

**Application Number:** 19/1024/RM

**Date Received:** 06.01.2020

**Applicant:** Taylor Wimpey South Wales

**Description and Location of Development:** Seek approval of the reserved matters regarding details of appearance, landscaping, layout and scale of planning consent 15/0252/OUT (granted on appeal reference APP/K6920/A/15/3137884) (Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access) (as renewed by planning consent 18/1059/NCC) - Land At Cwmgelli Blackwood

**APPLICATION TYPE:** Approval of Reserved Matters

### SITE AND DEVELOPMENT

Location: Land at Cwmgelli, Blackwood, NP12 1BZ.

Site description: This application site is located to the north of the A4048, immediately adjacent to the settlement boundary of Blackwood. The site is greenfield and is approximately 5.89 ha in area comprising a number of agricultural fields located to the north and east of Cwm Gelli farmhouse and Barn, both of which are Grade II listed buildings.

The site is bounded to the south/south east by the A4048 and residential properties that front onto the A4048, to the south west by boundary hedgerows and trees and residential properties in Cwm Gelli Villas, with more residential properties in Cwmgelli further beyond, including a more recent housing development within Coed Gelli Parc. The north of the site is bounded by open fields, the northern extent of which lie within the setting of the Grade II listed Maes Manor Hotel and its Historic Park and Garden.

Development: A reserved matters application is submitted seeking approval of details in respect of the appearance, landscaping, layout and scale of 164 dwellings pursuant to outline planning permission reference 15/0252/FULL with only access approved, which was granted on appeal on the 27th April 2016. This permission was subsequently renewed by planning permission 18/1059/NCC.

The proposed development comprises of a mixture of 1, 2, 3 and 4 bedroom houses and apartments, as well as one bungalow. 25 percent of the proposed dwellings will be delivered as affordable units and will be transferred to POBL Housing Association.

The application is supported by the following documents:-

Arboricultural Impact Assessment and Arboricultural Method Statement.  
Tree Constraints Plan.

Tree Protection Plan.  
Tree Retention Plan.  
Heritage Statement.  
Planning Statement.  
Transport Statement.  
Tree Survey.  
Design and Access Statement.  
Preliminary Ecological Assessment.

Materials: It is proposed to finish the residential dwellings in a combination of rough cast render (painted off white or natural cream) and brick. The proposed roof materials are reconstituted slate and concrete tile. Reconstituted stone plinths are also proposed throughout the development.

Proposed boundary treatments will be a combination of metal railings, ranch rail timber fencing, close boarded timber fencing and brick screen walling.

Ancillary development, e.g. parking: The submitted details show a large area of public open space incorporating a Locally Equipped Area of Play (LEAP) located immediately to the north of the listed farm complex, as well as a corridor of public open space running from north to south through the site to facilitate visual connectivity between the Maes Manor listed building and the Cwm Gelli listed farm complex. Another area of public open space is shown in the north east corner of the site.

Landscaping and retaining works are proposed across the site due to the change in levels, i.e. the land rises from the south west to the north east. Footpath links are proposed in the south west, north east and south east corners of the site to facilitate access to the wider area by foot.

## PLANNING HISTORY 2005 TO PRESENT

14/0312/FULL - Erect stable extension to existing garage - Granted 07.07.14.

15/0252/OUT - Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access - Appeal Allowed - 27.04.16.

18/1059/NCC - Vary condition 2 of planning consent 15/0252/OUT (Erect residential development, public open space, landscaping, highway improvements and associated engineering works with all matters reserved except for access) granted on appeal reference APP/K6920/A/15/3137884 to extend the period for the submission of reserved matters by a further three years granted 14.11.19.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: Outside of any settlement boundary and within the Blackwood, Oakdale and Penmaen Green Wedge as identified by Policy SI1.9 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010. The application site is a greenfield parcel of land in the Northern Connections Corridor (NCC) located to the north of Blackwood Town Centre.

Policies:

Strategic Policies SP2 (Development Strategy in the Northern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place making), SP10 Conservation of Natural Heritage), SP14 (Total Housing Requirements) SP15 (Affordable Housing Target), and SP21 (Parking Standards).

Countywide Policies CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design considerations - Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow protection), CW10 (Leisure and Open space provision), CW11 (Affordable Housing Planning obligation), and CW15 - General locational constraints.

Supplementary planning guidance contained in LDP1 (Affordable Housing Obligations), LDP4 (Trees and Development), LDP 5 (Parking standards), and LDP6 (Building Better Places to Live).

NATIONAL POLICY Planning Policy Wales (10th Edition), Technical Advice Note (TAN) 2: Planning and Affordable Housing; TAN5: Nature Conservation and Planning; TAN12: Design; TAN24: The Historic Environment.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? The proposal was screened at Outline application stage and was not deemed to be EIA development.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The development falls within the Development High Risk Area and as such the Coal Authority requested appropriate conditions that were attached to the Outline planning consent.

CONSULTATION

Head of Public Protection - On the basis that the condition relating to secondary glazing attached to the outline permission is not compromised, raise no issue with the current layout as proposed by the applicant in principle. Based on the submitted Ground

Stabilisation of Shallow Mine Workings Specification and Estimated Bill of Quantities report, raise no objection subject to conditions.

The Coal Authority – Raise no objection and confirm that the information submitted with the application is satisfactory in relation to conditions 4 and 5 attached to the outline planning permission. No objections and discharge conditions 4 and 5 of outline consent.

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

Head of Public Services - With regards to the waste collection services, a plan has been included detailing bin storage and collection points which appears satisfactory.

Strategic & Development Plans – Raise no objection to the reserved matters application and its increase in density, as it will deliver market and affordable housing in an area where there is housing need and where there is a low housing land supply.

Police Architectural Liaison Officer - No response.

Natural Resources Wales - No objection.

Welsh Historic Garden Trust - No response.

Glam/Gwent Archaeological Trust - No archaeological objections.

Gwent Wildlife Trust - No response.

CADW - State that the information submitted with the reserved matters application shows that the proposed development will be similar to that considered at the appeal, i.e. the Outline planning permission. Consequently CADW's opinion is that the development will have a slight, but not significant impact on the setting of the registered Maes Manor Hotel historic park and garden. On this basis they raise no objection.

