 0602335192

75 PE (IN 4" SI) 0602335193

75 PE (IN 4" SI) 0602335194

75 PE (IN 4" SI) 0602335195

75 PE (IN 4" SI) 0602335196

75 PE (IN 4" SI) 0602335197

75 PE (IN 4" SI) 0602335198

75 PE (IN 4" SI) 0602335199

75 PE (IN 4" SI) 0602335200



SCALE: 1"=100'

USER ID: 0044

DATE: 1/20/00

PERSON RESPONSIBLE: 31280, 80262

Legend:

- Existing
- Proposed
- ⬇ Existing Change
- ⬆ Proposed Change

This plan shows existing pipes owned by Transco in South Carolina and other utilities (gas, sewer, water, etc.). The pipes shown by other agencies and other parties' need to be present in this area. Information with regard to such pipes should be obtained from the owner. The information shown on this plan is given without warranty, or warranty, the accuracy thereof cannot be guaranteed. The liability of any kind whatsoever is accepted by Transco, its agents or servants for any error or omission. Side digging operations, in accordance with the applicable laws, should be used to verify and establish the actual position of utility pipes, services and other apparatuses before any mechanical plant is installed to your responsibility to ensure it is installed in accordance with all applicable laws of the State of South Carolina. The information indicated on this plan should not be referred to by state personnel on any date of issue.

GREENSBORO COUNTY BOARD OF COUNTY COMMISSIONERS

DEPARTMENT OF TECHNICAL SERVICES

No. 21 MAY 2001

RECEIVED: 21 MAY 2001

DATE RECEIVED:

FORWARDED TO:

FILE REF:

Desktop MAPS Version 2.0.1

Transco

Uniontown

This plan is reproduced from a 100' x 100' map of the site by Transco, Inc. in the name of the engineer of record by GEA, Columbia, South Carolina.

Photo of right of way
path adjacent to path
Ogilvie Terrace
1980's
M. Price
M. PRICE



Right of way diagonal
path, joining footpath
Ogilvie Terrace
1990s

UMRICE
UMPRICE



CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.7

FORM OF CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR A MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993 (Schedule 9)

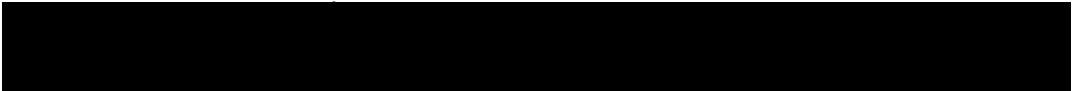
DEFINITIVE MAP AND STATEMENT

CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER

BOROUGH/DISTRICT OF CAERPHILLY

COMMUNITY GELLIGAER

I/We(name of applicant) V.M. PRICE

Of (address of applicant) 

Telephone N° (Home) 
(Business) 

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with. (Paragraph is printed on the reverse of this form),


Details of Modification REINSTATE DIAGONAL FOOTPATH FROM
4 OGILVIE TERRACE To 12 OGILVIE TERRACE. WHICH
WAS FENCED OFF ON AUG. 14th

List of Owners and Occupiers Notified:-

KARINA JAYNE GAUDEN

JOHN VINCENT O'CONNELL

Dated AUG 30th 2015

Signed 

Completed Forms to be returned to:-

Mrs P. Elliott
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

RECEIVED AT
PENALLTA HOUSE
20 OCT 2015

CAERPHELLY COUNTY BOROUGH COUNCIL

FORM W.C.A.7

FORM OF CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR A
MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993 (Schedule 9)

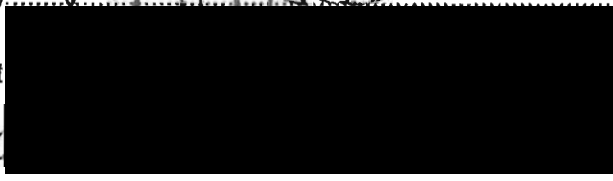
DEFINITIVE MAP AND STATEMENT

CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER

BOROUGH/DISTRICT OF Caerphilly

COMMUNITY Gelligaer

I/We (name of applicant) V.M. PRICE

Of (address of applicant) 

Telephone N° (Home) 
(Business)

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with. (Paragraph is printed on the reverse of this form).

Details of Modification Reinstate public footpath
which was ~~found~~ fenced off on
August 13/14th

List of Owners and Occupiers Notified:-

~~ALEX SHENKROF~~ ALEX SHENKROF

Dated 15 - October 2015

Signed 

Completed Forms to be returned to:-

Mrs P. Elliott
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

A.J.Sander

01495-235092

ETP/ROW/Claim.

13th March 1997

Dear Madam,

Claimed Right of Way Ogilvie Terrace, Deri, Bargoed

I refer to your telephone conversation with my Mr.Sander on the 12th March 1997, and have pleasure in enclosing additional forms in respect of a second claim you wish to make in regard to a right of way at Ogilvie Terrace.

I shall be obliged if you will complete the claim in the prescribed manner and collect additional evidence from other users, before returning the application to the authority.

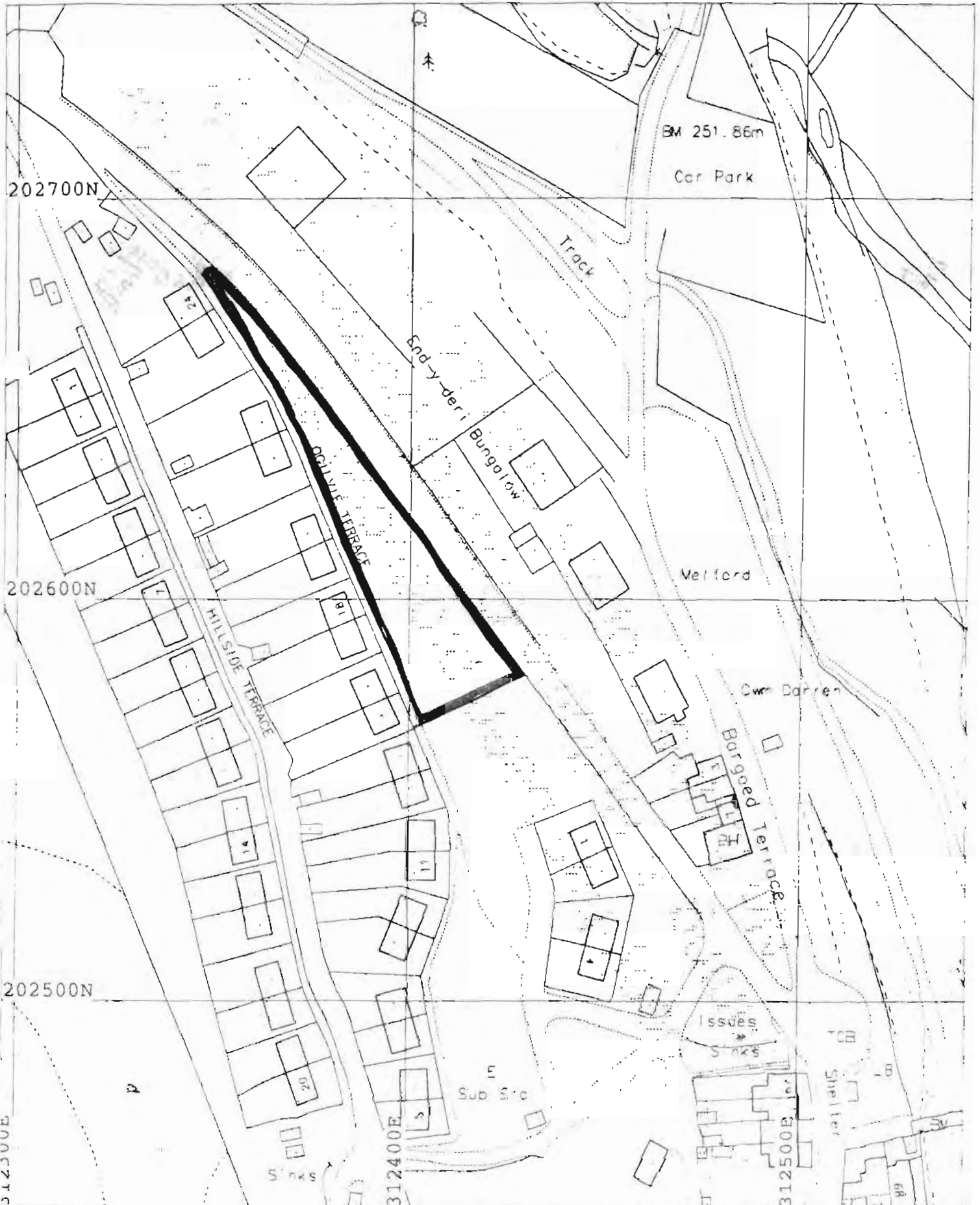
Yours faithfully



for and on behalf of
Chief Engineer

ADMIN PURPOSES.

P/96/0863



ROUTEING SLIP FOR PLANNING APPLICATIONS

| | |
|---|----------------------------|
| Planning Application Number <u>55/96/0863 p</u> | Input Date <u>07/01/97</u> |
|---|----------------------------|

* TO CLIENT SERVICES DATE 07/01/97
 OBSERVATIONS no objection

DATE 07/01/97 SIGNATURE [Signature]

REQUIRE COPY OF FORMAL OBSERVATIONS ? YES/NO
 FROM CLIENT SERVICES DATE 07/01/97

* TO RIGHTS OF WAY DATE 8/1/97
 OBSERVATIONS Suggested claimed path crosses site and action may need to be taken

DATE 8/1/97 SIGNATURE [Signature]
 REQUIRE COPY OF FORMAL OBSERVATIONS ? YES/NO

FROM RIGHTS OF WAY DATE

* Return to H.L. Group within 2 working days of the input date or notify appropriate officer in H.L. of reason for any delay.

TO HIGHWAYS LIAISON DATE..... To H.L.O./CHIEF ASST./ACTO./DCES./CES

APPLICATION REFERRED TO SENIOR MANAGEMENT FOR COMMENTS YES/NO

DATE..... SIGNATURE.....

TO H.L.O. (SEE SEPARATE CHECK LIST FOR OBSERVATIONS)

TO CHIEF ASSISTANT (FORWARD PLAN)/A.C.T.O./D.C.E.S./C.E.S. FOR SIGNATURE DATE.....
 OR ESTATES DEVELOPMENT DATE.....

FORMAL OBSERVATIONS

- CLIENT SERVICES OBSERVATIONS INCLUDED YES / NOT APPLICABLE
- RIGHTS OF WAY OBSERVATIONS INCLUDED YES / NOT APPLICABLE
- HIGHWAYS LIAISON CHECK LIST COMPLETED YES / NO
- ESTATES DEVELOPMENT CHECK LIST COMPLETED YES / NOT APPLICABLE
- DEPARTURES FROM STANDARDS APPROVED YES / NOT APPLICABLE

SIGNATURE.....

FROM CHIEF ASSISTANT (FORWARD PLAN) / A.C.T.O. OR FROM PRINCIPAL ENGINEER ESTATES DEVELOPMENT DATE.....



Directorate of
Technical Services
Planning Division
Council Offices Pontllanfraith
Blackwood NP2 2YW
Tel. 01495 235320
Fax. 01495 236013

Adran y Cyfarwyddwr
Cwasanaethau Technegol
Ie-Adran Cynllunio
Swyddfeydd y Cyngor Pontllanfraith
Coed Duon NP2 2YW
Fôn. 01495 235320
Ffacs. 01495 236013

Chief Planning Officer
Pat Mears

Prif Swyddog Cynllunio
Pat Mears

GROUP MANAGER
(TRANSPORTATION PLANNING),
CAERPHILLY COUNTY BOROUGH COUNCIL,
COUNCIL OFFICES, PONTLLANFRAITH,
BLACKWOOD.

Contact/Cysylltwch â

MRS. M. WICKRAMASINGHE

Direct line/Llinell Uniongyrchol

Direct Fax/Ffacs Uniongyrchol

Your ref/Eich Cyf

P/96/0863

Our ref/Ein Cyl

23/12/96

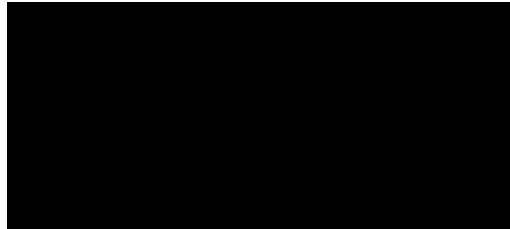
Date/Dyddiad

Dear Sir,

TOWN AND COUNTRY PLANNING ACT, 1990

The following application for planning permission has been received under the provisions of the above Act, and I shall be glad to know whether you wish to make any observations, in writing, on this proposal:

NAME AND ADDRESS
OF DEVELOPER



PROPOSED
DEVELOPMENT

ERECT BUNGALOW

LOCATION

LAND ADJ. TO OAKFIELDS, OGILVIE
TERRACE, DERI, BARGOED, MID GLAM.

PREVIOUS REFERENCE

SITE PLAN

Attached

GRID REFERENCE

SO 1239 0260

In accordance with statutory requirements, it is necessary to determine the application within a specified period and it is essential therefore that any observations should be received by me within 21 days from the date of this communication. If, however, you are unable to forward your observations within this period, please inform me when they will be available. In the event of no reply being received from you, it may be assumed that you have no observations to offer and the determination of the application will be proceeded with.

Yours faithfully,

DEVELOPMENT CONTROL GROUP MANAGER



Chief Planning Officer,
Caerphilly County Borough
Council,
Ponllanfraith,
Blackwood, NP2 2YW,
Tel: 01495 226622
Fax: 01495 222468

(For official use only)
Code Number P/96/0863
Date of issue 23.12.96
Ack. 13.2.97
Latest date for determination 13.2.97
Extended to _____

Town and Country Planning Act, 1990
**APPLICATION FOR PERMISSION
TO DEVELOP LAND ETC.**

CAERPHILLY COUNTY
BOROUGH COUNCIL
11 OCT 1996
PLANNING DIVISION

PART 1 - to be completed by or on behalf of all applicants as far as applicable to the particular development.

1. Applicant (in block capitals)
Name _____
Address _____
Postcode _____

Agent (if any) to whom correspondence should be sent
(in block capitals)
Name NO AGENT
Address _____
Postcode _____ Tel. No. _____

2. Particulars of Application (see note 3)

| | | | | |
|---|---|---|--------------------------|--------------------------|
| (a) State whether this application is for:- | State Yes or No | Is approval required at this stage for any of the following? If so full details are required. | Yes | No |
| (i) Outline planning permission | <input checked="" type="checkbox"/> NO | 1. Siting | <input type="checkbox"/> | <input type="checkbox"/> |
| (ii) Full planning permission | <input checked="" type="checkbox"/> YES | 2. Design | <input type="checkbox"/> | <input type="checkbox"/> |
| (iii) Approval of reserved matters following the grant of outline permission | <input checked="" type="checkbox"/> NO | 3. External Appearance | <input type="checkbox"/> | <input type="checkbox"/> |
| (iv) Renewal of a temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted | <input checked="" type="checkbox"/> NO | 4. Means of access | <input type="checkbox"/> | <input type="checkbox"/> |
| | | 5. Landscaping | <input type="checkbox"/> | <input type="checkbox"/> |

If yes, state the date and number of outline permission
Date _____
Number _____

If yes, state the date and number of previous permission and identify the particular condition (see note 3d)
Date _____
Number _____
The condition _____

3. Particulars of proposal for which permission or approval is sought

(a) Full address or location of the land to which this application relates and site area (if known)
AS ABOVE

(b) Brief particulars of proposed development including the purpose(s) for which the land and/or buildings are to be used
BUNGALOW ADJACENT "OAKFIELDS" DERI.

(c) State whether applicant owns or controls any adjoining land and if so, give its location
NO

(d) State applicant's legal interest in the land
OWNER

| | | | |
|--|---|---|---|
| (e) State whether the proposal involves:- | State Yes or No | (iv) Construction of a new access to a highway | <input checked="" type="checkbox"/> YES |
| (i) New building(s) | <input checked="" type="checkbox"/> YES | vehicular | <input checked="" type="checkbox"/> YES |
| If residential development, state number of dwelling units proposed and type if known, e.g. houses bungalows, flats. | | pedestrian | <input checked="" type="checkbox"/> NO |
| (ii) Alteration or extension | <input checked="" type="checkbox"/> NO | (v) Alteration of an existing access to a highway | <input checked="" type="checkbox"/> NO |
| (iii) Change of use | <input checked="" type="checkbox"/> NO | vehicular | <input checked="" type="checkbox"/> NO |
| | | pedestrian | <input checked="" type="checkbox"/> NO |

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

CERTIFICATE UNDER ARTICLE 7

CERTIFICATE A

I certify that:

on the day 21 days before the date of the accompanying application/appeal* nobody, except the applicant/appellant* was the owner (b) of any part of the land to which the application/appeal* relates.

Signed

*On behalf of

Date 11. Oct. 96

*Delete where inappropriate

- (a) This certificate is for use with applications and appeals for planning permission (article 7 and 9 (1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.
- (b) 'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

CAERPHILLY COUNTY
BOROUGH COUNCIL
11 OCT 1996
PLANNING DIVISION

AGRICULTURAL HOLDINGS CERTIFICATE

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

CERTIFICATE UNDER ARTICLE 7

Agricultural Holdings Certificate (a)

Whichever is appropriate of the following alternatives must form part of Certificates A,B,C or D.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

None of the land to which the application/appeal relates is, or is part of, an agricultural holding.

or

I have/The applicant has/The appellant has given the required notice to every person other than my/him/her*self who, at the beginning of the period of 21 days ending with the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows:-

| Tenant's Name | Address at which notice was served | Date on which notice was served |
|---------------|------------------------------------|---------------------------------|
| | | |

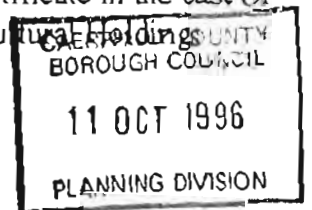
Signed.....

*On behalf of.....

Date..... 11. Oct. 96

*Delete where inappropriate

(1) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A,B,C or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.



CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

| | |
|--|----------------------|
| CAERPHILLY COUNTY BOROUGH COUNCIL DIRECTORATE OF TECHNICAL SERVICES | |
| NO | 8450 |
| DATE RECEIVED | 14 FEB 1997 |
| DATE PAID | N/A |
| REFERRED TO | Transportation Plans |
| FILE REF | SWD 11/00/01 |

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss..... THORNE.....

Christian names: JEAN.....

Age:(if over 21 write "over 21")..... OVER 21.....

Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address: 17 OGILVIE TERRACE.....

DERI BARGOED MID GLADYSGAN.....

3. Occupation: MACHINIST.....

4. Name or route of path..... OGILVIE TERR No 20 TO RD ALSO FROM No 12

5. National Grid References (ends of path)..... N.C.T. KNOWN.....

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path:..... 60 years.....

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

on foot for 60 years.....

11. How often over the period have you used the path: Regular
12. For what purpose did you use the path: To reach the main highway
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known: C MARSHALLSEA
RECENTLY PURCHASED
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
Yes On foot horseback
17. Have you always followed the same route. If not when was it changed and if known by whom:
Yes
18. Did you ever seek or get permission to use the route. If so from whom:
No
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

yes to House and DELIVERING goods

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

yes

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information I was born at 14 Ogilvie Terrace
Dumfries 60 years ago. It has always been used by
the public as a footpath for entering & visiting
Ogilvie Terrace. It is our front entrance.

DATE: 6.2.97.

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

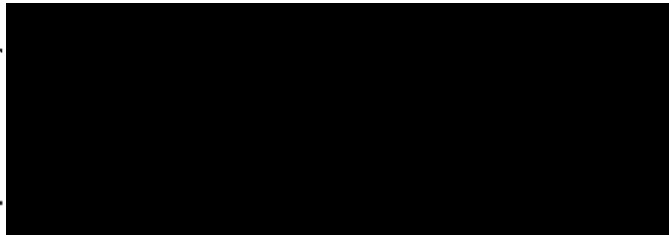
1. Surname: Mr, Mrs, Miss..... BEVAN.....

Christian names: EDWARD.....

Age:(if over 21 write "over 21")..... Over 21.....

Telephone N°... .. If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address:.....



3. Occupation:..... Retired.....

4. Name or route of path..... from 20 Ogilvie Lw. To main rd.....

5. National Grid References (ends of path)..... SD1202 x WS81052.....

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~ YES

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:..... 70 years.....

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

69 years also vehicles in an emergency have used this path, for deliveries of milk etc. and other trader men and for funerals

11. How often over the period have you used the path:..... every week: sometimes more.
12. For what purpose did you use the path:..... for access.
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
 None.
14. Name of Owner(s) or Tenant (s), if known:..... Mr Shenkeron: now owned
 By Mr. Marshall
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, ~~horseback~~ in a vehicle
used by delivery People: Public family friends
for taking deceased onto main Rd.
17. Have you always followed the same route. If not when was it changed and if known by whom:
Yes.
18. Did you ever seek or get permission to use the route. If so from whom:
This Path has ~~to~~ been used before houses were built
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No.
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

yes

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

yes

Some where

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information..... this path has been used by workmen, visitors, friends and to take our dear family to their last resting place.

DATE: Feb 2nd 1997

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

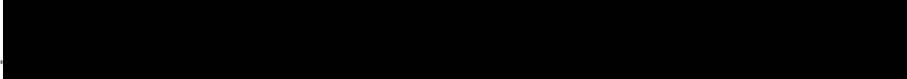
PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss ~~Miss~~ Pullen

Christian names: Gordon

Age:(if over 21 write "over 21") over 21

Telephone N^o..... If you are prepared to give your telephone N^o it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address: 



3. Occupation: Care Supervisor

4. Name or route of path LEADING TO OGILVIE TEE OVER EMBANKMENT

5. National Grid References (ends of path) SD1202 + WA81052 NOS 10/12 TO NO 4
LAND REGISTRY NO NO 20 TO MAIN ROAD

6. Type of path Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: 22 yrs

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

22 yrs

11. How often over the period have you used the path: REGULAR
12. For what purpose did you use the path: ACCESS TO VARIOUS LOCATIONS
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
HAND GATES TO PARC CUM DARRIN
14. Name of Owner(s) or Tenant (s), if known: MR SHENKEROV
YSGWYDD GWYN UCHAL FARM DERI
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~YES~~* NO.
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
LOCALS AND STRANGERS ON FOOT
17. Have you always followed the same route. If not when was it changed and if known by whom:
ALWAYS FOLLOWED SAME ROUTE
18. Did you ever seek or get permission to use the route. If so from whom:
NO
19. Have you, or to your knowledge has anyone, been stopped or turned back:
NO
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

YES

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO

Any further information.....

DATE: 2-2-97

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM – SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr~~, Mrs, Miss M. R. RAPER
Christian names:
Age: (if over 21 write "over 21") over 21
Telephone N° If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:
.....
.....
3. Occupation: RETIRED
4. Name or route of path:
5. National Grid References (ends of path):
6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/No
8. Is the path well defined: Yes/No
9. How long have you known the path: 9 yrs
10. Over what period have you used the path on foot, ~~horseback~~, or motor vehicle, (state which).
9 yrs

11. How often over the period have you used the path: REGULARLY
12. For what purpose did you use the path: To MAIN RD
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known:
C. MARSHALL SEA
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, ~~horseback~~ in a vehicle
YES
17. Have you always followed the same route. If not when was it changed and if known by whom:
YES
18. Did you ever seek or get permission to use the route. If so from whom:
No
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

yes: OFTEN

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information: Used by most PEOPLE

DATE: 31-1-97

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM – SEE NOTE ON FORM W.C.A.2).

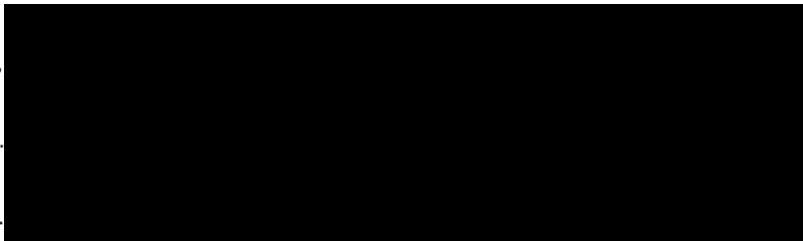
CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr/Ms~~ EVANS
Christian names: WAYNE + JULIE
Age:(if over 21 write "over 21") "OVER 21"
Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....
.....
.....

