

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0620/FULL 12.11.2018	Mr H Yearsley C/o Mr L Evans 2 Craig Ysguthan The Rise Llanbradach CF83 3PY	Demolish existing retail shop and erect residential flats Yearsleys Discount 1 Lon-Y-Twyn Caerphilly CF83 1NW

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Yearsleys Discount, 1 Lon-Y-Twyn, Caerphilly, CF83 1NW

Site description: A Commercial premise located on the northern side of Lon-Y-Twyn Road comprised of a plumbing business with associated service/parking area to the east. To the east of the site is Holmesdale a detached bungalow located at a lower level and fronting East View Road. To the west is a private car park with businesses located beyond (4, 4A and 4B Market Street), to the north at a lower level is the rear service area of a Municipal club which fronts Market Street with residential properties beyond (2 North View Terrace and Meadow House). To the south is Lon-Y-Twyn Road with properties on East View (8 and 9 East View) beyond.

Development: Demolish existing retail shop and erect residential flats. The application was originally submitted for a three storey building containing six flats however following negotiation this has been revised to a two storey building with four number three bedroom flats.

Dimensions: 17.6m wide by 12.4m deep with an overall height of 7.8m high.

Materials:

Walls: Brick and Render.

Roof: Slate effect Tile.

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Ancillary development, e.g. parking: 4 car parking spaces.

PLANNING HISTORY 2005 TO PRESENT

07/1216/OUT - Erect 4 no. two-bedroom flats on two storeys with the appropriate level of car parking - Granted - 11.03.2010.

POLICY

LOCAL DEVELOPMENT PLAN: Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary and the principal town centre boundary for Caerphilly.

Policies:

CM1 (Principal Town Centre Boundaries), CW2 (Amenity), CW3 (Highways), CW14 (Use Class Restrictions - Retail), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY:

Planning Policy Wales (Edition 10), Technical Advice Note 12: Design.

Planning Policy Wales paragraph 3.16 states

"Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence."

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Planning Policy Wales paragraph 6.721 states

"Regard should be paid to current air quality and noise levels and the quality of the existing soundscape and account taken of any relevant local air quality action plan, noise action plan and/or local or regional air quality strategy as part of development strategies and proposals in development plans and before determining planning applications."

Planning Policy Wales Paragraph 6.724 states

"The potential impacts of noise pollution arising from existing development, be this commercial, industrial, transport related or cultural venues (such as music venues, theatres or arts centres), must be fully considered to ensure the effects on new development can be adequately controlled to safeguard amenity and any necessary measures and controls should be incorporated as part of the proposed new development. This will help to prevent the risk of restrictions or possible closure of existing premises or adverse impacts on transport infrastructure due to noise and other complaints from occupiers of new developments. It will be important that the most appropriate level of information is provided and assessment undertaken."

Planning Policy Wales paragraph 6.7.5 states

"Air Quality and soundscape influence choice of location and distribution of development and it will be important to consider the relationship of proposed development to existing development and its surrounding area and its potential to exacerbate or create poor air quality or inappropriate soundscapes. The agent of change principle says that a business or person responsible for introducing a change is responsible for managing that change. In practice, for example, this means a developer would have to ensure that solutions to address air quality or noise from nearby pre-existing infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable."

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Building a Better Place to live),
Supplementary Planning guidance note LDP5 - Car Parking standards,
Caerphilly Basin Masterplan.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

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COAL MINING LEGACY

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

This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

CADW - Having carefully considered the information provided with the planning application, their records show that there are no scheduled monuments or registered historic parks and gardens that would be affected by the proposed development.

They have no comments to make on the proposed development.

Senior Engineer (Land Drainage) - No objections subject to planning condition requiring full drainage details being imposed.

Police Architectural Liaison Officer - No objections, recommends developer looks to build to Secured by Design standard.

CCBC Housing Enabling Officer - Following the revised plans being submitted the proposed development does not meet the threshold for an affordable housing contribution.

Transportation Engineering Manager - No objection subject to the imposition of conditions to address detailed highway considerations including parking, visibility and access.

