

Application Number: 21/0005/OUT

Date Received: 03.11.2022

Applicant: Amity Planning

Description and Location of Development: Erect residential development of up to 76 No. dwellings with parking, landscaping and associated works, across two parcels of land to the north of Bedwellty Road and to the south of Bedwellty Road - Land Off Tir Y Wen Bedwellty Road Aberbargoed

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site collectively comprises of three individual parcels of land to the north and south of Bedwellty Road on the eastern edge of Aberbargoed and is located amongst four self-build developments along Lon Ty Gwyn on the northern side of Bedwellty Road and two residential estates on the southern side of Bedwellty Road, namely Y Ffordd Wen and Cwrt Neuadd Wen.

Site description: The area of the proposed housing on the northern side of Bedwellty Road development essentially comprises of two fields parcels separated by a traditional stone wall measuring some 2.41 hectares and wraps around the side and rear boundaries of the four self build dwellings along Lon Ty Gwyn and to the west of a triangular shaped field parcel associate with Tir Neuaddwen Farm.

The smaller parcel of land on the southern side of Bedwellty Road measures some 0.066 hectares and is located adjacent to the eastern side boundary of No.1 Y Ffordd Wen and to the rear of the bus stop and telegraph pole positioned adjacent to the highway.

The larger parcel of land on the southern side of Bedwellty Road measures some 2.55 hectares and comprises of two field parcels wrapping around the southern and south-western boundaries of the housing developments at Y Ffordd Wen and Cwrt Neuadd Wen. The site is bounded to the east by the former Aberbargoed mine tip, to the south and south-west by a formal community leisure facility, Hangar 81 and outdoor playing pitches, and to the north-west by the Neuadd Wen Public House and intervening trees and scrub.

The boundaries to the fields are a mixture of hedgerows and traditional stone walls with some mature trees. There is a small group of derelict agricultural buildings in the north eastern corner with the surrounding land comprising of horse grazed pasture with occasional isolated patches of low or tall scrub, grassy vegetation and large spoil heaps.

Development: Outline planning permission is sought in respect of residential development of up to development of up to 76 dwellings with parking, landscaping and associated works, across two parcels of land to the north and south of Bedwellty Road.

The indicative masterplan submitted indicates that the proposed development would comprise of a mixture of two storey properties, bungalows and apartments and would be served off Bedwellty Road with the vehicular access point to be widened on the northern side of Bedwellty Road to provide an adoptable access and internal estate road, with pedestrian access gained from the existing footpath running parallel to the frontage of the proposed development. Those dwellings fronting onto Bedwellty Road would potentially have the opportunity to benefit from direct vehicle access. The proposed development on the southern side of Bedwellty Road would be accessed via the Y Fford Wen estate road and would connect to a new internal estate road to serve the proposed development. Several drainage attenuation areas are also proposed across throughout the development which are associated with the required Sustainable Urban Drainage approval process (SAB) together with a number of areas assigned to public open space providing formal and informal play areas.

All matters relating to access, appearance, landscaping, layout and scale have been reserved for future consideration and as such, only the principle of the proposed residential development is being considered at this stage.

The planning application and related plans are supported with the following documents:

Design and Access Statement;
Noise Impact Assessment;
Planning Statement;
Pre-Application Consultation (PAC) Report.
Preliminary Ecological Appraisal;
Technical Drainage Note;
Topographical Survey;
Tree Survey Report;
Tree Constraints Plan; and
Transport Assessment.

Dimensions: The site amounts to 5.026 hectares in total and is irregular in shape by virtue of the individual land parcels but does follow the existing field parcel pattern.

The scale parameters for the proposed dwellings are as follows:

Length - Minimum 4 metres and Maximum 12 metres.

Width - Minimum 4 metres and Maximum 12 metres.

Height to ridge - Minimum 5 metres and Maximum 9.6 metres.

The scale parameters for the proposed bungalows are as follows:

Length - Minimum 4 metres and Maximum 12 metres.

Width - Minimum 4 metres and Maximum 12 metres.

Height to ridge - Minimum 3 metres and Maximum 6 metres.

The scale parameters for the proposed apartment buildings are as follows:

Length - Minimum 4 metres and Maximum 15 metres.

Width - Minimum 4 metres and Maximum 15 metres.

Height to ridge - Minimum 5 metres and Maximum 13 metres.

Materials: To be determined at reserved matters stage.

Ancillary development, e.g. parking: To be determined at reserved matters stage.

PLANNING HISTORY 2010 TO PRESENT

10/0204/RM - Provide highways and drainage works for residential development (Phase one) - Granted 18.11.2010.

12/0090/RM - Erect 48 residential dwellings with associated roads and drainage - Granted 9.11.2012.

12/0104/NCC - Vary Condition 03 of planning permission P/06/0671 to extend the period for the submission of reserved matters by a further three years - Granted 04.10.2013.

POLICY

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

Site Allocation: The majority of the application site is located within the Aberbargoed settlement boundary however the settlement boundary has been drawn in a manner that does not align with the existing field parcel and as such 7.2% of the application site does extend beyond the definitive settlement boundary by a minimum distance of 12.5 metres and maximum distance of 37 metres on the eastern field parcel to the north of Bedwellty Road and to the west of Tir Neuaddwen Farm but this land was previously identified to provide part of the Bedwellty Relief Road in the formerly approved Unitary Development Plan (UDP), the extant plan at the time of the determination of planning consent P/06/0671.

Further to the granting of outline planning consent P/06/0671 in February 2009, the Local Development Plan (LDP) was adopted in November 2010 with the site designated as housing site (HG1.15) Bedwellty Road, Aberbargoed. The relief road did not form part of any allocation in the LDP and there have been further approvals on the site since, mainly being 10/0204/RM granted in November 2010 and 12/0090/RM granted in November 2012 to provide for the first phase of the housing development and associated highways and drainage infrastructure to facilitate the remainder of the site at a later date.

The section of land which extends beyond the settlement boundary falls within a Sandstone Safeguarding Area (SP8) and Coal Safeguarding Area (MN2.5) East of Markham.

Policies: The Policies of relevance in the Local Development Plan are:-

Strategic Policies

Policy SP1 Development Strategy - Development in the Heads of the Valleys Regeneration Area (HOVRA);
Policy SP4 Settlement Strategy;
Policy SP5 Settlement Boundaries;
Policy SP6 Placemaking;
Policy SP7 Planning Obligations;
Policy SP8 Minerals Safeguarding;
Policy SP10 Conservation of Natural Heritage;
Policy SP14 Total Housing Requirements; and
Policy SP15 Affordable Housing Target.

Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion;
Policy CW2 Amenity;
Policy CW3 Design Considerations - Highways;
Policy CW4 Natural Heritage Protection;
Policy CW5 Protection of the Water Environment;
Policy CW6 Trees, Woodland and Hedgerow Protection;
Policy CW10 Leisure and Open Space Provision;
Policy CW11 Affordable Housing Planning Obligation;
Policy CW15 General Locational Constraints;
Policy CW22 Locational Constraints: Minerals;
Policy MN2 Minerals Safeguarding; and
Policy HG1 Allocated Housing Sites.

