

Application Number: 22/0718/OUT

Date Received: 07.09.2022

Applicant: Davies & Jones Construction

Description and Location of Development: Erect residential development along with associated infrastructure in order to facilitate improvement of the club - Trinant Sports And Social Club (CIO) Conway Road Trinant Newport NP11 3JP

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site relates to Trinant Sports and Social Club and an area of undeveloped land which adjoins its south-eastern boundary of the clubhouse and playing field.

Site description: The application site covers an area of approximately 1.5 hectares and comprises of two distinct elements: the existing vehicular access and informal parking area to the front of the clubhouse; and an area of undeveloped, greenfield land primarily consisting of semi-improved acid grassland, marshy grassland and scrub. Groups of trees also exist on the more southern and south-eastern part of the greenfield site, as well as along its boundaries. The site is relatively flat but falls away steeply to the south. Informal footpaths cross the site, indicating that the site is used informally for recreation.

To the south of the application site is a locally designated Site of Importance for Nature Conservation (SINC) which supports a mixture of acid, marshy and neutral grassland communities and broad-leaved woodland. To the southeast and northeast of the site are predominantly rural fields and associated buildings. Immediately to the north of the site is the clubhouse for Trinant Sports and Social Club and its rear parking area, along with an adjacent residential property and a multi-use games area. Slightly further to north are more fields. Immediately west of the main development area of the site is a rugby field, with the residential street of Pen-Y-Waun Road beyond. The residential streets of Cedar Road and Conway Road also lie to the southwest and northwest of the site respectively.

Development: Outline planning permission is sought for residential development comprising of up to 44 units. The proposed mix of units would be split between 66% affordable (29 units) and 34% general market (15 units). The indicative plans and supporting information submitted indicate that the proposed development would comprise of a mixture of houses and flats, and would be served by a single, vehicular access off Conway Road. Compensatory car parking for Trinant Sports and Social Club is also shown on the indicative site layout plan, along with off-street car parking for all residential units, landscaping and surface water drainage features.

Access is currently being considered at outline stage, while matters relating to layout, scale, appearance and landscaping are reserved for future consideration.

Dimensions: The scale parameters for the proposed house types are set out below.

House Type 1 (Affordable 1 Bed Flat): Width - Min. 7.8m and Max. 8.8m;
Depth - Min. 7.5m and Max. 8.5m; and Height - Min. 8.5m and Max. 9.5m.

House Type 2 (Affordable 2 Bed Flat): Width - Min. 9.8m and Max. 11m; Depth - Min. 7.5m and Max. 8.5m; and Height - Min. 8.5m and Max. 9.5m.

House Type 3 (Affordable 2 Bed House): Width - Min. 5m and Max. 6m; Depth - Min. 9.5m and Max. 10.5m; and Height - Min. 8.5m and Max. 9.5m.

House Type 4 (Affordable 2 Bed House): Width - Min. 5m and Max. 6m; Depth - Min. 9.5m and Max. 10.5m; and Height - Min. 8.5m and Max. 9.5m.

House Type 5 (General Market 3 Bed House): Width - Min. 5.5m and Max. 6.5m; Depth - Min. 9.8m and Max. 10.8m; and Height - Min. 8.8m and Max. 9.8m.

House Type 6 (General Market 4 Bed House): Width - Min. 6.5m and Max. 7.5m; Depth - Min. 10m and Max. 11m; and Height - Min. 8.8m and Max. 9.8m.

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 None.

POLICY

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

Site Allocation: The site is primarily located outside of settlement limits.

Policies: Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), Policy SP4 (Settlement Strategy), Policy SP5 (Settlement Boundaries), Policy SP6 (Placemaking), Policy SP7 (Planning Obligations), Policy SP8 (Mineral Safeguarding) Policy SP10 (Conservation of Natural Heritage), Policy SP14 (Total Housing Requirements), Policy SP15 (Affordable Housing Target), 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) and Policy CW22 (Locational Constraints - Minerals).

Supplementary Planning Guidance: LDP1 - Affordable Housing Obligations (Revision), LDP4 - Trees and Development and LDP6 - Building Better Places to Live (Revision No. 3).

