

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0270/OUT 27.03.2017	Persimmon Homes East Wales Mr J Price Llantrisant Business Park Llantrisant Rhondda Cynon Taf CF72 8YP	Erect residential development of up to 175 units including open space provision, access and parking arrangements and to approve the matters of access and scale Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is part of a Golf course that is to the south of the settlement of Oakdale.

Site description: Access to the site is via the existing golf course entrance onto Llwyn On Lane where there is something of a break in the building line. The area identified includes the clubhouse, the golf driving range building, the car park, parts of the course and a small field behind Nos. 2 to 14 Waungoch Road. A public right of way enters the site from the east and joins with the lane that runs through the site from the north to the south. The Nant Philkins runs through the site east to west.

Development: Outline consent is sought for residential development. All matters except access and scale are reserved. At the entrance there is an existing pond that is shown re-sited to accommodate the proposed access.

Dimensions: The site measures approximately 5 hectares and is of an irregular shape. The indicative master plan illustrates a layout of 175 dwellings with an area of public open space comprising approximately 25% of the site situated to the southwest section. The scale parameters of the proposed dwellings are as follows:-

Minimum	Maximum
Width 4.0	17.5
Depth 5.0	10.0
Height 7.50	11.0.

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Other information: The application is accompanied by a pre-application Consultation Report that concludes that the consultation process has been recorded, considered and addressed.

PLANNING HISTORY 2005 TO PRESENT

P/05/0561- Erect one detached house - Refused 06.10.05.

P/05/1682 - Erect two storey dwelling to be used as holiday let - Granted 16.02.06.

P/06/0392 - Erect two dormer bungalows - Granted 01.06.06.

06/0753/FULL - Erect extension to driving range - Granted 25.01.07.

11/0095/FULL - Erect two dormer bungalows with associated groundworks, access and car parking - Granted 31.03.11.

15/0567/OUT - Erect residential development of up to 175 units including open space provision, access and parking arrangements - Refused 07.04.16 - Appeal In Progress.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is part of an existing golf course. It lies outside the settlement boundary of Oakdale and is not allocated for residential use, the proposal therefore represents a departure from the plan. Part of the site lies within a sandstone safeguarding area.

Policies:

Strategic Policies

SP2 - Development Strategy in the Northern Connections Corridor, SP4 - Settlement Strategy, SP5 - settlement boundaries, SP6 - Place making, SP7 - Planning Obligations, SP8 - Minerals Safeguarding, SP10 - Conservation of Natural Heritage, SP14 - Total Housing Requirements, SP15 - Affordable Housing Target, SP21 - Parking Standards.

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Countywide Policies

CW1 - Sustainable Transport, Accessibility and Social Inclusion, CW2 - Amenity, CW3 - Design considerations - Highways, CW4 - Natural Heritage Protection, CW5 - Protection of Water Environment, CW6 - Trees, Woodland and Hedgerow protection, CW10 - Leisure and Open space provision, CW11 - Affordable Housing Planning obligation, CW15 - General locational constraints, CW22 - Locational constraints - Minerals, supplementary planning guidance contained in LDP1 - Affordable Housing Obligations, LDP4 - Trees and Development, LDP 5 - Parking standards, LDP6 - Building Better Places to Live.

NATIONAL POLICY

- Planning Policy Wales (Edition 9, November 2016);
- Technical Advice Note 1: Joint Housing Land Availability Studies (2015);
- Technical Advice Note 2: Planning & Affordable Housing (2006);
- Technical Advice Note 11: Noise (1997);
- Technical Advice Note 12: Design (2016);
- Technical Advice Note 18: Transport (2007).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? - Yes.

Was an EIA required? - Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - No.

CONSULTATION

Cadw - No Comment.

Rights Of Way Officer - No objection. Advice is provided regarding rights of way that pass through the site.

Senior Engineer (Land Drainage) - No objection subject to conditions. Drainage advice is provided.

Transportation Engineering Manager - No objection subject to conditions previously recommended for recent application for same development.

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Outdoor Leisure Development Officer - No objection subject to the provision of suitably scaled and designed multiuse games area.

Head Of Public Services - No objection subject to previously recommended conditions.

Dwr Cymru - No objection and drainage advice is provided.