Supplementary Planning Guidance

LDP1: Affordable Housing Obligations;
LDP4: Trees and Development;
LDP5: Car Parking Standards; and
LDP6: Building Better Places to Live.

NATIONAL POLICY Future Wales: The National Plan 2040

Policy 2 Shaping Urban Growth and Regeneration - Strategic Placemaking;
Policy 3 Supporting Urban Growth and Regeneration - Public Sector Leadership;
Policy 7 Delivering Affordable Homes;
Policy 9 Resilient Ecological Networks and Green Infrastructure;
Policy 12 Regional Connectivity; and
Policy 13 Supporting Digital Communications.

Planning Policy Wales Edition 11, February 2021;

Technical Advice Note 2: Planning and Affordable Housing;
Technical Advice Note 5: Nature Conservation and Planning;
Technical Advice Note 11: Noise; and
Technical Advice Note 18: Transport.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No in that the proposed development does not reach the 150 dwellings threshold as set out in Schedule 2 Part 10 (Infrastructure projects) of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site is located within a low risk coal mining referral area but lies immediately adjacent to a high risk coal mining referral area. The Coal Authority has been consulted on the application and standing advice is provided by way of an informative note to be added to any consent if granted.

CONSULTATION

Welsh Government - Planning Directorate - No comments received.

CADW - No comments received.

Transportation Engineering Manager - CCBC - The submitted documentation including Transport Assessment - Acstro - Nov 2020 and Indicative Masterplan have been reviewed and the Highway Authority has the following observations on the highway and transportation aspects of the scheme:-

TRANSPORT ASSESSMENT

The methodology and conclusions of this document are acceptable. The TRICS data base has been used (Industry Standard) to establish future vehicle movements and although one site in Scotland has been selected (Normally not acceptable) it is considered that given the scale of the development this would not have had an adverse effect on the findings. It is considered that the trip generation of the scheme will not have an adverse impact on the local highway network and will have minimal impact.

The document details a previous site plan with swept path for refuse vehicles which are no longer applicable and any new layout will need to be assessed to ensure it accords

with CCBC design standards and swept paths will be required at any future reserved matters stage based on a detailed final scheme.

INDICATIVE MASTERPLAN

The plan details the access points, one directly off Bedwellty Road utilising an existing constructed bellmouth which has already been adopted by the highway authority and the southern parcel of land which will access through the adjacent housing estate which has been adopted by the highway authority. This is acceptable in principle but it should be noted that full details of the access arrangement ties ins including widths, visibility splays, radii, footways and alignment will be required at the reserved matters stage.

The indicative layout shows no individual plots access drives off Bedwellty Road which is acceptable and preferable from a highway perspective. Any future reserved matters would need such a scheme was put forward each plot would need a turning area to enable vehicles to enter and leave the plot in forward gear.

All internal roads should be of a minimum 5.5m with 2m footways on either side. Shared surface roads should be of a minimum 7.5m and only serve a maximum of 20 dwellings.

Swept paths of the internal layout including turning heads shall be provided using a 10.2m refuse vehicle.

Internal visibility splays at junctions and at bends shall be provided.

PARKING

Parking shall be in accordance with LDP5- Parking standards this will need to include visitor parking this is over and above on street parking as required by the standards. For clarity a parking matrix will be required.

Therefore, Highways have no objection subject to conditions.

Environmental Health Manager - Requests that an Air Quality Impact Assessment is submitted prior to any construction works taking place to assess the impact of the proposed development (construction and operational phases) on local air quality.

Additional conditions are also requested regarding noise and dust, contamination, remediation and validation along with glazing to be installed in accordance with the Noise Impact Assessment Report.

Heritage And Placemaking Officer - No comments received.

Senior Engineer (Drainage) - Advises that Sustainable Drainage Approval is required for the proposed development in addition to separate Land Drainage Byelaws Consent.

Senior Arboricultural Officer (Trees) - Requests for all trees to be retained or removed to be shown on all the layout drawings along with their respective root protection areas and tree canopies at outline stage.

Additional detailed advice is also provided to inform any future reserved matters application.

Parks And Countryside Operations Manager - No comments received.

Rights Of Way Officer - No objection.

CCBC Housing Enabling Officer - The application site itself lies within the Aberbargoed ward, which for the purposes of the Supplementary Planning Guidance (SPG) LDP1: Affordable Housing sits within the Heads of the Valley Regeneration Area (HOVRA). This area attracts a 0% affordable housing target, although paragraph 5.15 of the SPG states that it is recognised that there may be some areas within this part of the County Borough where the provision of affordable housing would be viable and there is evidence of need. The local authority will therefore give consideration to the viability of provision on sites within the HOVRA on a site-by-site basis.

The most recent Local Housing Market Assessment (LHMA) identifies a need for accommodation in the ward and wider housing market area. On this basis, I would be seeking an affordable housing contribution of up to 10% subject to viability. 10% of 76 units equates to 8 units when rounded. The type of accommodation required would be one bed flats for social rent. Being social rented, the flats would need to be built to DQR standards and would be required to have their own separate walk-ups.

In terms of the s106, the affordable housing contribution would be transferred to the Council.

Waste Strategy and Operations Manager - With regards to waste collection service, the northern development appears to have sufficient space per property for the off road storage of 2 x 240 litre wheeled bins and a food caddy. The usual kerbside service is provided with resident required to place out and then retrieve bins and caddies on the set collection days. Several properties off the main spine roads would require the residents to place out their bins/caddy at an agreed collection point at the kerbside for collection days and retrieving the bins/caddy once emptied.

The southern development also appears to have enough off road storage for the majority of properties (same bin/caddy requirements as above) but the apartments would also need to have similar storage.

In all cases should refuse and recycling vehicles be required to travel over any unadopted highway then prior approval in writing from the developer would be required confirming that the relevant highway is suitable for the weight of the collection vehicles.

21st Century Schools Manager- There is room in Aberbargoed Primary, Heolddu Comprehensive, Ysgol Bro Sannan, Ysgol Cwm Rhymni schools for catchment pupils during the normal admission rounds.

However, there are two other planned housing applications being built in the area - 18/1005/FULL and 20/0277/FULL and once built, the additional pupils from the above application and this would mean that we would need another classroom in Aberbargoed Primary School.

Ecologist - No objection subject to conditions to secure biodiversity enhancement provision within the site.

Landscape Architect - CCBC - Requests that a revised layout with further detail regarding landscaping and layout proposals before the application is determined along with concurring with the comments made by this Council's Arboricultural Officer.

The Coal Authority - No objection however informative advice is provided.

Dwr Cymru - No objection but requests the imposition of a condition to any consent subject to the developer demonstrating that the existing potable water supply network can suitably accommodate the proposed development site.

Police Architectural Liaison Officer - No comments received.

Welsh Government - Planning Directorate - No comments received.

Western Power Distribution - Provides informal advice to the developer with regards to service connections and separate third party legal consents.

ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, by means of a site notice and over the course of the two neighbour consultations 105 letters were sent to neighbouring properties.

Response: Twenty nine letters of representation have been received.

Summary of observations: The following matters have been raised:-

HIGHWAYS

Requests that a revised access should be sought for both the construction and completion phase.

Highways safety issues in respect of construction traffic.