3. Occupation: SHOP PROPRIETOR
4. Name or route of path: Footpath of OGILVIE TERRACE To main Road
5. National Grid References (ends of path) SO 12 02
6. Type of path (Footpath* /Bridleway* /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path: Since Jan 1988
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
The footpath is used at all times by foot and also by motor vehicle when needed.

11. How often over the period have you used the path: On a very regular basis
12. For what purpose did you use the path: Access to main road
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

N/A.

14. Name of Owner(s) or Tenant (s), if known: Mr. Colin Marshallsea
Oakfields Ogwie Terrace, Der. Bargoed.

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Both locals + strangers use the path on foot, sometimes
by motor vehicle and horse back.

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes.

18. Did you ever seek or get permission to use the route. If so from whom:

No.

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

yes.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

NOT AWARE

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

no.

Any further information.....

DATE: 3/2/1997

SIGNATURE OF USER MAKING STATEMENT.

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss..... MR & MRS D. COLES
Christian names: David Coles & Miriam Coles
Age: (if over 21 write "over 21")..... Over 21
Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
Address:.....
.....
.....
3. Occupation: Retired
4. Name or route of path: ① Path leading from number 20 Ogilby ^{Garage} down to the main road.
5. National Grid References (ends of path): ② Front path existing in the front of all these houses. (This is the only means of front access)
6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*. Footpath
7. Do you regard the path as public (SEE NOTE 2): Yes/No Yes.
8. Is the path well defined: Yes/No Yes.
9. How long have you known the path: M. Coles: - Over 40 years. D. Coles: - 70 yrs
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
Forty years. On foot, (See below.) chiefly.
The path ② in front of this house, has been used as a footpath, and also for deliveries of furniture etc and household goods, as it is our only front access path. The path is very steep and therefore difficult for deliveries etc. Children also use the path on foot and on bicycles.

11. How often over the period have you used the path: *Most days*
12. For what purpose did you use the path: *for front access to house from main road*
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
None.
14. Name of Owner(s) or Tenant (s), if known: *N.B. Known, definitely. Land has been recently purchased by Mr. John Marshallsea from Mr Shekerson. I do not know definitely boundaries involved*
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No* *No.*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
Yes:- locals and strangers; usually on foot, unless using the path for deliveries etc.
17. Have you always followed the same route. If not when was it changed and if known by whom:
Yes
18. Did you ever seek or get permission to use the route. If so from whom:
No, it has always been used for the purposes previously mentioned
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No.
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Yes, for all the above-mentioned purposes.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

No.

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No.

Any further information.....

DATE: Feb 3rd 1997.

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss..... John.....
 Christian names: Graham.....
 Age:(if over 21 write "over 21")..... 52.....
 Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....

3. Occupation:.....
4. Name or route of path..... Ogilvia Main Road to Fenny
5. National Grid References (ends of path).....
6. Type of path:Footpath* ~~Bridleway*~~ /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:..... 52 yrs.....
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
 Foot path.....

11. How often over the period have you used the path: Weekly
12. For what purpose did you use the path: visiting the Lura
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
None
14. Name of Owner(s) or Tenant (s), if known: Mr C Marshall
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No* No
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
Yes
17. Have you always followed the same route. If not when was it changed and if known by whom:
Yes
18. Did you ever seek or get permission to use the route. If so from whom:
No
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES

visiting someone.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithes Maps, Railway Maps:

yes

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

no

Any further information.....

This path is used

Daily

DATE:

2-2-97

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHELLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss..... WILLIAMS
Christian names: JOHN HOWARD
Age: (if over 21 write "over 21")..... OVER 21
Telephone N°..... . If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....
.....
.....
3. Occupation:..... STEEL WORKER
ALSO FROM NO 24 TO 1234 & 5
4. Name or route of path..... FROM NO 20 OGILVIE TO MAIN ROAD
5. National Grid References (ends of path)..... SD1202
6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:..... 20 YEARS
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
THE PATH FROM NO 20 TO MAIN ROAD 20 YEARS
THE PATH FROM NO 18 T. 11 DOWN TO 123 & 4
ON FOOT AND MOTOR VEHICLE WHEN NEEDED FOR 20 YEARS

11. How often over the period have you used the path: REGULAR
12. For what purpose did you use the path: ACCESS TO MAIN ROAD
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known: MR C MARSHALLSEA.
ORRIFIELDS, OGILVIE TERRACE DEPT
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
MOSTLY ON FOOT EVERY DAY MOTOR VEHICLE WHEN NEEDED RARELY ON HORSEBACK
17. Have you always followed the same route. If not when was it changed and if known by whom:
always
18. Did you ever seek or get permission to use the route. If so from whom:
NO ALWAYS BEEN USED SINCE THE HOUSES ARE BEEN BUILT
19. Have you, or to your knowledge has anyone, been stopped or turned back:
NEVER.
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES many times

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

DONT KNOW.

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO

Any further information.....

DATE: 3/2/97

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

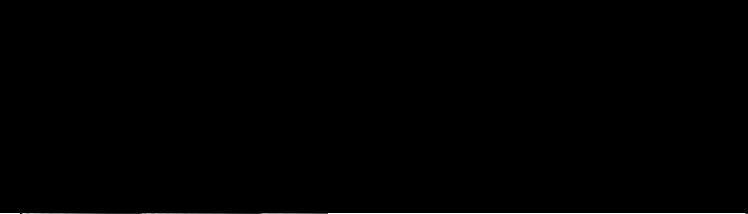
CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr~~, Mrs, ~~Miss~~..... GERRISH
Christian names: DONNA DENISE
Age: (if over 21 write "over 21")..... OVER 21
Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....

3. Occupation:..... SELF EMPLOYED
4. Name or route of path.....
5. National Grid References (ends of path).....
6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:..... 19 YRS
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
1978 TO PRESENT DAY ON FOOT

11. How often over the period have you used the path: DAILY
12. For what purpose did you use the path: ACCESS TO NEIGHBOURS WALKING TO LAKE
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known: C Marshallsea
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
Yes Both ON FOOT
17. Have you always followed the same route. If not when was it changed and if known by whom:
Yes
18. Did you ever seek or get permission to use the route. If so from whom:
No
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

Not Aware of

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information

This Path Has been
used CONSTANTLY

DATE:

1/2/97

SIGNATURE OF USER MAKING STATEMENT.

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT)

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

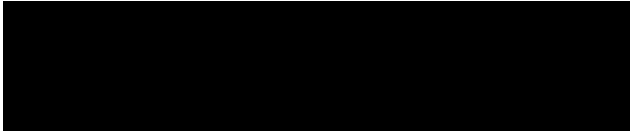
PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr, Mrs, Miss~~ BANKS

Christian names: JOANNE BANKS KATHRYN

Age: (if over 21 write "over 21") 18

Telephone N° If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address: 

3. Occupation: STUDENT

4. Name or route of path.....

5. National Grid References (ends of path).....

6. Type of path: Footpath* / Bridleway* / ~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes No

8. Is the path well defined: Yes No

9. How long have you known the path: ~~17 yrs~~ ^{11 yrs} Jan 86 to present day

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

10 days Jan 86 to present day

11. How often over the period have you used the path: Daily
12. For what purpose did you use the path: Walking Dogs access to friends and neighbours houses
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

.....

.....

14. Name of Owner(s) or Tenant (s), if known:.....

C MARSHALLSIA

.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Walking

.....

17. Have you always followed the same route. If not when was it changed and if known by whom:

.....

.....

18. Did you ever seek or get permission to use the route. If so from whom:

No

.....

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No

.....

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

.....

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Yes. Visiting Someone who lived along the route.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

Yes

Any further information..... USED DAILY

DATE: 2/2/97

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

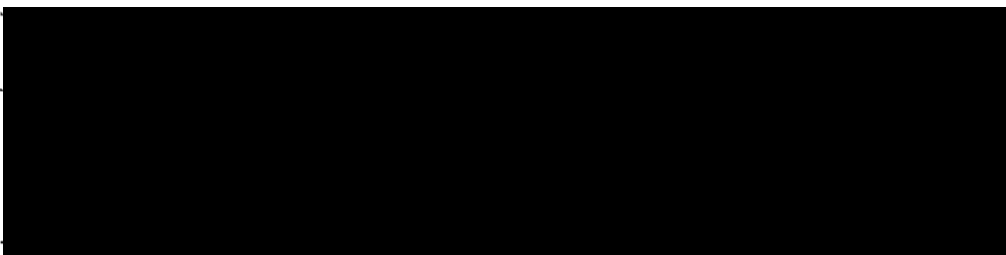
PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ^{Mr} ~~Mr~~, ~~Mrs~~, Miss PRICE PRICE

Christian names: VALMAI DAVID

Age: (if over 21 write "over 21") over 21

Telephone N°: If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address: 

3. Occupation: HOUSEWIFE, ARMATURE WINDER

4. Name or route of path.....

5. National Grid References (ends of path).....

6. Type of path: Footpath* / Bridleway* / Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: OVER 40 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
OVER 40 years

11. How often over the period have you used the path: Weekly
12. For what purpose did you use the path: As short cut to home
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
None
14. Name of Owner(s) or Tenant (s), if known: MR
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
ON Foot
17. Have you always followed the same route. If not when was it changed and if known by whom:
yes
18. Did you ever seek or get permission to use the route. If so from whom:
No
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Going home.
.....
.....
.....

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

.....
.....
.....

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No.
.....
.....

Any further information.....
.....
.....
.....

DATE: 1-2-97.....

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr~~, Mrs, Miss Hewell
Christian names: Bernice Anne
Age: (if over 21 write "over 21") Over 21

Telephone N^o..... If you are prepared to give your telephone N^o it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address:.....
.....
.....

3. Occupation: Housewife

4. Name or route of path: From the footpath at the frontage of Ogilvie See
Path A. from NO 30 to Main Road / 2 from NO 12/13

5. National Grid References (ends of path): MARKED on OS 1202
Section A dated 1976 On Land Registry Map 4 Ogilvie See.

6. Type of path: Footpath* / ~~Bridleway*~~ / ~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~ Definitely Yes
The land was owned by MR SHENKEROV in FEB 1999

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: Path A. 40 years. access to Pit Road
now road to Brown Down Park

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
at least the same NO of years for Path B*

as long as I can remember approx 70 years

I have lived in the area for 73 years & I can always remember using the paths for access to main Barged to Sochnow Road. where the bus shelter is situated & also the Post Box, & until recently a Telephone Kiosk

11. How often over the period have you used the path: Every week

12. For what purpose did you use the path: for Access

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known: MR SHENKEROU: YSCWYDID GWYN

UCHAF FARM, DERI, recently sold to MR COLIN MARSHALL

"DARKLANDS" DOLWIE TCE DERI. BARCOED

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No* No
Ownership of MR Shenkerou

When I wrote to Land Registry in Feb 1996 the land was in the

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

The path is very often used by all members of the public - locals, visitors, delivery men, postmen etc.

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes

18. Did you ever seek or get permission to use the route. If so from whom:

No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Yes

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

O/S maps & Right of Way - especially from
N°13 Ogilvie to N°4 Ogilvie I understand that
land is still in the ownership of N° Shenkerov

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information: On the map received from Land Registry

the path from N°10/13 Ogilvie is clearly marked. The
"right of way" ^{FROM DO OGILVIE TCE TO MAIN ROAD} not marked on the O/S but is clearly visible
as been walked on for a considerable period of time.

DATE: Feb 1st 1997

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

I have been trying to get the paths recognised by the
old MID CLAM + RV District Council for the last 10 years
I have letters in my possession to prove this. The answer
I always received was nothing could be done because
the land was in private ownership. I've also got letters
from Ted Rowlands regarding permission for a path.
No one has ever quoted the Highways Act of 1980 until
now!



Caerphilly County Borough Council,
Pontllanfraith,
Blackwood, NP2 2YW,
Tel. 01495 226622 or Fax 01495 222468

TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

PERMISSION FOR DEVELOPMENT

APPLICATION NO: P/96/0863

APPLICANT



AGENT

WHEREAS on 19/12/96 you submitted an application for permission to
ERECT BUNGALOW
at
LAND ADJ. TO OAKFIELDS, OGILVIE TERRACE, DERI, BARGOED, MID GLAM.
(hereinafter called "the development").

The Caerphilly County Borough Council, as the Local Planning Authority hereby
PERMITS the development.

This permission is subject to the following condition(s):-

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- (2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) the garages approved as part of this development shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
- (3) The existing access via Ogilvie Terrace serving Oakfields shall be permanently stopped-up in a manner to be agreed with the Local Planning Authority prior to the beneficial occupation of the development hereby approved.
- (4) The proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m x 90m to the left and 2.4m x 60m to the right of the proposed access prior to beneficial occupation of the development hereby approved.



Caerphilly County Borough Council,
Pontllanfraith,
Blackwood, NP2 2YW,
Tel. 01495 226622 or Fax 01495 222468


TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

- (5) No obstruction, or planting when mature, exceeding 900mm in height shall be placed within the required vision splay areas.
- X (6) No other development shall commence on site until such time as the access to serve the proposed development has been completed in material as approved by the Local Planning Authority.
- X (7) The constructional details and calculations of all retaining walls shall be forwarded to the Local Planning Authority for approval, and such details as are approved shall be carried out in full, before the dwelling is occupied.
- X (8) Details of external finishes shall be agreed to in writing with the Local Planning Authority before the commencement of the development.
- X (9) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.
- X (10) Details of the means of enclosure of the site shall be submitted to and approved by the Local Planning Authority prior to commencement of development on site.

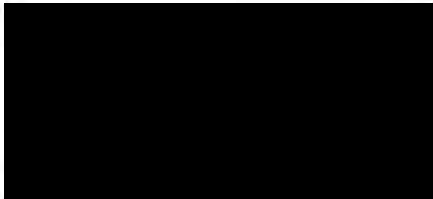
The reason(s) for the Council's decision is/are:-

- (1) To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- (2) To maintain adequate off-street parking in the interests of highway safety.
- (3-6) In the interests of highway safety.
- (7) To ensure stability of the site.
- (8&10) In the interests of visual amenity.
- (9) To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.

DATED:06/02/97


CHIEF PLANNING OFFICER

P/96/0863
19.12.96



ERECT BUNGALOW
OAKFIELDS,
LAND ADJ. TO OAKFIELDS,
OGILVIE TERRACE,
DERI, BARGOED, MID GLAM.

APPLICATION TYPE : FULL APPLICATION

This is a full planning application seeking consent for the construction of a split level bungalow adjacent to a recently constructed dwelling at the above site. The dwelling measures 6.5m x 17.5m and consists of a full width lounge, kitchen/dining utility room, study, bathroom and two bedrooms. At the lower level is a garage to the full width of the dwelling. The property is sited in a north-south orientation, parallel to the highway. Access to the site is via a central point of access off the main classified road. This access is also indicated as serving Oakfields, which is a recently constructed bungalow, and currently accessed from Ogilvie Terrace. The application proposes accessing both dwellings from the new point of access. The development would require cutting into the bank and retaining work to the highway, and the embankment to Ogilvie Terrace. The elevated position of Ogilvie Terrace is such that the windows facing the terrace on the proposed dwelling would face the embankment.

The Chief Engineer (Highways) raises no objection subject to conditions. In respect of drainage matters, he raises no objection. He, however, advises that the applicant's attention be drawn to the claimed right of way across part of the site. He further conditions that the existing access via Ogilvie Terrace serving Oakfields be permanently stopped-up and in a manner to be agreed with the Local Planning Authority.

The Coal Authority has made no observations to date.

The Darren Valley Community Council raise objection to the proposal on the grounds that the access is restricted and dangerously close to a bend on the road.

British Gas and SWALEC have forwarded plans upon which the presence of apparatus/service pipes are marked.

The Chief Environmental Health Officer raises no objection to the development in principle. However he advises that in the light of the proximity of the site to a former coal mine, appropriate ground investigation be carried out to assess the stability of the site. The adjoining properties were notified of the application, and a site notice was displayed in close proximity to the development. Five letters of objection have been received, the substance of the objections are summarised as follows:-

1. The proposed development would be taking away a path used by the residents of Ogilvie Terrace for many years, from their homes to the main road.
2. The development would narrow the path to Ogilvie Terrace.
3. The difference in levels between the properties in Ogilvie Terrace and that of the proposed bungalow would be such that it would be a hazard, and result in subsidence.
4. The access off the main road itself would be a danger.
5. The land has been used by the children in the area as a play area.

Continued.....

6. In the event of a fire in the area, access over this land would be denied for fire equipment if a bungalow was built upon it.

The above application is within the settlement boundary of Deri, as identified in the Deposit Rhymney Valley Local Plan in which there is a presumption in favour of infill development. Policy H2 states:-

PROPOSALS FOR RESIDENTIAL DEVELOPMENT ON WINDFALL AND SMALL SITES INSIDE SETTLEMENT LIMITS WILL BE PERMITTED PROVIDED THAT:-

- a) THE LAND IS NOT USED OR SUITABLE FOR A DIFFERENT BENEFICIAL PURPOSE, SUCH AS OFF STREET CAR PARKING, OPEN SPACE;
- b) NEIGHBOURING LAND USE WILL NOT DETRACT FROM THE RESIDENTIAL AMENITY OF THE DEVELOPMENT BY WAY OF NUISANCE, NOISE OR OTHER POLLUTION;
- c) THE DEVELOPMENT WOULD NOT RESULT IN INSENSITIVE OR INAPPROPRIATE INFILLING, WHICH WOULD SPOIL THE CHARACTER OF AN EXISTING RESIDENTIAL AREA, PARTICULARLY AREAS CHARACTERISED BY HIGH STANDARDS OF DESIGN AND PRIVACY.

The objections raised to the development refer to an alleged right of way over the site.

This claim has now been formalised in writing to the Chief Engineer (Highways) but does not in itself prejudice the determination of the application, as a right of way can be diverted. The writers also claim that local children have used the area for play. The land is in private ownership and as such its use in this manner would have been on an informal basis, and cannot be formalised as a basis for an objection against development. The site is considered an acceptable form of development in keeping with the above policy. The Chief Engineer raises no objection to the development on highway grounds. The development would form a "rounding-off" of the site at this point, within the settlement boundary. It would not adversely affect the amenities of the properties in Ogilvie Terrace. Detail plans indicate extensive retaining works the details of which have not been forwarded. A condition requiring the approval of such detail prior to any work on site has therefore been recommended by the Council's Structural Engineer. The application is considered acceptable on both policy grounds and development control criteria.

RECOMMENDATION that (A) Permission be GRANTED

This permission is subject to the following condition(s):

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- (2) Notwithstanding the provisions of the Town and Country Planning General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) the garages approved as part of this development shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
- (3) The existing access via Ogilvie Terrace serving Oakfields shall be permanently stopped-up in a manner to be agreed with the Local Planning Authority prior to the beneficial occupation of the development hereby approved.
- (4) The proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m x 90m to the left and 2.4m x 60m to the right of the proposed access prior to beneficial occupation of the development hereby approved.

Continued.....

P/96/0863 Continued.

(5) No obstruction, or planting when mature, exceeding 900mm in height shall be placed within the required vision splay areas.

(6) No other development shall commence on site until such time as the access to serve the proposed development has been completed in material as approved by the Local Planning Authority.

(7) The constructional details and calculations of all retaining walls shall be forwarded to the Local Planning Authority for approval, and such details as are approved shall be carried out in full, before the dwelling is occupied.

(8) Details of external finishes shall be agreed to in writing with the Local Planning Authority before the commencement of the development.

(9) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence.

Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.

(10) Details of the means of enclosure of the site shall be submitted to and approved by the Local Planning Authority prior to commencement of development on site.

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

(1) To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) To maintain adequate off-street parking in the interests of highway safety.

(3-6) In the interests of highway safety.

(7) To ensure stability of the site.

(8&10) In the interests of visual amenity.

(9) To safeguard the buildings against the risk of damage from surface subsidence due to underground mining.

(B) The applicant be advised that the site is affected by a claimed right of way.

note

| | |
|--|-------------|
| CAERPHILLY COUNTY BOROUGH COUNCIL DIRECTORATE OF TECHNICAL SERVICES | |
| No. | 5409 |
| DATE RECEIVED | 13 JAN 1997 |
| DECLASSIFIED | |
| REFERRED TO | |
| FILE REF | |

Friday Jan. 10 1997

Dear Sir or Madam

Re. your letter for application for Bungalow. ADS. to Oakfields Ogilvie Terr. my observations are that if the Bungalow is built

① It will be taking away a foot path from Ogilvie Houses which has been used since the houses were built

② it will also be narrowing the path to Ogilvie Terr. front and in the event of a fire there will be no way of getting to

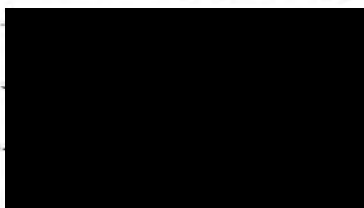
the Hydrant in front of my House

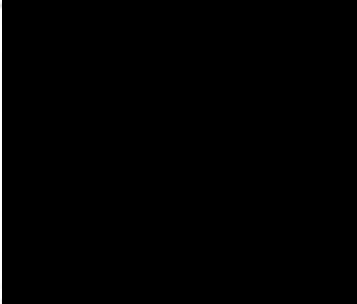
③ The drop that will be in front of my house to the Bungalow will be a hazard and could cause subsidence to Houses being so near.

④ over developing an area which was a nice green belt which was and still is enjoyed by many people and children

⑤ also the road which is proposed on the plans from Bungalows to main Rd. is a danger as it is used by a lot of Traffic and Very heavy Traffic to Depo Below.

Trusting you will give this
my consideration





Mrs M Wickramasinghe

(01495) 235037

(01495) 235013

P/96/0863/ML/PR/ML5408

20 January 1997

Dear Sir

PLANNING APPLICATION NO. P/96/0863
RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO OAKFIELDS, OGILVIE TERRACE, DERI

I acknowledge receipt of your communication dated 10 January 1997 which is receiving attention.

If your representations are considered to be material to the determination of the planning application they will have to be made available for inspection by the press and general public in accordance with the provisions of the Local Government (Access to Information) Act 1985.

In addition to written representation, the Council may in certain circumstances, allow an objector to address the Committee with regard to a relevant planning application. An objector wishing to speak to the Committee should give 24 hours notice prior to the commencement of the meeting to the Committee Clerk at Caerphilly County Borough Council, Nelson Road, Tredomen, Ystrad Mynach (01443 815588). The Officer shown in the top right-hand corner of this letter will be able to advise when the application is likely to be reported to the Committee.

Where an objector has been allowed to address the Committee the applicant will also be given the opportunity to speak in support of his/her application.

Any representation may only be taken into account if it is based on planning grounds. While it is difficult to be precise what constitutes a relevant planning ground in a particular case, the following may have relevance:-

- (a) Planning Policy Guidance Notes issued by the Welsh Office. A list of current notes available can be obtained from the Development and Planning Department. Individual notes can be purchased from the HMSO.
- (b) Policies contained in the Development Plan.

..../..

- (c) Supplementary planning guidance.
- (d) Highway access, visibility splays and general highway safety.
- (e) Privacy.
- (g) General affects upon the amenity of the adjoining occupiers and neighbourhood.
- (h) Visual impact.

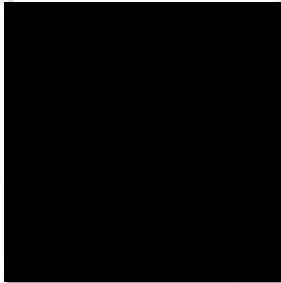
You will be informed of the Planning Authority's decision on the application in due course.

If you are claiming a right of way across the land, you may wish to contact the Footpaths Officer, Adrian Sander of the Highway Department who would be able to advise you.