Future Wales - The National Plan 2040: Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 7 (Delivering Affordable Homes), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 13 (Supporting Digital Communications).

NATIONAL POLICY Planning Policy Wales (Edition 11, February 2021), Technical Advice Note 2: Planning and Affordable Housing (June 2006), Technical Advice Note 5: Nature Conservation and Planning (September 2009), Technical Advice Note 12: Design (March 2016) and Technical Advice 24: The Historic Environment (May 2017).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within a low risk coal mining area and an advisory note can be added advising the applicant/developer of this fact if planning permission were to be granted.

CONSULTATION

CCBC Housing Enabling Officer - Confirmed that the proposed housing development would be required to provide policy compliant affordable housing on site, which will need to be secured via a Section 106 Agreement.

Rights Of Way Officer - Whilst no objection has been raised to the proposed housing development, it is recommended that links to the surrounding public rights of way network are explored.

The Coal Authority - No comments made in respect of the proposed housing development.

Ecologist - No objection raised to the proposed housing development subject to conditions securing biodiversity mitigation, compensation and enhancement measures.

Transportation Engineering Manager - CCBC - No objection raised to the proposed housing development subject to conditions relating to access, highway and parking matters.

Senior Arboricultural Officer (Trees) - Whilst no objection has been raised in principle to the proposed housing development, some concerns have been raised in relation to the potential impacts on certain trees located along the site boundary.

Estates Manager - No comments received.

CCBC - 21st Century Schools Manager -

Environmental Health Manager - No objection raised to the proposed housing development subject to conditions relating construction phase mitigation measures and land contamination.

Heritage And Placemaking Officer - Concerns raised in placemaking terms in relation the proposed housing development's indicative site layout.

Senior Engineer (Drainage) - No objection raised in principle to the proposed housing development; however, it is advised that only limited information has been provided to consider the viability of the surface water drainage proposals.

Parks And Countryside Operations Manager - No comments received.

Strategic & Development Plans - No objection raised in principle to the proposed housing development.

Waste Strategy and Operations Manager - No objection raised in relation to the proposed housing development and general advice provided in relation waste service requirements.

Dwr Cymru - No objection raised to the proposed housing development. Also advised that a hydraulic modelling assessment is required to establish the scope of any water supply system reinforcement works.

Police Architectural Liaison Officer - No comments received.

Natural Resources Wales - No objection raised to the proposed residential development subject to a condition relating to a lighting plan.

Chief Fire Officer - No objection raised to the proposed housing development. Advice also provided in relation to the provision of adequate water supplies and access for firefighting purposes.

Western Power Distribution - Advised that a separate application will need to be made to Western Power Distribution if a new connection or service alteration is required.

Landscape Architect - CCBC - Whilst no objection is raised in principle to the proposed housing development, concerns are raised in respect of the proposed indicative layout. In particular, the concerns relate to the proposed layout's inward focus and lack of integration with the surrounding landscape, the impact on existing perimeter trees and the lack of sufficient mitigation planting.

ADVERTISEMENT

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

Response: Objections from two members of the public have been received as part of the public consultation exercise. One of the objectors has also submitted a written and online petition opposing the proposed residential development with 223 and 263 valid entries respectively. It should be noted that the online petition includes entries from people living outside of the local area, including people living in other countries.

Summary of observations: The objections raised by members of the public are as follows:

The proposed development would have a detrimental impact on local ecology and the operation of the neighbouring animal welfare charity.

There are other sites elsewhere within the County Borough that could be redeveloped for housing.

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? The submitted Preliminary Ecological Appraisal indicates that the application site contains habitats that are likely to support foraging and commuting bats. There are also a small number of mature trees located on the north-eastern and south-eastern site boundary that have low potential for supporting roosting bats. The retention of such trees and the implementation of an appropriate lighting mitigation plan would, however, prevent any detrimental impact on the maintenance of the population of the bat species concerned at a favourable conservation status in their natural range.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, the application site is located in the mid-range viability area where CIL is charged at £25 per square metre plus indexation.

ANALYSIS

Policies: The application site has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The application site is located outside of the settlement boundary where development is strictly controlled to prevent inappropriate development in the countryside (Policy SP5). The application site also falls within a sandstone safeguarding area according to the LDP Proposals Map (Policy SP8).