There will be numerous obstructions on a regular basis if construction vehicles are to rely on using Y Ffordd Wen.

The Transport Assessment does not take into account the impacts of the additional number of vehicles (at least 80-100) expected to use Y Ffordd Wen with narrow roads and on-street car parking issues as well as accommodating large vehicles.

Disagrees with the statements and outcomes of the Transport Statement.

Additional traffic through the estate presents a danger to pedestrians and children.

The highway network is already at capacity leading to the site with regular traffic jams on the B4511 in both directions.

Requests whether speed ramps, lighting and a pedestrian footway would be installed from Bedwellty Church to the proposed development.

Requests whether the bypass is still going ahead.

PUBLIC OPEN SPACE

The play areas are not practical in terms of their location in that there is limited visibility to them.

Requests detail on the play areas proposed and the exact location on the southern parcel of land.

HEALTH AND WELL BEING

Noise and dirt impact upon quality of life for existing residents.

Air pollution will increase.

LOSS OF EXISTING PLAY AREAS AND GREEN SPACE

The development is taking away existing green space that is habitat to many endangered species.

The proposed development will take away areas used by children for recreational/leisure purposes including the road at the southern end of the site.

GENERAL

Loss of view.

Loss of existing safe places on the roads for children to play at the bottom the site.

More properties on the estate have been advertised for sale since the application was submitted.

Previously advised in 2014 that the southern part of the site would not be built upon.

Homeworkers will be disrupted by the level of noise associated with the construction phase of the development.

Legal advice will be sought if the development is approved.

Residents should be compensated for damage to air quality and buildings during construction.

Concerns in respect of the settlement boundary to the rear of 5-15 Y Ffordd Wen.

Requests whether the bypass is still going ahead.

The community centre and playing fields is a regular gathering area for teenagers smoking, drugs and drinking and this access road would provide direct access to the estate from the playing fields, which would bring additional issues in terms of anti-social behaviour.

Noise, vibration and dust will impact directly on the wear and tear of properties.

Loss of value to properties for which there would be no compensatory measures.

Lack of neighbour consultation.

Unnecessary development of new homes during an economic crisis.

The council should review the application based on the needs of the local area and not solely because of the greed of a developer.

People are struggling to heat their homes and the council should consider whether the location and time to build new houses which people can't afford is appropriate.

FLOODING

Bedwellty Road is dangerous during bad weather and flooding.

The potential for flooding and its associated remedial costs is likely to increase insurance premiums for existing residents.

Requests reassurances that the proposed development would not lead to drainage issues in respect of flooding to existing properties.

Queries the detail submitted in respect of the drainage strategy and questions matters that should be considered by technical experts.

Queries whether the detention basins on the southern development are capable to take the run-off in adverse weather conditions and the implications for neighbouring land.

EDUCATION AND HEALTH

There is already a lack of GP availability. Approximately 300 additional residents will require the large expansion of current services already at capacity.

How will the additional 250K for Aberbargoed Primary be funded?

The developer should fund the additional school facilities requirements rather than the tax payer, before the site is constructed.

AMENITY ISSUES

Concerns relating to loss of privacy in relation to orientation positioning and height of the proposed dwellings.

Requests for additional trees to be planted to provide adequate screening.

Noise concerns exacerbated from additional neighbours.

PLANS

The landscaping and drainage plans conflict on the southern development in that properties are clearly shown within 20 metres of main drainage lines.

Requests for new proposals to be submitted.

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 application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? European protected species implications are unlikely to be significant issue following a satisfactory Preliminary Ecological Appraisal survey reviewed by this Council's Ecologist, however advisory notes will be added to any consent granted as a precautionary measure.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes the proposed development is CIL Liable but is not chargeable in that the site is located within the low viability area for which CIL is charged at a rate of £0 per square metre.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The vast majority of the application site is located within the settlement boundary within which development is normally permitted subject to the requirements of other relevant Local Development Plan (LDP) policies and material planning considerations. The main area of the site within the settlement boundary however a strip of land on the northern side of Bedwellty Road running along the edge of the eastern field parcel which equates to 7.2% of the application site area falls outside of the settlement boundary. This linear parcel of land is also covered by two designations, namely a Sandstone Safeguarding Area (SP8) and Coal Safeguarding Area (MN2.5) East of Markham. The main issues for consideration in the determination of this application are:

The principle of development on the site;
Ecology and landscape impacts;
Leisure and open space provision;
The impact upon residential amenity;
The impact upon the highway network; and
Affordable housing provision.

These issues will be discussed in turn.

THE PRINCIPLE OF DEVELOPMENT ON THE SITE

The application site is a greenfield site located in the Heads of the Valleys Regeneration Area (HOVRA). Policy SP1 states that proposals in the HOVRA will be required to promote the north of the County Borough as a tourist, employment and residential area at the heart of the valleys city region; provide appropriate forms of growth in response to the role and function of settlements; and serve to address existing problems of deprivation in order to sustain and develop communities in a manner that is consistent with the underlying principles of sustainable development. The Development Strategy for the HOVRA seeks to exploit appropriate development opportunities where they exist in the more deprived northern part of the County Borough, with a view to creating a viable future for all of the communities in this area with the Strategy seeking to accommodate new housing in villages where there is a need to diversify the housing stock in order to retain the existing population and regenerate existing communities. The erection of up to 76 dwellings in the HOVRA therefore accords with Policy SP1.

Policy SP5 (Settlement Boundaries) is the key policy mechanism for achieving resource efficient settlements within the LDP. The delineation of the settlement boundary defines

the area within which development would normally be allowed, taking into account material planning considerations. Importantly it promotes the full and effective use of urban land and concentrates development within existing settlements. The policy also seeks to prevent coalescence and inappropriate development in the countryside. In that regards whist the application site is considered to be greenfield land, 92.8% of the application site falls within the settlement boundary of Aberbargoed with 7.2% of the site falling outside of the settlement boundary for which that area is located within a designated Sandstone Safeguarding Area and Coal Safeguarding Area. In that regard it is highly unlikely that an future planning permission would be granted for any form of quarry in this location given its proximity to the surrounding residential properties. Furthermore, paragraph 3.6 of Planning Policy Wales (PPW) discusses development in the countryside and states:-

"Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable..."

Notwithstanding the existing delineation of the settlement boundary the development of the whole application site would constitute a logical rounding off to the settlement boundary of Aberbargoed by slightly extending the built form in an easterly direction. Furthermore, there are material planning considerations weighing in favour of approving the site for residential development in that the application site is designated as housing site HG1.15 Bedwellty Road, Aberbargoed, for which the phase one infrastructure and residential properties have been completed and therefore this application for consideration would seek to develop the wider allocated housing site. On that basis in policy terms development of the site would be consistent with Policy SP5 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010 (LDP) in that it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement, although it is accepted that a small extension to the settlement boundary is required ranging between distances of 12.5 metres and 37 metres respectively to accommodate all of the application site.

Policy SP4 (Settlement Strategy) defines the settlement hierarchy for towns and villages across the county borough and identifies those areas where development would be supported and enhanced based on the specified role and function of a particular area. The Strategy seeks to concentrate new development to respond appropriately to the economic, social and environmental needs of individual settlements and thus settlement boundaries are identified accordingly to indicate the potential areas where development is likely to be permitted. Aberbargoed is identified as a residential area and 92.8% of the application site is designated as housing site HG1.15 Bedwellty Road, Aberbargoed.