Transportation Engineering Manager - Confirms that the TRICS data within the Transport Statement that accompanied the application illustrates the impact upon the highway from the proposed 164 residential development will not have a detrimental impact upon the Highway. However, there is no Travel Plan and one should be submitted to lessen the impact of car borne journeys from the proposed development. This requirement will be controlled by way of condition.

With regard to existing transport infrastructure, confirms that the site is served by the A4048 with a footway on the north side. There are bus stops on the A4048 that serve the wider community and also an off-road cycle path that helps facilitate bicycle traffic to Argoed to the North and Blackwood to the South. In terms of sustainable transport measures this site can be served with those who do not wish to make car borne journeys.

In terms of car parking provision within the site, Highways are satisfied that the proposed development provides on plot car parking in accordance with the adopted car parking standards. In addition, 10 dedicated visitors' spaces are provided along the northern edge of the main area of public open space.

Head of Public Protection - No objection subject to compliance with the relevant conditions attached at Outline planning permission stage.

Heritage and Placemaking Officer - Raises no objection to the principle of development. Concern is raised regarding to the substation building located to the north east of the Cwm Gelli farm complex. However, it is considered that subject to the use of appropriate materials and landscaping features, this is not a significant concern. A condition will also be attached to any permission requiring details of samples of materials for walls, etc. to be agreed to ensure the proposal does not detract from the listed farm complex.

CCBC - 21st Century Schools - Confirms that there is adequate room in the Welsh and English medium schools to accommodate catchment children from the application. On this basis no objection is raised.

Dwr Cymru - No objection subject to the drainage condition attached to the outline Planning Permission.

Glam/Gwent Archaeological Trust - Based on the archaeological desk-based assessment that has been submitted, agree with the conclusion of the assessment, i.e. that it was likely that no mitigation would be required. The assessment also detailed that the Historic Environment Record was not adversely affected by the proposal.

Natural Resources Wales - Raise no objection to the proposal as submitted based on the Preliminary Ecological Appraisal prepared by Soltys Brewster Ecology (dated December 2019).

Western Power Distribution - Provides advice to the developer.

Senior Arboricultural Officer (Trees) - Seeks clarification on the existing hedgerow and associated trees located along Cwm Gelli Villas, identified as G2 in the submitted arboricultural information. Updated plans have been submitted showing the retention of this hedgerow/trees, and therefore this matter is considered to be acceptable subject to conditions.

Concerns are also raised in terms of the potential impact of the trees identified as T7 & T8 and how these trees will impact on the amenity of the proposed dwellings at Plots 59 & 60. On the basis that these properties will be transferred to POBL Housing, the long-term management of these trees will be controlled by POBL Group as part of their maintenance responsibilities. In conclusion raises no objection subject to advice being relayed to the developer.

CCBC Housing Enabling Officer - Provides advice regarding the clustering of the proposed affordable units as well as the specification of the proposed bungalow shown on Plot 96. It should be noted that as the proposed bungalow is fully DQR compliant and will be controlled by POBL group, it is not reasonable to require that the unit be fully accessible for a disabled person as the S106 does not require such provision.

On the basis that 41 of the 164 proposed dwellings will be provided as affordable units, the proposal complies with the relevant affordable housing requirement of 25% as secured by the Section 106 Agreement in accordance with Policy CW11 of the LDP.

Head of Public Services - Raises no objection and states that there appears to be ample storage areas for bins and designated collection points for the kerbside collection for all waste streams at most of the properties. Provides advice to the developer regarding the size of collection points.

Ecologist - No objection subject to conditions relating to ecological enhancements across the site. The applicant has submitted details showing the provision of bird nesting boxes, bat boxes and hedgehog access. These details will be secured by way of condition as well as additional conditions relating to a Construction Environmental Management Plan (CEMP), a lighting strategy to ensure existing boundary vegetation remains unlit, as well as wildlife friendly drainage.

Landscape Architect - The landscape officer generally supports landscape proposals and welcomes the approach to the proposed POS, LAPS and LEAPS but raised the following concerns/points for clarification which can be summarised as follows:

Clarification regarding the management of the POS;  
Concerns regarding some boundary treatments proposed;  
Full details of the proposed LEAP, LAPS and informal sports area, including equipment, safety surfacing, self-closing gates and boundary fencing and treatments must be agreed with CCBC parks department;  
Street furniture should to be painted galvanised steel not timber;  
Minor comments on specific trees and hedges within landscaping scheme; and  
A Landscape Maintenance Specification and Maintenance Schedule is required.

Conditions attached to the outline planning permission cover the LEAP (including proposed furniture), LAP and open space concerns, and conditions will be attached to the reserved matter consent relating to hard and soft landscaping and boundary treatments.

The landscape officer has also made comments relating to drainage. Drainage is reserved by planning conditions on the outline consent and not for consideration as part of this reserved matters application.

Rights of Way Officer – Requests the developer to upgrade the public rights of way surrounding the application site. However, as this application relates to a reserved

matters submission pursuant to an outline consent, the Local Planning Authority are bound by the legal agreement which prevails, and which unfortunately makes no reference to the need for the improvement of adjacent rights of way. Guidance on the use of conditions prevents more onerous conditions being imposed at reserved matters stage (particularly where they were not raised at the outline stage).

## ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site by way of site notice, and 50 neighbouring properties have been consulted. Neighbour consultation was undertaken in January 2020 and August 2020.

Response: A total of 25 objection letters/emails have been received, as well as a petition objecting to the application signed by 241 individuals. An objection has also been received from the AM and two local Members.