Police Architectural Liaison Officer - No objection. It is recommended that existing speed control be extended and additional traffic calming be introduced. It is also suggested that the uncontrolled pedestrian crossing at the school be upgraded to traffic light controlled and a section of additional pavement be provided. Secure by design advice is provided.

Natural Resources Wales - No objection. Advice is provided.

Welsh Ambulance Services NHS Trust - No comment.

Conservation & Design Officer - No objection in principle, however at reserved matters attention will need to be focused upon the impact upon the character of the Conservation Area.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press and 53 neighbouring properties have been consulted.

Response: Approximately 62 letters/emails/online objections and a petition with 415 signatures have been received raising the following issues.

Summary of observations:

- It is suggested that the proposed development will give rise to changes in the water environment that includes an existing stream that flows through the site. Questions have also been raised about the calculations and specification of the drainage system that is to be constructed to serve the proposed development.
- It is stated that the site lies within a "mining area" and it is questioned as to whether there will be any impact upon the water table.
- The proposed residential development "will stick out like a sore thumb and take the character away from Oakdale", thereby over developing a model village.
- The schools are full and cannot accommodate any more children.
- The doctor's surgery is full.
- There are over 600 houses for sale within a 3 mile radius of Oakdale therefore no more houses are needed.

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- It is suggested the Councils planning decisions are affected "when money is involved".
- It is suggested that the Transport Engineering Manager's previous assessment of the previously submitted traffic impact analysis was not correct as there were significant flaws in the information submitted with particular reference to the nearby school.
- The sewerage system is at capacity and is not capable of taking additional flows.
- The land is in a green wedge and outside the settlement.
- The access to the site is inadequate and potentially dangerous.
- An area of "natural beauty with a huge variety of wildlife will be lost" and is also a carbon sink.
- There are brown field sites such as the Oakdale Comprehensive site that should be developed first.
- the development will adversely affect the air quality in the locality.
- There is insufficient leisure space to serve the local community and this land should be retained for that purpose.
- The development would create a town or "metropolis" as opposed to a village and remove Oakdale's historic character and identity.
- There should be no more development on green land areas.
- Development of this type is for profit.
- It would be "illegal" for the Planning Authority to determine this application whilst there is an undetermined appeal with the Ministers.
- The Stage Coach service does not run the 5a bus (Blackwood to Trinant) during peak traffic times.
- "The National Planning Policy Framework strongly recommends all local planning authorities to get up to date Local Plans in place as soon as possible" and the community should be consulted through the review process.
- Members have been "misled" through the LDP process as to the need for new housing.
- The proposal would lead to unsustainable development by virtue of increased traffic.
- A farm access lane passes through the site and it should be widened to allow for increased traffic.
- Farm lane is narrow, with bends, few passing opportunities, poor visibility at its access and is already used as a "rat run".
- *It is suggested that an existing culvert should be diverted to alleviate existing flooding in the farm lane.
- An existing watercourse runs through the site and there is concern that its flows should not be increased such that additional erosion occurs on the farm land. It is suggested that existing flows should not be exceeded.
- Livestock drink from the watercourse therefore it should not be contaminated with surface water flows that may poison animals.

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- There may be increased damage to trees, dogs and trespass upon the adjacent farm land. Additional fencing is suggested.
- The construction traffic would have an unacceptable impact upon air quality.

SECTION 17 CRIME AND DISORDER ACT

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

It is not expected that the proposed development will have a significant impact upon crime and disorder.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No - There is bat activity on site but the application site recommendation does include bat roosts and adequate bird nesting ecological mitigation can be achieved.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? - Yes - The site is within the Mid-Range Viability Area for residential development, but it is not chargeable at the outline stage.

ANALYSIS

Policies: The site comprises the existing site of the golf club car park, driving range, clubhouse and northern part of the golf club. A lane runs north to south through the centre of the application site, separating the driving range from the golf course, clubhouse and car park. It is proposed that this lane will be retained. The indicative master plan identifies an access to the site from east of the drainage pond off Llwyn On Lane.

The site in question is unallocated and lies outside of the settlement boundary.

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Strategy Policies

The site is located within the Northern Connections Corridor (NCC). Policy SP2 Development Strategy - Development in the NCC indicates that development will be focused on both brownfield and greenfield sites that have regard for the social and economic functions of the area; reduce car borne trips by promoting more sustainable modes of travel; makes the most efficient use of existing infrastructure; protect the natural heritage from inappropriate forms of development and capitalise on the economic opportunities offered by Oakdale/Penyfan Plateau.