With regards to the principle of development, the application site is primarily a greenfield site located on the edge of the settlement of Trinant. This settlement is located within the Northern Connections Corridor where, among other things, Policy SP2 seeks to promote sustainable development that: focusses significant development on both brownfield and greenfield sites that have regard for the social and economic functions of the area; reduces car borne trips by promoting more sustainable modes of travel; makes the most efficient use of existing infrastructure; and protects the natural heritage from inappropriate forms of development. The LDP also states that limited housing development will be allowed in villages such as Trinant, where there is a need for a greater variety of housing to maintain the viability of the settlement (paragraph 3.93).

It is also recognised that brownfield sites should be used in preference to greenfield sites, where feasible (paragraph 1.59), and that Planning Policy Wales (PPW) sets out a sequential approach to identifying housing sites, starting with the re-use of previously developed land and/or underutilised land within settlements, then land on the edge of settlements and then greenfield land within or on the edge of settlements (paragraph 4.2.16). In terms of development in the countryside, PPW also states that such development should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation (paragraph 3.60). Moreover, PPW goes on to indicate that minor extensions to existing settlements may be acceptable where they meet a local affordable housing need or increase local economic activity.

As indicated above, Policy SP5 seeks to prevent inappropriate development in the countryside, and Policy CW15 (criterion C) does not identify housing developments as a potentially acceptable form of development outside of the settlement boundary. As such, the proposed housing development conflicts with the requirements of these policies and there is a general presumption against allowing the proposed development. Notwithstanding this, consideration also needs to be given to other material considerations in determining whether, on balance, the proposal is acceptable in planning terms. These include the sustainability credentials of the proposed housing development and the need for housing, which are considered below.

The application site adjoins a predominately residential area and would result in an increase in the area of the existing settlement by nearly 4%. Whilst a development of this scale is greater than a small affordable housing exception site as defined by Policy CW12, it is considered that the proposed 4% increase would represent a minor extension to the settlement boundary as a whole.

The proposed housing development would be accessed from the existing highway network at Conway Road and would require just a short stretch of new highway through the existing Trinant Sports and Social Club site to access the main development. The site is also within walking distance of bus stops (approximately 500m) and local facilities, including a primary school (approximately 300m) and shop (approximately 400m). Whilst it is recognised that rural settlements, such as Trinant, do not offer the same level of local facilities and services as principal towns such as Blackwood, it is considered that the proposed housing development would be located within a reasonably sustainable location and would support the role and function of the settlement (Policy SP2 criterion A).

In relation to housing need, Policy SP14 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 (see Appendix 1 of AMR). 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. The affordable housing target of delivering at least 964 affordable units between 2006 and 2021 (Policy SP15) 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 housing development would provide up to 44 residential units which would be split between 66% affordable (29 units) and 34% general market (15 units). It is considered that the proposed development would make a much-needed contribution to the supply of land for housing to help address the shortfall of houses being delivered elsewhere within the County Borough, and accordingly, the proposal would meet the requirements of Policies SP14 and SP15. It is also noted that the Council's Strategic Planning Officer has raised no objection in principle to the proposed housing development and it is considered that the need for housing should be afforded significant weight.

In respect of highway and access matters, the submitted indicative layout plan indicates that the proposed residential development would be served by a vehicular access off Conway Road and a new road that passes through the existing Trinant Sports and Social Club site. The proposed site access road would be 5.5m wide with a 2m wide footway on both sides and would tie in with the existing road layout. There are also 10 formal car parking spaces proposed on the south side of the access road, opposite the clubhouse, to offset the loss of the existing informal hardstanding parking area that currently serves Trinant Sports and Social Club.

The submitted Transport Statement (TS) indicates that the proposed housing development is likely to generate 16 and 17 two-way vehicle movements during the AM

and PM peak periods respectively. This is estimated to equate to less than 1 vehicle every 3.5 minutes. The TS concludes that such an increase in vehicle movements would be barely perceivable and as such, will not have an adverse effect on the local highway network which has an excellent safety record. The TS also commits to the provision of a Travel Plan that will promote the use of sustainable modes of transport when travelling to and from the site.