Summary of observations: (In no particular order):

1. Principle of the development, i.e. outside of the defined settlement boundary.
2. Development within a green wedge.
3. Number of dwellings proposed exceeds those indicated at outline planning stage. i.e. Increase of +45 dwellings proposed.
4. The applicant has land banked and renewed the original time in which to submit a reserved matters application.
5. There are other brownfield sites available for development within and immediately surrounding Blackwood.
6. The development will result in the coalescence of Argoed, Blackwood, and Cefn Forest.
7. Impact on amenity by virtue of levels differences, i.e. large retaining walls proposed.
8. Detrimental impact of the development on Cwm Gelli Farm and The Maes Manor Hotel, two of Blackwood's oldest listed buildings.
9. The visual impact on the Green Wedge when viewed from the Oakdale, Penmaen side of the valley has not been considered previously by Mr Thickett (Chief Inspector for Wales who allowed the Outline planning permission at appeal).
10. The reserved matters application will have a greater physical and visual impact on the whole area and will be both immediate and long term.
11. Impact on residential amenity, i.e. loss of sunlight and daylight to existing nearby residential properties.
12. Loss of privacy.
13. Noise, dust and vibration disruption to neighbouring properties during construction works.
14. Highways safety concerns due to increase of traffic.
15. Existing A4048 is dangerous and existing residents (including children) cannot safety cross.
16. Access safety concerns when entering and existing the site onto the A4048.

17. Concerns that proposal will result in increase parking pressure on Cwmgelli Lane which will result in long vehicular reversing movements.
18. Queries regarding accuracy of the submitted transport assessment.
19. Displacement of parking for existing Cwmgelli residents with no compensatory parking areas provided.
20. Land Drainage concerns, i.e. proposed development will exacerbate existing land and foul drainage issues for existing residents of Cwmgelli.
21. Concerns about rainwater runoff during construction.
22. The development intends to build up to an existing culvert.
23. The number of dwellings together with the loss of green spaces and trees will exacerbate flooding experienced by Cwmgelli residents and the A4048.
24. Coal Mining legacy concerns and claims that the land is unstable.
25. Concerns relating to radon gas onsite and how this will be addressed during construction.
26. Development will result in increased pressure on local infrastructure, i.e. schools, doctor's surgeries, etc.
27. Committee members refused the application and the application was granted at appeal.
28. The LDP has changed and the figures in the press required for the housing stock are incorrect.
29. Loss of green space.
30. Detrimental impact on ecology.
31. The proposal is contrary to the 'Cleaner Greener Caerphilly' motto by virtue of its carbon footprint.
32. Internal dimensions should be increased for all identified affordable dwellings.
33. Loss of view.
34. Light pollution during and after development.
35. Concern regarding the impact of the development upon an existing culvert.
36. The application should be delayed to allow the replacement LDP and place making plans to be developed.
37. Request for before and after viewpoints of the site from the Chartist Bridge with 120 and 164 houses to compare the difference.
38. Requests confirmation that Welsh Water are aware of the increase in the number of dwellings proposed.
39. Detrimental impact on existing resident's livelihoods.
40. Requests a new outline application be submitted on the basis that it is claimed that the Minister has confirmed that the proposed development is completely outside of the scope of the original permissions.
41. Seeking confirmation that the reserved matters application will not progress based on the above point.

The Member of the Senedd has objected to the application and, in summary, has raised the following concerns:

The site is in the green wedge and, therefore, development is unacceptable and against planning policy;



The Affordable dwellings are the minimum standards and these may need to be enlarged subject to the outcome of the current review being undertaken on the Design Quality Requirements set by Welsh Government;

GP practices should be consulted on the applications since they are currently saturated;  
Potential impact on schools;

Impact on highway network as a result of increased traffic generated by development:  
and

The application is not suitable as a Reserved Matters application since it is markedly different to the original application.

### SECTION 17 CRIME AND DISORDER ACT

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on the Preliminary Ecological Assessment that was submitted with the application, no objection has been raised by the Councils Ecologist or Natural Resources Wales, although biodiversity enhancement conditions are recommended.

Is this development Community Infrastructure Levy liable? Yes, new residential development is liable to pay the Community Infrastructure Levy. Blackwood lies within the Mid Viability Area and as such general market housing is liable to pay £25 per square metre (plus indexation). In terms of the proposed market housing, i.e. excluding affordable housing that is eligible for CIL relief, the proposed development will require the CIL payment of £348,225 that will contribute to future infrastructure. Based on the Indexation rate at the time of this report, this CIL payment would be approximately £463,313.

### ANALYSIS

Policies: The application has been considered in accordance with National planning policy and local plan policy and guidance. Outline planning permission for the development of the application site was allowed at Appeal by the Planning Inspectorate in April 2016. An application to extend the period for the submission of the reserved matters for the development was reported to and agreed by Planning Committee in February 2019. On this basis the principle of residential development of the site is been established.

The application seeks reserved matters approval for the siting, scale, layout and landscaping for the proposed residential development of 164 dwellings. On the basis that the principle of the development has already been established, the main issues for this application are:-

1. Density.
2. Design, layout and placemaking.
3. Impact on residential amenity.
4. Highway safety.
5. Open space provision.
6. Heritage impact.
7. Affordable Housing.
8. Ecology.
9. Trees and landscape.
10. Drainage and Coal Mining Legacy.
11. Section 106 and Community Infrastructure Levy.

These matters will be discussed in turn below.

#### Density

A common objection to the submitted application is the number of dwellings proposed. When the original outline application was submitted and determined, the indicative plans submitted with the application indicated that the development would provide approximately 115 new dwellings on the site. This approximate number was also referenced in the Transport Statement and Design and Access statement that accompanied the outline planning application. However, the number of proposed dwellings was not specified in the description of the development, and in coming to his decision to allow the appeal, the appointed Inspector did not specify or condition the maximum number of dwellings that would be allowed on the site. On this basis, and based on relevant case law, the application for 164 dwellings on the site was accepted as a valid application and has been considered based on the number of dwellings proposed.

The appeal decision states the proposed development as being "residential development, public open space, landscaping, highway improvements and associated engineering works", with all matters bar access being reserved for subsequent approval. The consent was conditional upon 10 conditions. Condition 1 requiring the submission of reserved matters including layout. There is no condition requiring the development to be built in accordance with specified drawings other than for some junction works (Condition 9) and access and splay works (Condition 10).