Planning Policy Wales sets out the definition of previously developed land as "that which is or was occupied by a permanent structure and associated fixed surface infrastructure." Excluded from the definition are a number of uses including land in built up areas that has not been developed previously, for example parks, recreation grounds and allotments, even though these areas may contain certain urban features such as paths, pavilions and other buildings. It is considered that the golf course itself would also fall within this category and should be considered greenfield, along with the driving range and field to the north of the golf course. However, the large car park and clubhouse area and driving range buildings would be considered to be brownfield. The development of a greenfield site is acceptable in this strategy area in accordance with the policy and the site is well served by footpaths and bus routes.

The potential impact of development on the natural heritage of the site is discussed further below.

The site lies outside of the settlement boundary, as defined by Policy SP5 Settlement Boundaries of the LDP. The settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. The settlement boundary serves to promote the full and effective use of land and thus concentrate development within settlements; to prevent the coalescence of settlements and fragmented development and prevent inappropriate development in the countryside. The application is clearly contrary to Policy SP5 of the Adopted LDP.

In this location, the settlement boundary has been drawn to include the properties fronting on to Llwyn On Lane, but the buildings associated with the golf club were excluded from the settlement boundary. It is considered that the brownfield element of the site (the car park and buildings) would be a logical rounding off given the pattern of the built form in this area, but the key issue is whether the extension to include the greenfield element to the south, which extends further into the countryside, is acceptable.

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It is noted that the whole golf course is not included within the application boundary, as this would be an incongruous extension into open countryside. The southern boundary instead is not drawn to a defensible boundary on the ground, as the golf course is clearly open in nature. It is recognised that a new boundary is shown on the master plan will be created by a hedgerow on the southeast and road on the southwest. Notwithstanding the delineation of the existing settlement boundary, it is considered that the boundary as shown in the planning application, whilst extending into the countryside, would relate well to existing development and be a suitable rounding off. Any further extension south into the golf course would, however, be unacceptable.

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.

The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The proposed layout should be assessed against national design guidance contained in TAN 12 Design and against LDP 6: Building Better Places to Live in order to ensure that the requirements of SP6 are fully met.

It should be noted that the Oakdale Conservation Area lies directly north of Llwyn On Lane and the design will need to be sensitive to this. The Conservation and Design Officer has been consulted regarding the potential impact this scheme may have on the conservation area. No in principle objection is raised, it is pointed out that at the reserved matter stage design issues will receive closer scrutiny with regard to the character of the conservation area, as well as its context in general.

Policy SP10 Conservation of Natural Heritage recognises the natural heritage as a positive asset that enriches people's quality of life. In this context Policy SP10 indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. Clearly, there is likely to be an impact on natural heritage features as a consequence of any development at this location and satisfactory mitigation would be needed to make any development at this location acceptable in terms of Policy SP10. The illustrative plan demonstrates that natural features such as the existing pond and hedgerows can be utilised.

The site is not subject to any natural heritage designations, but it does adjoin Sites of Importance of Nature Conservation (SINC) at NH3.97 Nant Philkins Fields to the east of the site and NH 3.89 Coed Cwm Philkins to the south. The Council's Ecologist has been consulted and has not raised objection.

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Policy SP14 Total Housing Requirements makes provision for 10,269 dwellings for the 15-year period 2006 to 2021. This represents 1,644 (19%) residential units more than the 8,625 units required to meet the dwelling housing requirement identified for the plan period. The 19% over-allocation allows for flexibility and choice in recognition of the fact that not all sites will be developed.

The Annual Monitoring Report (AMR) is the main mechanism for reviewing the relevance and success of the LDP and identifying any changes that might be necessary. The main principle of the monitoring process is to identify when the revision of the LDP should take place.

The Council has prepared four reports to date, the most recent of which was considered by Council in October 2016. It is evident from the AMR that new housing has not been delivered at the levels required in the first half of the plan period. Policy SP14 indicates that there is a housing requirement for 8,625 new dwellings to be delivered to meet identified need over the plan period. In order to meet this need an average of 575 dwellings needs to be delivered per annum. The 5th AMR indicated that 4,239 units had been delivered (49% of the total housing requirement) up to March 2016.