The Council's Transportation Engineering Manager has reviewed the findings of the TS and confirmed that the proposed housing development would have a minimal effect on the local highway network. The revised access details provided within the submitted Addendum Transport Note (Drawing No. 23-151-SK01) have also been reviewed and confirmed as being acceptable in principle. Moreover, the proposed Travel Plan can be secured via condition and detailed highway design and car parking matters would be addressed at reserved matters stage. It is therefore considered that the proposed housing development would not have a detrimental impact on the safe, effective and efficient use of the transportation network and accordingly, meets the requirements of Policy CW3.

Policy SP6, which relates to placemaking, 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. A thorough site and context analysis is therefore essential in achieving good design and placemaking principles.

The relationship between the built form of the proposed housing development and surrounding residential areas to the west would be limited to a certain extent by the intervening playing field and existing natural boundary screening. As the site is also relatively contained, there is scope to introduce some variety to the existing house types found within the surrounding area to provide greater choice and help maintain the viability of the settlement. It is, however, recognised that the application site is most suited to buildings of two storey in height and the statement within the submitted Design and Access Statement (DAS) confirming that the proposed houses would generally be 2 storey in height is welcomed. The scale parameters set out within the DAS are also broadly acceptable and any proposed buildings of more than a typical two storey height would need to be carefully considered at reserved matters stage. For instance, the siting of taller buildings on the southern part of the site, which would be visually prominent when viewed from the wider landscape, is unlikely to be acceptable in placemaking and landscape terms.

In terms of layout, the Council's Placemaking and Building Conservation Officer has raised concerns over the extensive areas of frontage car parking, the predominance of hard landscaping, the poor creation of a 'sense of place' and the lack of public open space, including children's play areas, as shown on the submitted indicative site layout plan. In order to improve the scheme in placemaking terms, the Placemaking and Building Conservation Officer has recommended that off-street car parking provision is relocated to the sides of buildings, which would allow the buildings themselves to be

located as close to the street as possible (generally 3m). It is also recommended that vistas across the site are terminated by buildings, all corner buildings incorporate multiple facades and enhanced architectural detailing, and interconnected useable open space is provided as part of the proposed development.

The Council's Landscape Officer has also raised concerns over the proposed indicative site layout in relation to the orientation of the proposed houses along the site's southern edge, which front into the site and present their rear elevations and boundary treatments to wider views from the south. This negative visual impact is exacerbated by the removal of existing vegetation along the site's southern boundary, and it is recommended that the indicative site layout is revised to incorporate a more 'perimeter block' urban form with plots backing on to one another. This design approach would create an active frontage on internal streets, whilst also allowing houses to face towards the southern perimeter of the site. The introduction of appropriate soft landscaping at reserved matters stage would also help soften the built form of the development to prevent an unacceptable impact both visually and in terms of landscape character.

Overall, whilst it is accepted that the indicative layout and design of the proposed housing development in its current form does not incorporate good placemaking principles, it is considered that such matters can be adequately addressed at reserved matters stage when layout, scale, appearance and landscaping are considered in detail. It is also acknowledged that a reduction in the number of proposed residential units may be necessary in order to address the development's current shortcomings and achieve an acceptable development in placemaking terms.

In respect of landscape and visual impacts, the submitted Landscape and Visual Appraisal (LVA) states that the application site is considered to make a limited contribution to landscape character and offers fair to poor visual amenity. The LVA also concludes that the proposed housing development is considered to have a slight adverse effect on the landscape resource and local landscape character. However, this effect is considered to be very localised given the site's character and surrounding built form, and with the establishment of appropriate landscape proposals, the significance of the landscape effect in the longer term would reduce to a neutral effect on the landscape resource and character. In addition, the significance of the proposed housing development's visual effect is considered to range from neutral to slight adverse effect on views and visual amenity.

Whilst the Council's Landscape Architect broadly agrees with the findings of the LVA, he notes that the conclusions are, in part, based on a number of mitigation measures being taking into account, such as the retention of trees and hedgerow vegetation along the site's countryside boundaries and additional tree and hedgerow planting along the site's southern and western boundaries. The submitted indicative site layout for the proposed housing development has not, however, had sufficient regard to the need for these mitigation measures, particularly along the site's southern boundary with the rear elevations and boundary treatments of several plots exposed to wider views from the south. As such, the Landscape Architect is of view that the proposed housing

development in its current indicative form would have an unacceptable adverse impact on the landscape character of the site and adjacent countryside.