Case law sets out the legal position as to what constitutes planning permission. *Telford and Wrekin Council v Secretary of State for Communities and Local Government* [2013] EWHC 79 (Admin) [33] confirms a planning permission is to be constructed "within the four corners of the consent itself", referring to the description of the permitted

development, the conditions and any other documents incorporated into it by reference (including the listed permitted drawings as determined in the case of *Barnett v Secretary of State* [2009] EWCA Civ 476). This means where the wording is clear on its face, then the issue parties may have intended is not material and the legal test is simply what a reasonable reader would understand was permitted. In this instance, the outline consent is clear that it grants outline consent for "residential" development and does not contain any condition limiting the quantum of development or any reference to drawings that show a fixed number of units. This means that the reserved matters application for layout can increase the number of units so long as the *Wheatcroft* principle is satisfied.

In the *Wheatcroft* decision the High Court considered the issue of amendments in the context of conditions and established that "the main, but not the only criterion on which...judgment should be exercised is whether the development is so changed that to grant it would be to deprive those who should have been consulted on the changed development of the opportunity". The legal test, therefore, is essentially the issue of fairness to third parties as opposed to the previous focus only being on whether the change was substantially different to what was originally proposed. In this instance, therefore, on the basis that the public have been given sufficient time to comment on the reserved matters application and the supporting planning documentation is updated to take into account the impact of the increased number of dwellings, then the *Wheatcroft* principle has been satisfied.

It should also be noted that Planning Policy Wales (10th Edition) relates to the efficient use of land. Paragraph 4.2.22 states:

"Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links."

Based on the site area, the delivery of 164 new dwellings would equate to a density of 28 dwellings per hectare, which is considered to be an appropriate level of density for an edge of settlement site in relatively close proximity to a local Town Centre. Conversely the provision of 115 dwellings at the site would result in a density of less than 20 dwellings per hectare which is low for an edge of settlement site and would represent a less efficient use of land than the development as proposed. On this basis that number dwellings proposed is considered to be appropriate for the site and acceptable in planning policy terms.

#### Design, layout and placemaking

The place-making goals of Planning Policy Wales (hereafter PPW10) and Policy SP6 of the adopted LDP require development to be good quality, designed sustainably and to make a positive contribution to the local area.

The proposed scheme as initially proposed was broadly considered to be acceptable in place-making terms, but the following changes were negotiated:-

Improved visual links through the site by creating a corridor of public open space allowing visual interconnectivity between the Maes Manor hotel and the Cwm Gelli farm complex; and  
changes to the retaining structures on the site boundaries.

The revised scheme, subject to this report, is discussed in more detail against the policy requirements.

The proposed scheme, in place-making terms, is an appropriate density for the area, representing an efficient use of land in the context of its edge of settlement location. The proposal will form an extension to the Blackwood settlement and the layout respects the surrounding development mirroring the form of the existing development along Cwm Gelli Villas to the south west and Woodland Terrace to the south east. The proposed scheme also respects its interface with the open countryside by having a more spacious, less dense layout along the north boundary and retaining existing trees on the site boundaries.

A focal aspect of the development are the central areas of public open space which have the dual purpose of providing open space to the proposed development and wider community as well as providing a natural buffer between the development to protect the setting of the listed farm complex to the south. The extent of open space will provide a distinctive and inviting place to live as well as enabling the local community to access high quality open space enhancing their well-being, which is a key placemaking principle in PPW10.

To further respect the setting of the listed farm and barn complex, the dwellings facing onto the natural buffer are in a crescent formation. The proposed dwellings in this location are premium house types, finished in rough cast render and slate effect tiles to reflect the materials of the listed barn. The layout in relation to the listed farm complex is highly visible as you enter the site creating a distinctive sense of place and high-quality built environment unique to the site.

The wider layout has been carefully considered with an obvious street hierarchy including adoptable standard roads, shared surfaced areas and private drives. The main adoptable roads will be tree lined to enhance their appearance and add natural features throughout the built form.

The proposed street frontages are well considered in terms of the combination of dwelling types placed together which would provide interesting and logical streetscapes. Focal plots and corner plots are deliberately dual aspect and have higher quality boundary treatments to add interest and ensure vistas within the site are interesting.

The proposal also contains excellent legibility including a main access point to the south along the A4048 together with 3 No. footpath links. Two of the footpath links provide access to an existing right of way along the eastern boundary of the site enabling easy use of the right of way by future residents. The third footpath link is provided in the south western corner and provides a convenient pedestrian route to Blackwood town centre. The proposal has been devised to encourage pedestrian trips and is considered to be positive in this regard.

The appearance of the proposal is traditional in nature, reflecting its surroundings and proximity to the listed farm complex. The scale of development is predominately two storey dwellings throughout aside from 1 No. bungalow to be provided in affordable tenure at plot 96.

The external materials are high quality including brick, rough cast rendering (off white and cream colour), reconstituted stone plinths and boundary walls and slate effect tiles. Hard landscaping will include block paving to shared area and tarmac to the main roads. The specification of materials and hard landscaping details will be secured via planning condition to ensure the final materials are high quality.

Additionally, the scheme introduces landscaping throughout, as mentioned above and discussed later in more detail, including the retention of existing trees on the site periphery and also proposes new street trees.

The scheme provides a range of housing choices including 1, 2, 3 and 4 bedroom dwellings in private and affordable tenure. All of the proposed dwellings are spacious, have private rear gardens and on plot or allocated parking. The scheme will provide high quality housing which meets local housing needs.

The revised proposals have addressed the initial concerns raised and are considered to accord with Policy SP6 and the place-making principles of PPW10 and promote an acceptable development which supports positive place-making.

#### Impact on residential amenity

Policy CW2 of the adopted LDP relates to amenity and states that development proposals should not have an unacceptable impact on the amenity of adjacent properties or land; should not result in over-development of the site; the use should be compatible with surrounding land uses; and the viability of existing neighbouring land uses should not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

In terms of the impact on the amenity of adjacent neighbours, it is considered that the residential properties primarily impacted by the proposal are those located on Cwm Gelli Villas (nos. 1-11), Nos. 1-3 Fields Cottages, and the property known as Llwyn-celyn, which are all located along the south western boundary of the proposed development. At present an existing hedgerow containing several trees runs along the boundary of the

site in this location, and the application site rises up from this point. Initially it was proposed to remove this hedgerow and construct a large retaining wall in this position. However, on the basis that was considered to be unacceptable in terms of visual and residential amenity impact, the scheme has been redesigned in this location whereby the proposed retaining wall has been reduced in scale and pulled back into the site, and the majority of the existing hedgerow will be retained. It is considered that these amendments have overcome the concerns in terms of residential and visual amenity impact. It should also be noted that the proposed houses located along the south western edge of the site are located at least 21 metres away from the existing dwellings to the south west, which is an acceptable privacy distance. The impact of the proposed dwelling will be further negated by the retention of the hedgerow and trees in this location.