Yours faithfully,



for DEVELOPMENT CONTROL MANAGER



Mrs M Wickran
(01495) 235037
(01495) 235013

P/96/0863/MW/
20 January 1997

Dear Sir & Madam

PLANNING APPLICATION NO. P/96/0863
RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO OAKFIELDS, OGILVIE TERRACE, DERI

I acknowledge receipt of your communication dated 10 January 1997 which is receiving attention.

If your representations are considered to be material to the determination of the planning application the will have to be made available for inspection by the press and general public in accordance with the provisions of the Local Government (Access to Information) Act 1985.

In addition to written representation, the Council may in certain circumstances, allow an objector to address the Committee with regard to a relevant planning application. An objector wishing to speak to the Committee should give 24 hours notice prior to the commencement of the meeting to the Committee Clerk at Caerphilly County Borough Council, Nelson Road, Tredomen, Ystrad Mynach (01443 815588). The Officer shown in the top right-hand corner of this letter will be able to advise when the application is likely to be reported to the Committee.

Where an objector has been allowed to address the Committee the applicant will also be given the opportunity to speak in support of his/her application.

Any representation may only be taken into account if it is based on planning grounds. While it is difficult to be precise what constitutes a relevant planning ground in a particular case, the following may have relevance:-

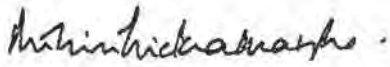
- (a) Planning Policy Guidance Notes issued by the Welsh Office. A list of current notes available can be obtained from the Development and Planning Department. Individual notes can be purchased from the HMSO.
- (b) Policies contained in the Development Plan.

- (c) Supplementary planning guidance.
- (d) Highway access, visibility splays and general highway safety.
- (e) Privacy.
- (g) General affects upon the amenity of the adjoining occupiers and neighbourhood.
- (h) Visual impact.

You will be informed of the Planning Authority's decision on the application in due course.

If you are claiming a right of way across the land, you may wish to contact the Footpaths Officer, Adrian Sander of the Highway Department who would be able to advise you.

Yours faithfully,



for DEVELOPMENT CONTROL MANAGER

| | |
|------------------|-------------|
| DATE RECEIVED | 13 JAN 1997 |
| NAME | |
| ADDRESS | |
| FILE REF | |

Ogilvie Terrace
 Deri,
 Bangor.
 CF8195B.
 Mid Glam.

Jan 11th, 1997.

Ref. no. P/96/0863.
 (Town & Country Planning Act 1990)
 To Mrs M. Wickramasinghe.

Dear Madam,

We are residents of 18 Ogilvie Terrace, Deri, and having seen the plans of the proposed bungalow, which is to be built on land adjacent to 'Oakfields' Ogilvie Terrace, Deri, we (my husband D. Boles and myself) wish to make the following observations. We are concerned about the following:

- ① Curtailment of at least a half of the front footpath (or, as mentioned in the plans "footway". This is our only front access, and is, of course, frequently used by children, elderly residents, and other delivery services. Our access at the back is also extremely inconvenient, because of steep gardens, and a narrow, often obstructed back road.
- ② The bungalow, which is about to be built, will have, as its foundation, a double garage which will greatly increase its height, and will severely obstruct the view which we have enjoyed for over forty years.
- ③ The pathway, which for many years, has led from the entrance of No. 20, to the main road, is now

As I'm sure you will realize, there
be many undesirable results from these alterations;
we therefore hope that you will give our
observations (and objections) your serious
consideration.

Yours faithfully,



| | |
|-------------------------------|-------------|
| GARRETHLY COLONY TOWN COUNCIL | |
| DIRECTOR GENERAL SERVICES | |
| No. | 5408 |
| DATE RECEIVED | 13 JAN 1997 |
| RECEIVED | |
| PERMITTED | |
| FILE NO. | |

Jan. 1997

Dear Sir

Re Planning application N^o P/96/0853.

Letter dated 23/12/96. but not received until 30/12/96 due to the Christmas period, which meant a delay of 7 days, also your office was closed for the same period so that plans could not be inspected during that period which means that instead of the 21 days given to object only 14 could be really counted.

I wish to object to the above application because I think the access from the main road is going to be dangerous on an already "black spot" area. It is now virtually impossible for us to walk on the main road because there is no footpath.

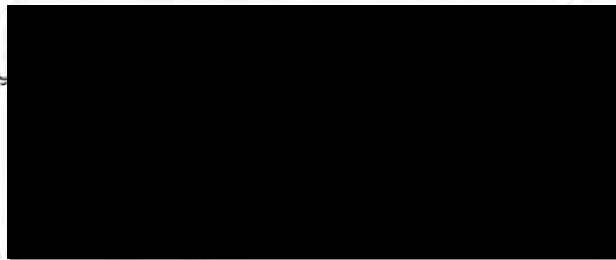
Ogilvie Houses were built for the Powell Duffryn Co. in the 1920's to provide accommodation for the officials of the newly opened mine, to live in. Ogilvie Colliery was opened in 1921. Ever since that date people have walked on the land & by doing so have created a man made path. It has an access to the "pit road" (now the road to Lower Doman Park) where the men walked to their place of work. No one ever objected to this practice until recently. (When the existing bungalow was being built) when I was told that every time I stepped outside my front gate I was trespassing!! There is only one road between the two terraces and in this day & age that road is very congested because most of the people own cars & very few own garages. The entrance to this area is also very dangerous when taking the car to the main road. (2 entrances) & by granting permission it is going to further the danger. Our back gardens are very steep so the front has always been used for deliveries. This will not stop it being used for any

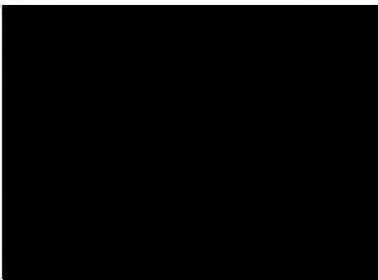
are left on the main road. This is
her "privilege" which will be taken away

from us. if a bungalow is built

What about the children? if there is to be a
~~new~~ road at the back of the existing bungalow
this will deprive them of the only area left
for them to play on. They usually play on
the land at the rear of 1-4 Ogilvie Terrace

if there is a fire in our property. and the
fire engine cannot have access from the front of
our property (off the main road) & they cannot
cross the "private land" if a bungalow is built
there. We have been made aware of this
hazard for a long time. - especially if a
disaster occurs at night. when all the cars
are parked at the rear of the property. I hope
you will take into consideration the points I have
made.





11th February, 1997.

To the Occupier,

RE: Siting Of Boundary Fence

As owner of the land along the frontage of your property I hereby give notice that work will commence on Saturday 22nd February 1997 to erect my boundary fence.

The fence in question will be continuous in its length along my boundary in accordance with my Title deeds - number WA810524. It will be sited six feet from your front boundary at the height of one metre, which in fact complies with the planning legislation.

In spite of no suggestion within the last three years it has now been brought to my notice that a claim of right of way through a section of land owned by me is being pursued. I categorically refute this as recent land registry searches and archive plans clearly do not indicate any such right of way and also enquiries from the previous owner did not reveal any such claim.

Yours faithfully,



C. G. Marshallsea.

CAERPHELLY COUNTY BOROUGH COUNCIL

FORM W.C.A.5

FORM OF APPLICATION FOR A MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993 (Schedule 7)

DEFINITIVE MAP AND STATEMENT

COUNTY BOROUGH OF Caerphilly

COMMUNITY OF DERI

I/We (name of applicant) DAVID CHARLES PRICE

Of (address of applicant) [REDACTED]

Telephone N° (Home)..... (Business).....

hereby apply for an Order under Section 53 (2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:-

1.* Deleting the *(footpath) *(bridleway) *(byway open to all traffic)
shown as N°.....
leading from.....
to.....

OR

2.* Adding the *(footpath) *(bridleway) ~~*(byway open to all traffic)~~
shown as N°.....
leading from OGILVIE TERRACE (NOS 1-4) to
to OGILVIE TERRACE (NOS 10-22)

3.* *(Upgrading) *(Downgrading)-to a *(footpath) *(bridleway) *(byway open to all-traffic) the *(footpath) *(bridleway) *(byway open to all-traffic)

shown as N° 1-4 OSILVIE TERRACE DER

leading from 1-4 OSILVIE TERRACE, DER,

to 10-22 OSILVIE TERRACE, DER,

OR

4.* *(Varying) *(Adding) to the statement particulars relating to the *(footpath) *(bridleway) *(byway open to all traffic)

shown as N°

leading from

to

(Please state below the modification required)

TO RE-TARMAC EXISTING PATH MAKING
IT SAFE FOR PUSHCHAIRS & WHEELCHAIR
ACCESS BECAUSE THE ENTRANCES TO THE
TOP PATH ARE TOO DANGEROUS FOR PUSHCHAIRS
AND WHEELCHAIR

I/We attach a map and copies of the following documentary evidence (including statements of witnesses) in support of this application:-

List of Documents provided:-

6 PUBLIC RIGHTS OF WAY EVIDENCE
FORMS FROM RESIDENTS
MORE RIGHTS OF WAY EVIDENCE FORMS
CAN BE SUPPLIED IF REQUIRED FROM
OTHER RESIDENTS OF OSILVIE TERRACE DER.

Dated 17/2/98 19... Signed

* Please delete as appropriate

85.28

EXHIBIT 111 N. 101st St. 11' GRADE TERRACE DE GRADING DISTANCE 4.14M

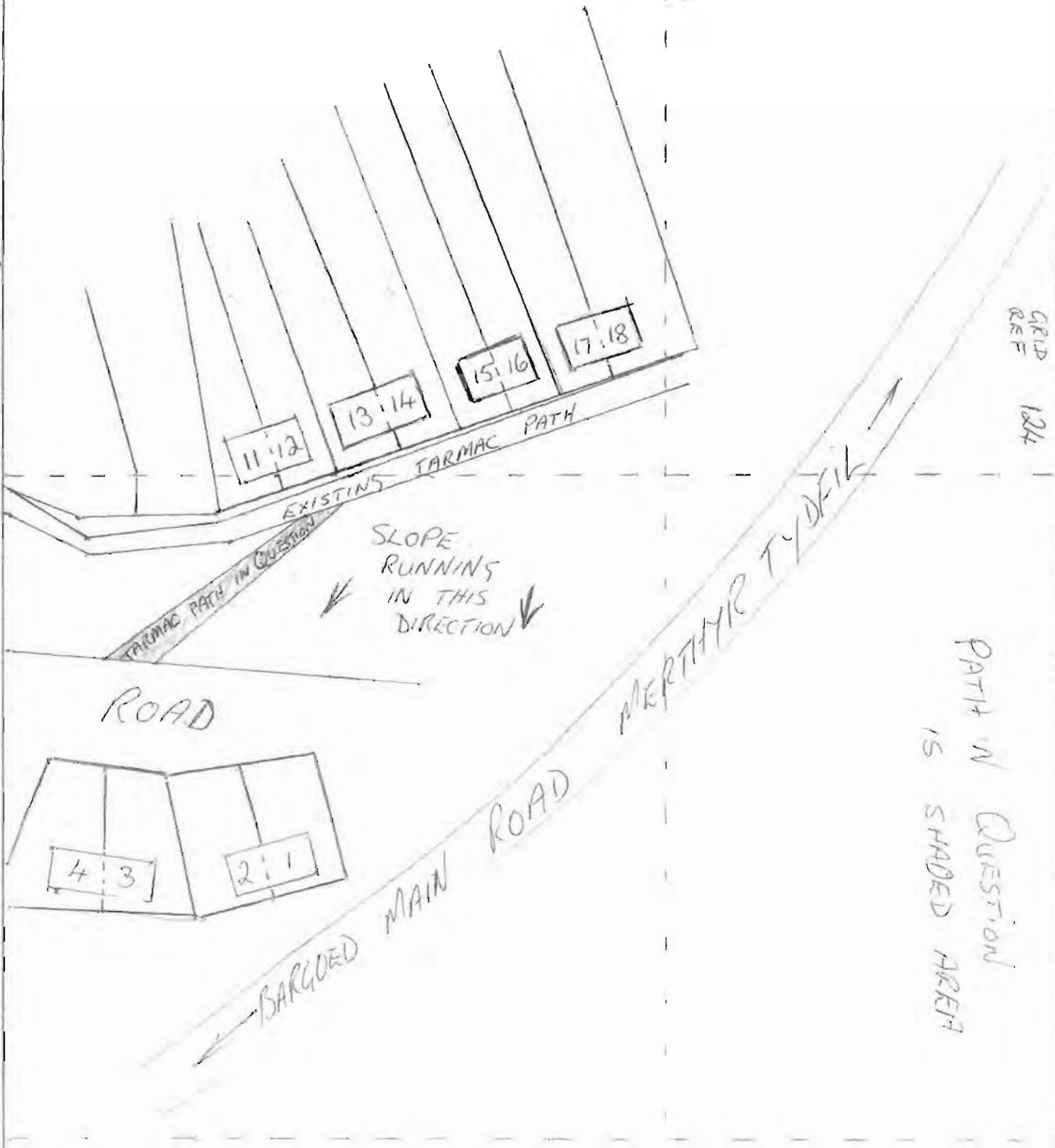
MAP OF PATH LEADING FROM #13 CIVILIAN TERRACE TO #4 CIVILIAN TERRACE

GRID 026
REF

GRID 124
REF

GRID 125
REF

GRID 026
REF



CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

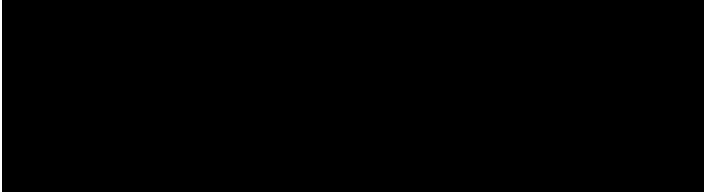
PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss MRS HARDACRE

Christian names: DAVID THOMAS

Age:(if over 21 write "over 21") OVER 21

Telephone N°. If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address:.....
.....
.....


3. Occupation: HEALTH, SAFETY AND TRAINING MANAGER

4. Name or route of path: FOOTPATH BETWEEN 1-4 OGBURN TRUNK & UPPER OGBURN TR

5. National Grid References (ends of path): 124 20254 - 12450252

6. Type of path: Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: FOR OVER 50 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

ON FOOT FOR OVER 50 YEARS THE LAST 19 YEARS SINCE
I HAVE RESIDED AT N°10 I AND MY FAMILY USE IT
DAILY.

11. How often over the period have you used the path: DAILY
12. For what purpose did you use the path: ACCESS TO MY FRONT ENTRANCE
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known:
MR N. SHENKLENOV
YRGOYDD GŵYN FARM DERI
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
YES EVERY DAY REGULARLY IN USE AS A FOOTPATH FOR ACCESS BY RESIDENTS / VISITORS (ON FOOT) SOMETIME USED AS VEHICLE ACCESS
17. Have you always followed the same route. If not when was it changed and if known by whom:
YES
18. Did you ever seek or get permission to use the route. If so from whom:
NO THE PATH HAS ALWAYS BEEN REGARDED AS A 'RIGHT OF WAY' FOR ACCESS TO OSWIR TERRACE
19. Have you, or to your knowledge has anyone, been stopped or turned back:
NO
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

I HAVE ALWAYS BEEN UNDER THE IMPRESSION THAT THE
PATHWAY WAS A "RIGHT OF WAY" FOR ACCESS TO THE
TERRACE

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

NOT AWARE OF ANY

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO, AND HAS NEVER BEEN ENCLOSED BEING AN
OPEN ACCESS AREA.

Any further information... The pathway provides regular easier
access to the whole of Ogilvie Terrace whilst the
surrounding area is an area where children have played
safely for many years. I myself have played there as a child
over 30 years ago.

DATE: 16/2/98

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

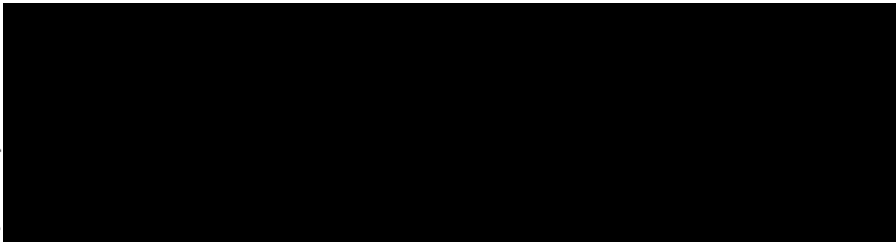
CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, ~~Mrs~~, ~~Miss~~..... ILES
 Christian names:..... MICHAEL TERENCE
 Age:(if over 21 write "over 21")..... OVER 21
 Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....

3. Occupation:..... RETIRED MINING ENGINEER
4. Name or route of path..... FOOT PATH
5. National Grid References (ends of path)..... 12420254 - 12450252
6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:..... 40 YEARS
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
40 YEARS

- 11. How often over the period have you used the path: EVERY DAY
- 12. For what purpose did you use the path: ACCESS TO OGILVIE TERRACE
- 13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
- 14. Name of Owner(s) or Tenant (s), if known:
MR BENICK SHENKEROV
YS GWYDD GWYN FARM DERI
- 15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
- 16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
ON FOOT
- 17. Have you always followed the same route. If not when was it changed and if known by whom:
YES
- 18. Did you ever seek or get permission to use the route. If so from whom:
No
- 19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
- 20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... YES

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

..... PHOTOGRAPHIC EVIDENCE

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... No

Any further information..... WHEN OGILVIE TERRACE WAS OWNED BY THE NATIONAL COAL BOARD THE PATH IN QUESTION WAS USED BY THEIR MAINTENANCE MEN TO HAVE ACCESS TO THE HOUSES

DATE:..... 16th FEBRUARY 1998

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM – SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss Allen
Christian names: Gordon
Age: (if over 21 write "over 21") over 21
Telephone N° If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:
.....
3. Occupation: CARE SUPERVISOR
4. Name or route of path: FOOT PATH
5. National Grid References (ends of path) 12420254 - 12450252
6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.
7. Do you regard the path as public (SEE NOTE 2): Yes/No
8. Is the path well defined: Yes/No
9. How long have you known the path: over 20 yrs
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
over 20 yrs

- 11. How often over the period have you used the path: EVERY DAY
- 12. For what purpose did you use the path: ACCESS
- 13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
- 14. Name of Owner(s) or Tenant (s), if known:
MR. SHENKEROU
YSGWYDDGWYN FARM PERI
- 15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No
- 16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on Foot, Horseback in a vehicle
YES STRANGERS + LOCALS
- 17. Have you always followed the same route. If not when was it changed and if known by whom:
YES
- 18. Did you ever seek or get permission to use the route. If so from whom:
NO
- 19. Have you, or to your knowledge has anyone, been stopped or turned back:
NO
- 20. Were you ever told by any owner or occupier or by their employee that the route was not public:
NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... TO OWN PROPERTY,
.....
.....

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

..... YES
.....
.....

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... NO
.....

Any further information... THE PATH IS USED DAILY BY
RESIDENTS OF OGILVIE TERRACE. THE PATH
IS USE BY A NUMBER ELDERLY PEOPLE
BECAUSE IT IS A SHORT ROUTE TO THE NEAREST BUS STON

DATE: 15-2-97 (WITHOUT HAVING TO USE ANY
DIFFICULT STEPS

SIGNATURE OF USER MAKING STATEMENT..... 2

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

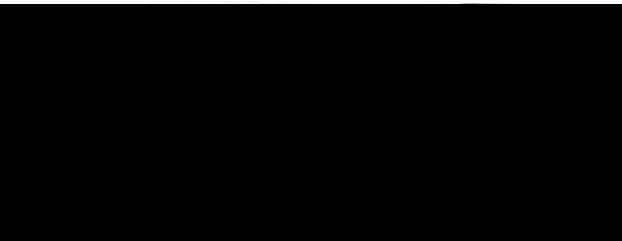
CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr, Mrs, Miss~~ PRICE
 Christian names: VALMAI MARY
 Age: (if over 21 write "over 21") over 21
 Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
 Address: 
 Occupation: HOUSEWIFE
 Name or route of path.....
 National Grid References (ends of path) 12420254 - 12450252
 Type of path: Footpath* /Bridleway* /Byway open to all traffic*.
 Do you regard the path as public (SEE NOTE 2): Yes/~~No~~ yes
 Is the path well defined: Yes/~~No~~
 How long have you known the path: Nearly 50 years
 Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
46 YRS.

- 11. How often over the period have you used the path: Daily
- 12. For what purpose did you use the path: To gain Access To Home
- 13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
None
- 14. Name of Owner(s) or Tenant (s), if known:
MR N. SHENKEROV
1/5 GWYDDOGYN FARM D&R1
- 15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
- 16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
Everyone uses path for access
To Ogilvie Terrace
- 17. Have you always followed the same route. If not when was it changed and if known by whom:
yes
- 18. Did you ever seek or get permission to use the route. If so from whom:
No
- 19. Have you, or to your knowledge has anyone, been stopped or turned back:
No
- 20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

yes

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information... The path is a safe access for a wheelchair which we regularly use to bring my mother home, both ends of street are not safe enough.

DATE: 14-2-98

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT(ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

I have photographic evidence of footpath (1954).

CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: Mr, Mrs, Miss WILLIAMS

Christian names: JOHN HOWARD

Age: (if over 21 write "over 21") OVER 21

Telephone N° If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.

2. Address: 

3. Occupation: STEEL WORKER

4. Name or route of path.....

5. National Grid References (ends of path) 12420254 - 12450252

6. Type of path: Footpath* / Bridleway* / Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path: 20 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

FOOT, MOTOR VEHICLE, 20 YEARS

11. How often over the period have you used the path: EVERY DAY
12. For what purpose did you use the path: IT IS THE ONLY WAY TO ENTER THE FRONT OF HOUSE.
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
NONE
14. Name of Owner(s) or Tenant (s), if known:
Mr N. Shenker
Yogwyddgwyn Farm
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
EVERY DAY ON FOOT SOME TIMES IN A VEHICLE
17. Have you always followed the same route. If not when was it changed and if known by whom:
18. Did you ever seek or get permission to use the route. If so from whom:
NO IT WAS ALWAYS THERE
19. Have you, or to your knowledge has anyone, been stopped or turned back:
NO
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

NO

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

I HAVE NOT SEEN ANY

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO

Any further information... THIS PATH AS BEEN USED SINCE THE
HOUSES HAVE BEEN BUILT IN THE 1930s, SO HOW HAVE
THE RESIDENTS HAD THEIR RIGHTS TAKEN AWAY

DATE: 15/2/98

SIGNATURE OF USER MAKING STATEMENT.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).


CAERPHILLY COUNTY BOROUGH COUNCIL

FORM W.C.A.8A

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname: ~~Mr~~, ~~Mrs~~, ~~Miss~~ PRICE
 Christian names: PHYLLIS IRENE
 Age: (if over 21 write "over 21") 81
 Telephone N°..... If you are prepared to give your telephone N° it will greatly assist the Rights of Way staff in arranging interviews following the submission of your evidence.
2. Address:.....

3. Occupation: housewife - retired
4. Name or route of path: 12420254 - 12450252
5. National Grid References (ends of path).....
6. Type of path: Footpath* / ~~Bridleway*~~ / ~~Byway open to all traffic*~~
7. Do you regard the path as public (SEE NOTE 2): Yes / ~~No~~
8. Is the path well defined: Yes / ~~No~~
9. How long have you known the path: 52 years
10. Over what period have you used the path on foot, ~~horseback~~, or ~~motor vehicle~~, (state which).
 Used by myself; my late husband and family over 50 years

11. How often over the period have you used the path: frequently
12. For what purpose did you use the path: to visit neighbours and gain access to mountain walks
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
none
14. Name of Owner(s) or Tenant (s), if known:
MR NICK SHENKEROV
YSGWYDD GWYN FARM DERI
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*
16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle
yes . Both . on foot.
17. Have you always followed the same route. If not when was it changed and if known by whom:
yes.
18. Did you ever seek or get permission to use the route. If so from whom:
No.
19. Have you, or to your knowledge has anyone, been stopped or turned back:
No.
20. Were you ever told by any owner or occupier or by their employee that the route was not public:
No.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Visiting neighbours.
.....
.....
.....