Notwithstanding the above, the Landscape Architect has acknowledged that the application site does have the potential for a more sensitively designed housing development that incorporates a more outward looking site layout to the south, with a more holistic approach to the retention of existing boundary tree and hedgerow vegetation and robust mitigation planting along the site's southern perimeter. It is considered that such matters can be adequately addressed at reserved matters stage, and subject to a sensitively designed development layout with appropriate building designs and boundary landscape screening, the proposal would not have an unacceptable impact on the character of the local landscape (Policy SP10).

With regards to trees, the submitted Tree Survey (TS) identifies 3 groups of trees within the application site that would be lost, either in whole or part, as result of the proposed development. All of the tree groups are located on the southern part of the site and are described in the TS as follows: G35 - comprising of a group of goat willow, ash, oak, birch and hawthorn; G38 - comprising of a group of goat willow and ash; and G39 - comprising of a group of ash, sycamore, birch, oak and hawthorn. All groups are young in age, of fair to poor condition and categorised as being of either low quality (category C - G35 and G39) or recommended for removal (category U - G38).

The Council's Arboricultural Officer has raised no specific concerns over the loss of the aforementioned tree groups as a result of the proposed development. She has, however, advised that further careful consideration will need to be given to the impact of the proposed layout on other existing trees and hedgerows located along the boundaries of the site, including a category B beech tree of moderate quality (T4). As these trees and hedgerows are located along the site's periphery, it is considered that, subject to a sensitively designed layout at reserved matters stage, the proposed housing development would not have an unacceptable impact on the site's existing trees and hedgerows. Moreover, an Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement can be considered at reserved matters stage, along with detailed landscaping proposals that seek to enhance this existing landscape buffer. Accordingly, it is considered that the proposed housing development would meet the requirements of Policy CW6.

In terms of local ecology, the application site is not covered by any statutory or non-statutory nature conservation designations. The submitted Preliminary Ecological Appraisal (PEA) indicates that the application site supports a range of habitat types, including semi-improved acid grassland, marshy grassland, dense and scattered scrub and scattered trees. The site also adjoins Pentwyn Fields Site of Importance for Nature Conservation (SINC) to the south. This area of adjoining land is designated for its mosaic of broad-leaved woodland, patches of acid and marshy grassland and areas of semi-improved grassland.

The proposed indicative site layout, as originally submitted, located the surface water attenuation basin in the southeast corner of the site, which would have resulted in the removal of an area of semi-natural broad-leaved woodland. However, in order to address concerns over its loss raised by the Council's Ecologist, a revised indicative site layout has been submitted with the attenuation basin relocated to the west of the site. This has been facilitated by the loss of 4 No. residential units. The Council's Ecologist has also confirmed that the impact of the proposed drainage route through the SINC can be minimised by replacing the proposed swale with an underground surface water pipe and following the route of an existing informal footpath on site. Moreover, it is considered that the applicant's commitment to improved habitat management of the SINC, for the benefit of grassland habitat, would compensate for the loss of grassland habitats on the application site and mitigate the ecological impacts. The Council's Ecologist has advised that this compensatory measure should be secured via the imposition of a habitat management plan condition.

In relation to European protected species, the submitted PEA states that the application site contains habitats that are likely to support foraging and commuting bats. There are also a number of mature trees located on the north-eastern and south-eastern site boundary that have low potential for supporting roosting bats. Such trees can, however, be retained as part of the proposed development and Natural Resources Wales (NRW) has raised no objection to the proposed housing development subject to a lighting mitigation plan being secured via condition. The lighting mitigation plan would help prevent "light spillage" on to the surrounding protected species' habitats and commuting corridors, such as the SINC to the south of the site and boundary hedgerows, scrub and trees. Provided that an appropriate lighting mitigation plan is approved and implemented, NRW is satisfied that the proposed housing development is not likely to be detrimental to the maintenance of the population of the bat species concerned at a favourable conservation status in their natural range.