The other existing properties that will be impacted by the proposed development are the five properties located on Woodland Terrace, which are located to the north east of the application site and are accessed via the A4048. These properties comprise of a two-storey detached property to the north east of proposed Plot 1, and a pair of semi-detached two storey properties and a pair of semi-detached bungalows. It is noted that the property located along the north east boundary adjacent to proposed Plot 1, has side facing windows. On this basis, to ensure there is no overlooking impact, the first-floor side facing window in Plot 1 (that serves a landing) will be obscurely glazed and secured as such by way of condition. Given the side to side relationship, the dwelling proposed at Plot 1 is considered to be acceptable in terms of impact on residential amenity.

The proposed dwellings nearest to the boundary to the rear of Woodland Terrace are located between 20-25 metres away, which is considered to be an acceptable separation distance in terms of impact on residential amenity. On this basis it is not considered that the proposed development will have an unacceptable impact on the amenity of adjacent properties, and therefore complies with Policy CW2 Criterion i.

The number of dwellings proposed is not considered to represent over-development of the site, indeed as outlined above, the number of dwellings proposed is considered to be an appropriate density for the site and represents an efficient use of land. The proposed development is also compatible with the surrounding land uses, and the proposal will not impact on the viability of existing neighbouring land uses. On this basis the proposed development complies with Policy CW2 of the LDP.

#### Highway safety

The reserved matters application was accompanied by a Transport Statement that considered the impact of the proposed 164 houses on the surrounding highway network. This assessment concluded that the traffic impacts of this 164 unit do not differ materially from those presented previously for a 120 unit development, and that the development's traffic will result in an insignificant increase in traffic volume on

surrounding roads with those roads having ample spare capacity to accommodate the additional traffic.

Based on this assessment, and the data contained within it, the Transportation Engineering Manager raises no objection to the proposed development. It should be noted that conditions were attached to the outline planning permission regarding the new ghost island that is required on the A4048 to allow vehicles to turn right into the development site, as well as securing the required visibility splay at the entrance to the site.

On the basis that the development provides on plot parking in accordance with the adopted car parking standards, dedicated visitor parking provision, and the internal roads, junctions and turning heads are acceptable from a highway safety perspective, the Transportation Engineering Manager raises no objection to the proposal subject to conditions.

#### Open space provision

A large area of formal public open space is proposed centrally within the site and will act as a natural buffer to the north of the listed Cwm Gelli farm complex. This area will provide a Locally Equipped Area of Play (LEAP) to serve future residents of the proposed development, and such provision was secured by way of a condition attached to the outline planning permission. There is also an area of open space running from the large, central area of public open space to the northern boundary of the site, which will provide visual interconnectivity between the Cwm Gelli farm complex and the Maes Manor hotel to the north. Again, this is a centrally located area of open space that will benefit the future residents of the area, as well as being beneficial from a visual amenity perspective both within the site, and when viewed from a distance from the east. A third, significant area of public open space is proposed in the north east corner of the site that will serve a gateway between the development and the public footpath and wider countryside to the north and east of the proposed development. Based on this generous provision of high quality public open space, the proposal complies with the relevant policy, i.e. CW10 of the LDP.

#### Heritage impact

National planning guidance, concerning the treatment of the historic environment across Wales, is detailed in Section 6.1 of Chapter 6 Distinctive and Natural Places of Planning Policy Wales (PPW) 10. At Paragraph 6.1.2, it identifies the historic environment as comprising individual historic features, such as archaeological sites, historic buildings and historic parks, gardens, townscapes and landscapes, collectively known as 'historic assets.'

At Paragraph 6.1.6 the Welsh Government's specific objectives for the historic environment are outlined. Of these, the following is of relevance to the current

assessment. This seeks to 'safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved.'

At Paragraph 6.1.7, it is stated that: 'It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.'

As such, with regard to decision making, it is stated that, 'Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.'

In deciding to allow the Appeal at outline planning stage, the Inspector noted how the site forms part of the setting of the Cwm Gelli farm complex (comprising two listed buildings) and the Maes Manor hotel, and how the loss of green fields, due to development, would have an impact on their settings. The Inspector, however, concluded that the proposed public open space shown in the Indicative Layout to the north of Cwm Gelli Farmhouse would retain sufficient openness around the farmhouse and barn to preserve the setting of the listed buildings adjacent to the site.

In terms of the reserved matters application, whilst additional houses are proposed, this would not result in any additional effects on the significance of designated historic assets since the proposed layout retains the majority of the public open space to shown at outline stage which, as confirmed by the Inspector, serves to prevent any adverse effect on the significance of the Maes Manor hotel and the listed buildings at Cwm Gelli Farm, and their settings.

Based on the submitted details, no objection to the proposed development has been raised by CADW or the Council's Conservation and Design Officer. Concerns were raised by the Conservation and Design Officer regarding the small substation location to the north east of the Cwm Gelli Farm complex, but subject to the use of appropriate materials which respect the existing listed barn, as well as landscaping, it is considered that the impact of this small building would be acceptable. The materials of the substation will be secured by condition to ensure they are high quality.

The proposed development has an acceptable impact on the nearby heritage assets and is not considered materially different from the impact assessed as acceptable by the Inspector at outline stage. The proposal is, therefore, in accordance with national planning policy.

#### Affordable Housing

The outline planning permission for the residential development of the site was granted subject to a Section 106 Agreement that required the provision of 25% affordable



housing to be provided onsite. This accords with Policy CW11 (Affordable Housing Planning Obligation) of the adopted LDP. It should be noted that the submitted plans show the provision of 25% affordable housing, i.e. 41 of the 164 dwellings. The affordable units will be transferred to POBL Housing Association.