Chapter 4 of PPW covers the theme of active and social places. With respect to transport the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. The site is within walking distance of a number of local facilities including

community, education, health services, formal leisure provision and recreational spaces together with the wider service centre of Aberbargoed High Street and wider town centres of Bargoed and Blackwood being easily accessible by public transport.

In line with national planning policy, SP6 (Place Making) requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. Policy SP6 requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate through the use of Sustainable Urban Drainage Systems (SUDS). In that the proposed development exceeds more than 100 square metres of floor space the development will require SUDs approval. The indicative masterplan indicates various drainage attenuation areas will be provided across the northern and southern developments and connected by small watercourses comprising of shallow ditches or swales and those technical details will require consideration from the Sustainable Drainage Approval Body (SAB) and is an independent approval process outside of planning legislation. It should however be noted that the detail submitted at outline stage is only illustrative at this stage and any detailed reserved matters application will need to consider the role in which the planning system has to play in making the development resilient to tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources along with shaping the social, economic, environmental and cultural factors which determine health and which promote or impact on well-being in line with the Healthier Wales goal as part of the Well-being of Future Generations Act.

Policy, SP6 also requires mitigation measures that improve and maintain air quality. The nearest air quality management area within Caerphilly County Borough Council (CCBC) is Hafodyrynys with Blackwood High Street also designated as an automatic monitoring site in the County Borough. The Caerphilly 2021 Air Quality Progress Report dated February 2022 states that the CCBC confirms that there are no new or newly identified local developments which may have an impact on air quality within the Local Authority area. Given the distance away from Blackwood High Street and notably Hafodyrynys, which is located much further away from the site together with the limited scale of the development and its associated vehicular movements, it is not considered that the proposed development will give rise to any detrimental impact on the nearest air quality management area or monitoring sites. Whilst a request from the Council's Environmental Health Department sought an Air Quality Assessment to consider the impact of the development on the surrounding area, this request was considered unreasonable having regard to the indicative air quality assessment criteria published by the Institute of Air Quality Management, the amount of vehicle trips generated by the proposed residential development and the distance of the site away from the nearest Air Quality Management Area. It is therefore recommended that air quality matters should be further considered at reserved matters stage and opportunities to integrate new infrastructure that will contribute to further improving air quality as a result of development can be secured at that time. No objection has been raised by the Council's Environmental Health department with this approach. Furthermore, the modal shift in

travel patterns is an essential part of reducing the growing concerns related to air quality.

In design terms all matters are reserved for future consideration however the scale parameters details indicate that the proposed dwellings, comprising of two storey and single story with some flats, would be in keeping with the scale and height of the surrounding residential properties. It is therefore considered that the proposed residential development is compliant with Policy SP6.

ECOLOGY AND LANDSCAPE IMPACTS

In tandem with criterion D of Policy SP2, Policy SP10 (Conservation of Natural Heritage) is of relevance and indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Ten Sites of Importance for Nature Conservation (SINCs) fall at least partly within 1km of the site. The closest such site is 'Bedwellty Churchyard' which lies some 330 metres to the east together with Aberbargoed Grasslands National Nature Reserve, a designated Special Area of Conservation (SAC) / Site of Special Scientific Interest (SSSI)/ National Nature Reserve lies some 400 metres to the south east of the southern parcel beyond the adjacent redundant mine tip. The application is supported by a Preliminary Ecological Appraisal (PEA) and confirms that there was evidence found to indicate that the application site or immediately adjacent land is likely to be used by protected species and no habitats of particular ecological interest or conservation concern were found to be present within the site. The PEA also confirmed that the application site does not include any Moorgrass meadow or habitat suitable for material use by the Marsh Fritillary Butterfly associated with Aberbargoed Grasslands National Nature Reserve and consequently there is no reason to indicate that the proposed development would have any adverse impact on the SAC and SSSI or use of it by Marsh Fritillary Butterfly. The Council's Ecologist has reviewed the PEA and its recommendations and no objection is raised subject to the imposition of conditions imposed to any consent. In that regard the majority of the suggested conditions related to the finer details of a reserved matters scheme it would not be appropriate to impose such conditions at outline stage but that information is available to inform any future reserved matters application.

In terms of landscaping, the masterplan for the site has been developed around the principle of the retention of existing landscape features. The indicative masterplan facilitates the retention of mature trees and hedgerows around the site peripheries, and hedgerow loss would only occur where absolutely essential for access or to facilitate development. Existing landscape features and retained landscape areas would be bolstered by buffer/enhancement planting, which would adhere to the following principles:

Expansion of perimeter and buffer planting including further tree planting to soften perimeters and built form improving integration and biodiversity;
Softening and integration of the detention basins;

Softening of the garden boundaries with primarily native mixed planting and notably along the NE fringe of the development, in order to improve its relationship / interface with the adjacent agricultural land.

Addition of elements of drystone walling along the southern boundary; and
Native mixed shrub planting.

Policy CW6 (Trees, Woodland and Hedgerow Protection) therefore requires proposals to ensure that effective measures are taken to ensure the protection of existing trees and hedgerows on development sites. In respect of trees, the submitted Tree Survey indicates that a total of 8 Category U trees have the potential to be removed based on the indicative masterplan plan submitted with the majority of trees and hedgerows within and adjacent to the site to be retained. The Council's Arboricultural Officer has reviewed the Tree Survey submitted but has requested further information in respect of tree protection and an Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP). At this stage, the application is seeking all matters for subsequent approval and as such the indicative masterplan may be subject to change at reserved matters stage and consequently it is not considered reasonable or necessary to request further detail from the developer at outline stage. They would however require detailed consideration at reserved matters stage and it is advised that the loss of any further trees should be avoided through a sensitively designed layout.

Similarly, the Council's Landscape Architect has also requested further information regarding a detailed Landscape Biodiversity and Amenity Strategy, however in that the application is only seeking outline planning consent with all matters reserved to establish the principal of residential development on the site, the level of information submitted to accompany the indicative masterplan layout is considered sufficient at this stage.

It is therefore considered that the proposed development will not have any adverse impact upon protected species and subject to a sensitively designed comprehensive landscape masterplan, maintenance and management plan along with the required AIA and TPP at reserved matters stage there is no reason to indicate that the proposed development would not have an unacceptable impact on the natural heritage of the area and therefore complies with Policies SP10 and CW6.

LEISURE AND OPEN SPACE PROVISION

Policy CW10 requires all new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3 ha to make adequate provision for useable open space, appropriate formal children's play facilities and adequate outdoor sport provision to meet the needs of the residents of the proposed development. The indicative masterplan shows that the proposed development is capable of providing the number of dwellings sought along with providing areas of open space, local equipped areas of play area with buffer zones together with drainage attenuation areas that have the potential to be used as open space and a green corridors. Whilst the masterplan is only indicative, it has been demonstrated that the provision of appropriate levels of public open space to serve the proposed development is in accordance with the Fields in Trust standards and

this can also be secured by way of condition to inform any reserved matters layout. It is also noted that there are other play facilities and sports pitches within easy walking distances directly to the south of the application site. As such, it is considered that the proposed residential development would meet the requirements of Policy CW10. Furthermore, such provision would also enhance placemaking and health and well-being opportunities for the existing residents of Y Ffordd Wen and Lon Ty Gwyn in that there is currently no on-site open space or formal play provision for residents to enjoy as part of the constructed phase one development central to the wider comprehensive development of the northern and southern parcels of land for consideration as part of this application.