In respect other fauna, the PEA indicates that the reptile presence/absence surveys recorded only a 'low' population of slow worm (6 individuals recorded) on the adjoining SINC to the south of the site. No slow worm or other reptiles or amphibians were recorded on the application site. It is also noted that the promotion of compensatory rough grassland in the south-eastern corner of the site and the SINC through improved habitat management, would provide greater suitable habitat availability for reptiles.

The PEA states that areas of dense scrub and woodland at the site are likely be used by a number of bird species for foraging and nesting purposes and as such, any future vegetation clearance should be undertaken outside of the nesting bird season. The PEA also recommends that the proposed housing development provides bird boxes for new buildings and retained trees, which can be secured via condition.

Given the above, and subject to the imposition of the aforementioned ecological conditions, it is not considered that the proposed housing development would have an unacceptable impact on priority habitat or protected and local species. Accordingly, the proposal would meet the requirements of Policies SP10 and CW4.

In relation to the historic environment, approximately 190m to the southeast of the application site lies the Grade II Listed Buildings of Llanerch-Uchaf Farmhouse and attached Farm Range and Barn at Llanerch-Uchaf. As such, the proposed housing development falls within its setting. Planning Policy Wales (PPW) advises that there is a statutory requirement to have special regard to the desirability of preserving the setting of a listed building (paragraph 6.1.10). Technical Advice Note (TAN) 24: The Historic Environment also explains that the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape (paragraph 1.25). Moreover, TAN 24 goes on to state that the extent of any setting is not fixed and may change as the historic asset and its surroundings evolve.

The submitted indicative site plan indicates that there are no buildings proposed in the south-eastern part of the site and the existing boundary trees and hedgerow vegetation would be retained. The latter would continue to screen the application site when viewed from the Listed Buildings to the southeast and it is evident that a sensitively designed housing development would preserve the setting of the Listed Buildings at Llanerch-Uchaf. The full details of the development's layout, scale, appearance and landscaping can be adequately controlled at reserved matters stage and accordingly, it is considered that the proposed housing development meets the requirements of PPW and TAN 24 in respect of this matter.

In terms of residential amenity, the nearest existing residential property to a new building forming part of the proposed housing development is No. 28 Cedar Road. The proposed indicative layout plan demonstrates that an adequate separation distance of over 30m could be maintained between this existing property and the proposed building. As such, it is considered that the application site is capable of accommodating the proposed housing development without having an unacceptable impact on the amenity of the occupiers of neighbouring properties by means of overlooking, overbearing or overshadowing. Moreover, any amenity impacts during the construction phase of the development would be temporary and capable of being adequately controlled through the implementation of a construction working method statement that can be secured via condition. Accordingly, it is considered that the proposal would meet the requirements of Policy CW2.

With regards to drainage, the submitted Outline Sustainable Drainage Strategy (OSDS) indicates that foul drainage would be conveyed to an existing combined sewer located at the southwest corner of the playing field, while sustainable surface water drainage measures would comprise of a combination of water butts, raised planters, permeable paving, roadside swales and bio retention areas and a landscaped retention basin. Only general details of the sustainable drainage proposals have been provided at this stage, which indicate that controlled surface water discharge off site would potentially be via a piped network through the SINC before discharging to ditch/watercourse to the south of the site.

Dwr Cymru/Welsh Water (DCWW) has raised no concerns in respect of the capacity of the public sewerage network to accept foul flows from the proposed housing development and no problems are envisaged in relation to wastewater treatment. Whilst DCWW has indicated that the water supply system in the immediate vicinity of the site has insufficient capacity to serve the proposed development, no objection has been raised in this regard and no request has been made for any improvement works to be secured via condition. The required hydraulic modelling assessment and the scope of any reinforcement works, as may be required, is therefore considered to be a matter for DCWW and the applicant/developer. The requirement for such an assessment can, however, be brought to the attention of the applicant/developer via a suitably worded informative.