## Ecology

Policy CW4 requires the protection of the natural features of importance for biodiversity. The existing site is a greenfield site which is predominantly grassed with trees located sporadically along its peripheries.

The application was supported by a Phase 1 Ecology Survey which concluded, amongst other things, that site conditions remain consistent with the findings of the previous surveys which accompanied the outline application, which found the site was predominantly grazed improved grassland which has limited ecological value. The specific features on site which have notable ecological interest include scattered trees, hedgerows and an oak tree adjacent to, but outside of, the application site. These features are to be retained as part of the proposed development.

The ecology officer has assessed the application and raised no objection and agreed with the conclusion of the submitted Phase 1 Ecology Survey. NRW also raised no concerns in relation to protected species.

PPW 10 requires development to not only protect existing biodiversity features, but also to offer net benefits for biodiversity. The proposal, therefore, must provide biodiversity enhancements. The proposals include enhancement measures including 19 No. bird boxes and 26 No. bat boxes integrated into the proposed building together with 44 No. openings in fences for hedgehogs. These measures will be secured via planning condition. The scheme also introduces landscaping throughout the site including various areas of open space which will also offer some ecological benefit.

The proposed development does not impact on biodiversity and will offer enhancements representing a net gain in biodiversity value at the site in accordance with PPW10 and Policy CW4.

## Trees and landscape

Policy CW6 requires development to protect trees and hedgerows. Policy SP6 relates to placemaking and requires landscaping to be incorporated within developments to enhance natural features and improve visual amenity.

In terms of existing landscape features, the site has trees scattered along the peripheries with a range of category A, B, and C value, and a hedgerow containing trees in the eastern portion of the site.

The proposed development will retain all category A and B within the site and along the site boundaries and also retain a large section of the hedgerow. In addition to this, the scheme is supported by a comprehensive landscaping plan which incorporates a range of features including street trees, large open spaces and ornamental planting throughout.

The Council's Landscape Architect has assessed the proposals and whilst they broadly accept the landscape proposals, they have raised specific concerns in relation to some areas of localised planting and boundary treatment styles. Given the overall acceptability of the proposals it is considered appropriate to secure the outstanding matters by way of planning condition and the applicant has agreed to this.

The landscape proposals are acceptable, subject to condition, and in accordance with Policy CW6.

#### Drainage and Coal Mining Legacy

Condition 6 of the outline planning permission requires details of surface water and land drainage to be agreed prior to the commencement of works onsite. As this condition was attached to the outline permission the matter does not need to be revisited as part of this reserved matters submission.

In their consultation response to the application, Dwr Cymru/Welsh Water raised no objection to the proposed development, and the proposal is therefore considered to be acceptable from a foul drainage capacity perspective.

In terms of Coal Mining Legacy, Conditions 4 & 5 attached to the Outline planning permission relate to ground stability and is the responsibility of the developer in that regard. On that basis and based on the ground stability report submitted with the application, the Coal Authority raise no objection to the proposed development.

#### Section 106 and Community Infrastructure Levy.

The Section 106 Agreement secured as part of the outline planning permission (and subsequently varied by the application to extend the period for the submission of reserved matters) requires the provision of 25% of the dwellings onsite to be delivered as affordable housing. The submitted plans show 25% provision, i.e. 41 of the 164 units, and therefore the scheme accords with the requirements of the Section 106 legal agreement.

In relation to the Community Infrastructure Levy (CIL), the proposed market housing would be liable to pay CIL, with the rate being set at £25 per square metre in the Blackwood Area. As outlined earlier in the report, this would result in a sizeable contribution of approximately £550,763 towards Infrastructure in the Borough.

Comments from Consultees: No objection subject to conditions and advice. The relevant concerns of the Housing Enabling Officer, Landscape Architect, Rights of Way Officer, and the Conservation and Design Officer have been addressed above.

Comments from public:

1. Principle of the development, i.e. outside of the defined settlement boundary - The principle of the development has already been established by way of the Outline planning application being allowed at appeal.
2. Development within a green wedge - On the basis that the principle of the development has already been established this is not relevant.
3. Number of dwellings proposed exceeds those indicated at outline planning stage. Increase of +45 dwellings proposed - This matter has been discussed in detail above.
4. The applicant has land banked and renewed the original time in which to submit a reserved matters application - This is not relevant to the determination of the application.
5. There are other brownfield sites available for development within and immediately surrounding Blackwood - On the basis that the principle of the development has already been established this is not relevant to the determination of this application.
6. The development will result in the coalescence of Argoed, Blackwood, and Cefn Forest - On the basis that the principle of the development has already been established this is not relevant.
7. Impact on amenity by virtue of levels differences, i.e. large retaining walls proposed - Impact on amenity has been discussed in detail above, and is considered to be acceptable.
8. Detrimental impact of the development on Cwm Gelli Farm and The Maes Manor Hotel, two of Blackwood's oldest listed buildings – As outlined in the report, no objection has been raised by CADW or the Council's Design and Conservation Officer and therefore the proposal is considered to be acceptable in this regard.
9. The visual impact on the Green Wedge when viewed from the Oakdale, Penmaen side of the valley has not been considered previously by Mr Thickett (Chief Inspector for Wales who allowed the Outline planning permission at appeal) - The application falls within the boundary of the outline planning permission and therefore the visual impact of developing the site has already been established.
10. The reserved matters application will have a greater physical and visual impact on the whole area and will be both immediate and long term - The design and visual impact

of the proposed development is considered to be acceptable for the reasons outlined above.

11. Impact on residential amenity, i.e. loss of sunlight and daylight to existing nearby residential properties - Impact on amenity has been discussed above and is considered to be acceptable.

12. Loss of privacy - Impact on amenity has been discussed in detail above.

13. Noise, dust and vibration disruption to neighbouring properties during construction works - A condition has been recommended requiring a Construction Management Plan to control such matters during construction. As with all development there will be an element of disruption during construction, but it is considered that this can be adequately controlled by way of condition.

14. Highways safety concerns due to increase of traffic - The Transportation Engineering Manager raises no objection to the proposed development.