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

.....
.....
.....

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No.
.....
.....

Any further information. The path and surrounding green space
contributes to a pleasant open aspect from my windows that is
very important to me. My family use the path regularly in order
to reach the mountainside walks and to talk to neighbours .
.....

DATE: 15. 2. 98.
.....

SIGNATURE OF USER MAKING STATEMENT.. ..
.....

SIGNATURE OF PERSON TAKING STATEMENT (ie CLAIMANT).....
(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).



| | | | |
|-------|--------------------------------------|------------------|--------------|
| To: | Chief Planning Officer | F.A.O: | Mr N J Jones |
| From: | Principal Engineer, Highway Planning | Please Reply to: | Mr R Waters |
| Date: | 18 July 2001 | Tel. No: | 5157 |

Application No: P/01/0440

Observations by the Highway Authority in respect of development affecting present or proposed highways.

Proposed development: Proposed erection of residential development, land adjoining Ogilvie Terrace, Deri

Observations: There is objection to the submitted proposals for the following reasons:-

Reasons: The proposed additional use of the substandard access and junction onto Bailey Street will create increased traffic hazards to the detriment of highway safety.

Notes:

1. Claimed right of way 144 crosses the site.
2. Confirmation of verbal observations.

For Chief Engineer

CAERPHILLY COUNTY BOROUGH COUNCIL

ROUTING SLIP FOR PLANNING APPLICATIONS

| | | | |
|-----------------------------|------------------|------------|-------------------|
| Planning Application Number | <i>P/01/0440</i> | Input Date | <i>18/05/2001</i> |
|-----------------------------|------------------|------------|-------------------|

HIGHWAY SCHEMES DATE *18/05/2001*

OBSERVATIONS *No objection*

DATE *18/05/2001* SIGNATURE *[Signature]*

REQUIRE COPY OF FORMAL OBSERVATIONS? YES/NO

RIGHTS OF WAY DATE *24/5/01*

OBSERVATIONS *Claim 144 crosses site. Discussions required*

DATE *24/5/01* SIGNATURE *[Signature]*

REQUIRE COPY OF FORMAL OBSERVATIONS? YES/NO

Return within 2 working days of the input date or notify appropriate officer of reason for any delay.

TO SENIOR ENGINEER DATE

TO CHIEF ENGINEER/DIRECTOR

APPLICATION REFERRED TO SENIOR MANAGEMENT FOR COMMENTS YES/NO

DATE SIGNATURE.....

TO SENIOR ENGINEER (SEE SEPARATE CHECK LIST FOR OBSERVATIONS)

FORMAL OBSERVATIONS

HIGHWAY SCHEMES OBSERVATIONS INCLUDED YES/NOT APPLICABLE

RIGHTS OF WAY OBSERVATIONS INCLUDED YES/NOT APPLICABLE

CHECK LIST COMPLETED YES/NO

DEPARTURES FROM STANDARDS APPROVED YES/NOT APPLICABLE

SIGNATURE

DATE



Directorate of
Technical Services
Planning Division
Council Offices
Pontllanfraith
Blackwood NP12 2YW
Tel. 01495 226622
Fax 01495 235013/235022

Cyfadran Gwasanaethau Technegol
Is-Adran Gynllunio
Swyddfeydd y Cyngor
Pontllanfraith
Coed Duon NP12 2YW
Ffôn 01495 226622
Ffacs 01495 235013/235022

Chief Planning Officer
Pat Mears

Prif Swyddog Cynllunio
Pat Mears

GROUP MANAGER (TRANSPORTATION
PLANNING), C.C.B.C.,
COUNCIL OFFICES, PONTLLANFRAITH,
BLACKWOOD.
NP12 2YW

Contact/Cysylltwch â

MR. N. J. JONES

Direct line/Llinell Uniongyrchol

Direct Fax/Ffacs Uniongyrchol

Your ref/Eich Cyf

P/01/0440

Our ref/Ein Cyf

11/05/01

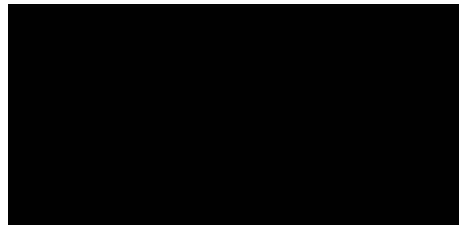
Date/Dyddiad

Dear Sir,

TOWN AND COUNTRY PLANNING ACT, 1990

The following application for planning permission has been received under the provisions of the above Act, and I shall be glad to know whether you wish to make any observations, in writing, on this proposal:

NAME AND ADDRESS
OF DEVELOPER



PROPOSED
DEVELOPMENT

ERECT RESIDENTIAL DEVELOPMENT

LOCATION

LAND ADJOINING OGILVIE TERRACE, DERI,
BARGOED

PREVIOUS REF.

SITE PLAN Attached

GRID REFERENCE SO 1231 0258

In accordance with statutory requirements, it is necessary to determine the application within a specified period and it is essential therefore that any observations should be received by me within 21 days from the date of this communication. In the event of no reply being received from you, it may be assumed that you have no observations to offer and the determination of the application will be proceeded with.

Yours faithfully,

DEVELOPMENT CONTROL MANAGER



Chief Planning Officer,
 Caerphilly County Borough
 Council,
 Pontllanfraith,
 Blackwood, NP2 2YW,
 Tel: 01495 226622
 Fax: 01495 222468

(For official use only)
 Code Number _____
 Date received 4.5.01
 Ack. 11.5.01
 Latest date for determination 29.6.01
 Extended to _____

Town and Country Planning Act, 1990
**APPLICATION FOR PERMISSION
 TO DEVELOP LAND ETC.**

PART 1 - to be completed by or on behalf of all applicants as far as applicable to the particular development.

CAERPHILLY COUNTY BOROUGH COUNCIL
 04 MAY 2001

2. Particulars of Application (see note 3)

- (a) State whether this application is for:-
- (i) Outline planning permission → State Yes or No
- (ii) Full planning permission
- (iii) Approval of reserved matters following the grant of outline permission
- (iv) Renewal of a temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted

Is approval required at this stage for any of the following? If so full details are required.

| | Yes | No |
|------------------------|-------------------------------------|--------------------------|
| 1. Siting | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Design | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. External Appearance | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Means of access | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Landscaping | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If yes, state the date and number of outline permission
 Date _____
 Number _____

If yes, state the date and number of previous permission and identify the particular condition (see note 3d)
 Date _____
 Number _____
 The condition _____

3. Particulars of proposal for which permission or approval is sought

(a) Full address or location of the land to which this application relates and site area (if known) WALID ADJOINING 5-11 HILLSIDE TERR. DEEL OGILVY TERRACE KPL

(b) Brief particulars of proposed development including the purpose(s) for which the land and/or buildings are to be used RESIDENTIAL DEVELOPMENT

(c) State whether applicant owns or controls any adjoining land and if so, give its location _____

(d) State applicant's legal interest in the land PURCHASER

(e) State whether the proposal involves:-

(i) New building(s) State Yes or No

(ii) Alteration or extension

(iii) Change of use

(iv) Construction of a new access to a highway

| | |
|------------|-------------------------------------|
| vehicular | <input checked="" type="checkbox"/> |
| pedestrian | <input type="checkbox"/> |

(v) Alteration of an existing access to a highway

| | |
|------------|-------------------------------------|
| vehicular | <input checked="" type="checkbox"/> |
| pedestrian | <input type="checkbox"/> |

P/01/0440

Town and Country Planning (General Development Procedure) Order 1995

CERTIFICATE UNDER ARTICLE 7

CAERPHILLY COUNTY BOROUGH COUNCIL
19 MAR 2001
PLANNING SERVICES

Certificate B(a)

I certify that:

I have/The applicant has/The appellant has* given the requisite notice to everyone else who, on the day 21 days before the date of the accompanying application/appeal*, was the owner(b) of any part of the land to which the application/appeal* relates, as listed below.

| | | |
|---------------------|---------------------------------------|------------------------------------|
| Owner's (b) name | Address at which notice was served | Date on which notice was served |
|---------------------|---------------------------------------|------------------------------------|

MR N. SHENKOROF



13 MARCH 2001

CAERPHILLY COUNTY BOROUGH COUNCIL
04 MAY 2001
PLANNING DIVISION

Signed

*On behalf of P. MATUSZCZYK

Date 13 March 2001

*delete where inappropriate

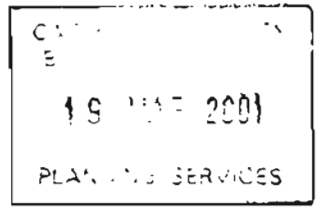
- (a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.
- (b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

AGRICULTURAL HOLDINGS CERTIFICATE

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

CERTIFICATE UNDER ARTICLE 7



Agricultural Holdings Certificate (a)

Whichever is appropriate of the following alternatives must form part of Certificates A,B,C or D.

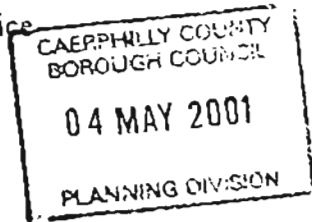
If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

None of the land to which the application/~~appeal~~ relates is, or is part of, an agricultural holding.

or

I have/The applicant has/The appellant has given the required ~~notice to every person other than my/him/her~~*self who, at the beginning of the period of 21 days ending with the date of the application/~~appeal~~*, was a ~~tenant~~ of an agricultural holding on all or part of the land to which the application/~~appeal~~* relates, as follows:-

| Tenant's Name | Address at which notice was served | Date on which notice was served |
|---------------|------------------------------------|---------------------------------|
|---------------|------------------------------------|---------------------------------|



Signed.....

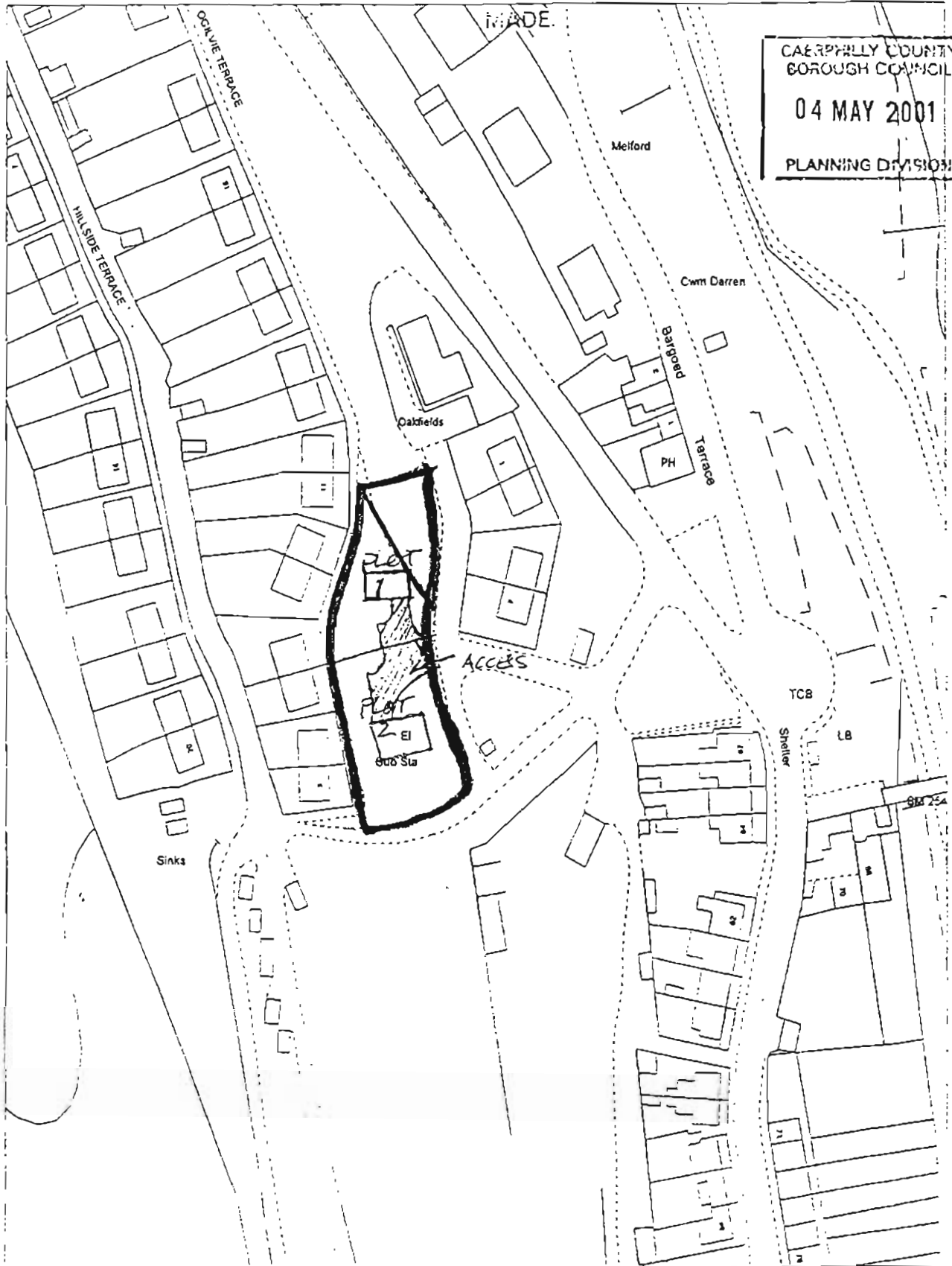
*On behalf of P. MATUSZCZYK

Date 13 March 2001

*Delete where inappropriate

- (a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A,B,C or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.

CAERPHILLY COUNTY BOROUGH COUNCIL
04 MAY 2001
PLANNING DIVISION



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Caerphilly County Borough Council, LA090C4L, 2000.

Algyhyrchwyd o fapiaid yr Arolwg Ordnans gyda chaniatod rheolwr Llyfrfa ei Mawrhydi hawffraint y Goron. Mae algyhyrchu heb awdurdod yn tori hawffraint y Goron. Gall hyn arwain at erlyniad neu achos sifil. Cyngor Bwrdeistref Sirol Caerffil, LA090C4L, 2000.

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... NEIL HORRELL

4. Name or route of path: DIAGONAL PATH FROM NO 4 TO NO 12 OGILVIE TERRACE

5. National Grid References (ends of path).....

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: AT LEAST 30 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

ON FOOT OVER 30 YEARS

11. How often over the period have you used the path: A FEW TIMES A WEEK

12. For what purpose did you use the path: VISITING FAMILY + FRIENDS

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known:.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

..... YES LOCALS AND STRANGERS ON FOOT

17. Have you always followed the same route. If not when was it changed and if known by whom:

..... ALWAYS SAME ROUTE

18. Did you ever seek or get permission to use the route. If so from whom:

..... No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

..... No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

..... No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithes Maps, Railway Maps:

..... NOT KNOWN

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

.....
No

Any further information..... THE PATH IS IDEAL FOR PEOPLE
WITH DIFFICULTIES, FOR EXAMPLE PEOPLE
DELIVERING GOODS EASIER THAN WALKING UP STEPS
ALSO EMERGENCY VEHICLES

Date: 7/9/2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... Suzanne Horrell

4. Name or route of path..... Diagonal path running from no. 4 to 12 Ogilvie Terrace

5. National Grid References (ends of path).....

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:..... 28 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 28 years

11. How often over the period have you used the path:..... at least three times a week

12. For what purpose did you use the path:..... visiting family

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... None

14. Name of Owner(s) or Tenant (s), if known:.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

yes tradesmen locals e visitors of the area.

17. Have you always followed the same route. If not when was it changed and if known by whom:

yes

18. Did you ever seek or get permission to use the route. If so from whom:

No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

not known

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information.....

This path is used by many who have walking difficulties including myself (I have osteoarthritis) as there are no steps. also used by tradesmen to deliver goods

Date: 7-9-15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... KELLY LOUIS

4. Name or route of path..... Running diagonal from 4 to 12

5. National Grid References (ends of path)..... 501241E 02510 02538

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path:..... Since living here 16 yrs

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... over 16 years

11. How often over the period have you used the path:..... once or twice week

12. For what purpose did you use the path:..... work, access public transport

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... none

14. Name of Owner(s) or Tenant (s), if known:.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Locals, strangers, post man on foot

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes

18. Did you ever seek or get permission to use the route. If so from whom:

no

19. Have you, or to your knowledge has anyone, been stopped or turned back:

no

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

no

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

no

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

no

Any further information. Since the path has been
fenced off access is only available
via steps or an unlit path

Date: 10-9-15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... PAULINE PULLEN

4. Name or route of path..... PATH RUNNING DIAGONAL FROM NO. 4 TO 12
5012418 02510 OGILVIE TERRACE

5. National Grid References (ends of path)..... 5012408 02538 DER 1

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path:..... 40+ YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 35 YEARS

11. How often over the period have you used the path:..... ONCE OR TWICE WEEK

12. For what purpose did you use the path:..... WORK + VISITING FRIENDS, FAMILY

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... NONE

14. Name of Owner(s) or Tenant (s), if known:.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

..... LOCALS STRANGERS ON FOOT
.....
.....

17. Have you always followed the same route. If not when was it changed and if known by whom:

..... YES
.....
.....

18. Did you ever seek or get permission to use the route. If so from whom:

..... NO
.....
.....

19. Have you, or to your knowledge has anyone, been stopped or turned back:

..... NONE
.....
.....

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

..... NO
.....

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... NO
.....
.....

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

.....
.....
.....

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

.....NO.....
.....

Any further information..... THIS PATH HAS NO STEPS AND
..... IS USED BY MANY PEOPLE WHO HAVE WALKING
..... DIFFICULTIES AND EASER FOR ANY ABULANCE
..... MEN / WOMEN TO FETCH PEOPLE WHO NEED THEIR
..... SERVICES

Date:..... 4 - 9 - 15.....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: CLIVE PULLEN

4. Name or route of path: DIAGONAL PATH FROM N04 TO N012 OULVIE TCE

5. National Grid References (ends of path): (approx) SO 12418 02510 / SO 12408 02538

6. Type of path: Footpath* / Bridleway* / Byway open to all traffic*
LAT 51.7145 / LAT 51.7147
LONG -3.2691 / LONG -3.2692

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path: AT LEAST 30 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

ON FOOT FOR 30 YEARS

11. How often over the period have you used the path: A FEW TIMES A WEEK

12. For what purpose did you use the path: VISITING FAMILY AND FRIENDS

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known:

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES LOCALS AND STRANGERS, ON FOOT

17. Have you always followed the same route. If not when was it changed and if known by whom:

ALWAYS SAME ROUTE

18. Did you ever seek or get permission to use the route. If so from whom:

NO

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

NO

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO

Any further information.....

THE PATH IS IDEAL FOR PEOPLE WITH WALKING
DIFFICULTIES, EASIER THAN STEPS, ESPECIALLY FOR EMERGENCY
SERVICES, PROVIDING A MORE DIRECT ROUTE

Date: 6/09/2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

- Name:..... MICHAEL WILLIAMS
4. Name or route of path..... OGILVIE HOUSES DIAGONAL PATH
5. National Grid References (ends of path)..... /
6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:..... 12 YEARS
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
..... FOR THE WHOLE 12 YEARS ON FOOT.
11. How often over the period have you used the path:..... ON AVERAGE DAILY
12. For what purpose did you use the path:..... VISITING GIRLFRIEND & NOW MOTHER IN LAW
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
..... NONE. HOWEVER A FENCE HAS NOW BEEN ERECTED, BLOCKING ACCESS WITHOUT PLANNING OR CONSENT
14. Name of Owner(s) or Tenant (s), if known:.....
..... KARINA JAYNE GAUDEN, JOHN VINCENT O'CONNELL
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle?

THE PATH IS IN CONSTANT USE BY
NEIGHBOURS, VISITORS & RAMBLING ASSOCIATION

17. Have you always followed the same route. If not when was it changed and if known by whom:

ALWAYS, UNTIL RECENTLY, WHEN THE
FENCE ERECTED, HAS BLOCKED ACCESS

18. Did you ever seek or get permission to use the route. If so from whom:

NO, NOT NEEDED

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NEVER

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES, PARKING BELOW THE LAND &
USING THE PATH TO VISIT MY GIRLFRIEND. NOW
I USE IT TO TAKE MY SON TO VISIT HIS GRAND
MOTHER

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

UNKNOWN

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

IT HAS ALWAYS BEEN OPEN LAND,
UNTIL A BOUNDARY FENCE (ERECTED ON 14TH AUG'15)
HAS BLOCKED ACCESS.

Any further information.....

THERE ARE A LOT OF ELDERLY PEOPLE
WHO LIVE IN THIS AREA AND THIS IS THE ONLY
ROUTE SAFE ENOUGH FOR WHEELCHAIR USERS. WITHOUT
I FEAR THE SAFETY OF ANYONE
GAINING ACCESS TO
THEIR HOME.

Date: 2-9-15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... DAVID THOMAS HARDACRE

4. Name or route of path..... DIAGONAL PATH

5. National Grid References (ends of path).....

6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:..... SINCE WE MOVED HERE IN JULY 1979

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which):

..... SINCE MY FAMILY AND I MOVED HERE IN 1979

11. How often over the period have you used the path:..... CONTINUOUSLY

TO REACH MY CAR ON THE BOTTOM HIGHWAY

12. For what purpose did you use the path:..... CHILDREN USE IT TO ACCESS SCHOOL BUSES

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... THERE ARE NONE COMPLETELY OPEN ACCESS FROM

..... ADOPTED HIGHWAY TO MY HOME ADDRESS

14. Name of Owner(s) or Tenant (s), if known:..... KARINA JAYNE GAUDEN

..... JOHN VINCENT O'CONNELL

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/~~No~~*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

..... YES FREQUENTLY POSTMAN USES AND VARIOUS BUSINESS PEOPLE
..... USE IT FOR DELIVERIES ALWAYS ON FOOT

17. Have you always followed the same route. If not when was it changed and if known by whom:

..... YES THE ROUTE HAS NEVER CHANGED

18. Did you ever seek or get permission to use the route. If so from whom:

..... NO THE ROUTE WAS NEVER DISPUTED UNTIL
..... BEING BLOCKED OFF A FEW WEEKS AGO

19. Have you, or to your knowledge has anyone, been stopped or turned back:

..... I HAVE NEVER SEEN ANYONE STOPPED FROM USING THE
..... PATH AND HAVE A DIRECT LINE OF VISION ONTO THE PATH

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

..... NO ONE HAS EVER OBJECTED TO MY OR MY FAMILY'S USAGE

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... NO

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

..... THERE ARE SOME MAPS BEING PRESENTED THAT SHOW
..... THE POSITION OF THE PATHWAY

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... THERE HAS NEVER BEEN ANY OBSTRUCTIONS TO THIS ROUTE UNTIL
..... A FENCE WAS PLACED ACROSS THE PATHWAY (NO CONSULTATION WITH RESIDENTS)

Any further information..... THE HOUSES WERE BUILT IN THE 1920'S
..... AND THE PATHWAY WAS IN EXISTENCE THEN (INCIDENTALLY I
..... WAS BORN IN 1940 LIVING IN BAILLY STREET AND USED THAT
..... PATHWAY AS A CHILD)

Date: 01/09/15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... DANNA GERRISH

4. Name or route of path: DIAGONAL PATH FROM No 4 OAKHIE TO No 12 OAKHIE

5. National Grid References (ends of path).....

6. Type of path: Footpath* / ~~Bridleway*~~ / ~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/No YES!

8. Is the path well defined: Yes/No YES

9. How long have you known the path: NEARLY 40 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 1978 to PRESENT 38 YEARS

11. How often over the period have you used the path: MINIMUM OF 1-5 TIMES PER

12. For what purpose did you use the path: WALK DOGS + VISIT NEIGHBOURS

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... NONE

14. Name of Owner(s) or Tenant (s), if known: KARINA JAYNE GOLDEN

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No* NO

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES THE ^{DEMON} PERSON PATH IS WELL USED

DAY + NIGHT BY LOCALS VISITORS DELIVERY PEOPLE
+ EMERGENCY SERVICES

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES AT ALL TIMES UNTIL RECENTLY

WHEN IT WAS WITHOUT WARNING FENCED OFF
BY SOME VERY DUBIOUS MEN!