THE IMPACT UPON RESIDENTIAL AMENITY

Policy CW2 (Amenity) requires new development to be compatible with surrounding land-uses. The proposal is for residential development immediately adjacent to two residential estates on the southern side of Bedwellty Road, namely Y Ffordd Wen and Cwrt Neuadd Wen and four self build properties at Lon Ty Gwyn on the northern side of Bedwellty Road. Whilst it is acknowledged that the submission details for the proposed development are only indicative, the scale parameters and masterplan demonstrate that the proposed dwellings can be accommodated within the site comfortably together with providing a sufficient level of outdoor amenity space for its future occupiers in line with a similar provision to that of the existing dwellings adjoining the site along with demonstrating off-street car parking provision. It is acknowledged that there will be some impact on neighbouring residents and therefore sympathetic development with sensitive boundaries should be sought, however there is no reason to indicate that the proposed development would have any unacceptable overbearing or overshadowing impacts on the amenity of existing neighbouring properties in that the required levels of back to back privacy distances and minimum standard garden areas would need to be demonstrated at reserved matters stage when the full details of the development's layout, scale, appearance and landscaping would be fully considered. On that basis it is therefore considered that the application site is capable of accommodating the proposed residential development without having any unacceptable impact on the amenity of the occupiers of neighbouring properties and accordingly, the proposal would meet the requirements of Policy CW2.

THE IMPACT ON THE HIGHWAY NETWORK

Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) requires development proposals that have the potential to generate a significant number of trips (either as an origin or a destination) to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. In that regard, both sides of Bedwellty Road are served by eastbound and westbound bus stops, with further bus stops within 200 metres walking distance to the north-west at Lewis Street. Those bus stop provide convenient and frequent access to Aberbargoed High Street, Bargoed Town Centre, Markham, Bedwellty and Blackwood Town Centre along with

Bargoed Train Station being a short walk from Bargoed bus station. Therefore the range of accessible and sustainable travel choices to and from the development site will reduce the need to travel by private motor vehicles. Notwithstanding the site's sustainability credentials, the proposed development would need to provide off-street car parking provision in line with Supplementary Planning Guidance LDP 5: Car Parking Standards.

Policy CW3 (Design Considerations - Highways) requires development proposals to have regard for the safe, effective and efficient use of the transportation network. The submitted indicative masterplan indicates that the majority of the dwellings proposed on the northern side of Bedwellty Road will be served by an estate road that will be accessed from the already constructed junction bellmouth with the internal estate road providing a 5.5 metre wide carriageway with 2 metre wide footways on both sides. The front facing plots indicated as plots 1 to 9 Road would have direct accesses onto Bedwellty Road achieving visibility splays of 2.4 metres x 43 metres. The proposed dwellings to the south of Bedwellty Road would be accessed by extending the recently constructed Y Ffordd Wen development that has previously been designed and built to meet modern design standards and to accommodate future planned phases of residential development associated with allocated housing site HG1.15 Bedwellty Road. The extended section of cul-de-sac at the southern end of Y Ffordd Wen will provide a 5.5 metre wide carriageway with footways on both sides along with a turning area, capable of accommodating a refuse vehicle at the end of the cul-de-sac.

The submitted Transport Assessment has applied a growth factor to the traffic recorded at the time the surveys were undertaken indicates that the proposed residential development is likely to generate 37 two-way vehicle movements during the AM and PM peak periods respectively and will result in an increase of between 5-6% in peak hour traffic movement through the Bedwellty Road / Heol y Bedw Hirion Road junction and the Bedwellty Road / B4511 junction. Working on the baseline assumption that the normal volume of traffic will normally fluctuate from day-to-day by approximately + or - 10%. As such given that the increase in traffic associated with the development is within this limited range it would be difficult to distinguish any significant impacts of the proposed development from these normal day-to-day fluctuations in traffic volume. It should also be noted that the predicted increase in traffic at the B4511/A4049 signal controlled junction equates to no more than 2% estimated traffic volume.

The proposed residential development is considered to be located in a reasonably sustainable location and the surrounding highway network is considered to have sufficient capacity to accommodate the increase in vehicular movements without having a detrimental impact on highway safety. The Council's Transportation Engineering Manager has reviewed the supporting information in full and no objection is raised subject to the imposition of several highways conditions. Informative advice in respect of detailed highway design matters is also provided to inform any reserved matters application and accordingly, the proposed development is considered compliant with Policy CW3.

AFFORDABLE HOUSING

Policy SP7 (Planning Obligations) recognises that new development has the potential to increase pressure on existing community facilities and as such requires the developer to enter into Planning Obligations to mitigate the effects of that development. In the context of this application, the Council will be seeking to secure the residential development to provide 10% of the residential units as affordable housing.

With regards to housing need, Policy SP14 (Total Housing Requirements) made provision for 10,269 new dwellings in the County Borough between 2006 and 2021 in order to deliver the 8,625 new dwellings required to meet the moderate growth strategy of the LDP. This equated to an annual requirement of 575 dwellings per annum. The most recent Annual Monitoring Report (AMR) of the LDP was approved in October 2022 and includes a housing trajectory of the 15 year plan period up to 2021 plus 6 years. This shows that the number of dwellings completed has been below the annual requirement of 575 dwellings per annum since 2008/09 and is forecast to continue to be below this requirement for most years up to 2026/27. There is just one exception in the year 2023/24 where the number of dwelling completions is forecast to be 635 units. The affordable housing target of delivering at least 964 affordable units between 2006 and 2021 associated with Policy SP15(Affordable Housing) has also not been met and the AMR continues to recommend that proposals for residential development should be considered on their relative merits on a site-by-site basis, having regard to the need to increase the housing land supply.

The proposed residential development would provide up to 8 much needed affordable homes out of the 76 dwellings proposed within the Aberbargoed and Bargoed ward, with the overall number of units considered to make a substantial contribution to the overall provision to the supply of new housing within the County Borough but most particularly in the Heads of the Valleys Regeneration Area where volume house builders have previously focussed development sites to the Northern Connections Corridor (NCC) and Southern Connections Corridor (SCC). Accordingly, the proposed residential development would meet the requirements of Policies SP14 and SP15.

Policy CW11 (Affordable Housing Obligations) seeks to negotiate the inclusion of an appropriate element of affordable housing on housing developments of five or more dwellings. Policy CW11 states:

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

- A. Accommodate 5 or more dwellings or
- B. Exceed 0.15ha in gross site area, or
- C. Where the combined product of adjacent housing site proposals would exceed the thresholds set in A or B above.