Head Of Public Protection - No objections subject to the imposition of planning conditions to address matters of demolition and construction in terms of method of demolition and dust/noise suppression.

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Ecologist - The application proposes to demolish the existing retail shop and erect residential flats. A Bat Scoping Survey was undertaken by a competent ecologist (Ecological Services, Ltd) at an appropriate time of year. The methodology and findings of the survey report are considered satisfactory.

The Bat Scoping Survey Report confirms that an External Scoping Survey was undertaken on the 6th October 2018 and no bats or evidence of bat use was observed.

The report concludes that prior to works starting, the demolition contractor must state in writing that all aspects of the building can be accessed safely and soft stripped. If soft stripping cannot be guaranteed prior to works starting then the project must not proceed and further exit surveys in the summer months be undertaken. If subsequently any area of the building becomes unsafe to soft strip the works will stop, the area will be fenced off and the project will wait until summer when bat surveys can be undertaken. It is recommended that the project can proceed without the requirement of maternity season exit surveys but under the Bat Method Statement included in Section 9 of the submitted Bat Scoping Survey Report.

Recommends planning conditions and advisory notes to address ecological matters.
Dwr Cymru - No objection. Recommends planning condition.

ADVERTISEMENT

Extent of advertisement:

The application was advertised via a site notice and 7 neighbour notification letters were sent. A reconsultation was carried out following the receipt of amended plans.

Response:

6 representations were received from the occupiers of 2 properties. In addition two letters that state they are not objecting to the application but express concerns at certain aspects have been received from local businesses.

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Summary of observations:

- In respect of the originally submitted scheme the following objections were received:
- Insufficient parking for flats and visitors
- Insufficient access/turning facility
- Visibility from parking area
- Lack of parking and likelihood for increasing on street parking
- Existing highway network capacity/congestion issues including from school traffic
- At peak times Emergency Vehicles & Commercial Vehicles are unable to drive through East View
- Concern over demolition of existing building and disposal of any asbestos
- Overlooking from this development and other consented development
- Loss of Privacy
- Loss of Light
- Overdevelopment
- Overbearing impact
- Loss of Views
- Bin storage could be a fire risk
- Is there a requirement for there to be a sprinkler system installed within a development of this nature in Wales?
- Will the flats have robust fire prevention and fire fighting equipment installed
- We often have bats in the garden at night, would there be a need for a bat survey?
- Drainage issues in the area
- Need for a contaminated land survey
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The matters raised by the local businesses are:

- Municipal club raises concerns in relation to potential future noise complaints from residents of the proposed apartments due to the club being a licensed premise with music and entertainment during week nights and weekends.
- Impact on existing retaining wall stability.
- Request for boundary treatments to be conditioned.

SECTION 17 CRIME AND DISORDER ACT

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

It is not considered that crime and disorder will be materially affected by the development.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species?

A Bat survey (prepared by Ecological Services Ltd) was carried out and no bats or evidence of bats was found, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable?

The development is within the Higher Viability Zone for CIL attracting a fee of £40/Sqm.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area.

The application site is located within the defined Principal town centre boundary for Caerphilly designated under adopted Local Development Plan Policy CM1 (Principal Town Centre Boundaries) and this policy is intended to operate in tandem with Policy CW14 (Use Class Restrictions - Retail) which includes restrictive criteria for changes of use from A1 retail premises. The existing business on the application site is a single storey warehouse building occupied by "Plumbsave" a plumber's merchants which is open to both trade and members of the public. It is considered that this existing business use would fall within Class A1 of the Use Classes Order. The criteria for a change of use within Policy CW14 is that within the Principal Town Centre boundary, changes of use sought to the ground floor of class A1 retail premises to other uses will only be permitted where;

- i) The commercial vacancy rate of the centre has been over 10% for over a year and
- ii) For a change to residential use the property is located on the edge of the centre.

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In this respect it is noted that the latest available vacancy figures for Caerphilly Town Centre (2017) is 9.5% and this vacancy rate has increased from 9.01% which has been the vacancy figure since 2014. This figure whilst substantial is however less than 10% vacancy rate stated within Policy CW14. It is therefore considered that the proposed development would not comply with criterion (i) of Policy CW14.