Therefore there is a need for a further 4,386 dwellings to be developed over the remainder of the plan period i.e. by 2021 to meet the total housing requirement for the plan period.

National indicators are also included within the AMR for housing land supply and notably these require housing land supply to be monitored based on the residual method as outlined in Technical Advice Note 1: Joint Housing Land Availability Studies (2015). TAN 1 seeks to ensure that there is a genuine 5 year land supply available, and thus categorises sites to indicate those that can be included within the 5 year land supply. Using this method of calculation the 2016 JHLAS indicated that there is only 1.5 year supply available. It is to be noted that this fall from the figure of 1.9 that was previously reported to committee (15/0567/OUT).

It is acknowledged that the housing land supply figure is a material consideration in determining planning applications for housing. It is further acknowledged that where the current study shows a land supply below the 5-year requirement the need to increase supply should be given considerable weight when determining planning applications provided that the development would otherwise comply with development plan and national planning policies (Para 6.1 TAN 1).

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The lack of 5-year housing land supply is a matter of concern that needs to be addressed if the overall housing requirement is to be met within the plan period. The 2016 AMR recognises the need to address this ongoing issue and recommendation R2 of the report states: "the 2016 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply."

Countywide Policies

Policy CW1 Sustainable Transport, Accessibility and Social Inclusion requires development proposals that are likely to generate a significant number of trips 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. It is noted that the site is in close proximity to bus stops and is in walking distance to Oakdale village centre and local primary school. Furthermore, the potential to connect to the existing lane as a potential cycle and pedestrian link is acknowledged. The Transportation Engineering Manager has been consulted and has not raised objection.

Policy CW2 Amenity indicates that development proposals must ensure that the proposal would not result in over-development of the site or its surroundings. Furthermore, the policy indicates that the proposed use would need to be compatible with the surrounding land uses. Its location in a residential area would mean that the principle of housing is acceptable. However, it is recognised that Croespenmaen Industrial Estate is just over 200m from the site boundary across open fields and the potential noise conflict is a matter that should be considered. Furthermore, there is a social club in close proximity on Llwyn On Lane, which may be a further source of conflict. Environmental Health has considered the noise aspect and no objection is raised subject to conditions.

Policy CW3 Design Considerations - Highways states that development proposals must meet a number of highways requirements including that the new access roads are designed to an appropriate standard. It is noted that a Traffic Assessment has been submitted with the application and in this respect the Transportation Engineering Manager's view has been sought on the proposed access arrangements as they relate to Policy CW3; no objection is raised subject to conditions.

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CW6 Trees, Woodland and Hedgerow Protection identifies criteria against which developments containing trees will be permitted, and states that development will only be permitted where development proposals have made all reasonable efforts to retain, protect and integrate trees within the development. The proposed layout will result in the loss of a number of trees on the golf course and this would need to be considered by the Arboricultural Officer to determine whether this would be acceptable. The Arboricultural Officer has considered the proposal and raises no objection subject to tree protection measures that may be required by condition.

CW8 Protection of Community and Leisure Facilities indicates that proposals that would result in the loss of a community or leisure facility will not be permitted except where a comparable replacement facility can be provided by the developer either on or off site or it can be demonstrated that the facility is surplus to requirements. The applicant has provided a report that details a pattern of decline in golf club memberships with a number of reported drops of 17 to 20% in membership in the UK in the years since 2004. The applicant has provided figures that suggest the golf course has lost 52% of income from the driving range during the years 2004 to 2014 with operational losses in 6 of the last 10 years. There has been a general decline in turnover of 46% over the same period with the most serious decline in the more recent years.

The report also suggests that as there are 10 other golf courses within a 12.5km radius of Oakdale, most of which have 18 holes compared to the 9 at the application site, the attraction of other sites and pattern of falling interest in this golf course demonstrate that its closure will not be contrary to CW8.

Policy CW10 on Leisure and Open Space Provision requires sites of 10 or more dwellings to make provision for well-designed useable space as an integral part of the development and appropriate children's play and outdoor sports provision either on or off site. The proposal does include a large open area within the application boundary in the western part of the site, which is overlooked by housing. However, it does not appear that any formal facilities have been proposed within the master plan. This should be resolved at reserved matters and a condition may be imposed to that effect.