Where there is evidence of need, the Council will seek to negotiate the following affordable housing targets of:

40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley);
25% in the Northern Connections Corridor (excluding Newbridge); and
10% in the Rest of Caerphilly County Borough (including Aber Valley and Newbridge but excluding the Heads of the Valleys Regeneration Area) up to 25% in the Northern Connections Corridor subject to viability.

The site falls within the Aberbargoed and Bargoed ward, which attracts an affordable housing target of 0%. The Council's Housing Enabling Officer has requested that the proposed development should provide 10% of the overall number of dwellings proposed as affordable housing. The agent on behalf of their client has provided a statement confirming that they are willing to enter into a Section 106 agreement to provide the requested 10% affordable housing provision.

In conclusion Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

The site is greenfield land within the defined settlement boundary of Aberbargoed for which it is also an allocated housing site in the LDP. The first phase of residential development and associated infrastructure on the site has been completed to serve future phased development on the site. The proposed development complies with both local and national planning policies, would make a positive contribution to addressing the affordable housing targets for the County Borough and the surrounding highway network is considered to have sufficient capacity to accommodate the modest increase in vehicular movements without having a detrimental impact on highway safety. The concerns of statutory consultees can be addressed by way of planning conditions and a legal agreement. This application offers an opportunity to provide up to 76 dwellings within the Heads of the Valleys Regeneration Area without causing any significant harmful effects which cannot be successfully mitigated.

A Section 106 Agreement will be required to secure affordable housing provision on the site. The applicants have agreed to enter into such an agreement.

The recommendation is to require the applicant to enter into a Section 106 Agreement in respect of affordable housing provision. In that regard there are tests for Section 106 Agreements which have to be met.

These are as follows:-

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

With regard to criterion (a) there is a need to secure affordable housing provision on-site to comply with national and local policy.

With regard to criterion (b) the development is located within an area of housing need and pressure. The proposal will provide a small number of affordable homes within the local community.

With regard to criterion (c) in view of the scale of the development and the proximity to the existing community the applicants have offered to provide 10% affordable housing. Whilst no indicative targets have been provided for the Heads of the Valleys Regeneration Area it is recognised that there may be some areas within this part of the County Borough where the provision of affordable housing would be viable and there is evidence of need. In this instance consideration has been given to the 15% affordable housing contribution that was previously secured on the site by way of the previous permissions on the site and therefore having regard to the LDP, the Council's request to provide 10% on-site affordable housing is considered reasonable to the outline residential development proposed.

Comments from Consultees: The Council's 21st Century Schools Manager has confirmed that two sites have come forward in close proximity to the development site that are nearing completion i.e. 18/1005/FULL and 20/0277/FULL and taking into consideration the proposed development once constructed that the only way in which Aberbargoed Primary School could accommodate any increase in pupils would be to provide another classroom at the school itself.

In that regard the Council is responsible for preparing and keeping up-to-date the LDP. The LDP sets out planning policies and allocates sites for different types of development. The Council is also responsible for development control which involves the processing and determination of planning applications with the LDP guiding and controlling development by providing the foundation for consistent and clear decision making. In meeting the above responsibilities, the preparation or review of an LDP plays an important part in guiding future opportunities for the provision of new homes, jobs and leisure opportunities and this is supported by a wealth of demographic and economic forecasting evidence. The application reference numbers provided by the 21st Century Schools Manager relate to the Former Bedwellty Comprehensive School site, allocated as housing site HG1.22. It should also be noted that the application site for consideration is allocated within the LDP as a residential housing site (HG1.15) with the potential to deliver up to 180 units on a 7.34 hectare site with phase one on the site as constructed delivering only 52 units. Taking into consideration the 76 dwellings proposed on the site, there is still a shortfall of 52 units on the site alone which have previously been forecasted into the population and growth projections for the approved LDP. Furthermore, it is also noted that allocated housing site HG 1.18 Aberbargoed Plateau has also not come forward in the plan period which was estimated to provide 413 units over the 11.8 hectare site. On that basis the planned population and housing delivery associated with pupils attending Aberbargoed Primary School will have been addressed in the interim since the original planning consent on the site was granted.

Whilst the 21st Century Schools Manager has not requested the developer to provide funding towards a future extension to Aberbargoed Primary School, it should be noted that such a request would not meet the statutory tests laid down for a S106 obligation in that it would not be directly related to the development nor would it be fairly and reasonably related in scale and kind to the development and on that basis would fail the three tests.

Furthermore, this Council adopted the Community Infrastructure Levy in July 2014 and Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. Off-site education infrastructure requirements such as incremental extensions to existing schools (due to development increasing school place requirements over existing school capacities) can potentially be assisted in terms of a financial contribution through CIL monies being collected from developments. Whilst the application site is located within a low viability charging area, the Council is in receipt of CIL monies for applications 18/1005/FULL and 20/0277/FULL for which those sites fall within the mid viability charging area. Furthermore, it is noted that the 21st Century Schools and Colleges Band B investment programme runs from 2019-2026 for a 7 year period and focuses on the improvement of the condition of school buildings and maximising community usage. On that basis it is considered that there is sufficient scope to provide an extension to Aberbargoed Primary School if required but the finance to fund such an extension is a separate matter unrelated to the determination of this application.

Comments from public: The representations received have been addressed below:-

HIGHWAYS

1. Requests that a revised access should be sought for both the construction and completion phase.

LPA RESPONSE: The existing estate, Y Ffordd Wen, was developed to provide the first phase of a wider development. As such the estate road has been specifically designed to modern standards and to accommodate traffic from the completed development. The Transportation Engineering Manager has raised no objection with the proposed access arrangements and the management of construction traffic, including construction traffic routes and access, will form part of a Construction Management Plan to be conditioned for approval. Furthermore, the developer has indicated that they do have additional land within their control to provide a construction access to and from the site. Should this option wish to be explored, a separate consent would be required.

2. Highways safety issues in respect of construction traffic.

3. There will be numerous obstructions on a regular basis if construction vehicles are to rely on using Y Ffordd Wen.

LPA RESPONSE: With regards to points 2 and 3, these are addressed above.

4. The Transport Assessment does not take into account the impacts of the additional number of vehicles (at least 80-100) expected to use Y Ffordd Wen with narrow roads and on-street car parking issues as well as accommodating large vehicles.

LPA RESPONSE: The existing access and estate road to serve Y Ffordd Wen has been designed to modern highway standards able to accommodate future anticipated development. The Transport Assessment has carefully monitored the capacity of the surrounding highway, taking into account traffic movements associated with the proposed development and vehicle tracking for large vehicles have been provided where requested for the relevant roads.

5. Disagrees with the statements and outcomes of the Transport Statement.

LPA RESPONSE: The Transport Statement has taken into account relevant planning policy and a wide range of reliable data methods to reach the informed conclusion and the Council's Transportation Engineering Manager has raised no concerns in terms of its content or recommendations.

6. Additional traffic through the estate presents a danger to pedestrians and children.

LPA RESPONSE: Please refer to the response provided to point 1 above. No highway safety issues have been raised by the Council's Transportation Engineering Manager

7. The highway network is already at capacity leading to the site with regular traffic jams on the B4511 in both directions.