In relation to criterion (ii) of Policy CW14 the application site is adjacent to the edge of the defined town centre boundary near to residential properties located on East View and therefore the proposal would comply with criterion (ii). In terms of its location the premise is located away some 40 metres away from Market Street and is the final retail unit at the eastern end of Lon-Y-Twyn with other commercial buildings on Lon-Y-Twyn having a dual frontage on both Market Street and Lon-Y-Twyn and therefore the loss of the unit would not result in a break in retail frontage being at the periphery of the existing retail offer. It is considered that the development would accord with Policy CW15 (General Locational Constraints) in not prejudicing the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use and would accord with the role and function of the settlement of Caerphilly. The approved Caerphilly Basin Masterplan notes that in paragraph 5.15

"The development of new residential units within the town centre will: help diversify the existing housing stock in the town; promote housing in sustainable locations that are well served by public transport; and increase footfall in the town centre."

It is also noted that the application site history indicates that the application site was granted outline planning permission (07/1216/OUT) for residential use in 2010 which included the loss of the current A1 use but this outline permission was not progressed to reserved matters and has now lapsed.

In terms of the proposed development whilst acknowledging that it would not accord with policy CW14 this has been weighed against the fact that the site has previously been granted outline planning permission which if implemented would have removed the A1 business use from the site. In also considering the merits of the proposal it is noted that it would represent a comprehensive redevelopment of the site including the demolition of the existing "Plumbsave" building. The building is constructed of single skin blockwork with the main building having a pitched roof with asbestos sheets. Sheet cladding is also present on upper portions of the front and side elevations. The visual appearance of the building whilst painted is generally poor in terms of its form and materials and contributes little to the character of the area.

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Following negotiation to reduce the overall scale of the development the proposed development would provide a two storey apartment building located in a broadly similar position to the existing Plumbsave building where it fronts Lon-Y-Twyn but would not extend as far northwards as the existing building. The new building has an eaves height of 5.8m and a ridge height of 7.8m and this would be an increase in massing compared with the existing building which has a maximum height of 7m and reduces to 4m at the eastern end and 3.8m at the western end. The proposed building would include a centralised front gable detail to the principal elevation and would have a hipped roof form to the main roof. It would be finished in painted render to the ground floor and face brickwork to the first floor with a slate effect roof tile. Brick detailing above and below the windows is also proposed. It is considered that the visual appearance of the building would be acceptable according with adopted Local Development Plan Policy SP6 (Place making).

The impact on neighbour amenity has been considered. A property to the east (Holmesdale) is a detached bungalow located at a lower level than the application site. The rear fenestration of Holmesdale faces primarily north-west viewing down their own rear garden area. However the existing building on the application site (Plumbsave) is already visible to the western side from the outlook of the rear fenestration from Holmesdale and the Plumbsave building at a higher level extends in its north-east corner to the edge of the application site on the boundary with the rear garden of Holmesdale. The proposed apartment building in contrast will be several metres away from the boundary with the rear garden of Holmesdale.

It is acknowledged that in terms of its height the proposed apartment building will be higher than the existing building in terms of eaves and ridge height, however noting the reduced depth of the footprint compared with the existing building and the hipped roof form of the apartment building it is not considered that it would have an unacceptable overbearing impact on the occupiers of Holmesdale. The footprint of the new building would be around 17m away from the footprint of Holmesdale at its closest point and there would be no fenestration directly viewing towards the existing windows in Holmesdale. The fenestration to the north facing rear elevation of the apartment building would view across the end of the garden of Holmesdale and a rear yard of the Municipal Club with other residential curtilage areas beyond. The bungalow Holmesdale has a generous sized garden (circa 25m long) and whilst overlooking will be introduced to the north-western end of the garden a substantial amenity area close to the rear of the bungalow would not be overlooked. Further residential properties to the north-east (Meadow House) and north-west (2 North View Terrace) would not be unacceptably impacted in terms of overlooking to their amenity areas or existing fenestration.