CW11 Affordable Housing Planning Obligation identifies that there will be a requirement to seek to negotiate affordable housing. An indicative target of 25% is identified in this area.

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CW22 Locational Constraints - Minerals identifies that development proposals which may impact on minerals safeguarding areas will be considered against a number of criteria, including that the applicant can demonstrate that the mineral is no longer of any value, it can be extracted prior to the development taking place or there is an overriding need for the development. The site lies within a Sandstone Safeguarding Area and the Mineral Officer's views on the value of the sandstone in this area has been provided and no objection is raised. It is also recognised that there is a need for market and affordable housing in the County Borough as a whole that the development of this site could contribute to.

Policy Conclusion

The site lies outside the settlement boundary of Oakdale and is contrary to the provisions of Policy SP5. Notwithstanding this, it is well located to the existing settlement and would constitute a logical rounding off to the settlement encompassing an area of brownfield land and part of the greenfield golf course and driving range.

The Council is required to ensure that there is a genuine 5-year supply of housing land available within the County Borough and therefore the lack of 5-year supply is a material consideration in determining this application. The Council in its consideration of the 2016 Annual Monitoring Report has indicated that there is a continuing need to address the lack of a five year housing land supply and granting planning permission for this site would help to achieve this. The development of the application site for housing would deliver much needed housing, including affordable housing, in an area of considerable housing need.

On balance, subject to there being sufficient justification for the loss of the facility, the need to increase the housing land supply outweighs the fact that this site lies outside the settlement boundary and therefore there is no objection to the development in principle.

If members are minded to permit development on the site, then in order to ensure that the site can genuinely contribute toward the 5 year housing land supply, it would be appropriate to specify that development should commence within three years from the date that outline consent is granted (as opposed to the usual five years), with reserved matters submission within one year instead of three

This application is a re-submission of planning application reference 15/0567/OUT to erect a residential development of up to 175 units including open space provision, access and parking arrangements. That previous application was refused on 07.04.16 and is currently the subject of an appeal that is in progress. The reason for refusal was that: -

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- 01 The proposed development is premature in the light of the emerging review of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 and therefore would prejudice the Development Plan Inspector's ability to reach a balanced decision on the housing land in the county borough and remove the public's opportunity to comment on the allocation of the application site for housing through that review process.

Since that decision was issued the review of the Local Development Plan has been withdrawn and consequently the reason for refusal could not be defended.

An appeal hearing was held on 11.05.17. The hearing Inspector will now produce a report that will be presented to Welsh Ministers to determine and a decision should be reached before mid-July. The appellant has made an application for costs against the Authority. That application for costs will also be determined within the same time frame.

The previous Officer recommendation was for approval subject to conditions and there has been no material change in circumstances since that time other than the change in the housing land supply. At the time the application was previously reported to Committee the housing land supply was 1.9 years as opposed to the 5 years that TAN 1 recommends. The Joint Housing Land Availability Study now indicates that the supply has now dropped to 1.5 years. The proposed development will take place on the Southern side of the Llwynon Lane where there is already residential development. A sensitive scheme secured at reserved matters stage will preserve and enhance the character of the Conservation Area.

Comments from Consultees: No objections are raised and any concerns are addressed by conditions.

Comments from public:

- It is suggested that the proposed development will give rise to changes in the water environment that includes an existing stream that flows through the site. Questions have also been raised about the calculations and specification of the drainage system that is to be constructed to serve the proposed development. This application has been the subject of consultation with Natural Resources Wales and the Council's Land Drainage Section who have not raised these concerns. Conditions are recommended to determine the drainage proposals at reserved matters.
- It is stated that the site lies within a "mining area" and it is questioned as to whether there will be any impact upon the water table. The site is in a low risk mining area therefore there are no special considerations at this stage. The impact upon the water environment is dealt with above.