15. Existing A4048 is dangerous and existing residents (including children) cannot safely cross - The Transportation Engineering Manager raises no objection to the proposed development.

16. Access safety concerns when entering and exiting the site onto the A4048 - The Transportation Engineering Manager raises no objection to the proposed development. Furthermore, conditions are attached to the outline permission relating to highway safety.

17. Concerns that the proposal will result in increased parking pressure on Cwmgelli Lane which will result in long vehicular reversing movements - As none of the proposed dwellings will be directly accessed off Cwmgelli Lane this is unlikely to be an issue.

18. Queries regarding accuracy of the submitted transport assessment - The Transportation Engineering Manager raises no objection to the submitted transport information.

19. Displacement of parking for existing Cwmgelli residents with no compensatory parking areas provided - A turning head is proposed opposite No. 4 Cwm Gelli Lane to improve highway safety. The Transportation Engineering Manager raises no concerns regarding this matter.

20. Land Drainage concerns, i.e. proposed development will exacerbate existing land and foul drainage issues for existing residents of Cwmgelli - A drainage condition is attached to the outline planning permission and will need to be satisfied prior to the commencement of the development.

21. Concerns about rainwater runoff during construction - The developer will be responsible to ensure there is no increased surface water runoff during the construction phase.

22. The development intends to build up to an existing culvert - This would be a Land Drainage issue that is not relevant to the planning application.

23. The number of dwellings together with the loss of green spaces and trees will exacerbate flooding experienced by Cwmgelli residents and the A4048 - The developer will be required to satisfy the land drainage condition attached to the outline planning permission.

24. Coal Mining legacy concerns and claims that the land is unstable - There are conditions attached to the outline planning permission that appropriately control this matter. The Coal Authority raise no objection to the application on this basis.

25. Concerns relating to radon gas onsite and how this will be addressed during construction – This matter will be controlled by way of condition.

26. Development will result in increased pressure on local infrastructure, i.e. schools, doctor's surgeries, etc. - No objection has been raised by consultees in relation to local infrastructure and the principle of residential development has already been established at the site Furthermore, the development will generate a significant CIL charge that will go towards infrastructure.

27. Committee members refused the application and the application was granted at appeal - This is not relevant on the basis that planning permission was ultimately granted by the Planning Inspectorate.

28. The LDP has changed and the figures in the press required for the housing stock are incorrect - The principle of the development has already been established and therefore this is not relevant to the determination of the current application.

29. Loss of green space - The principle of the development has already been established and therefore this is not relevant to the determination of the current application.

30. Detrimental impact on ecology - Natural Resources Wales and the Council's Ecologist raise no objection to the proposed development subject to conditions and therefore the development is considered to be acceptable in this regard subject to conditions.

31. The proposal is contrary to the 'Cleaner Greener Caerphilly' motto by virtue of its carbon footprint - The need for housing must be balanced against other material planning considerations. Furthermore, the principle of the development has already been established.

32. Internal dimensions should be increased for all identified affordable dwellings - The affordable units have been designed to DQR standards and will be transferred to POBL Group on completion.

33. Loss of view - This is not a material planning consideration.

34. Light pollution during and after development - Impact on amenity has been addressed above.

35. Concern regarding the impact of the development upon an existing culvert - This is a land drainage issue.

36. The application should be delayed to allow the replacement LDP and place making plans to be developed - There would be no reasonable justification in planning terms to delay the determination of the current application.

37. Request for before and after viewpoints of the site from the Chartist Bridge with 120 and 164 houses to compare the difference - On the basis that the maximum number of dwellings to be allowed at the site was not limited to 120 this comparison exercise would be irrelevant and therefore unreasonable to request.

38. Requests confirmation that Welsh Water are aware of the increase in the number of dwellings proposed - Welsh Water raise no objection to the proposed number of dwelling.

39. Detrimental impact on existing residents' livelihoods - It is unclear how the development will impact on the livelihoods of existing residents.

40. Requests a new outline application be submitted on the basis that it is claimed that the Minister has confirmed that the proposed development is completely outside of the scope of the original permissions - The letter from the Minister to the local member does not confirm that the development is completely outside of the scope of the original permission. The relevant statement from the Minister reads as follows:

"An application for approval of reserved matters is not an application for planning permission. The reserved matters application must fall within the boundaries of the outline permission, and the reserved matters stage cannot be used to bring in matters completely outside the scope of the original permission. It is for the LPA to determine whether the matters for approval are within the scope of the original permission."

On the basis that the reserved matters application does fall within the boundaries of the outline planning permission and does not bring in matters completely outside the scope of the original permission, the Local Planning Authority is satisfied that the application can be determined as submitted.

41. Seeking confirmation that the reserved matters application will not progress based on the above point - For the reasons outlined above, there is no reasonable justification to not determine the application as submitted.

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.

Living Decision Document:

Details in respect of condition 1 (with the exception of landscaping) have been agreed by consent 19/1024/RM dated XX/XX/XXXX granted by Caerphilly County Borough Council.

Details in respect of condition 2 have been agreed by consent 19/1024/RM dated XX/XX/XXXX granted by Caerphilly County Borough Council.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development shall be carried out in accordance with the following approved plans and documents:
  - Site Location Plan 30592 9000.
  - Site Location Plan with Planning Layout BLACK-15-04-01 Rev F.
  - BLAC-15-04-02 Rev F - Planning Layout.
  - BLAC-15-04-05 Rev F - Storey Heights Layout.
  - BLAC-15-04-06 Rev F - Affordable Housing Layout.
  - BLAC-15-04-03 Rev F - External Materials Layout.
  - BLAC-15-04-07 Rev E - Refuse Collection Layout.
  - BLAC-15-04-08 Rev E - Ecology Enhancements Layout.
  - Boundary Hedgerow Plan 1835-URB-LA-DT-90-07 Rev E.
  - 190422-TWC-SK-10 Rev F Engineering Layout 1 of 2.
  - 190422-TWC-SK-11 Rev D Engineering Layout 2 of 2.
  - 190422-TWC-GA-005 Rev B Refuse Vehicle Tracking 2 of 2.
  - 190422-TWC-GA-004 Refuse Vehicle Tracking 1 of 2.
  - Stabilisation of Shallow Mine Workings Specification and Estimated Bill of Quantities report.
  - Arboricultural Impact Assessment Plan 02/2021.
  - Tree Retention Removal Plan 02/2021.
  - Tree Protection Plan 02/2021.