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There are several extant planning consents on a parcel of land to the north-east of the site forming part of the amenity area of a bungalow (Ty Nant) located to the north-east of Holmesdale. These extant permissions relate to a detached dwelling (15/0574/FULL) and also an apartment block (17/0445/FULL) but due to overlapping footprints only one of these permissions could be implemented. There would be angled orientations between the development proposed in this application and either of the buildings approved under the extant permissions and it is considered that were the current apartment building proposed under this application be approved there would be no unacceptable impact in terms of overlooking if one of the extant permissions on the land within the current amenity area of Ty-Nant was constructed.

In terms of the impact of the development on residential amenity from fenestration on the front elevation of the proposed apartment building there are residential properties located to the south of Lon-Y-Twyn that include 8 and 9 East View. These existing residential properties are angled in relation to the application site with their north-east facing side elevations and north-west facing rear elevations visible from Lon-Y-Twyn Road. The front elevation of the proposed apartment building would view across Lon-Y-Twyn Road with at least 19m separation distance to the closest window in these dwellings and that would be an angled view with windows not directly facing each other and there would be 10.5m separation distance to the nearest garden areas on the opposite side of Lon-Y-Twyn which is considered acceptable within the urban context. It is also noted that the rear facades of these properties on East View are already visible from public pavements on Lon-Y-Twyn Road and a balcony on 9 East View is also visible from Lon-Y-Twyn Road meaning users of the balcony do not benefit from great levels of privacy at present.

It is not considered that the development would have such a severe impact in terms of overlooking or loss of privacy to warrant refusal of the application on this basis. The development accords with Policy CW2 (Amenity) in having an acceptable impact on the existing levels of amenity of occupiers of all surrounding residential properties.

In relation to car parking and access, Lon-Y-Twyn Road is a one way street with vehicles travelling in an eastwardly direction from Market Street only. Following comments from the Highway Authority a revised parking arrangement has been received which provides four car parking spaces and allows for turning within the site. It is noted that due to the sustainable location of the development in close proximity to local shops and amenities as well as public transportation the reduction in parking provided accords with adopted Supplementary Planning Guidance note LDP5 (Car Parking Standards) and Policy CW3 (Highways).

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Comments from Consultees:

- Addressed in the body of this report.

Comments from public:

- Insufficient parking for flats and visitors
- Insufficient access/turning facility
- Visibility from parking area
- Lack of parking and likelihood for increasing on street parking.
- Existing highway network capacity/congestion issues including from school traffic
- At peak times Emergency Vehicles & Commercial Vehicles are unable to drive through East View.

These matters have been addressed through the amended parking layout which provides for turning within the site, the proposed planning conditions to restrict boundary treatment heights to ensure suitable visibility. The Highway Authority have considered the proposed development in terms of the level of parking/traffic generation and deemed it acceptable due to the limited scale of the development as well as the sustainable location of the site.

- Concern over demolition of existing building and disposal of any asbestos.

This would be a matter for the developer to address. An informative note is proposed highlighting the need to employ a suitably qualified contractor for removal of any asbestos.

- Overlooking from this development and other consented development.
- Loss of Privacy

The impact of the development has been considered in respect of the existing surrounding residential properties as well as the extant planning permissions on land within the garden of Ty Nant. It is not considered that unacceptable loss of privacy or overlooking would be introduced by the development.

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- Loss of Light
- Overdevelopment
- Overbearing impact

The development has been considered on its merits taking into consideration the scale of the proposed development which has been reduced from three storeys to two storeys and from six flats to four flats following negotiation with the applicant. The development is not considered to result in overdevelopment, unacceptable loss of light or have an overbearing impact to surrounding residential properties both built and consented.

- Loss of Views

This is not a material planning consideration.

- Bin storage could be a fire risk

Noting the scale of the development it is not considered that there would be a substantial risk in this regard.

- Is there a requirement for there to be a sprinkler system installed within a development of this nature in Wales?
- Will the flats have robust fire prevention and fire fighting equipment installed.