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- The proposed residential development "will stick out like a sore thumb and take the character away from Oakdale", thereby over developing a model village. The concern regarding the impact upon the character of the Conservation Area is discussed in more detail above. In brief the character of the Conservation area will not be significantly affected because the application site lies outside it and only the relatively short length of site frontage abuts its southern boundary. Views into the application site from the Conservation area will be very limited. It is also important to bear in mind that "Oakdale was a planned, small model village built solely for the miners who worked in Oakdale Colliery by the Tredegar Iron and Coal Company. The colliery opened in 1907 and a competition was held in 1910-11 to design a village of 660 houses, in its time it was by far the most ambitious attempt by any mining company in South Wales to provide planned housing for its workforce" (the Council's Conservation officer). Oakdale itself was a response to housing need and that necessity to plan for housing need still endures with the current lack of housing land supply.
- The schools are full and cannot accommodate any more children and the doctor's surgery is full. The introduction of Community Infrastructure Levy (CIL) is intended to address infrastructure investment such as schools. This is CIL liable development. Doctors' surgeries, dentists etc. are services that should follow demand.
- There are over 600 houses for sale within a 3 mile radius of Oakdale therefore no more houses are needed. Using one of the online property search engines it is possible to demonstrate that there are approximately 470 houses for sale in a 3 mile radius of Oakdale. Using the same tool it is also possible to demonstrate that there are over 840 houses for sale within 3 miles of Caerphilly, and this exercise can be repeated throughout the County Borough, it does not prove that there is a lack of housing need in that area. The number of houses for sale is not therefore a good indicator of housing need and the Strategic Planning Section using recognized methods have calculated that there is a significant shortage of housing land within the County Borough, as detailed in the attached previous report.
- It is suggested the Councils planning decisions are affected "when money is involved". This is not a material consideration.
- It is suggested that the Transportation Engineering Manager's previous assessment of the previously submitted traffic impact analysis was not correct as there were significant flaws in the information submitted with particular reference to the nearby school. The Transportation Engineering Manager has considered additional concerns that have been raised with regard to traffic flows and remains of the same view.
- The sewerage system is at capacity and is not capable of taking additional flows. This is an unqualified concern that has been previously raised and has not been supported by Welsh Water.

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- The access to the site is inadequate and potentially dangerous. The traffic impact has been assessed by the Transportation Engineering Manager and this is not a concern shared by him.
- It is stated that the application site is an area of "natural beauty with a huge variety of wildlife that will be lost" and is also a carbon sink. The area does not have any Local Development Plan status as an area of visual amenity or of nature conservation, national or local.
- There are brownfield sites such as the Oakdale Comprehensive site that should be developed first. This suggestion has to be balanced against the shortage of housing land that is currently being experienced within the borough and would hold weight only if there were an adequate supply of such land.
- The development will adversely affect the air quality in the locality. The Council's Environmental Health Department have not raised such a concern.
- There is insufficient leisure space to serve the local community and this land should be retained for that purpose. The land is currently a golf course. It has been previously explained that this type of leisure facility is currently in declining national demand and the application site is not an exception to that trend.
- The development would create a town or "metropolis" as opposed to a village and remove Oakdale's historic character and identity. There are no clear planning definitions of the descriptions given but they are understood to explain that the character of the area will be transformed beyond its current recognition. It is a fact that growing settlement sizes do impact upon the character of an area, however the addition of the proposed dwellings to one side of the settlement of Oakdale is not considered to be as transformative as suggested. It is also to be pointed out that the planning system generally seeks to direct development towards existing settlements to reduce the pressure on the open countryside.
- There should be no more development on green land areas. This is a position adopted possibly by a significant body of thought; however this has not currently been translated into formal planning policy.
- Development of this type is for profit. This is not a planning consideration.
- It would be "illegal" for the Planning Authority to determine this application whilst there is an undetermined appeal with the Ministers. It would not be "illegal" for this application to be determined by the Planning Authority unless it has been called in by Ministers.
- The Stage Coach Service does not run the 5a bus (Blackwood to Trinant) during peak traffic times. It is unclear as to the exact bearing of this observation upon the proposed development.