LPA RESPONSE: There is no evidence contained within the Transport Assessment to suggest that the existing highway network is unable to accommodate the increase in traffic that will be generated by the proposed development and the Council's Transportation Engineering Manager has not disputed the Transport Assessment. Furthermore, the proposed development promotes active travel with the site is located less than 1000 metres walking distance to key services, and all essential services can be accessed by walking/public transport without the need to rely on the use of private motor vehicles.

8. Requests whether speed ramps, lighting and a pedestrian footway would be installed from Bedwellty Church to the proposed the development.

LPA RESPONSE: No in that it has not been identified as necessary to enable the development to proceed.

9. Requests whether the bypass is still going ahead.

LPA RESPONSE: Land for the Bedwellty Relief Road was in the formerly approved Unitary Development Plan (UDP), the extant plan at the time of the determination of planning consent P/06/0671. Further to the granting of outline planning consent P/06/0671 in February 2009. The LDP was adopted in November 2010 with the site designated as housing site (HG1.15) Bedwellty Road, Aberbargoed, however the relief road did not form part of any allocation in the LDP and there are no proposals in the future to provide the relief road.

PUBLIC OPEN SPACE

10. The play areas are not practical in terms of their location in that there is limited visibility to them.

11. Requests detail on the play areas proposed and the exact location on the southern parcel of land.

LPA RESPONSE: In respect of points 10 and 11 the masterplan layout submitted is for illustrative purposes, full specification details of play areas and areas of public open space serving both the northern and southern parcels of land will be required as part of any subsequent reserved matters application.

HEALTH AND WELL BEING

12. Noise and dirt impact upon quality of life for existing residents.

LPA RESPONSE: Noise, dust and dirt from any construction works would be strictly managed by a construction management plan required to be submitted for approval.

13. Air pollution will increase.

LPA RESPONSE: Air quality has been fully addressed in the report, should there be a significant change to air quality in the area, this can be addressed at reserved matters stage. Furthermore, a condition has been recommended to contribute measures towards further improving air quality.

LOSS OF EXISTING PLAY AREAS AND GREEN SPACE

14. The development is taking away existing green space that is habitat to many endangered species.

LPA RESPONSE: The ecological survey undertaken concluded that other than native hedgerows to be retained/reinstated where necessary, no habitats of specific ecological interest were found on site. Any effects to low-level habitats will be minimised and additional planting/ecological enhancements planned on site will ensure the site maintains its ecological value. It should also be noted that the land is allocated within the LDP as a housing site and any access to the wider land beyond the existing estate as constructed requires the landowner's permission because it is not accessible open land available for use to the public.

15. The proposed development will take away areas used by children for recreational/leisure purposes including the road at the southern end of the site.

LPA RESPONSE: There are currently no safe, accessible and formalised play areas spaces for children within the Y Ffordd Wen estate. The proposed development will seek to provide multiple safe spaces and formalised play areas across the northern and southern development parcels and will meet Fields in Trust standards.

GENERAL

16. Loss of view.

LPA RESPONSE: Loss of view is not a material planning consideration.

17. Loss of existing safe places on the roads for children to play at the bottom the site.
LPA RESPONSE: As stated in point 15 above, Y Fford Wen does not have any on-site public open space or formalised play areas. Playing on the highway cannot be considered as a safe place for children.

18. More properties on the estate have been advertised for sale since the application was submitted.

LPA RESPONSE: This is not a material planning consideration and it is for the market to determine whether an individual wishes to move into or out of an area.

19. Previously advised in 2014 that the southern part of the site would not be built upon.

LPA RESPONSE: The Local Planning Authority cannot comment on information provided by a third party however both the northern and southern parcels of land have been allocated for residential development within the Caerphilly County Borough Local Development Plan since the adoption of the LDP in 2010.

20. Homeworkers will be disrupted by the level of noise associated with the construction phase of the development.

LPA RESPONSE: As with any development there will always be some limited short term disruption impacts however it is not considered that any noise levels during the construction phase of the development would completely disrupt the ability for any neighbouring occupier to work in an agile manner.

21. Legal advice will be sought if the development is approved.

LPA RESPONSE: There are no comments for the Local Planning Authority to make in this instance.

22. Residents should be compensated for damage to air quality and buildings during construction.

LPA RESPONSE: There is no reason that the development should cause any damage to existing properties and the construction process will be strictly controlled to mitigate impacts on existing neighbouring residents. If any damage to property did occur this would be a private matter to address with the developer.

23. Concerns in respect of the settlement boundary to the rear of 5-15 Y Ffordd Wen.

LPA RESPONSE: The land to rear of the referenced properties is within the settlement boundary and this land is within the ownership of the applicant but does not form part of the red line boundary submitted for consideration.

24. The community centre and playing fields is a regular gathering area for teenagers smoking, drugs and drinking and this access road would provide direct access to the estate from the playing fields would bring additional issues in terms of anti-social behaviour.

LPA RESPONSE: The masterplan layout submitted is for indicative purposes however the final layout associated with a reserved matters scheme will be carefully considered to design out crime and accord with Secure by Design principles. The adopted estate

road benefits from high levels of natural surveillance and the proposed development will need to ensure that all streets are afforded a strong frontage. Furthermore, anti-social behaviour is a matter for the police to enforce.

25. Noise, vibration and dust will impact directly on the wear and tear of properties.
LPA RESPONSE: Any negative impact in terms of noise, dust and vibration will be effectively managed and mitigated through conditions imposed to any permission granted.

26. Loss of value to properties for which there would be no compensatory measures.
LPA RESPONSE: Devaluation of property is not a material planning consideration.

27. Lack of neighbour consultation.
LPA RESPONSE: The Local Planning Authority has a duty to advertise applications for planning permission in accordance with article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012. The necessary publicity requirements have been met.

28. Unnecessary development of new homes during an economic crisis.
LPA RESPONSE: The officer report explains that the proposed development accords with both national and local planning policies. The principle of residential development on the site is considered acceptable in planning terms and is reflective of neighbouring land uses immediately adjacent to the site and within the wider area. The ongoing delivery of new housing is an important part of the planning process and Local Development Plan and this is reinforced by the site's housing allocation in the LDP and forms part of a strategic growth zone for residential development within the plan period. The proposed housing contribution would also respond to the shortfall of both market and affordable housing within the County Borough and the immediate locality and finally, given its sustainable location within close proximity to key employment nodes, over time development of the site will also support and grow the local economy and encourage localised spending.

29. The Council should review the application based on the needs of the local area and not solely because of the greed of a developer.
LPA RESPONSE: There is a shortage of both market and affordable homes within the Aberbargoed and Bargoed ward and development of the site will make a significant contribution to the shortfall of housing across the County Borough.

30. People are struggling to heat their homes and the Council should consider whether the location and time to build new houses which people can't afford is appropriate.
LPA RESPONSE: The scheme meets the required level of affordable housing sought by the Council. There is a housing need in the area for both market and affordable homes, which this development will help in providing the necessary supply.

FLOODING

31. Bedwellty Road is dangerous during bad weather and flooding.

LPA RESPONSE: There is no evidence to indicate that the proposed development will exacerbate any surface water flooding issues that may currently exist.

32. The potential for flooding and its associated remedial costs is likely to increase insurance premiums for existing residents.