18. Did you ever seek or get permission to use the route. If so from whom:

NO

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO - FOR NEARLY 100 YEARS

IT HAS BEEN PUBLIC RIGHT OF WAY

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NEVER

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES - ALL

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

YES MAPS - PUBLIC KNOWLEDGE
(PHOTOGRAPHS FROM AIR)

CCRC MUST HAVE RECORDS OF MY
PREVIOUSLY COMPLETED FORMS PROCLAIMING
THAT THIS IS PUBLIC RIGHT OF WAY 1997

+ AROUND 2001 / 2002

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NONE - NEVER UNTIL AUGUST 2015
WHEN FENCE ERECTED ILLEGALLY??

Any further information.....

I USE PATH AS I ALWAYS WALK
DOGS - I WALK ALL OF OGIWIKO TO
+ FROM LAKES. I HAVE ARTHRITIS IN LEFT KNEE
FRANKS + DISABLED PEOPLE USE IT. MAINTAINED BY
COUNCIL.

Date: 31/3/2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: Grace Gerrish

4. Name or route of path: original Diagonal path in Ogilvie terrace

5. National Grid References (ends of path).....

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*. used by the public at all times

7. Do you regard the path as public (SEE NOTE 2): Yes ~~No~~ yes

8. Is the path well defined: Yes ~~No~~ yes

9. How long have you known the path: 27 years (27 yrs)

10. Over what period have you used the path on foot, horseback, or motor vehicle. (state which).

27 years on foot and bicycle

11. How often over the period have you used the path: 27 years - constantly

12. For what purpose did you use the path: walking dogs, visiting neighbours playing as a child.

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

.....
.....

14. Name of Owner(s) or Tenant (s), if known: Katrina Gauden

.....
.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: No ~~NO~~ NO

16. Have you ever seen other people using the same route ie. Locals, strangers, Both. If so were they on foot, horseback in a vehicle

All the time. The path is constantly used by all members of the public. by people accessing their properties and also by delivery persons and strangers.

17. Have you always followed the same route. If not when was it changed and if known by whom:

Always!! Recently been changed due to a fence stopping me accessing this route by 'Shadow Holdings'

18. Did you ever seek or get permission to use the route. If so from whom:

Never had permission as this route has always been available to the public and always used by the public for the whole time I have lived here

19. Have you, or to your knowledge has anyone, been stopped or turned back:

(27 years)

Never. Now however there is a very obstructive fence in situ, stopping access to the pathway.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

Never. This route has always been used by the public. Always

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

I have constantly used the route to visit neighbour gain access to my property and used it to deliver goods. The route is in CONSTANT use by all of Ogilvie Terrace residents.

22. Is there to your knowledge evidence to support your claim eg. Enclosure Awards, Tithe Maps, Railway Maps:

NOT SURE.

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

Not until a fence was erected on the 14th August 15
stopping residence and the public accessing the
route. This right of way has

Any further information.....
been in constant use by the public for as long
as I can remember (27 years) This fence has
stopped members of the public accessing their homes
easily and accessing the
Date: 31/8/15 surrounding area easily.

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)).
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood, NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:.....JOHN G GERESH.....

4. Name or route of path.....between NO 4 OGWIC TCE and NO 12 OGWIC TCE.....

5. National Grid References (ends of path).....

6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:.....47 years.....

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

ON FOOT FOR 47 years

11. How often over the period have you used the path:.....DAILY.....

12. For what purpose did you use the path:.....TO VISIT, DELIVER & Pleasure
EMERGENCY SERVICES, WALK MY DOGS.

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE,

14. Name of Owner(s) or Tenant (s), if known:.....KARINA JAYNE GAUDEN......

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/~~No~~*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES, LOCALS, STRANGERS AND IN VEHICLES, "EMERGENCY"

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES,

18. Did you ever seek or get permission to use the route. If so from whom:

NO, NEVER,

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO NEVER, UNTIL FENCE PUT UP, ON/Around 14/8/15

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO NEVER.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES, DAILY, ALWAYS,
Also C.B.C.C. Maintained PATH. IT IS TARMAC

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

YES. THERE IS

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO, On or around 14th August 2015
the PARCEL OF LAND surrounding the

Any further information... Right of way was TOTALLY
ENCLOSED in a Feather edge 4^{FOOT} FENCE, and
2 metre steel mesh fencing. There was
NO ACCESS WHATSOEVER to land or PATH.

Date: 30th August 2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... ROSE-MARINE COGGAN

4. Name or route of path..... DIAGONALLY FROM NO.4 TO NO.12 COGGAN

5. National Grid References (ends of path).....

6. Type of path: Footpath* / Bridleway* / Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No YES

8. Is the path well defined: Yes/No YES

9. How long have you known the path:..... ALMOST 10 YEARS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 65 YEARS (ON FOOT)

11. How often over the period have you used the path:..... ~~5 YEARS~~ 65 years

12. For what purpose did you use the path:..... VISITING FRIENDS & FAMILY

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... No details of above!

14. Name of Owner(s) or Tenant (s), if known:..... UNKNOWN - Karina Joanne Gardner

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No* NO

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

yes! the path is well used daily by locals, stragel
& delivery persons (on foot)

17. Have you always followed the same route. If not when was it changed and if known by whom:

yes most definitely! I was changed recently
by "Shadow Holdings"

18. Did you ever seek or get permission to use the route. If so from whom:

Never had permission to use this route, it
has always been there, ever since I can remember.

19. Have you, or to your knowledge has anyone, been stopped or turned back:

Not to my knowledge has anyone been turned back,
until lately because of an enclosed fence
Now there is no admittance.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

Never

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

"all of the above"
But I always thought the above was a
public route!

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

No. I do :-

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... not until recently until the erection
..... of fencing! (14th Aug)

Any further information.....

..... This right of way has always
..... been there for as long as I can
..... remember. Lots of people cannot use steps
..... because of mobility problems & pushchairs etc.

Date:.....

31st Aug 2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: AlMEE ELIZABETH WILLIAMS

4. Name or route of path: Diagonal path running from Logilvie up to 12 Ogilvie

5. National Grid References (ends of path): N/A

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path: over 32 years.

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

always - since a child, grown up in Ogilvie Tce.

11. How often over the period have you used the path: always - daily when picking up

12. For what purpose did you use the path: using post box, collecting son from bus-stop, walking to cwm darren

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known: Karina Jayne Gauden

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Postman, delivery companies, visitors to Agilvie - parking spaces at rear of houses are very rarely available.

17. Have you always followed the same route. If not when was it changed and if known by whom:

Never used a different route.

18. Did you ever seek or get permission to use the route. If so from whom:

No, always been known as a path to get to Agilvie.

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No, never.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

Never.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

Unknown

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

Land/path was never enclosed; always accessible until Aug 13/14th 2015 when a fence was erected stopping all access!

Any further information... I have always used this path since a young child, I have continued to use it while collecting my son from the bus-stop from school and to post any mail. I also used it while visiting cum

Date: 31/08/2015

Darren
Paul
onfa

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: VALMAI PRICE

4. Name or route of path: OGILVIE HOUSES DIAGONAL PATH

5. National Grid References (ends of path):

6. Type of path: Footpath* ~~Bridleway*~~ ~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path: 60 YRS

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

ALL MY LIFE

11. How often over the period have you used the path: CONTINUOUSLY

12. For what purpose did you use the path: TO GET POST BOX AND BUS STOP

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known: KARINA JAYNE GAUDEN

JOHN VINCENT O'CONNELL

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

THE PATH HAS ALWAYS BEEN USED BY BOTH LOCALS & STRANGERS VISITING PEOPLE IN OGILVIE

17. Have you always followed the same route. If not when was it changed and if known by whom:

ALWAYS

18. Did you ever seek or get permission to use the route. If so from whom:

NO NEVER

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NEVER

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

DONT KNOW

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

THIS PATH HAS NEVER HAD ANYTHING STOPPING USERS FROM WALKING ON THE PATH TILL A FENCE WAS PUT UP. 14th AUG 2015.

Any further information.....

THIS PATH HAS BEEN USED SINCE THE HOUSES WERE BUILT, THERE ARE SOME PEOPLE WHO CANNOT USE STEPS. THESE PEOPLE ALSO USE PATH.

Date: 30-8-15.

i.e. Wheelchairs, pushchairs, & people with difficulty walking. Flat paths are much easier.

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

also letters enclosed.

2
This right of way has been used since the houses were built in 1920.

Delivery men use the path, sometimes pushing trolleys to deliver goods, because of the lack of parking available behind Ogilvie Terrace Nos 5 to 24.

My relatives always use the path when visiting me, as you can see from photo's enclosed the path was tarmaced, it has since been damaged, but it still has some tarmac joining the adopted highway behind Nos 1-4. The top of the path has been walked on continually and so has been well trodden & kept down. The council has cut the grass either side of the path. This

1
To Whom it may concern,

3-9-15

Dear Sir/Madam

As a resident of Ogilvie Ave. I wish to complain about the erection of a wooden fence, on the path outside the front of my home.

The right of way has been blocked off completely.

I am not able to use the steps that are at the side of Oaklands as I have balance & sight problems.

There are a lot of residents who also have difficulty using steps, their means of getting ~~to~~ where they need to go has now been taken from them.

3
was last done at the beg.
of August. Please reinitiate
our path.

yours truly,



CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: S. J. Pullen

4. Name or route of path: Diagonal Path

5. National Grid References (ends of path):

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: 40 year's

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

all the time I have lived here on Foot

11. How often over the period have you used the path: every Day

12. For what purpose did you use the path: To get Bus, Post, School

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE

14. Name of Owner(s) or Tenant (s), if known: KARINA Jayne Gauden

John Vincent O'Connell

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES on foot

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES

18. Did you ever seek or get permission to use the route. If so from whom:

NEVER

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO NEVER

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

NO

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

Dont know

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... Fence Erected 13th/14th August 2015
.....

Any further information..... This ~~is~~ has been a right of
..... way since the houses were built in
..... the 1920s.
.....

Date: 31-8-15 .
.....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: Peter Pullen

4. Name or route of path: Diagonal Path

5. National Grid References (ends of path):

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path: 10 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

~~Since 1970~~ most of my life

11. How often over the period have you used the path: Continuously

12. For what purpose did you use the path: To get to bus stop

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

None

14. Name of Owner(s) or Tenant (s), if known: Karina Jayne, Gauden

John, Vincent O'Connell

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Yes on foot and bike

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes

18. Did you ever seek or get permission to use the route. If so from whom:

NO

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

NO

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

Dont Know

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

fence erected 13th/14th August 2015.

Any further information..... This has been a right of
way since the houses were built in
the 1920's

Date: 31/8/15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... Mr + Mrs EDWARDS

4. Name or route of path..... Diagonal Lane

5. National Grid References (ends of path).....

6. Type of path: Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path:..... 26 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 26 years

11. How often over the period have you used the path:..... Daily

12. For what purpose did you use the path:..... To and from vehicles

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... N/A

14. Name of Owner(s) or Tenant (s), if known:..... Karina Jayne Gauden

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Yes - foot, wheelchair, Bicycle etc.

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes.

18. Did you ever seek or get permission to use the route. If so from whom:

NO.

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

Visiting Grandparents & then attending own home

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

Not Sure

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

Grass

Any further information.....

Date:.....

31/8/15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)).
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... JEAN THORNE

4. Name or route of path..... Diagonal path leading to main road

5. National Grid References (ends of path).....

6. Type of path: Footpath* / Bridleway* / Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/ No Definite

8. Is the path well defined: Yes/ No

9. How long have you known the path:..... 79 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

Continually all my life

11. How often over the period have you used the path:..... Always

12. For what purpose did you use the path:..... To go to Post Box + Bus Stop

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

None

14. Name of Owner(s) or Tenant (s), if known:..... Katrina Jayne Gauden

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes / No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Locals have always used this footpath. Our only access for deliveries does not always accommodate large vans so they park below & deliver using the footpath. Take it from us and we will not have ~~the~~ delivery without a lot of difficulty.

17. Have you always followed the same route. If not when was it changed and if known by whom:

The path has always been there. When I was a child the P. D. Shed was at the bottom of path & was used by workmen who came for maintenance on the houses.

18. Did you ever seek or get permission to use the route. If so from whom:

No not needed. For my 79 years it was always used to access main road & Gibbs Shop

19. Have you, or to your knowledge has anyone, been stopped or turned back:

never

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

no.

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

no.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

no. Unknown.

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

no.

Any further information... I have difficulty with steps, and there is always someone worse than me. So the possibility of pushchairs & wheelchairs make it a necessity to keep our footpath. I have always thought that with so much use it could not be taken from the residents.

Date:

28.08.15. Jean Thorne.

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)).
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... IRENE RAPER

4. Name or route of path..... FROM H. OGILVIE TERRACE TO 12 OGILVIE

5. National Grid References (ends of path).....

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/No

8. Is the path well defined: Yes/No

9. How long have you known the path:..... 24 YRS.

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... BY FOOT.

11. How often over the period have you used the path:..... FOR 24 YEARS

12. For what purpose did you use the path:..... WALKING TO BUS STOP.

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... NONE

14. Name of Owner(s) or Tenant (s), if known:..... KARIANA JAYNE GAUDEN

..... JOHN VINCENT O'CONNELL

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

ON FOOT

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES ALWAYS

18. Did you ever seek or get permission to use the route. If so from whom:

No I THOUGHT RESIDENTS HAD
THE RIGHT OF WAY

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No.

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

VISITORS.

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

No.

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... TO THE BACK & FRONT OF
..... THE HOUSE

Any further information..... I ALWAYS USE THIS PATH
..... EITHER FOR WALKING FOR
..... EXERCISE AND ALWAYS TO GET
..... TO THE BUS STOP.

Date:..... 31-08-2015 Mrs. Ln Kapel

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: YVONNE WOODHOUSE - GRAVETT

4. Name or route of path: Between No 4 + 12 OGILVIE TERRACE

5. National Grid References (ends of path).....

6. Type of path: Footpath* / ~~Bridleway*~~ / ~~Byway open to all traffic*~~.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: 27 yrs

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

Foot

11. How often over the period have you used the path: 27 yrs

12. For what purpose did you use the path: to get to Bus Stop

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

None

14. Name of Owner(s) or Tenant (s), if known: KARINA JAYNE GAUSEN

John Vincent O'Connell

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/~~No~~*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

BOTH ON FOOT

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes

18. Did you ever seek or get permission to use the route. If so from whom:

No - always assumed it was right of way as it was Tarmac

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

For Goods ~~to~~ Delivered to my house

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

No

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

It Runs between the top and
Bottom House of OGILVIE TERRACES

Any further information.....

this path is always
used by me and all members
of the residents of OGILVIE TERRACES

Date:.....

30/08/15 Woodhame - Gravett

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name: STEPHEN GRAVETT

4. Name or route of path: From 4 OGILVIE TERRACE TO 12 OGILVIE TERRACE

5. National Grid References (ends of path):

6. Type of path: Footpath* / ~~Bridleway*~~ / ~~Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: 18 years

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

By foot

11. How often over the period have you used the path: 18 years

12. For what purpose did you use the path: WALKING

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

None

14. Name of Owner(s) or Tenant (s), if known: KARINA JAYNE GARDNER

JOHN VINCENT O'CONNELL

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

Both on foot

17. Have you always followed the same route. If not when was it changed and if known by whom:

Yes

18. Did you ever seek or get permission to use the route. If so from whom:

Assumed it was a right of way
as it was a former PATH

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

The Goods to ~~be~~ Delivered
to the front of House

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

NO

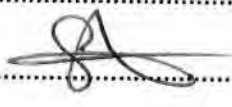
23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO

Any further information

A BURNANCE'S Some lines come
to the front of the Houses at
Ogilvie Terrace

Date:

30/08/15 

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name; J.H. Williams

4. Name or route of path Diagonal from Ogilvie Terrace

5. National Grid References (ends of path).....

6. Type of path: ~~Footpath*/Bridleway*/Byway open to all traffic*~~

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: 37yr

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

37

11. How often over the period have you used the path: daily

12. For what purpose did you use the path: to get to village, general walk

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

None

14. Name of Owner(s) or Tenant (s), if known:.....

Karina Gauden

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

..... yes

17. Have you always followed the same route. If not when was it changed and if known by whom:

..... yes

18. Did you ever seek or get permission to use the route. If so from whom:

..... no

19. Have you, or to your knowledge has anyone, been stopped or turned back:

..... no

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

..... no

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... no

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

..... unknown

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

Never till now

Any further information

my only concern is for people who are disabled and can't use steps ie, wheelchairs and prams can't use steps

Date:

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

- Name:.....DAVID COLES.....
4. Name or route of path.....path leading from 4ogilvie To 12ogilvie.....
5. National Grid References (ends of path).....
6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~.
7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~
8. Is the path well defined: Yes/~~No~~
9. How long have you known the path:.....50 Lived here known 90ys.....
10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).
.....50 yrs.....
11. How often over the period have you used the path:.....DAILY.....
12. For what purpose did you use the path:.....POST LETTERS + use SHOP.....
13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.
.....None.....
14. Name of Owner(s) or Tenant (s), if known:.....NOT KNOWN......
15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

..... yes

17. Have you always followed the same route. If not when was it changed and if known by whom:

..... yes

18. Did you ever seek or get permission to use the route. If so from whom:

..... No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

..... No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

..... No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

..... No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

..... DON'T KNOW

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

WAS NOT Till BEgining. Aug but now fence
all around stopping us using path.

Any further information.....

.....

.....

.....

Date: 30-8-15.....

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2)".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;..... J. C. MOORE

4. Name or route of path..... DIAGONAL PATH

5. National Grid References (ends of path).....

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic* .

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:..... 40 yrs

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... OVER 40 yrs

11. How often over the period have you used the path:..... DAILY WHEN I WAS YOUNGER

12. For what purpose did you use the path:..... FROM THE HOUSES TO THE MAIN RD.

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

..... NIL

14. Name of Owner(s) or Tenant (s), if known:..... NOT KNOWN

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES

18. Did you ever seek or get permission to use the route. If so from whom:

No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

No

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

No

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

YES

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

..... NEVER TILL FENCE ERECTED

.....

Any further information.....

..... I LIVE HERE AND IT WAS THE ONLY WAY TO THE
..... BUS & TRAIN + SHOP

.....

Date:..... 26.9.15,

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))".
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;.....STEPHEN BOYLES.....

4. Name or route of path.....OGILVIE TERRACE, DERI.....

5. National Grid References (ends of path).....

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:.....25 YEARS.....

10.Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

.....25 YEARS ON FOOT.....

11.How often over the period have you used the path:.....DAILY.....

12.For what purpose did you use the path:.....GO TO PARENT IN LAWS.....

13.Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

.....
.....

14.Name of Owner(s) or Tenant (s), if known:.....

.....
.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

.....
.....
.....
YES - BOTH

17. Have you always followed the same route. If not when was it changed and if known by whom:

.....
.....
.....
YES ALWAYS

18. Did you ever seek or get permission to use the route. If so from whom:

.....
.....
.....
No

19. Have you, or to your knowledge has anyone, been stopped or turned back:

.....
.....
.....
No

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

.....
.....
.....
NO NEVER

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

.....
.....
.....
YES PARENT IN LAWS

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

.....
.....
.....
.....
.....

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information..... I HAVE ALWAYS USED THIS
FOOTPATH TO GO TO PARENT IN LAWS IN
OGILVIE TERRACE

Date: 30/08/2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name:..... SIÂN BOYLES

4. Name or route of path..... OGILVIE TERRACE, DERI

5. National Grid References (ends of path).....

6. Type of path:Footpath* /Bridleway* /Byway open to all traffic*.

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path:..... 45 YEARS

10.Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

..... 45 YEARS ON FOOT

11.How often over the period have you used the path:..... DAILY

12.For what purpose did you use the path:..... ACCESS TO PARENTS HOUSE

13.Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

.....
.....

14.Name of Owner(s) or Tenant (s), if known:.....

.....
.....

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: ~~Yes~~/No*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

BOTH

17. Have you always followed the same route. If not when was it changed and if known by whom:

YES ALWAYS SAME ROUTE

18. Did you ever seek or get permission to use the route. If so from whom:

N/A

19. Have you, or to your knowledge has anyone, been stopped or turned back:

N/A

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

YES - PARENTS HOUSE

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

NOT KNOWN

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

No

Any further information I HAVE ALWAYS USED THIS
FOOTPATH TO GO TO MY PARENTS

Date: 30/08/2015

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

CAERPHILLY COUNTY BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside
(Definitive Maps and Statements)
Regulations 1993

PUBLIC RIGHTS OF WAY EVIDENCE FORM COMPLETED BY:

Name;... GAREN JOHN HEDDACE.....

4. Name or route of path... WALKWAY PATH - OELVIE TERRACE BETWEEN NO AND

5. National Grid References (ends of path).....

6. Type of path:Footpath* /~~Bridleway*~~ /~~Byway open to all traffic*~~.....

7. Do you regard the path as public (SEE NOTE 2): Yes/~~No~~

8. Is the path well defined: Yes/~~No~~

9. How long have you known the path: SINCE I MOVED W AS A CHILD IN 1979

10. Over what period have you used the path on foot, horseback, or motor vehicle, (state which).

FROM THEN UNTIL I MOVED W AS A CHILD, AND ACCESS AS AN ADULT FROM OR

11. How often over the period have you used the path: WEEKLY

12. For what purpose did you use the path: ACCESS TO HOUSE

13. Details of any stiles, handgates, field gates, bridges, notices, direction signs, warning signs, obstructions etc.

NONE - COMPLETELY OPEN

14. Name of Owner(s) or Tenant (s), if known:.....

N/K - BELIEVE PART OF FARM

15. Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/~~No~~*

16. Have you ever seen other people using the same route ie, Locals, strangers, Both. If so were they on foot, horseback in a vehicle

YES DAILY ON FOOT AND BICYCLES

17. Have you always followed the same route. If not when was it changed and if known by whom:

ALWAYS THE SAME ROUTE

18. Did you ever seek or get permission to use the route. If so from whom:

NO

19. Have you, or to your knowledge has anyone, been stopped or turned back:

NO

20. Were you ever told by any owner or occupier or by their employee that the route was not public:

NO

21. Has your use of the route ever been in exercise of some private right, such as visiting someone who lived along the route, going to your own land or property, or delivering goods:

ACCESS TO OWN PROPERTY / PARENTS PROPERTY

22. Is there to your knowledge evidence to support your claim eg, Enclosure Awards, Tithe Maps, Railway Maps:

NOT KNOWN TO ME

23. Is the route or any part of it enclosed between boundaries, ie hedges, fences, ditches, walls:

NO - OPEN LAND

Any further information... I HAD TO ATTEND COURT DUE TO BEING
BITTEN BY A DOG WHILST WALKING THE PATH
AND PROTECTING MY DAUGHTER (IN MY ARMS)
NO ISSUE RAISED OVER THE PATH

Date: 1/9/15

(FOR USE ONLY WITH A GROUP CLAIM - SEE NOTE ON FORM W.C.A.2).

PLEASE NOTE

1. All sections must be completed.
2. "statute law provides that a public right of way may be presumed to have been dedicated as a highway if it has been actually enjoyed by the public as a right and without interruption for a full period of 20 years before any date on which the right of the public to use the way is brought into question. (Highways Act 1980 Section 31(1) and 31(2))."
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. * Delete as necessary.

Completed forms to be returned to:-

Mrs P. Elliott,
Head of Regeneration and Planning,
Council Offices,
Pontllanfraith,
Blackwood. NP12 2YW

INTERVIEW NOTES – CROW 144 -13-10-15

All of the foregoing confirmed that they had not requested permission to use the footpath and had not seen any notices stating that it was private.

Mrs Marilyn Jones (Interviewed 13-10-15)

Mrs Jones knew the footpath over 30 years ago when her brother moved into the village. Since she moved into the village she has used the footpath several times a day over the last 29 years. She used the path for visiting family and friends, walking the dog and bringing the kids to play on the banking.