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- "The National Planning Policy Framework strongly recommends all Local Planning Authorities to get up to date Local Plans in place as soon as possible" and the community should be consulted through the review process. This is correct; however CCBC is currently in a situation where the shortage of housing supply remains a material consideration that must be afforded significant weight.
- Members have been "misled" through the LDP process as to the need for new housing. The writer has not explained precisely how members have been misled.
- The proposal would lead to unsustainable development by virtue of increased traffic. The proposal is situated in close proximity to an existing settlement, which is generally considered to be more sustainable in planning terms.
- A farm access lane passes through the site and it should be widened to allow for increased traffic. This has been considered by the Transportation Engineering Manager and is not acceptable as it would encourage additional traffic into a lane system that is extremely constricted.
- Farm lane is narrow, with bends, few passing opportunities, poor visibility at its access and is already used as a "rat run". This has also been considered by the Transportation Engineering Manager who will be considering at reserved matters details such as signage and restrictive layouts to discourage additional traffic.
- It is suggested that an existing culvert should be diverted to alleviate existing flooding in the farm lane. The drainage of the site is a matter that will be determined at reserved matters.
- An existing watercourse runs through the site and there is concern that its flows should not be increased such that additional erosion occurs on the farm land. It is suggested that existing flows should not be exceeded. The drainage of the site is a matter that will be determined at reserved matters.
- Livestock drink from the watercourse therefore it should not be contaminated with surface water flows that may poison animals. The drainage of the site is a matter that will be determined at reserved matters.
- There may be increased damage to trees, dogs and trespass upon the adjacent farm land. Additional fencing is suggested. Means of enclosure is also a reserved matter. It will again be more appropriate to consider the suggestion of additional fencing at that stage.
- The construction traffic would have an unacceptable impact upon air quality. This concern has not been raised by the Environmental Health Department.

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

RECOMMENDATION that (A) a decision is DEFERRED to allow the applicants to enter into a Section 106 Agreement for the provision of affordable housing as previously recommended with regard to application reference 15/0567/OUT. On satisfactory completion of the Agreement (B) Permission be GRANTED subject to the following condition(s):-

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) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout and scale of the development, 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 one year 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 three 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.

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- 05) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 06) Prior to the commencement of the development hereby approved, a construction phase noise scheme (to include proposed hours which the developer intends to work) shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented as agreed.
REASON: To control noise arising from the development.
- 07) Prior to the commencement of the development hereby approved, a construction phase dust mitigation scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. Thereafter, the construction phase shall be carried out in accordance with the agreed.
REASON: To control any dust arising from the construction phase.
- 08) Prior to commencement of the development hereby approved details of a scheme of glazing shall be submitted to and agreed in writing by the Local Planning Authority for a glazing system to be fitted to all windows of habitable rooms facing the Croespenmaen Industrial Estate. The glazing system shall be capable of achieving an internal LAeq level of 30 dB(A) measured over an 8 hour period (2300 - 0700) in bedrooms and 35 dB(A) in all other habitable rooms measured over 16hour LAeq (0700 - 2300). The glazing scheme shall be carried out in accordance with the approved details before first use of the dwellings to which it relates.
REASON: To protect the residential amenity of occupants from noise from the Industrial Estate
- 09) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

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- 10) No site or vegetation clearance associated with the development hereby approved shall take place until a detailed methodology for the capture and translocation of reptiles on site, including details of any proposed remedial measures and details of the receptor site/s, has been submitted to and agreed in writing with the Local Planning Authority. The measures shall be carried out in accordance with the agreed details.
REASON: To ensure that reptiles are protected.
- 11) No site clearance work shall be undertaken unless an updated Badger survey has been undertaken, and the results and any necessary mitigations measures, submitted to and agreed in writing with the Local Planning Authority. The clearance works shall be undertaken in accordance with the agreed details.
REASON: To ensure that badgers are protected.
- 12) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 13) The retained pond shall be protected and managed for amphibians in accordance with a 5 year management plan to be submitted to and agreed in writing by the Local Planning Authority before the commencement of any works on site. That plan shall include the timing of its implementation.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales Tan 5 Nature Conservation and Planning (2009).

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- 14) Prior to the commencement of works associated with the development hereby approved, a landscaping scheme including at least 75% native and local provenance tree, shrub and wildflower species shall be submitted to the Local Planning Authority for approval. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

- 15) The following activities must not be carried out under any circumstances:
- a) no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - b) no works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - c) no equipment, signage, fencing, tree protection barriers, materials, components, utilities, vehicles or structures shall be attached to or supported by a retained tree.
 - d) no mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
 - e) no alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity.

- 16) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats within the proposed development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before any the part of the development to which it relates is first occupied.

REASON: To provide roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.