The Council's Senior Engineer (Drainage) has raised concerns in relation to the proposed housing development on the basis that the limited information provided does not demonstrate compliance with the statutory sustainable drainage standards. However, he has also confirmed that a separate approval for the sustainable drainage proposals would be required from the Sustainable Drainage Approval Body. As only the principle of development and access are being considered at this stage, it is considered that there is sufficient scope to incorporate any necessary changes to the sustainable drainage proposals into the final housing development scheme.

In relation to leisure and open space provision, Policy CW10 requires all new sites capable of accommodating 10 or more dwellings or exceeding 0.3ha to make adequate provision for useable open space, appropriate formal children's play facilities and adequate outdoor sports provision. It is noted that a multi-use games area adjoins the northern boundary of the site and a locally equipped area for play is located approximately 150m to the northwest of the proposed housing development. However, the submitted indicative site layout plan does not include sufficient useable open space or any onsite children's play facilities, which is not considered to be acceptable in placemaking terms. This lack of provision would need to be addressed at reserved matters stage when layout and landscaping are considered in detail. It is also recommended that a Local Area for Play (LAP) is secured via condition to ensure that young children have an informal area for play and interaction on site.

With regards to the local Public Right of Way (PROW) network, PROW Footpath 42 lies adjacent to the south-eastern boundary of the site. The Council's Rights of Way Officer has indicated that access to the surrounding PROW would benefit both future residents of the development as well as existing residents in the vicinity of the site. The submitted indicative site layout plan also acknowledges the opportunity to link the proposed development to PROW, but this would need to be given more detailed consideration at reserved matters stage to ensure that any proposed footpath link does not harm biodiversity interests and trees within the wooded area in the south-eastern part of the site. As the PROW is located on neighbouring land, an agreement is also likely to be required with the adjoining landowner to link into the PROW.

In respect of the sandstone safeguarding area, LDP Policy CW22 states that proposals for permanent development uses within identified mineral safeguarding areas will not be approved unless, among other things, there is an overriding need for the development (criterion A(iii)). As indicated above, there is a clear need to increase housing land supply and the proposed 44 residential units would make a valuable contribution to meeting this need. It is therefore considered that the need for the proposed housing development outweighs the need to safeguard the sandstone resource in this location. Notwithstanding this, given the proximity of the site to existing housing, it is considered unlikely that consent would be granted for quarrying in this location in any event.

In terms of planning obligations, the Council's Housing Enabling Officer has confirmed that the policy compliant requirement for affordable housing (25%) will need to be secured on site via a Section 106 Agreement. This equates to 11 on site affordable units and the type of units to be provided will also need to be secured as part of the S106 Agreement.

With regards to other matters, it is noted that the submitted indicative site layout plan is described as 'phase 1' and an internal access road connecting the residential housing development to the SINC to the south is shown in the southwest corner of the site. However, any future development of this land to the south is unlikely to be acceptable given its nature conservation value. Moreover, it should be recognised that the proposed ecological mitigation measures for the housing development include compensatory habitat management of the SINC for the benefit of grassland habitat and without this compensatory measure the proposed development would not be considered acceptable. As such, it is considered that the proposed internal access road in the southwest corner of the site should not be retained in its current form at reserved matters stage when the site layout is considered in detail.

In addition, it is also noted from the development description and the submitted DAS that the proposed housing development would enable much needed investment in Trinant Sports and Social Club, which is necessary for the future survival of the community facility. No evidence has, however, been provided to support this claim and as such, it is considered that any financial benefits to the club associated with the proposed development should be afforded little weight.

In summary, the proposed housing development would broadly represent an inappropriate form of development in the countryside. However, it is considered that the proposed development, which includes 29 affordable units, would only result in a minor extension to the settlement boundary and would be located within a reasonably sustainable location with good access to local facilities and services. Moreover, there is an unequivocal need to increase the housing land supply and no unacceptable impacts in relation to placemaking, highway safety, amenity or the natural environment have been identified that can't be adequately mitigated via specific conditions or addressed at reserved matters stage through an appropriately designed housing development. It is therefore considered that, on balance, the proposed housing development is acceptable.

Comments from Consultees: All relevant matters raised by consultees have been addressed above.