She recalled that the steps were put in as there used to be several paths where Oaklands was built which were used as short cuts down to the main road. These paths were not surfaced and were uneven in parts and were not so commodious as the path currently being claimed.

The top of the path was damaged during the construction of the steps and the bottom of the path has now been damaged by the fence which has recently been erected around the site.

Mrs Pauline Pullen (Interviewed 13-10-15)

She has lived in the area for 44 years and the path had always been there. She used it a few times a week over the last forty years. She used it for walking, visiting family and friends. She also used it when she was a mobile hairdresser for work as a short cut to her customer's houses.

Mr. Clive Pullen (Interviewed 25-11-15)

He always thought it was a public path as it has been there for as long as he can remember. He became aware of the path since the time he moved into the village approximately 30 years ago. He used to live in Bailey Street and used to visit his brother who lived in Ogilvie Terrace and visit friends. He and many others used the claimed right of way to walk up and around with their dogs. The claimed right of way has always been there and his wife had known it for 40 years. It was tarmacked possibly 40 years ago. It was tarmacked when he moved to the area. saw many people walking their dogs up the diagonal path

Mrs Donna Gerish (telephone interview 25-11-15)

She first became aware of the path in 1986 and has used it ever since. Her husband knew it prior to this – approximately 1978.

She used the footpath three times a day for walking; walking the dogs and visiting friends and neighbours. She and her husband were very friendly with the neighbours and their children all played together on the field. They all had young children, They were all best of friends so were back and fore each others houses on a regular basis.

She recalled that the path had tarmac on it in 1986. The Renault car in the photograph (Document No.) was sold in n1987.

She had witnessed the applicant and his family using the path up and until the time it was blocked.

Mr. John Gerish (telephone interview 25-11-15)

Mr Gerish never asked permission to use the footpath because over the last forty years of living in the area it had always been there. He never ever saw any notices stating the path to be private.

Mr. Gerish played in the area as a school boy, at the age of 11, with his school friends and used the path regularly. He believes the land was once owned by the Marquis Le Bute until it was recently purchased. He paid his ground rent to Cefn Estates up until the time he bought the freehold.

He moved to the area forty years ago but became aware of the footpath 48 years ago and has used it since that time. When he moved to No. 3 all his children played on the ground with the neighbours' children and he has videos of them. He, his wife and children would use the path to go to visit neighbours/friends in the upper part of Ogilvie Terrace. There used to be a lock up shop near No. 1 Ogilvie Terrace which local residents used.

He used the path up until it was blocked almost daily for walking; walking the dogs; visiting friends and neighbours. He regularly witnessed his neighbours using it and also their family and friends who would park their cars on the back lane and walk up the path.

Delivery drivers, such as Asda, Tesco, etc. used it regularly – parking in the back lane and taking their deliveries up the path. The postman also used it and would park in Ogilvie Court and walk to Oakland Rise and Ogilvie Terrace.

Mrs Rosemarie Cogan (Interviewed 13-10-15)

Mrs Cogan first became aware of the footpath when a small child as she grew up in the area and is now 70 years old. She has used the path over the last 66 years walking it with her mother and grandmother. She used the path several times a week for walking, walking the dogs, visiting family and friends. She states that it was used for everything really.

Mrs Aimee Williams (Interviewed 13-10-15)

Mrs Williams confirmed that she had not requested permission to use the footpath and had not seen any notices stating that it was private. Mrs Williams is the daughter of the applicant, Mrs Val Price.

Mrs Williams first became aware of the footpath in 1983 when she was walked to see her nan in the old age pensioners complex. She used it to take her son back and fore to catch the bus and he refused to use the steps. Children used to ride their bikes up the path and would play on the land.

She used the path to walk the dog, taking children to school and catching the bus. She also used it to visit family and friends.

Mr and Mrs Suzanne & Neil Horrell (telephone interview 25-11-15)

Mrs Horrell never asked permission to use the path and couldn't recall anyone else doing so. Everyone used it. She never saw any signs that the path was private.

She moved to the area thirty years ago when she first became aware of the path and started using it. She used the path several times a week. She refers to living on the mountain and walking down into Deri to visit family and friends, doing some shopping and calling in to see her daughter in Deri. She had family in Bailey Street and New Road. Her children and grandchildren used the path to go to catch the bus to school. Her grandchildren, daughter and son-in-law used the path to visit her. They all used the path.

Mrs Horrell cannot use the steps as she has osteo arthritis in her hips and knee and finds it a struggle to go up and down the steps. She can walk on the level and was able to walk up the path as she is able to manage the gradual slope. She has injections to help with her hips and knees. Now the path is not available and she is unable to use the steps she is walking down the road which is a lot steeper and is nervous that she is not able to keep out of the way of vehicles as the covering on the side is protruding out into the road.

Mr. David Hardacre (Interviewed 27-10-15)

Mr. Hardacre confirmed that there has never been any signs stating the footpath was private and he and his family had never asked permission to use the footpath.

Mr. Hardacre was born in Deri and grew up in the village - he is now 75 years old. The houses in Ogilvie Terrace were built in 1936 and owned by Powell Duffryn and were referred to as OPD houses. The land was believed to have been leased from Marquis of Bute. In 1972 the lease was surrendered and handed to the British Coal and the lease runs out in 2023.

There used to be a workman's hut on the land (Document No. ?) where two or three men worked and undertook repairs to the houses. They used the footpath to gain access to the houses.

He used to play on the ground as a child and used the footpath during that time.

He moved away from the village for a while but returned when he bought 10 Ogilvie Terrace in 1979. He has witnessed many people using the footpath, the children walking to school, neighbours going up and down to catch the bus, visit friends, etc. The postman used it regular, people delivering leaflets, delivery men found it very useful to bring items up it rather than around the back of the houses or along the front path. He recalled about thirty children playing cricket on the ground and having to be careful which way they batted to prevent the balls being hit towards the houses.

He believes that the footpath was tarmacked possibly by Gelligaer Council or Rhymney Valley District Council many years ago. The tarmac was removed from the top of the footpath when the steps were constructed.

The coal miners who lived in Hillside Terrace used to walk through the garden of No. 22 Ogilvie Terrace which had two wicket gates and go down the banking where Oakfields was built and across the road and up the road leading to the colliery.

He and other residents believed that the steps were constructed to replace the footpath which was taken away when Oakfields was built and not the claimed footpath. The residents were not consulted about the steps.

The Community Partnership for Deri undertook a survey of where residents wanted to have new wooden seats provided and following this one seat was placed on the open area in front of Ogilvie Terrace (Document No. ?). A lot of local residents used to sit on the seat to admire the view.

He uses the footpath to visit his brother in Bailey Street and to catch the bus. He uses it when he goes down the club for a drink. Since the path has been obstructed he has used the steps occasionally.

His son uses the path regularly when he comes to visit as he parks on the back lane at the rear of Numbers 1-4 Ogilvie Terrace as there is very limited parking along Hillside Terrace. Both his daughters use the footpath when visiting as they park in the back lane also.

His brother and sister in law use the footpath when they accompany his wife back home.

As far as he can recall this footpath has been well used by the local residents in the area.

Mrs Valma Price (Interviewed 13-10-15)

Mrs Price first became aware of the footpath 62 years and commenced using it at the age of 4 years, she is now 67 years old.

She used the footpath approximately five times a day. When she was younger she used it to catch the train to school as there was a halt on the main road and then later on used it to catch the bus, posting letters in the post box and at one time used the phone box before she had a phone put in as did many others in the area. At one time the local roads had not been tarmacked and were rough tracks so the footpath was a lot easier to use.

Due to having issues with double vision Mrs Price is unable to use the steps. She also suffers with asthma and finds it difficult to walk up the footway alongside the hill leading up to Ogilvie Terrace due to the steepness of the gradient. The claimed right of way runs diagonally and she is able to manage the gradient of the path as it gradually climbs the banking.

Mrs Susan Pullen (Interviewed 13-10-15)

Mrs Pullen first became aware of the path over 40 years ago and has been using the path for 40 years. She used the path several times a day for taking the children to school and then years later the grand children, catching the bus and going to the post box. She also used it for going to the pub, walking into the village and walks up and around the lakes every day.

Mrs Jean Thomas (Interviewed 13-10-15)

Jean became aware of the path 75 years ago and has been using it for 75 years. She has used the path several times a day and during her school years she used it to catch the bus

and train. In later years she has used it to go to the post box, telephone box and refers to it as the main route down to the main road through the village.

She used it for walking, catching the bus and visiting friends and family. The local children have also used it and the surrounding area.

Rose explained that the path is used for so many things as it's the main route up to the properties.

Yvonne Irene Woodhouse Gravett (Interviewed 13-10-15)

She first became aware of the path 30 years ago and it has always been a path used by the public. She has used the path for over 10 years several times a day for catching the bus, going to the pub and took her grandson up the park three times a week.

She has used the steps as well as the path and confirmed that the steps were constructed when they were building the bungalow (i.e. Oaklands). The area where the bungalow was built was all grassland previously.

When her husband had a heart attack the only way the ambulance could get to her house was to walk up the claimed right of way. They couldn't take a stretcher up the steps and couldn't use the back entrance in the winter months as it gets too slippery and also its difficult to get up Hillside Terrace because of all the cars parked in the street.

Her husband used the path to go to the bus stop to catch the bus. When she was in a wheelchair for approximately five months she could only go out with assistance and her husband was able to push her up and down the claimed right of way. It is far too steep to push a wheel chair up Hillside Terrace. Mr. Cole is elderly and he uses it to go to the bus stop as the bus stop at other end is dangerous. Her 94 year old mother had been using it with a zimmer on wheels. Her mother is not able to take the simmer down the steps and cannot use the footway as it is too steep and obviously cannot use the steps with a zimmer so is now unable to go down to the post box, etc.

Mr. John Williams (telephone interview 25-11-15)

Mr Williams has lived in the area since 1977. He never asked to use the path as it was always available and has never seen any notices stating that the path is private. He first became aware of the path in 1977 and has used it since that time. As he walks everywhere he believed he probably used it more than most until it was blocked off. He used it on average once a day but quite often twice a day. He used it to walk down into the village to visit the shops and generally walking in the area. Also used it to walk his dog. He enjoys walking so used the path regularly. He was quite upset when the bungalow was built in front of his property and the other footpath was taken away. He always used the footpath until it was blocked off and now uses the steps. He believes he is lucky in that he is able to use the steps not like quite a number of the older residents in the street who cannot. As he is interested in wildlife and flowers he is disappointed that the ground is being developed as there are such a great variety of grasses on the banking, together with the habitat such as slow worms, etc. that are there.

Mr. Coles (Interviewed 13-10-15)

Mr. Coles first became aware of the path 80 years ago and is now aged 94 years of age. He used the footpath two or three times a week for 80 years. Mr Coles used the path to visit shops occasionally, catching the bus, going to the bank in Bargoed, going to the pub. Also used it to attend meetings at the Workmans Hall. Mr. Coles only used the steps once or twice. Mr. Coles used to run the Bargoed Inn Pub for 18 years and used the path regularly to go back and fore. He also worked in the colliery and used the path.

He recalled completing evidence forms previously to claim a footpath on the area of ground where Oaklands was built as the path which was taken away was right in front of his property.

He confirmed that no-one had discussed the steps with him.

Alma Farley (Interviewed 13-10-15)

Mrs Farley is a carer for Mr. Cole and has known and used the path for 10 years. She was born in Deri but didn't use it earlier. She used it to for visiting family and friends, visiting the shops to get Mr. Coles' shopping, posting letters in the post box and catching the bus.

Mr. J.C. Morse (telephone interview 25-11-15)

Mr. Morse moved to Deri when he was 4 years old and lived at No. 11 Ogilvie Terrace with his parents and sister. He never asked permission to use the path as it has always been there and available. He has never seen any notices stating it was private. He became aware of the path around 70 years ago and has used it ever since. There wasn't a park so all the children in the area would use the ground as their playground and made their own fun. When he was younger he used it several times a day whilst playing on the ground. The path was the only way down to the bus stop and to the train station to catch the train to school.

Now as he doesn't live in Deri he parks his car in the back lane and walks up the path to visit his sister several times a week. He had quite a shock when he came to visit and found the fence around the site preventing access to the path.

| Surname | Name | Ttitle | No. years used path | Purpose of Use | Frequency |
|----------------|--------------------|---------|---------------------|--|------------------------------------|
| Jones | Marilyn | Mrs | 29 | Visiting family and friends, walking the dog and bringing the kids to play on the bank | Several times a week. |
| Pullen | Pauline Margaret | Mrs | 40 | Walking and visiting friends and family. When a mobile hairdresser used it for work as a short cut. | Once or twice a week. |
| Pullen | Clive | Mr | 30 | Visiting his brother, friends and walking the dog. | A few times a week |
| Gerrish | Donna Denise | Mrs | 38 | Walking, walking the dogs and visiting friends and neighbours. | Minimum of 1-5 times a week. |
| Gerrish | John Thomas | Mr | 27 | Visiting neighbours and friends in the upper part of Ogilvie Terrace. | Daily |
| Gerrish | Gracie Meredith | Miss | 27 | Walking dogs, visiting neighbours and playing as a child. | Constantly over the last 27 years. |
| Coggan | Rosemarie Margaret | Mr | 70 | Walking, walking the dog and visiting family and friends. | Several times a week. |
| Williams | Aimee Elizabeth | Mrs | 32 | Walking, walking the dog, taking children to school and catching the bus. | Several times a day |
| Williams | Michael Phillip | Mr | 12 | Visiting girlfriend and now mother-in-law. | On average daily. |
| Horrell | Neil John | Mr | 30 | Visiting family and friends. | A few times a week |
| Horrell | Suzanne | Mrs | 28 | Visiting family. | At least three times a week. |
| Lewis | Kelly | Mrs | 16 | Work and access to public transport. | Once or twice a week. |
| Hardacre | David | Mr | 36 | Visiting brother, catching the bus and to reach my car on the bottom highway. | Continuously |
| Price | Valma | Mrs | 60 | When a child used it to catch the train and bus to school. Used it to go to the telephone boc and post box, also visiting the shops, taking children to school, catching the bus and visiting family and friends. | Five times a day. |
| Pullen | Susan Janice | Ms | 40 | Taking her grandchildren to school; catching the bus, visiting family and friends. Going to the pub, to the post box, the post box, the village and walk around the lakes every day. Her grandson also used the path when he was going back and fore to school during term time. | Several times a day |
| Pullen | Peter | Mr | 10 | Mrs Pullen's grandson uses the path to go back and for to the bus stop to catch the bus to school. | Continuously. |
| Edwards | Lucas & Naomi | Mr. & M | 26 | To and from vehicles. | Daily |
| Thorne | Jean | Mrs | 79 | Taking her grandchildren to school; catching the bus, visiting family and friends. Going to the pub, to the post box, the village and walk around the lakes every day. | Several times a day |

| | | | | | |
|-----------|---------------|-----|----|---|----------------------------|
| Raper | Irene Rosh | Mrs | 27 | Walking generally and walking to the bus stop. | |
| Woodhouse | Yvonne Irene | Mrs | 10 | Catching the bus; visiting friends and family; visiting the pub before it closed down; taking the grandchildren to the park three times a week. | Several times a day |
| Gravett | Stephen David | Mr | 18 | Walking | |
| Williams | John Howard | Mr | 37 | Walking to the village to visit the shops and walking around the area. Also used it to walk his dog. | Once or twice a day. |
| Coles | David | Mr | 80 | Occasionally visiting shops; catching the bus into Bargoed for the bank, etc., going to the pub before it closed; going to village meetings in the Workmans Hall. | Two or three times a week. |
| Farley | Alma | Ms | 10 | Visiting local shops to collect groceries for Mr. Coles. Posting his letters in the post box and catching the bus. Visiting family and friends. | Several times a day. |
| Boyles | Stephen Paul | Mr | 25 | Access to inlaws house. | Daily |
| Boyles | Sian | Mrs | 45 | Access to parents' house. | Daily |
| Hardacre | Gareth | Yes | 36 | Playing as a child and as an adult as access to car. | Weekly |
| Morse | James Carey | Mr | 70 | Used the path daily when he was younger now uses as access from his car to his sister's house. | Several times a week. |

CLAIMED RIGHT OF WAY NO. 144

- Location of workman's hut, shed, former shop and Bus Stop



CROW 144 - AERIAL PHOTOGRAPH 1991

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeoInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

CROW 144 - AERIAL PHOTOGRAPH 2001

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeoInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

CROW 144 - AERIAL PHOTOGRAPH 2004-2005

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeoInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

CROW 144 - AERIAL PHOTOGRAPH 2006

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeolInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

CROW 144 - AERIAL PHOTOGRAPH 2010

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeoInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

Google Maps Deri, Wales



Image capture: Aug 2011 © 2015 Google

Street View - Aug 2011



CROW 144 - AERIAL PHOTOGRAPH 2014

1:1,000



OS Products: © 100025372, 2009. MasterMap™, 1:10000, 1:25000, 1:50000, 1:250000,
Image Layers: © 2006 produced by COWI A/S for
the Welsh Assembly Government's Department for Environment, Planning and Countryside.
© GeoInformation Group 1948, 2001, 2004-5,
© The Standing Conference on Regional Policy in South Wales (1991),
© BlomPictometry 2008.

CLAIMED RIGHT OF WAY NO. 144

Photographs taken on

13th October, 2015

Start of claimed right of way.



Photograph taken from the end of the claimed right of way.



Alternative Route



Footpath leading in front of the houses at Ogilvie Terrace









CLAIMED RIGHT OF WAY NO. 144



Photograph supplied by Mrs. Valmai Price.

The claimed right of way can be seen quite clearly.

CLAIMED RIGHT OF WAY NO. 144

PHOTOGRAPH TAKEN ON 15-11-86



The claimed right of way can be seen in the photograph as a grass surfaced area before changing to tarmac.

CLAIMED RIGHT OF WAY NO. 144 – PHOTO 2

PHOTOGRAPH TAKEN IN 1987 WHERE THE RIGHT OF WAY CAN BE CLEARLY SEEN.



CLAIMED RIGHT OF WAY NO. 144

PHOTOGRAPH TAKEN in 1992/93



The claimed right of way can be seen in the photograph as a tarmacked footpath which is being used by Mrs. Hardacre and the bridesmaids.

CLAIMED RIGHT OF WAY NO. 144

PHOTOGRAPH TAKEN IN 1992/93 – PHOTO NO. 3



Mr. Hardacre and his daughter on her wedding day using the claimed right of way.

CLAIMED RIGHT OF WAY 144 – PHOTO OF NEWLY CONSTRUCTED STEPS
Photo of when the steps had been built by Colin Marshalsea. It can be seen that the right of way was going to the top but had been disturbed by the work that had been done. Also the wall had not been erected then but it was done shortly after.



Mrs K Gauden



11th February 2016

To whom it may Concern

Claimed Right of Way - Ogilvie terrace, Deri, Bargoed

I write as one of the current owners of this land, to state my claim that at no time during my family's ownership which extended over a period of 45 years, did we intend to allow, permit or dedicate a footpath across the site. The reason for the purchase of this land by my father was to use the land to build a residential property and with this aspiration we gave a permissive right only for those parties who wanted to walk their dogs across the site and for others who occasionally (very occasionally) had cause to or wanted to take a diagonal route across the site.

The copy letter and plan which I attach to this statement is dated 11th March 1998 and refers to a strip of land on the northern boundary of the site which currently contains a footpath with steps and hand rail. This footpath was constructed by the Council. This was on the understanding that this was to be a dedicated footpath in substitution for the claimed footpath which is said to cross the site. The Dedication Agreement was never finalised but this could perhaps be regularised as part of this current process.

The construction of the footpath with steps along the northern boundary is testament that at no time did we intend to agree to the designation of a footpath across the site; it was not needed because of the existing footpaths around the site. It was our intension to apply for permission to develop this private land for housing and an application was submitted in 2001.

We categorically did not give permission for this to be dedicated as a right of way and always made that perfectly clear as our intension was always to develop the land. It is most upsetting to hear that parties would now claim this, when it was clearly never the intension. We allowed permissive access but all local residents knew this was private land and not public land over which they had any legitimate claim.

I trust this helps to set the record straight, establishing what we as landowners intended for our land which was not to give consent to our neighbours to use it and then claim a right.



Karina Gauden



Ystrad Fawr
Caerphilly Road
Ystrad Mynach
Hengoed CF82 7SF
Tel 01443 815588
Fax 01443 816832

Head of Legal Services
Ian Medicott LL.B Solicitor

Ystrad Fawr
Heol Caerffili
Ystrad Mynach
Hengoed CF82 7SF
Ffôn 01443 815588
Ffacs 01443 816832

Pennaeth Gwasanaethau Cyfreithio
Ian G Medicott LL.B Cyfreithiwr

Mr Shenkerof,



| | |
|----------------------------------|-----------------|
| Contact/Cysylltwch â | Mr. J. Rogers |
| Direct line/Llinell Uniongyrchol | 01443 863013 |
| Direct Fax/Ffacs Uniongyrchol | 01443 863154 |
| Your ref/Eich Cyf | |
| Our ref/Ein Cyf | CL525/JR/LP |
| Date/Dyddiad | 11th March 1998 |

Dear Mr Shenkerof,

RE: PROPOSED DEDICATION OF FOOTPATH AT OGILVIE TERRACE, DERI - LAND ACQUISITION

I was instructed some time ago to deal with the dedication of a footpath at the above location. I understand that you own the area of land concerned, and have agreed in principle to dedicate a strip of land for the new footpath to replace a footpath which will be affected by a proposed development.

I understand that, the new footpath ^{has} is already ^{been} ~~being~~ constructed. I am enclosing a site plan showing the proposed footpath.

In order to prepare the Dedication Agreement, I will need details from your title deeds (or office copies of the title if your title to the land is registered), and I assume that you will wish to have a solicitor to deal with this matter on your behalf. I would confirm that the Council will pay your reasonable legal costs in connection with the proposed Dedication Agreement.

I look to hearing either from you or from your solicitor as soon as possible.

Yours sincerely,

HEAD OF LEGAL SERVICES



20

11

4

1

3

1

PH

PROPOSED
FOOTPATH.

312400E

Sub Sta
E1

312450E

SCALE 1:500

Sinks

Issues

Bargued

Mr M Toms



11th February 2016

To whom it may Concern

Claimed Right of Way - Ogilvie terrace, Deri, Bargoed

I write as the applicant (15/0978/FULL) and future purchaser of this land for a single dwelling on this site, granted consent on 10th December 2015.

I am a long standing resident of Deri with close family members living adjacent to this site. I have visited this location over many decades and observed the site which has been nothing more than an unkempt piece of grass land.

I proceeded with an application and the acquisition of this site in the full knowledge that this was private land with footpaths around the boundary of the site, but not across it!

I know the owners well and they maintain that they have at no time given their consent for any neighbours to cross this site as of right and in this knowledge I expect to exchange contracts on the land purchase next week.

The claimed right of way is unnecessary because there are footpaths on the northern and western site boundaries and ready access to footpaths to the south and east. The very existence of all these options means in reality that there is little need for residents to use this claimed right of way and its unauthorised use has been infrequent. The landowners never intended for their land to be used as a footpath and no consent was given for neighbours to use it.

Michael Toms



To Whom it may concern

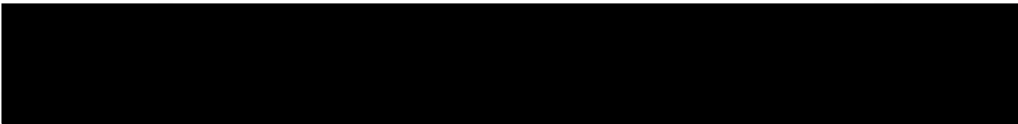
We the undersigned are owners of Oakfields Bungalow sited adjacent to No 1 Ogilvie Terrace Deri.

It has been brought to our attention that statements are being made that we were responsible in the planning and erecting the steps from the footpath in front of Ogilvie Terrace down to the road leading to No1 Ogilvie Terrace.

I want it known to all concerned that we categorically refute any such action by ourselves, as the steps in question are outside our property boundaries and would have no concern or easement to us in any way whatsoever.