These matters would be addressed through the Building Regulations process.

- We often have bats in the garden at night, would there be a need for a bat survey?

A bat survey was carried out in respect of the existing building and no evidence of bat using the building was found. The Council's Ecologist has offered no objection to the proposed development. Mitigation for bats is proposed to be incorporated into the new building and where deemed necessary planning conditions have been imposed.

- Drainage issues in the area

Dwr Cymru and the Land Drainage Officer have offered no objections to the development

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- Need for a contaminated land survey

The Environmental Health Officer has reviewed the proposal and has not advised this is required.

- Municipal club raises concerns in relation to potential future noise complaints from residents of the proposed apartments due to the club being a licenced premise with music and entertainment during week nights and weekends.

In accordance with Planning Policy Wales (Edition 10) consideration has been given to the comments of the existing Municipal club business in respect of the impact of the proposed residential development and the 'agent of change' (PPW 10 see above) principle in terms of the existing soundscape that exists in the area and the characteristics of the place. There are existing residential properties in close proximity to the north-east of the Municipal Club with those properties located on North View Terrace and also to the east on East View. The existing requirements under Environmental Health legislation for the club to operate in relation to these noise sensitive receptors is considered equally appropriate for the proposed new sensitive receptors that would be introduced by the proposed development. In this existing context and having received the comments of the Environmental Health Officer which does not recommend any acoustic mitigation measures, it is considered that the proposed new apartments will not be incompatible with the existing uses in the area.

- Impact on existing retaining wall stability.

The development does not extend to the rear boundary of the site with the retaining wall but the land it is located upon is retained by it. It would be a private matter for the developer to ensure construction does not affect the stability of the walling.

- Request for boundary treatments to be conditioned.

Boundary Treatments are to be agreed via a planning condition.

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Other material considerations:

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

The development is acceptable in terms of its use, appearance and impact on neighbour amenity and highway safety. It is recommended for approval accordingly.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan and Site Plan, drawing reference 04 rev C, received 25.03.19;
 - Proposed Site Plan, drawing reference 03 rev C, received 25.03.19;
 - Proposed Elevations, drawing reference 02 rev B, received 15.01.19.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 04) 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 occupation of the development.
REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the development commencing, a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.
REASON: In the interests of nature conservation in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The development shall be carried out in accordance with the Bat Method Statement included in Section 9 of the submitted Bat Scoping Survey Report.
REASON: To ensure adequate protection to protected species.

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- 09) The provision of roosting sites for bats (5 lbstock Type b Bat Bricks) and nesting sites for house nesting birds (4 bird bricks for House sparrow and 4lbstock swift boxes) shall be incorporated into the new flats as shown in Section 3 and 4 of the submitted Ecological Mitigation Strategy undertaken by Ecological Services Ltd dated November 2018. The provision of roosting and nesting sites shall be implemented before the development hereby approved is first occupied.
REASON: To provide mitigation and enhancement for protected species, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 10) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.
REASON: To ensure that the demolition is carried out in an appropriate manner in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 13) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) Prior to the occupation of the dwelling(s) hereby approved all hard surfacing within the curtilage(s) shall have been:
1) constructed in porous or permeable materials, or
2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the site, and
3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials,
and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.
REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) The gates hereby approved shall not open outwards over the public highway.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 16) 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, any boundary enclosures fronting Lon-Y-Twyn shall at all times be limited to no higher than 0.6m in height.
REASON: In the interests of highway safety to ensure adequate pedestrian visibility splays in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) Prior to the development hereby approved being occupied the footway fronting the site along Lon-Y-Twyn shall be altered in terms of regularising the existing dropped crossing and levels in a manner that shall have been first submitted to and agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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Advisory Note(s)

Please find attached the comments of The Council's Head Of Public Protection, Police Architectural Liaison Officer, The Council's Ecologist, and Dwr Cymru/Welsh Water that are brought to the applicant's attention.

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

The developer is reminded that a registered Asbestos contractor should undertake any required asbestos removal works.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