Comments from public: With regards to the concern over the proposal's impact on the operation of the neighbouring animal welfare charity, residential uses are widely recognised as a 'sensitive' land use that do not typically give rise to unacceptable impacts on the amenity of an area. As such, it is considered that the proposed use would be broadly compatible with surrounding land uses. Moreover, any specific impacts that the proposed housing development is likely to have on adjoining land uses would be considered in more detail at reserved matters stage, where there would be further opportunity for public consultation and comment.

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.

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 Welsh Ministers to be notified that the Local Planning Authority is minded to grant planning permission for this major residential development which is not in accordance with one or more provisions of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

On the expiry of the period of 21 days beginning with the date on which the Welsh Ministers receive the notification, or the date on which the Welsh Ministers confirm that they do not intend to call-in the application, whichever is the sooner, that (B) the applicants enter into a Section 106 Obligation to provide the following:

1. 25% provision of Affordable Housing.

On completion of the Section 106 Obligation that (C) 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.

This permission is subject to the following condition(s)

- 01) Approval of the details of layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the layout scale appearance of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development shall be carried out in accordance with the following approved plans:
Site Location Plan, Drawing No. 1.1, Received 28/03/2023; and
Access Road Layout, Drawing No. 23-151-SK01 within Appendix 1 of Addendum Transport Note, prepared by Magna Transport Planning Ltd, Received 22/02/2023.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) The development hereby approved shall not be occupied until the means of vehicular access has been provided in accordance with the approved plans.
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) 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.
- 08) 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.
- 09) 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.
- 10) 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.
- 11) 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.
- 12) Details submitted in relation to Condition 1 of this permission shall include details of proposed public open space (a LAP) to 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.

- 13) Prior to the commencement of the development hereby approved, a Habitat Management Plan for the grassland habitat within the adjacent Pentwyn Fields Site of Importance for Nature Conservation shall be submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan as approved shall be implemented in accordance with the details and any timescales contained therein.

REASON: To secure mitigation, compensation and/or enhancement measures for biodiversity on site in accordance with policies SP10 and CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 14) Prior to the commencement of the development hereby approved, details of a biodiversity sensitive drainage scheme within the adjacent Pentwyn Fields Site of Importance for Nature Conservation shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be carried out in accordance with the approved details.

REASON: To conserve and enhance biodiversity by protecting retained habitats on site in accordance with policies SP10 and CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 15) Prior to the commencement of the development hereby approved, a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging and commuting habitats for bats, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved strategy and retained thereafter.

REASON: To ensure that proper measures are taken to safeguard the habitat of bats in accordance with policies SP10 and CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 16) Prior to the commencement of the development hereby approved, a biodiversity strategy shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity strategy shall be implemented as agreed.

REASON: To provide biodiversity conservation measures, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2021) and Technical Advice Note 5: Nature Conservation and Planning (2009).

- 17) 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.

- 18) Prior to the commencement of the development hereby approved a Japanese Knotweed remediation plan shall be submitted to and approved in writing by the Local Planning Authority. The remediation plan shall be implemented as agreed by a suitably qualified and licenced contractor.

REASON: To prevent possible offences under the Wildlife and Countryside Act 1981 (as amended) by preventing damage to the proposed new building and infrastructure and to prevent the spread of a schedule 9 species.

- 19) 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.

Advisory Note(s)

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

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.

The applicant/developer is advised that the water supply system in the immediate vicinity of the application site has insufficient capacity to serve the proposed housing development. Dwr Cymru/Welsh Water therefore requires a hydraulic modelling assessment to establish the scope of any reinforcement works to be completed at the same time as the provision of new water mains to serve the new development under Sections 41 and 51 of the Welsh Industry Act (1991). Further information relating to the hydraulic modelling assessment is available at www.dwrcymru.com.

The applicant/developer is advised that the habitat management plan required under condition shall include, but not be exclusively limited to, details of the management, duration, monitoring and any remedial works considered necessary following monitoring.

The applicant/developer is advised that the biodiversity strategy to be submitted in accordance with condition 16 should include, but not be exclusively limited to, the following:

Clearance methodologies for vegetation, including timing/phasing for birds and reptiles;

The use of native species in the planting scheme;

Details of proposed bird nesting boxes; and

Details of hedgehog passes under fences (i.e., 100mm gaps).

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.