Whilst I was building my retaining walls during 1999 I distinctly remember speaking and making cups of tea for the workmen who worked for the local Authority who were building the steps at this time and therefore we can only state once again that we had no involvement and can only assume that the steps are the responsibility of the Local Authority.

As a matter of interest, the lighting at the top and bottom of the steps was installed in April 2002 and this can be verified by the street lighting department of the local Authority.



C G Marshallsea

B T Marshallsea

03/02/2016

1. This site plan is a technical drawing and should be read in conjunction with the accompanying site plan notes.

 2. The site plan is based on the information provided by the client and is not a guarantee of accuracy.

 3. The site plan is subject to change without notice.

 4. The site plan is not to be used for any other purpose without the written consent of the architect.

 5. The site plan is the property of the architect and should be kept confidential.

 6. The site plan is not to be reproduced or distributed without the written consent of the architect.

 7. The site plan is not to be used for any other purpose without the written consent of the architect.

 8. The site plan is not to be reproduced or distributed without the written consent of the architect.

 9. The site plan is not to be used for any other purpose without the written consent of the architect.

 10. The site plan is not to be reproduced or distributed without the written consent of the architect.

1. This site plan is a technical drawing and should be read in conjunction with the accompanying site plan notes.

 2. The site plan is based on the information provided by the client and is not a guarantee of accuracy.

 3. The site plan is subject to change without notice.

 4. The site plan is not to be used for any other purpose without the written consent of the architect.

 5. The site plan is the property of the architect and should be kept confidential.

 6. The site plan is not to be reproduced or distributed without the written consent of the architect.

 7. The site plan is not to be used for any other purpose without the written consent of the architect.

 8. The site plan is not to be reproduced or distributed without the written consent of the architect.

 9. The site plan is not to be used for any other purpose without the written consent of the architect.

 10. The site plan is not to be reproduced or distributed without the written consent of the architect.



- Line of boundary fence
- Line of internal
- Line of drip curbs
- Extent of road widening

Oakfields

Tr

Site Map 1:200

Topo 1:200

JW694 - 105



PLANNING COMMITTEE – 9TH DECEMBER 2015

SUBJECT: SITE VISIT - CODE NO. 15/0978/FULL – LAND AT OGILVIE TERRACE, DERI

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

PRESENT:

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

Councillors Mrs P. Cook, L. Gardiner, J. Simmonds and Mrs J. Summers

1. Apologies for absence were received from Councillors M. Adams, J. Bevan, R.W. Gough, A.G. Higgs, K. Lloyd, Mrs E. Stenner and J. Taylor.
2. The Planning Committee deferred consideration of this application on 4th November 2015 for a site visit. Members and Officers met on site on Friday, 20th November 2015.
3. Details of the application to erect a residential development at Ogilvie Terrace, Deri were noted.
4. Those present viewed the site from various vantage points, walked the boundary, roadway and examined the plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note the application site comprises of undeveloped land surrounded by residential properties to the eastern and western boundaries. There is a small triangular area of open space including trees, shrubs and an electrical substation to the south east of the site, which is outside the application site. There is an existing public footpath, lane and steps surrounding the site which provide connectivity to the existing adopted highway, which abuts the western boundary to the site. The topography of the site is sloping with a cross fall of some 10 metres from west to east. The application has been supported by a Reptile Mitigation Strategy and Method Statement together with a Design and Access Statement.

Full planning approval is sought in respect of the erection of one two-storey, dormer style, four-bedroom, dwelling and detached double garage. The site layout proposes the dwelling to be located in the southern half of the site with the detached garage to the northern half of the site. Vehicular access is proposed off the rear lane serving 1 – 4 Ogilvie Terrace and Oaklands. A new footpath is proposed across the frontage.
6. Members sought clarification on the objections to the development and it was confirmed that, whilst objections were raised relating to loss of view, this was not a planning consideration. In addition, it was noted that the development would not have an overbearing impact on the view of the surrounding properties. Additional objections were raised in reference to the loss of open space in the area. An assessment was conducted on the site and whilst it was identified

to inhabit species of reptile, which have now been relocated to the nearby country park, the site was compliant with the assessment.

7. A Member, in noting that planning permission was refused in 2002, queried the Officer recommendation to approve the application. Officers highlighted that, since 2002, a housing development has been erected adjacent to the site and adaptations have been made to the highway. In addition, Members were assured that the development would be subject to building regulations.
8. Discussions took place regarding Rights of Way, in particular referring to the footpath through the site and fence around the boundary. Officers clarified that the erected fence was a permitted development. If permission is granted, a report on the application to add the footpath to the Definitive Map and Statement will be determined by the Rights of Way Cabinet.
9. Officers confirmed that following advertisement in the press, on site and to 29 neighbouring properties, 13 letters of objection had been received. Details of the objections are contained within the Officer's original report.
10. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
11. A copy of the report submitted to the Planning Committee on 4th November 2015 is attached. Members are now invited to determine the application.

| | | |
|-------------|-------------|---|
| Author: | C. Evans | Committee Services Officer, Ext. 4210 |
| Consultees: | R. Amundson | Principal Planner |
| | M. Davies | Principal Planning Enforcement Officer |
| | L. Cooper | Engineer (Highway Development Control) |
| | J. Piper | Countryside & Rights of Way Support Officer |

Appendices:
Appendix 1 Report submitted to Planning Committee on 4th November 2015

| Code No. and Date Received | Name and Address of Applicant | Description and Location of Proposed Development |
|----------------------------|---|---|
| 15/0978/FULL 05.10.2015 | Mr M Toms C/o SLP The Studio Beaufort Yard Devauden Chepstow NP16 6NT | Erect one dwelling Land At Ogilvie Terrace Deri Bargoed |

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land at Ogilvie Terrace, Deri, CF81 9JD

Site description: The site comprises undeveloped vacant land surrounded by residential properties to the eastern and western boundaries. There is a small triangular area of open space including trees, shrubs and an electricity substation to the south east of the site, which is outside of the application site.

There is an existing public footpath, lane and steps surrounding the site which provide connectivity to the existing adopted highway, which abuts the western boundary of the site.

The topography of the site is sloping with a cross fall of some 10 metres from west to the east.

The application has been supported by a Reptile Mitigation Strategy and Method Statement together with a Design and Access Statement.

Development: Full planning approval is sought in respect of the erection of one, two-storey, dormer style, four-bedroom, dwelling and detached double garage. The site layout proposes the dwelling to be located in the southern half of the site with the detached garage to the northern half of the site. Vehicular access is proposed off the rear lane serving 1 - 4 Ogilvie Terrace and Oaklands. A new footpath is proposed across the site frontage.

Dimensions: The footprint of the proposed dwelling has maximum dimensions of 12.2m (depth) 24.8m (width) 7m (height).

Cont....

Planning application 15/0978/FULL Continued

Materials: External walls comprise cream render with brick plinth, slate tile roof, upvc windows and doors, boundary fencing to north and western boundaries.

Ancillary development, e.g. parking: Proposed six off-street parking spaces, two within a detached garage.

PLANNING HISTORY 2005 TO PRESENT

P/01/0440 – Erect residential development - Refused 07.02.02.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

Policies:

Policy SP1 - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP21 - Car Parking Standards.

CW2 - Amenity, CW3 - Design considerations - highways, CW4 - National Heritage Protection, CW7 - Protection of Open Space, CW15 - General locational constraints, supplementary planning guidance contained in LDP5 - Parking Standards, LDP6 - Building Better Places to Live, LDP7 - Householder Developments. LDP8 - Protection of Open Space.

NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 - Design, TAN 16 - Sport, Recreation and Open Space, Manual for Streets.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

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

Cont....

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions being attached to any consent in respect of access and parking provision. The applicant will also be required to enter into a formal highway agreement with the Authority, which is supported by a bond, in order to undertake the highway improvement works.

Head Of Public Protection - Have no objections to the development subject to standard conditions being attached to any consent in respect of any contamination of the site together with site control measures.

Senior Engineer (Land Drainage) - Has no objection to the development subject to a standard condition being attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of land drainage matters.

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

Countryside And Landscape Services - There are no objections in relation to landscaping issues, however it is considered appropriate to attach a condition to any consent requiring details of any boundary treatment to be agreed with the Local Planning Authority.

ADVERTISEMENT

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

Response: Thirteen objections and one letter of support.

Summary of observations:

- driveway and parking over sewer;
- loss of view/outlook;
- irregularities in submitted plans but does not explain what they are;
- will cause subsidence to existing houses;
- highway considerations;
- a right of way on the land needs to be preserved;
- erection of a fence has already caused problems to residents;
- prevent access for emergency vehicles;
- removal of a green area;

Cont....

Planning application 15/0978/FULL Continued

- refuse vehicle not able to collect bins;
- concern about the geology of the area/subsidence;
- not been consulted about the proposed development;
- scale and design is inappropriate;
- allegations of bribery in respect of Council officers in order to facilitate the positive determination of the planning application.

Letter of support

- will remove an eyesore which devalues property;
- questions the concerns raised regarding the loss of use of a footpath when there are steps with handrails and lighting around the site providing a safer route.

SECTION 17 CRIME AND DISORDER ACT

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

The site supports semi-improved grassland and low lying scrub, the grassland supporting a small number of neutral (5) and acidic (5) indicator species. The habitats have been evaluated as being of local value for wildlife and this assessment is agreed.

The development of the site will result in the loss of this local habitat and no mitigation measures or compensation measures have been proposed to mitigate the loss of this habitat. Therefore the provision of alternative wildlife features within the new property, as compensation for loss of this habitat will be required.

The reptile survey undertaken in May and June 2015 confirmed the presence of a medium population of common lizards and a small population of slow worm within the application site. The submitted Reptile Mitigation Strategy set out how the applicant proposed to capture and remove the reptiles from the site and translocate them to a receptor site in the nearby Parc Cwm Darran. This mitigation strategy is acceptable, and with the exception of final site clearance set out in section 3.8 and 3.9 has already been carried out in advance of the submission of the planning application.

Cont....

Planning application 15/0978/FULL Continued

The submitted Reptile Translocation Records Report confirms that a total of 24 common lizards have been captured from the site and removed to two receptor sites in Parc Cwm Darran during a total of 32 visits to the site, and 6 clear trapping days. No slow worms were caught, but the amount of trapping effort is considered to be acceptable. However in view of the small possibility of some reptiles remaining, a condition should be added to any consent to ensure that ecological supervision is provided during the final site clearance. In the event that any remaining reptiles are discovered and are found to be in hibernation, these will need to be temporarily retaining in captivity before being released in spring.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, however the development is proposed within the lower viability charging zone in respect of CIL, which is set at £0 per square metre and as such CIL will not be payable.

ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues to be considered in the determination of this planning application are considered to be the compatibility of the use with surrounding land uses, design, amenity and highway implications.

Outline planning consent, for residential development of the site for two houses, was previously refused in February 2002 (reference P/01/0440). The application was refused on two grounds, namely the development would be detrimental to the open nature of the street scene and spoil the character of the existing residential area and also that the highway network to serve the site is inadequate.

The first reason for refusal was based on Policy H2 (B) of the then Caerphilly Unitary Development Plan (UDP) and the second reason for refusal was based upon policy DC1(E) of the UDP.

Policy H2 stated - Proposals for housing development on windfall and small sites within the settlement boundaries will be permitted provided that:

B. The development will not result in the insensitive or inappropriate infilling which would spoil the character of an existing residential area.

Cont....

Planning application 15/0978/FULL Continued

The UDP has since been replaced by the Caerphilly County Borough Local Development Plan (LDP) adopted November 2010. Policy SP6 of LDP requires development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through amongst other things an efficient use of land, a high standard of design, a sustainable location and the incorporation of existing natural heritage features. The Council's Adopted Development Design Guide LDP6: Building Better Places to Live provides general guidance as to the design of residential developments, addressing such issues as natural heritage, accessibility, legibility, character and context. Policy CW2 of the LDP considers amenity issues and Policy CW3 of the LDP considers highway issues.

The site comprises an undeveloped area of land situated between semi-detached residential dwellings, on higher ground to the west and lower ground to the east. A detached dwelling is located to the north of the site. The site has no formal land use allocation within the LDP. The surrounding area is characterised by a mix of house types ranging from traditional terraced housing to post war semis and more contemporary modern housing. Again the use of external materials is mixed. The previous refusal was for two dwellings but at that time there were no details of the house types only an indicative site layout plan. This application is for one dwelling. Notwithstanding the footprint of the dwelling is large it sits comfortably in what is considered to be an appropriate infill plot. In addition, the site lies in a sustainable location within the settlement boundary and as such the residential development of the site is acceptable in principle and is in accordance with Policy SP6, subject to compliance with other policies of the LDP relating to issues such as density, scale, massing, detailed design and parking provision.

Policy CW2 considers amenity and in this respect it is considered the proposed residential development of the site is compatible with surrounding residential uses and would not have an adverse impact upon the privacy or amenity of neighbouring residential dwellings. The proposed development would not have an overbearing or overshadowing impact upon neighbouring properties. However, given the location of the site, it is considered appropriate to attach a condition to any consent removing permitted development rights in respect of any extensions or outbuildings in order that the amenity of occupiers of neighbouring residential properties are not adversely impacted upon. In addition, it is considered important that boundary treatment are in keeping with the character of the surrounding street scene and do not impact upon the amenity of neighbouring properties and in this respect it is considered appropriate to attach a condition to any consent requiring boundary details to be submitted to the Local Planning Authority for consideration.

Cont....

Planning application 15/0978/FULL Continued

At the nearest point, the new house will be 10.7m from the existing houses to the west. However, the ground level of the development will be some 5.2m lower than the existing, so that the rear windows will face the retained land, and there will only be two rooflights in the roof serving bedrooms.

Policy CW7 of the LDP aims to protect areas of open space and development will only be permitted where the amount of open space remaining in the neighbourhood would still be adequate to serve local needs, and that the site has no significant value as recreational resource or an area of visual amenity. The site has no formal land use allocation and amounts to an area of steeply sloping wasteland (cross fall of around 10 metres across the site) within an established residential area. There are a network of permissive footpaths around the edge of the site and a recently claimed right of way across the site. The claimed right of way is subject of separate investigation and will be reported as a separate matter. The Supplementary Planning Guidance LDP8 Protection of Open spaces seeks to protect land within the settlement boundaries that are not designated for leisure or recreation and requires applications for development on such open space to be accompanied by an Open Space Assessment. The applicant has submitted such an assessment, which identifies 0.335ha of usable space within the required 0.5km buffer zone, which exceeds the 0.29hectare requirement (as calculated in accordance with the formula contained in LDP8).

In addition to the open space provision within the settlement boundary there are vast tracts of open countryside surrounding the area of northern Deri and in particular Parc Cwm Darren (LDP Policy LE3.2) which is within 50 metres of the site and provides large scale, less formal facilities for recreational activity in a rural setting.

Policy CW7 criterion (b) also seeks to assess a site in terms of its visual and recreational contribution to the surrounding area. It is not considered the loss of this open space would cause undue detriment to either visual amenity of recreational amenity.

Policy CW3 of the LDP considers highway implications and replaces policy DC1 of the former UDP. In this respect the Group Manager (Highways and Transportation) has raised no objection to the development subject to conditions being attached to any consent in respect of access and parking provision.

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

Cont....

Planning application 15/0978/FULL Continued

Comments from public:

- driveway and parking over sewer. Dwr Cymru/Welsh Water have confirmed and identified the existence of their apparatus within the vicinity of the application site, which includes a combined sewer. No operational development will be permitted within 3 metres of the centre line of the public sewer and this has been taken into account in the submitted site layout.
- loss of view/outlook. There is no right to a view in planning terms. The layout, scale and massing of the development, is constrained by site topography and in this respect the design which utilises the roof space ensures that the ridge height of the dwelling is reduced to protect the amenities of those properties to the west. In addition, the slab level of the proposed dwelling is set 5.2m below the slab level of those existing houses. This together with the design and siting of the proposed dwelling will not significantly harm the amenity of privacy of residents of existing dwellings as a result of overlooking. The siting of the proposed dwelling within the southern half of the site also means there is no overlooking of those existing properties at 1 - 4 Ogilvie Terrace located on the lower ground to the north east of the site. Consequently, it is considered the proposed development will not significantly harm the privacy or amenity of occupiers of neighbouring properties as a result of overlooking, and as such is acceptable in planning terms.
- irregularities in submitted plans are mentioned but there is no explanation as to what they are.
- will cause subsidence to existing houses. Any development is the responsibility of the developer who will be required to comply with Building Regulations in terms of the detail of construction.
- highway considerations. This Council's Transportation Engineering Manager has raised no objection to the development subject to the imposition of appropriate conditions as discussed above.
- a right of way on the land needs to be preserved. There is no formal right of way across the land but a claimed right of way application is being considered by the Authority. From a planning point of view there are alternatives around the site that are acceptable.
- erection of a fence has already caused problems to residents. The path through the site is not a dedicated right of way. An application has subsequently been received, under the Wildlife and Countryside Act 1981, to add the footpath to the Definitive Map and Statement. Although evidence user forms were completed a number of years ago no formal application had been submitted until recently. As a planning application has been submitted investigation into the application will be given priority. The formal complaint is being dealt with by the Council Legal Department.

Cont....

Planning application 15/0978/FULL Continued

- prevent access for emergency vehicles. It is not explained how emergency vehicles would be prevented from attending Ogilvie Terrace. The existing adopted highway network serving Ogilvie Terrace will not be compromised by the proposed development.
- removal of a green area. The applicant has submitted an 'Open Space Assessment' as required by Policy CW7 of the LDP and has followed the criteria set out in supplementary planning guidance LDP8 - Protection of Open Space, the details of which are considered satisfactory as discussed above.
- refuse vehicle not able to collect bins. This Council's Head of Public Services has confirmed that his crews have not had any problems collecting bins at Ogilvie Terrace. The only problem has been residents parking their vehicles in a manner which could cause problems for refuse vehicles.
- not been consulted about the proposed development. The application has been advertised in the press, on site, and 29 neighbouring properties have been consulted.
- scale and design is inappropriate. The character of the surrounding area comprises a mix of two-storey, semi-detached, detached and traditional terraced properties with external materials comprising a mixture of render, stone and face brick in walls, both concrete and tile roofs and a mix of upvc and wooden windows. The site is constrained in terms of its topography and relationship with surrounding residential properties. Consequently, the design of the dwelling aims to ensure the privacy and amenity of neighbouring properties is not compromised whilst drawing on design elements in terms of fenestration and materials used in the surrounding houses.
- works have already commenced on site. The site has been secured with fencing. Translocation of reptiles to Parc Cwm Darren has been undertaken in accordance with a Reptile and Mitigation Strategy and Method Statement submitted and overseen by this Council's Ecologist.
- allegations of bribery in respect of Council Officers. Such allegations are derogatory and unfounded.

Other material considerations: None.

In conclusion it is considered the proposed development does not conflict with local plan policies or national planning guidance and as such is acceptable in planning terms.

Cont....

Planning application 15/0978/FULL Continued

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) 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 development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the beneficial occupation of the development hereby approved.
REASON: In the interests of the visual amenities of the area.
- 04) No development shall commence, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding;
 - v) measures to control the emission of dust and dirt during construction;REASON: In the interests of residential amenity.

Cont...

Planning application 15/0978/FULL Continued

- 05) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 06) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 09) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.

Cont....

Planning application 15/0978/FULL Continued

- 10) Ogilvie Terrace and the side lane serving the site shall be improved in accordance with submitted drawing jw694 - 105 B, and in a manner to be firstly submitted to and approved in writing with the Local Planning Authority. Those improvements shall be completed in accordance with the agreed details prior to the first occupation of the proposed dwelling.
REASON: In the interests of highway safety.
- 11) The proposed driveway and parking area shall be completed in permanent materials as approved by the Local Planning Authority before beneficial occupation of the dwelling and shall be constructed with a maximum gradient of 1 in 8.
REASON: In the interests of highway safety.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 14) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: jw694-101 rev K, jw694-102 rev C, jw694 - 105 rev B, (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.
- 15) Prior to construction works starting on site, any remaining vegetation and topsoil shall be removed from site and shall be undertaken under the supervision of an ecologist. Any reptiles found shall be either released to a receptor site or retained temporarily in captivity depending on the season when clearance works occurs, as advised by the applicant's ecologist.
REASON: To ensure adequate protection to protected species.

Cont....

Planning application 15/0978/FULL Continued

- 16) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species on the new property shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide nesting provision for birds as compensation for the loss of wildlife habitat on site.

- 17) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new property at land at Ogilvie Terrace, Deri shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.

Advisory Note(s)

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

The applicant is advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), and the Council's Ecologist.

Residential Dwelling

Land off Ogilvie Terrace, Deri BARGOED.



Design and Access Statement

August 2015

Christine Sullivan BSc (Hons) MRTPI Sullivan Land and Planning christine@slplan.co.uk
Tel / Fax: 01600 861906 Mobile: 07709 581602 The Studio, Beaufort Yard, Devauden, Mons, NP16 6NT.



Document
230 65

Site address:

Land at:
Ogilvie Terrace
Deri
Bargoed

Contact details:

Name of applicant: Mr M Toms
Name of agent: Sullivan Land and Planning
Address:
The Studio,
Beaufort Yard
Devauden
Chepstow
Monmouthshire
Tel: 01600 861906

Sullivan Land and Planning have been instructed to submit this application for one dwelling on land off Ogilvie Terrace Deri, Bargoed. This statement accompanies a full planning application and is to be read in conjunction with all other submission documentation, which accompanies the application.

This statement explains the concept and principles of the development in relation to accessibility, character, community safety, environmental sustainability, movement and assesses the proposal against the relevant Planning Policy framework. The statement demonstrates the proposal accords with relevant National and Local Planning Policy and other material planning policy consideration.

This site comprises undeveloped waste land in the midst of an Inter-War, maybe 1950's estate of substantial semi-detached properties. Other infill developments have taken place over recent years with the development of Woodland Rise adjacent, which have introduced a range and style of design to meet current taste and demand. This current proposal is for a bespoke dwelling on this vacant plot within this urban framework.

The document sets out the following;

1. BACKGROUND AND INTRODUCTION
2. PLANNING POLICY CONTEXT
3. OPEN SPACE ASSESSMENT
4. DESIGN CONTEXT/EVALUATION
5. INCLUSIVE ACCESS
6. MOVEMENT TO FROM AND WITHIN THE DEVELOPMENT
7. COMMUNITY SAFETY
8. ENVIRONMENTAL SUSTAINABILITY
9. SUMMARY
10. APPENDIX 1
11. APPENDIX 2

1. BACKGROUND AND INTRODUCTION

1.1 Site and surrounds

Context

The application site is located towards the northern extremity of the small settlement of Deri, north of Bargoed in northern Caerphilly.

The site itself is surrounded by residential properties of mixed style. On the east and western boundaries the properties are semi-detached, with detached properties to the north and south. To the south and east of the site is a small area of open space including trees shrubs and an electricity substation. The overall character is low density suburban.



Site area

The site area is approximately 1,640m²

Existing use

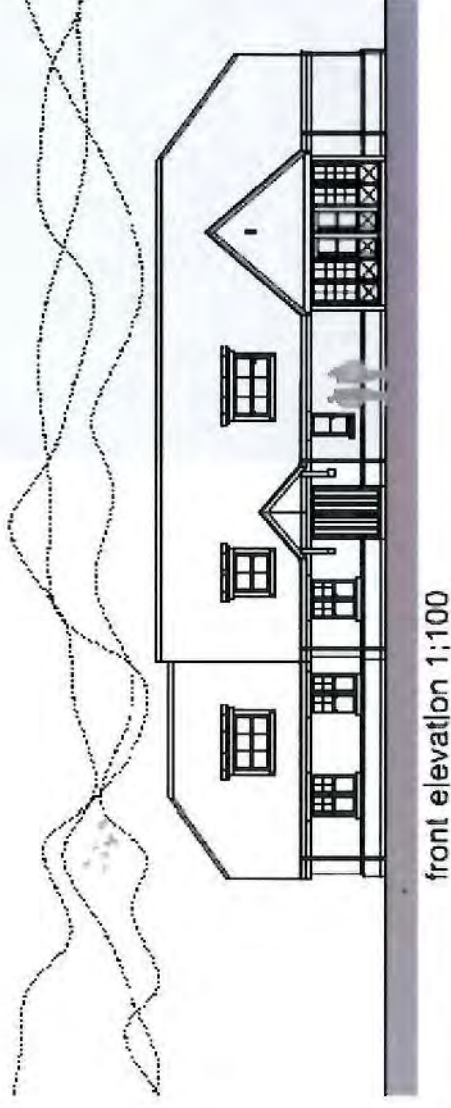
The site comprises an area of sloping vacant land which is overgrown at present.