33. Requests reassurances that the proposed development would not lead to drainage issues in respect of flooding to existing properties.

34. Queries the detail submitted in respect of the drainage strategy and questions matters that should be considered by technical experts.

35. Queries whether the detention basins on the southern development are capable to take the run-off in adverse weather conditions and the implications for neighbouring land.

LPA RESPONSE: In terms of points 32-35 as stated previously the masterplan layout submitted is for illustrative purposes at outline stage and detailed consideration of the design and drainage strategy that will inform the intended final layout are reserved for future consideration and would also require separate sustainable urban drainage (SAB) approval from the Local Lead Flood Authority (LLFA). The drainage scheme submitted will need to comply with Schedule 3 to the Flood and Water Management Act (2010) and satisfy the LLFA that the proposed development would not lead to any adverse impacts on the existing hydrology of the area. Such considerations will include demonstrating opportunities to tackle climate change effects in flooding, prevent groundwater contamination and integrate water sensitive urban design solutions to the design of the development, all of which will need to be supported by robust drainage calculations.

EDUCATION AND HEALTH

36. There is already a lack of GP availability. Approximately 300 additional residents will require the large expansion of current services already at capacity.

LPA RESPONSE: Additional pressure on GP availability is a matter for the Aneurin Bevan Health Board to consider and address as part of population growth.

37. How will the additional 250K for Aberbargoed Primary be funded?

38. The developer should fund the additional school facilities requirements rather than the tax payer, before the site is constructed.

LPA RESPONSE: With regards to points 37 and 38 please refer to the Comments from Consultee section above where the comments received from the 21st Century School Officer have been addressed.

AMENITY ISSUES

39. Concerns relating to loss of privacy in relation to orientation positioning and height of the proposed dwellings.

LPA RESPONSE: The masterplan layout submitted is indicative at this stage and future detailed consideration will be given at reserved matters stage.

40. Requests for additional trees to be planted to provide adequate screening.

LPA RESPONSE: There are plans for significant levels of buffer/enhancement planting on site however that will be addressed through the reserved matters stage and conditions in respect of detailed landscaping scheme.

41. Noise concerns exacerbated from additional neighbours.

LPA RESPONSE: Whilst it is accepted that there would be some disruption and noise during the construction process, however once the development it would be difficult to for any new properties to exacerbate noise levels for existing residents to an unacceptable degree.

PLANS

42. The landscaping and drainage plans conflict on the southern development in that properties are clearly shown within 20 metres of main drainage lines.

43. Requests for new proposals to be submitted.

In response to points 42 and 43 the masterplan layout submitted is indicative at this stage and future detailed consideration will be given at reserved matters stage and any drainage strategy will need separate sustainable drainage approval.

Other material considerations: Paragraph 1.18 of PPW states:-

"A plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated."

Paragraph 4.2.2 of PPW states:-

"The planning system must:

identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;
enable provision of a range of well designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and
focus on the delivery of the identified housing requirement and the related land supply."

Paragraph 4.2.25 of PPW states:

"A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications."

In conclusion Section 38(6) of the 2004 Planning & Compulsory Purchase Act requires a decision on this proposal to be made in accordance with the development plan unless material considerations indicate otherwise. The Adopted Caerphilly County Borough Local Development Plan up to 2021 is the development plan for purpose of Section 38(6).

Having regard to the above, the proposed development site's designation as an allocated housing reinforces its accordance with national policy and guidance together with the local planning policies.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

1. 10% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions.

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) 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.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development shall be carried out in accordance with the following approved plans and documents:
Site Location Plan received on 30.09.2022;
Indicative Masterplan in relation to Scale Parameters only received on 09.11.2022;
Noise Impact Assessment prepared by Parker Jones Acoustics received on 17.05.2021;
Preliminary Ecological Appraisal Rev 1 prepared by Clarke Webb Ecology Limited received on 30.09.202; and
Transport Assessment prepared by Acstro received on 25.01.2021;
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 05) This permission is for no more than 76 dwellings.
REASON: To allow any change in the number of total units to be reviewed in respect of the delivery of affordable housing in accordance with policy CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is

developed. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of public health.

- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 09) Prior to beneficial occupation of the dwellings hereby approved any glazing serving habitable room windows shall be installed in accordance with the recommendations specified in the Noise Impact Assessment prepared by Parker Jones Acoustics received on 17.05.2021 and any replacement or repair shall be maintained thereafter on a like for like basis for the lifetime of the consent.
REASON: In the interests of residential amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 10) The primary means of vehicular access into the northerly development shall be from the existing bellmouth along Bedwellty Road and the main access into the southerly development will utilise the existing adopted road known as Y Ffordd Wen. Full engineering details shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing 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.
- 11) The development hereby approved shall not be brought into beneficial use until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan as approved shall be implemented in accordance with the details and any timescales contained therein.
REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 12) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:
hours of working;
the on-site parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;
storage of plant and materials used during construction works;
wheel washing facilities;
the erection and maintenance of security hoardings;
measures to control noise during construction works;
measures to control pollution from plant and runoff;
measures to control the emission of dust and dirt during construction works; and
details of a scheme for the recycling/disposing of waste resulting from construction works.
Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 13) Details submitted in relation to Condition 1 of this permission shall include details to take into account the need to provide appropriate leisure facilities to meet the needs of the residents of the proposed development. Those facilities shall include areas of well-designed open space that benefit from good access and surveillance together with suitably sized equipped play areas (a LEAP and/or LAP) on both the northern and southern development sites and shall be designed in accordance with the standards set out in Fields in Trust guidance. The development shall be carried out in accordance with the approved details and provided in accordance with the timetable contained therein.
REASON: To ensure the adequate provision of public open space in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) Details submitted in relation to Condition 1 of this permission shall include a topographic site survey demonstrating existing and proposed levels and detailed cross section drawings of the site.
REASON: To enable the relationship between new and existing buildings to be carefully considered in the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) Details submitted in relation to Condition 1 of this permission shall include an updated Preliminary Ecological Appraisal to inform the reserved matters application.
REASON: To ensure up to date consideration of protected species, in the interests of biodiversity in accordance with policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 16) Details submitted in relation to Condition 1 of this permission shall include the following surveys:-
Tree Protection Plan (TPP);
Arboricultural Method Statement (AMS); and
Arboricultural Implications Assessment (AIA).
REASON: In the interests of visual and residential amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) Prior to the commencement of works onsite a timescale for the improvement of the potable water supply in the locality of the development shall be submitted to and agreed in writing with the Local Planning Authority. The required improvements shall be completed in accordance with this approved scheme.
REASON: To ensure the site is served by a suitable potable water supply.
- 18) Prior to works commencing on site details shall be submitted for a minimum of 25% of the residential units to be constructed to make provision to allow for the installation of electric charging points for vehicles.
REASON: In order to ensure that adequate mitigation is provided in respect of air quality in the interests of residential amenity in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 19) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve all of the approved dwellings. The necessary infrastructure required shall be installed prior to the first occupation of the dwellings.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.

Advisory Note(s)

Please refer to Public Access on the Council's website to view the comments of the consultees that are brought to the applicant's attention. Informative information is also provided.

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.

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).

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WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.