190422 House Types - Byford Detached - Type 01 - OPT 02-13-12-19.  
 190422 House Types -2.1.1 Semi-detached - Elevations - 13-12-19.  
 190422 House Types- 2.1.1 Semi-detached - Floor Plans-13-12-19.  
 190422 House Types- 2.7 Semi Detached -13-12-19.  
 190422 House Types- 3.1 Semi-detached-13-12-19.  
 190422 House Types- Appleford-13-12-19.  
 190422 House Types- Byford Detached - Type 01 - OPT 01-13-12-19.  
 190422 House Types- Byford Semi Detached - Type 02-13-12-19.  
 190422 House Types- Dunham Detached - Opt 01-13-12-19.  
 190422 House Types- Dunham Detached - Opt 02-13-12-19.  
 190422 House Types- Dunham Detached - Opt 03-13-12-19.  
 190422 House Types- Easedale Type 01 Opt 01-13-12-19.  
 190422 House Types- Easedale Type 01 Opt 02-13-12-19.  
 190422 House Types- Easedale Type 02 Opt 01-13-12-19.  
 190422 House Types- Easedale Type 02 Opt 02-13-12-19.  
 190422 House Types- Gosford detached type 01 opt 01-13-12-19.  
 190422 House Types- Gosford detached Type 01 opt 02-13-12-19.  
 190422 House Types- Gosford Semi-detached Type 02-13-12-19.  
 190422 House Types- Gosford Semi-detached Type 03 Opt 02-13-12-19.  
 190422 House Types- Lanford Detached Opt 01-13-12-19.  
 190422 House Types- Lanford Detached Opt 02-13-12-19.  
 190422 House Types- Manford - Detached - Opt 01-13-12-19.  
 190422 House Types- Manford - Detached - Opt 02-13-12-19.  
 190422 House Types- Manford - Detached - Opt 03-13-12-19.  
 190422 House Types- Midford - Detached - Opt 01-13-12-19.  
 190422 House Types- Midford Detached - Opt 02-13-12-19.  
 190422 House Types- Trusdale Opt 01-13-12-19.  
 190422 House Types- Trusdale Opt 02-13-12-19.  
 190422 House Types-Gosford Semi-detached Type 03 Opt 01-13-12-19.  
 REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 02) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
 REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 03) Prior to the commencement of the development above finished floor level of any of the approved dwellings 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 any of the dwellings hereby approved are first occupied.



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

- 04) Prior to the commencement of the development above finished floor level of any of the approved dwellings, and notwithstanding the submitted plan, a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include details of the management of proposed scheme. The agreed details shall be carried out in the first planting and/or seeding season following the first occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the visual amenity of the area in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 05) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.

REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 06) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.

REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 07) No development should commence until a Construction Environment Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following details:  
the parking of vehicles of site operatives and visitors;  
loading and unloading of plant and materials;  
storage of plant and materials used in constructing the development;  
the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities;  
measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;

a scheme for recycling/disposing of waste resulting from demolition and construction works;  
hours of construction; noting there shall be no burning of waste or any other materials on site;  
lighting; including the use of security lighting on site outside normal construction hours;  
management control and mitigation of noise and vibration; including the use of generators on site outside normal construction hours odour management and mitigation;  
diesel and oil tank storage areas and bunds;  
how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorscheme.org.uk](http://www.considerateconstructorscheme.org.uk)) during the course of the construction of the development; and  
A system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

REASON: In the interests of residential amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 08) Prior to the commencement of work on site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.  
REASON: To encourage the use of a variety of sustainable transport options in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 09) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) The development shall not be first 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.

- 11) The approved car parking provision shall be completed in permanent materials that shall have first been agreed in writing with the Local Planning Authority.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 12) Prior to the commencement of development, a biodiversity strategy shall be submitted to and approved in writing by the Local Planning Authority, the scheme shall include as a minimum, but not exclusively limited to: Methodology for sensitive site clearance, a Construction Environment Management Plan, A Lighting Strategy and demonstration of wildlife-friendly drainage systems. The scheme shall be implemented as agreed.  
REASON: to conserve biodiversity on site in accordance with the Wildlife and Countryside Act 1981 (as amended), the Environment (Wales) Act 2016, and relevant policies within Welsh Assembly Government's Planning Policy Wales (2018) and Tan 5 Nature Conservation and Planning (2009).
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure shall be erected or planted within the curtilage of any dwelling forward of the front walls of those dwellings hereby permitted or between the dwellings and any adjacent highway, driveway, footpath or car parking space other than those indicated in the approved plans without the approval of the Local Planning Authority.  
REASON: To retain the open character of the development in the interests of visual amenity in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected that would interfere with the car parking arrangements for the approved dwellings.  
REASON: In the interests of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 15) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
  - a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written

approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.

b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 16) The following activities must not be carried out under any circumstances:
- a) no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - b) no works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
  - c) no equipment, signage, fencing, tree protection barriers, materials, components, utilities, vehicles or structures shall be attached to or supported by a retained tree.
  - d) no mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA.
  - e) no alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
- REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) No works shall commence (including any clearance works) until details have been submitted to and agreed in writing with the Local Planning Authority outlining how the existing hedgerow that runs along the western boundary of the site between Cwm Gelli Villas and Plots 150-164 will be protected and retained throughout the construction of the development hereby approved. The development shall be carried out in accordance with these agreed details.  
REASON: In the interests of biodiversity and visual amenity.
- 18) 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) the first-floor landing window facing north east in Plot 1 shall be glazed with obscure glass. Any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 19) Before any soils or hardcore are brought on to site a scheme for its 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.

- 20) 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 as recommended in Section 3.26.19 of the submitted Stabilisation of Shallow Mine Workings Specification and Estimated Bill of Quantities report.

REASON: To protect public health.