2. PLANNING POLICY CONTEXT

2.1 Introduction

This Design and Access Statement accompanies an application for a four bedroomed detached dwelling with accommodation in the roof space, large garden, parking and double garage.



2.2 Planning History

The only planning history of direct relevance is P/01/0440 for outline residential development on this site, which was refused on 07/02/2002. This application was refused on two grounds;

- 1) *The construction of dwellings would be detrimental to the open nature of the street scene and spoil the character of the existing residential area in conflict with Policies (Part B of H2 & Part E of Policy DC1) of the UDP.*
- 2) *The highway network adjacent to the site is considered inadequate to cater for the residential development on this site and would conflict with Part H of Policy DC1 of the UDP.*

This outline application was for two dwellings on this site. Plans for this are not available, but we would contest that the previous reasons for refusal, based on the Caerphilly UDP policies are no longer appropriate and would not preclude the development of this site.

The first reason for refusal is based on Policy H2, Part B and DC1 Part E, and these policies are copied below. The street scene in this location is varied and of no clear style or character and this overgrown area of wasteland has no special designation. The character of the area has become more diverse since the previous refusal with the development of new properties in Woodland Rise. The proposal that was previously refused was for two dwellings while this application is for just one dwelling which sits comfortably and is neither insensitive nor inappropriate in the street scene.

Policy DC1Part E is listed below and these requirements of parking and turning are catered for in this detailed application.

The second reason for refusal relates to the inadequacy of the highway network adjacent to the site. This has subsequently been improved and the pre consultation with Highways confirms that this is no longer an issue. See Highway response to the Pre Application Inquiry attached as Appendix1.

Development on Unallocated Sites

H2. PROPOSALS FOR HOUSING DEVELOPMENT ON WINDFALL AND SMALL SITES WITHIN SETTLEMENT BOUNDARIES WILL BE PERMITTED PROVIDED THAT:

B. THE DEVELOPMENT WOULD NOT RESULT IN INSENSITIVE OR INAPPROPRIATE INFILLING WHICH WOULD SPOIL THE CHARACTER OF AN EXISTING RESIDENTIAL AREA

Development Criteria

DC1 DEVELOPMENT WILL BE APPROVED WHERE IT CAN BE SHOWN THAT IT:

E. PROVIDES OR MAINTAINS APPROPRIATE SERVICING AND OPERATIONAL SPACE, INCLUDING THE PROVISION OF APPROPRIATE OPERATIONAL PARKING SPACES AND ADEQUATE PROVISION FOR TURNING, LOADING AND UNLOADING, FOR THE PROPOSED DEVELOPMENT;

H. WOULD NOT HAVE AN UNACCEPTABLE IMPACT IN TERMS OF POLLUTION;

2.3 Planning Policy Context.

The acceptability of this proposal in planning and environmental terms has to consider the following:

- National Planning Policy
- Development Plan Policies
- Material Planning Considerations

2.4 National Planning Policy

Planning Policy Wales (PPW) July 2014 provides the strategic policy framework for local planning authorities to use when preparing development plans and determining applications for planning permission.

The document sets out the Welsh Assembly Government's land use planning policies and is supplemented by a series of Technical Advice Notes (TAN's). PPW is the principle planning document of the Welsh Assembly Government which sets out the land use policy context for the consideration and evaluation of all types of development. The main thrust of PPW is to promote sustainable development by ensuring that the planning system can provide for an adequate and continuous supply of land, available and suitable for development to meet the needs of society in a way that is consistent with the overall sustainability principles.

The following Technical Advice Notes are relevant to this application and have been taken into account.

- TAN(W) 5: Nature Conservation and Planning - 2009
- TAN(W) 6: Planning for Sustainable rural Communities - 2010
- TAN(W) 12: Design - 2014
- TAN(W) 18: Transport - 2007
- TAN(W) 22: Sustainable Buildings - 2010

2.5 Development Plan Policies

Section 54A of the Town and Country Planning Act 1990 requires that proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the statutory policy framework comprises the Caerphilly County Borough Local Development Plan up to 2021, Adopted November 2010.

The key objectives and the specific policies of the plan have been considered in the preparation of this application.

The application site is within the settlement boundary and as such the principle of the residential development of the site is acceptable in planning terms subject to general development control criteria as set out in the policies of the Caerphilly County Borough Local Development Plan (LDP), up to 2021.

In particular the criteria of the general Amenity Policy CW2 of the LDP will be met by this application.

CW2 – Amenity,

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

This Proposal for a single dwelling within an established residential area will not cause undue nuisance that adversely affect the amenity of adjoining land-uses.

Other policies and SPG of the plan which have been closely adhered to include;

- CW3 - Design considerations (Highways)
- CW15 - General locational constraints,
- CW7 - Protection of Open Space, See following Section
- SPG-LDP5 - Parking Standards,
- SPG-LDP6 - Building Better Places to Live, and
- SPG-LDP8 - Protection of Open Space

The compatibility of this proposal with policies of the plan, have been explored through the formal Pre-Application Process and a copy of the formal response is attached as Appendix 1.

8 OPEN SPACE ASSESSMENT

3.1 This application is for the development of a single dwelling on an area of overgrown wasteland within an established residential area. There are a network of permissive footpaths around the edge of the site and a recently claimed right of way across the site. This is the subject of separate investigation and will be reported on as a separate matter as part of this planning submission. The site is overgrown in nature which means it has little active amenity use other than for the roaming of dogs and a single bench located on the high ground in the south western corner.

The Supplementary Planning Guidance LDP8 Protection of Open Space seeks to protect land within settlement boundaries that are not specifically designated for leisure or recreation. The policy states as follows;

Protection of Open Space

CW7 Proposals for development on areas of open space within settlements will only be permitted where:

- A The amount of open space remaining in the neighbourhood would still be adequate to serve local needs**
- B The site has no significant value as a recreational resource or an area of visual amenity**

3.2 This SPG requires applications for development on such open space to be accompanied by an Open Space Assessment. The Plan included in Appendix 2, identifies the Site Survey Boundary and numbers the sites of amenity value. In accordance with SPG LDP8, Appendix 2, shows calculations of the buffer zone within the settlement limit and a recalculation of the threshold for CW7 concluding that 0.29ha of open space is required within the buffer zone.

The Plan in Appendix 2 identifies around 15 sites within the buffer zone including areas of amenity green space and natural and semi natural green space. The calculations in this assessment have been curtailed to the larger more useable areas of amenity green space and this concludes that there is a generous provision of open space within the settlement boundary exceeding the 0.29ha requirement. The development of the site the subject of this application will meet the criteria of CW7 in this regard.

Fig. 1 - Survey Boundary and calculation of threshold.

Total Area of land within 0.5km radius buffer zone (a) = 785398.16m² = 78.54Ha

Total Area of buffer zone inside settlement limits (b) = 82630 m² = 8.26Ha (10.5%)

Therefore recalculated threshold level for CW7 (part a) = 10.5% of 3ha = 0.29ha

- 3.3 There are 15 sites within the buffer zone including areas of amenity green space and natural and semi natural green space and of these we have assessed that only 7 have some value as useable amenity space. These 7 sites vary greatly in their size, shape and topography and few if any are truly useable. The table included in Appendix 2 includes measurements of the individual sites and has taken an across the board assumption that 50% of each site is useable. On the basis that only 50% is useable, the total useable open space within the buffer is calculated as 0.335ha which exceeds the required 0.29ha threshold, thus meeting the criteria of Policy CW7 of the LDP.
- 3.4 In addition to the ample provision of open space within the settlement boundary there are vast tracts of open countryside surrounding this area of northern Deri and in particular Parc Cwm Darran(LDP Policy LE3.2) which is within 50meters of the site and provides large scale, less formal facilities for recreational activities in a rural setting.
- 3.5 Policy CW7 Criterion (b) also seeks to assess a site in terms of its visual and recreational contribution to the surrounding area. This is a judgement taken on the merit of each individual site, but given the considerations listed in the SPG, we feel confident that the development of this parcel of land will not cause undue detriment to either visual or recreational assets.

4. DESIGN CONTEXT/EVALUATION

Design Context;

4.1 This application is founded on a full understanding of the site and context.

The **development form** of the surrounding area includes a mix of semi-detached dwellings to the rear and detached properties to the north, east and south.

The access lane fronting the sites eastern boundary currently provides residential access and can readily facilitate this development.

Parking can readily be made available within the site curtilage.

There is no predominant use of **building material** in the locality with a mixture of render, stone and multiple colours of brick.

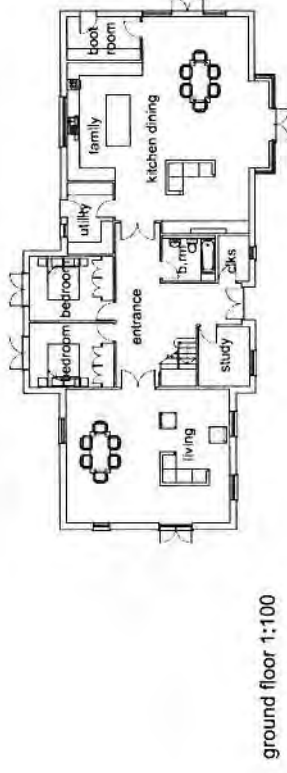
The **curtilage treatment** of the surrounding properties includes railings, fencing, boundary walls and hedges.

With this understanding of the site an initial scheme was drawn up and submitted as part of a formal Pre-Application. The response is attached as Appendix 1 to this document and identified a number of recommendations and amendments. These included a reduction in the size of the proposed dwelling and the introduction of a footpath around the sites southern and eastern edges. This evolved design is the subject of this current application.



Design Considerations

- *The development proposals should respond appropriately to the site topography.*
- *A design ethos should respect the site and surrounding properties.*
- *Permeability around the site should be maintained.*
- *Parking should be accommodated on plot.*
- *Sensitivity to the landscape, including views in and out must be maintained.*



4.2 An appropriate design response has been based on the full appreciation of the site specific constraints and opportunities. This culminates in a series of design objectives that will help to deliver a successful scheme.

Constraints and Opportunities: Analysis

4.3 The principle issues for consideration are as follows;

Constraints

1. New access required.
2. Removal of rock outcrop.
3. Loss of vegetation.
4. Earth works to create building platform.
5. Pedestrian movements curtailed to boundary of site.

Opportunities

6. The newly created access will also introduce a footpath to the site boundary.
7. Any reptiles found on site will be translocated to an appropriate receptor site.
8. Proposed position of dwelling chosen to minimise groundwork's.
9. Attractive bespoke dwelling introduced to street scene.
10. Visual impact on the surrounding residential area minimal.

Design Concept

4.4 The design concept illustrates the underlying principles that will form the basis for the site layout. The concept has emerged from the constraints and opportunities analysis, detailed consideration of the design objectives and consultation with the planning Department as part of the Pre-App process. The key elements of the concept are;

1. Development designed to work within the existing topography
2. Designing a high quality bespoke dwelling appropriate for the site.
3. Removing/translocating any reptiles to a receptor site.
4. Creating a dwelling that relates well to the existing residential area.

- 4.5 The evaluation of the site presents a full understanding of the constraints and opportunities pertaining to the site. A series of design objectives emerged from this and have guided the design and layout. This section presents the strategy which achieves these objectives.
- The overall aim is to maximise the potential of the plot with a high quality, sustainable development which sits comfortably within the existing residential area.

Site Layout

- 4.6 The layout for the property is configured to ensure that practicality of use and privacy for all is at the heart of the design. The dwelling has been designed to meet the needs of the applicant and his family. It includes living accommodation and two bedrooms downstairs and a further two bedrooms with ensuite facilities within the roof space. This design which utilizes the roof space ensures that the ridge height of the dwelling is reduced to protect the amenities of those properties to the west.
- Pedestrian access is from the front of the property directly onto the new footpath fronting Ogilvie Terrace. Four parking spaces are to be created to the side of the property together with a double garage allowing for good off road parking provision. The parking area is to be permeable grey resin bound gravel providing a sustainable, attractive and accessible surface.
- The front area adjacent to the building is to be paved, again providing a firm, accessible surface. To the front and rear of the property there will be defined soft landscaping beds with native species of nectar producing shrubs and ground cover together with areas laid to lawn.

5. INCLUSIVE ACCESS

5.1 The building is designed to be as flexible and accessible as possible for future users within the constraints of the site. The proposals will adopt the principles of 'Inclusive Design' as set out in TAN12. The proposal will adopt a level threshold throughout, providing easy access for all including those with mobility impairments, sensory impairments and learning difficulties. In this way the premises can adapt to varying requirements over time.

Internal access into and throughout the property are to be level at all thresholds. Doors are to have a clear width appropriate to wheelchair usage and the downstairs WC and other areas are to be designed to comply with disabled access requirements as laid out in part M. The use of full height windows in key locations will allow good line of sight for seated occupiers.

The external hard landscaping is to be level access with part M compliant ramps (max 1:12) where topography requires. It is proposed to provide vehicular access directly onto the site via that length of Ogilvie Terrace to the front/eastern elevation of the property, accommodating 4No. parking spaces and a double garage.

6. MOVEMENT TO FROM AND WITHIN THE DEVELOPMENT

Connection, Parking, Modes and Servicing

6.1 The site is located towards the northern end of the small settlement of Deri. It has excellent transport links to Newport, Cardiff and the M4 by a variety of transport modes.

- 6.2 The site is in a very accessible location, situated less than 50metres from a bus stop on Bailey Street, and 2.7miles from Bargoed Railway Station.
- 6.3 Private transport links remain important in these smaller settlements and therefore associated parking (4 spaces) and garaging (2 spaces) is provided on site. The proposed property will provide secure off-road car parking with additional space for the provision of secure cycle storage in the garage facility. The close proximity of dedicated pedestrian and cycle routes allow for other sustainable modes of transport to be promoted.
- 6.4 The site will be serviced off Ogilvie Terrace and it is not proposed to alter this provision. The servicing arrangements, which have supplied the existing dwelling as well as those houses in the vicinity satisfactorily in the past are anticipated as being successfully employable at the proposal site.

7. COMMUNITY SAFETY

- 7.1 The application site is in an established residential area which has not suffered unduly from anti-social behaviour or vandalism. The site has been designed to limit the opportunities to exploit this and has been informed by practical crime prevention measures outlined in Secured by Design New Homes guidance. The proposal is for 1No residential property located on a vacant plot. There is no conflict in use as the development site is located predominantly within a residential area.
- 7.2 The site boundary is clearly delineated. The boundaries will continue to be protected to all sides by establishing site boundaries.
- 7.3 The vehicular and pedestrian routes have been designed to be visually open, direct and well used. Paths are a minimum of 1200mm wide.

- 7.4 Planting is to be established and maintained and where new beds are adjacent to paths, these will be chosen to ensure that no pinch points or places of concealment will be created as vegetation grows. Planting will be designed to ensure that natural surveillance is not impaired. The proposal has been located in such a way as to not directly overlook any other property, maintaining the safety and security of the buildings in the surrounding area. The car parking area to the side has, been located so as to benefit from natural surveillance.
- 7.5 External doors will be PAS 24 rated, a burglar alarm will be utilized and all external lighting will be linked to PIR detectors. It is the intention to involve the local Secured by Design architectural liaison officer to ensure that their local knowledge can be incorporated.

8. ENVIRONMENTAL SUSTAINABILITY

- 8.1 In accordance with Technical Advice Note 22; Planning for Sustainable Buildings, this development will adopt a general approach to reduce its carbon footprint by looking to:
- Reduce the amount of energy the building uses.
 - Maximise the free gains available to the site
 - Addressing the energy source.

The code for sustainable homes

- 8.2 Appropriate measures will be taken to ensure the proposed dwelling complies or exceed Code 3 of the Code for Sustainable Homes. It is proposed to achieve a 25 - 36% improvement in Dwelling Emission Rate (DER) over Target

Emission Rate (TER) by upgrading the building fabric to give improved U values in combination with solar water heating and air source heat pumps as follows:

- Wall U-Values typically 0.35W/m²K
- Floor U-Values typically 0.25W/m²K
- Roof U-Values typically 0.25W/m²K
- Double glazing U-Values typically 2.2W/m²K
- External Doors U-Values typically 2.2W/m²K
- Air permeability testing typically 10 m³/m²/hr@50Pa
- 2.2m sq gross area solar water heating panel per unit
- 200 litre twin coil cylinder with 100mm insulation and 80 litres dedicated solar storage
- Central mechanical extract fan with Appendix Q testing to save around 240 kWh/yr over SAP default

8.3 The kitchen will be fitted with energy efficient white goods to include A+ graded EU Energy Efficiency Labelling Scheme for fridges and freezers and A graded EU EELS for washing machines and dishwashers. All internal lighting will be energy efficient and where possible, external lights will be controlled by timers, daylight sensors or movement sensors depending on the location. Compliant cycle storage will be provided and it is anticipated that the use of green spaces on the site will enable ecology credits to be achievable. Lifetime homes criteria (refer to section 5 - Inclusive Access) are to be adhered to allowing these credits to be achieved.

9. SUMMARY

9.1 The site presents an opportunity to provide a quality dwelling, within an existing residential area close to excellent transport links. The principle of adapting to site topography is established in the local area, and this scheme builds on that principle sensitively and appropriately, to maximize the potential of the site whilst retaining architectural undertones of the streetscape.

The core aim is to create a new single family dwelling, which positively interacts with its surrounding area, employing high quality design. The scheme is mindful of the nature of the site location and seeks to ensure quality of outlook and privacy for future residents and existing adjacent occupiers.

The end result is a bespoke scheme, which considers the challenges of the site, to create a pleasant, safe and secure environment for new occupiers.

10. APPENDIX 1

Ms C Sullivan
 Shadow Holdings
 Sullivan Land And Planning
 The Studio
 Beaufort Yard
 Devauden
 Chepstow
 NP16 6NT

Head of Regeneration and
 Planning
 Pauline Elliott

Pennaeth Adfywio a Chynllunio
 Pauline Elliott

Your Ref/Eich Cyf:
 Our Ref/Ein Cyf:
 Contact/Cysylltwch â:
 Telephone/Ffon:
 E Mail/E Bost:
 Date/Dyddiad:

PE/14/0705
 Mrs M Davies
 01495 235227
 planadmin@caerphilly.gov.uk
 18 February 2015

Dear Sir/Madam

Without prejudice

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. PE/14/0705

Erect one dwelling

Land Off Ogilvie Terrace, Deri, Bargoed.

I refer to the above pre-application enquiry and the subsequent site visit made to the site on the 15th January 2015, regarding the same.

Design and Access Statement



Policy

The application site is within the settlement boundary and as such the principle of the residential development of the site is acceptable in planning terms subject to general development control criteria as set out in the policies of the Caerphilly County Borough Local Development Plan (LDP), up to 2021.

In this respect I would draw your attention to policies, CW2 – Amenity, CW3 – Design considerations (Highways) CW15 – General locational constraints, CW7 – Protection of Open Space, together with supplementary planning guidance contained in LDP5 – Parking Standards, LDP6 – Building Better Places to Live and LDP8 – Protection of Open Space, albeit this list is not exhaustive.

Consultee responses

Please be advised that I have received the following consultee informal responses regarding the proposal: -

Highways

No objection to the proposal subject to the following comments: -

Improvements are required to Ogilvie Terrace by way of a road widening across the frontage of the plot to provide a carriageway width of 4.8m, together with the provision of a 2.0m wide footway from the pedestrian entrance to the plot running southward then east up the hill to tie into the footpath adjacent to number 5.

A visibility splay of 2.0m x 33m must be provided at the nearby road junction up the hill.

Ecologist

The site appears to show semi natural habitat on the site. In addition the site has the potential to support reptiles. An extended Phase 1 habitat survey should be undertaken together with a reptile survey undertaken at an appropriate time of year. A report should be submitted with the planning application that outlines the details of the survey together with an assessment on the impact of the proposal on any habitats or species present on site. As reptiles are protected from killing and injuring under the Wildlife and Countryside Act 1981 (as amended), if reptiles are found to be present on site, details of a methodology to capture and translocate the reptiles to a suitable receptor site, will also be required.

Senior Engineer Land Drainage

No information relating to surface water drainage proposals have been provided. Therefore prior to the commencement of any development of the site the applicant must submit to the authority, and receive written approval of, comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with.

These proposals should be part of a 'Sustainable Drainage System (SUDS)' with preference to the use of soakaways. Soakaways will only be permitted if the applicant can satisfy the authority that permeability tests have confirmed the suitability of the ground on site for their use and the soakaway(s) can be situated such that their discharge will not affect adjacent land, structures or highways. Any soakaways constructed must be designed in accordance with B.R.E Digest 365 and located a min. of 5m from the public highway and any existing or proposed buildings.

Should it be concluded that soakaways are not suitable the surface water run off may be permitted to discharge to the existing watercourse. Any proposal to discharge surface water flows is likely to be limited to maximum rates of flow which will be determined by this authority, by the installation of onsite storage facilities in association with a controlled discharge device.

In the case of any proposed connections to private drains the consent of the owner or joint owners will also be required together with the permission of intervening land owners should it be proposed to construct any off site pipeline.

The applicant must ensure that during the development period and thereafter that surface water, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of temporary or permanent cut off drainage.

No discharge of surface water from the completed development will be permitted to drain to the public highway or any highway drain.

Depending on site levels the applicant should consider the installation of appropriate cut off drainage to intercept surface water from any adjacent higher ground that might otherwise affect the completed development.

Early consultation with Welsh Water is advised to establish the existence of any of their apparatus within the proposed site.

In summary, prior to the commencement of any development of the site the applicant must submit to the authority, and receive written approval of, comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010.

Head of Public Protection

Has no objection to the development subject to conditions being attached to any consent to deal with any contamination of the site including a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed together with any remediation measures and validation of the same.

Design and site layout

Any planning application must be accompanied by a Design and Access statement. In this respect your client should explain how the proposed scheme has regard for the surrounding context and complies with the policies of the LDP.

It is my officer's opinion that the size of the bungalow in terms of its footprint in this prominent location represents an incongruous development in the street scene, which has no regard for the character of the surrounding area. This aspect of the development is also exacerbated by the introduction of canopies at each end of the bungalow.

I trust the above information is of assistance to you.

Yours faithfully



DEVELOPMENT CONTROL MANAGER

11. APPENDIX 2

Open Space Assessment - Northern Deri (August '15)

Based on Application site as submitted, off Ogilvie Terrace, Deri.

| Ref | Typology | Condition | Current Usage | Access | Useable/non-useable | Approx Area |
|-----|-------------------|----------------|-------------------|-------------|------------------------------------|-------------|
| 1 | Green space | Overgrown | Mown footpath | Open to all | Part Useable/part non useable | 0.16ha |
| 2 | Green space | Mown/overgrown | No sign of use | Open to all | Part Useable/part non useable | 0.16ha |
| 3 | R'dside verge | Overgrown | No sign of use | Open to all | Part Useable/part non useable | 0.10ha |
| 4 | R'dside verge | Mown | Mown/no use | Open to all | Part Useable/part non useable | 0.02ha |
| 5 | R'dside verge | Overgrown | Seating | Open to all | Part Useable/part non useable | 0.04ha |
| 6 | Green space | Overgrown | Sub station/swing | Open to all | Part Useable/part non useable | 0.03ha |
| 7 | Natural/semi N GS | Overgrown | No sign of use | Open to all | Part Useable/part non useable | 0.32ha |
| | | | | | Total of sites 2-7 | 0.67ha |
| | | | | | Assuming 50% usable | 0.335ha |
| | | | | | Remaining open space within buffer | 0.335ha |

Land off Ogilvie Terrace, Derr