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- 17) Prior to the commencement of any works on site associated with the development hereby approved, details of the provision of nesting sites for bird species (House martin, House sparrow, Starling, Swallow and Swift) in the proposed development shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be implemented before any part of the proposed development to which it relates is first occupied.
REASON: To provide nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 18) Prior to the commencement of works associated with the development hereby approved, a 5-year hedgerow management plan, which shall include details of the timing of its implementation, shall be submitted to the Local Planning Authority for approval.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 19) Notwithstanding the submitted master plan details shall be submitted at reserved matters that shall 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, a suitably sized equipped play area and a suitably sized all weather sports court.
REASON: To comply with policy CW10 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 20) Notwithstanding the submitted illustrative layout, the site layout to be submitted at reserved matters shall provide details of the land drainage including the existing water courses on site and full engineering details of the extended pond at Llwyn On Lane. The development shall be carried out in accordance with the approved details in accordance with a timetable that shall also have been agreed as part of those reserved matters details.
REASON: In the interests of land drainage

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- 21) Prior to the commencement of work on site a Tree Protection Plan (TPP) shall identify the root protection areas of all trees to be retained on site and shall be shown as a plan overlaying the proposed site layout and be accompanied by an Arboricultural Method Statement (AMS). A suitably qualified arboriculturist shall prepare them both. The TPP shall graphically illustrate where all necessary Construction Exclusion Zones (CEZs) are required in order to protect retained trees from any adverse impact from the proposed development. The TPP and AMS shall detail in full any necessary protection measures required in order to enforce CEZs (i.e. a tree protection barrier), as well as any other measures such as ground protection or special methodologies such as no-dig constructions wherever they may be arboriculturally necessary. The AMS shall also detail all site access details with regard to retained trees' wellbeing, as well as provide all relevant detail of site storage and compound facilities for the duration of the proposed development.
REASON: To ensure the protection of retained trees.
- 22) Prior to beneficial occupation of any part of the development hereby approved a 1.8m wide footway along the site boundary fronting Llwyn On Lane shall be constructed in permanent materials the design of which shall have been agreed in writing with the Local Planning Authority.
REASON: In the interest of highway safety.
- 23) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 33 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 24) The travel plan hereby approved is that submitted on 6th November 2015 with regard to application Council Reference 15/0567/OUT.
REASON: To encourage the use of a variety of transport options.
- 25) The details to be submitted at reserved matters shall include a scheme of land and surface water drainage within the site. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

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Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage), Natural Resource Wales, Police Architectural Liaison Officer , Rights of Way Officer, Conservation & Design Officer, Dwr Cymru/Welsh Water that are brought to the applicant's attention.

Planning Requirements Relating to Drainage & Flood Risk Management:-

1

This document has been prepared to highlight the key considerations when submitting a scheme for drainage relating to a Planning Permission.

General Requirements:

When submitting a scheme for drainage the applicant should consider the following, please note that these recommendations should not be regarded as exhaustive, and each application will be considered on a site specific basis:

a. The applicant should incorporate Sustainable Drainage principles into their drainage design where possible, to minimise the impacts to existing/proposed drainage infrastructure/receiving watercourses. Particular reference should be given to the requirements and advice contained within the following documents:

i. Recommended non-statutory standards for sustainable drainage (SuDS) in Wales - Published by Welsh Government, January 2016.

ii. The SuDs Manual C753, Published by Ciria, 2015.

iii. Code of practice for surface water management for development sites, BS 8582:2013.

iv. Rainfall Runoff Management for Developments, Published by the Environment Agency - Report SC030219.

v. Sewers for Adoption 7th Edition, published by Wrc plc, August 2012.

vi. Technical Advice Note 15: Development and Flood Risk, Published by Welsh Government, July 2004.

b. A detailed drainage strategy should be provided which demonstrates the proposed surface water drainage complies with the discharge hierarchy specified within Part H of the Building Regulations/Sustainable Drainage hierarchy. As much of the runoff as possible should be discharged to each hierarchy element before a lower hierarchy element is considered. Collection and infiltration methods of drainage are required to be considered in the first instance.

c. Soakaways will only be permitted if the applicant can satisfy the authority that permeability tests have been carried out that comply with the requirements of BRE Digest 365 (2016). A feasibility report including test reports and calculations is required which demonstrates that the use of soakaways or other infiltration systems will not adversely affect the development, adjacent land, structures or highways. Soakaways should be designed to a minimum storm return period (RP) of once in ten years (with consideration given to an appropriate factor of safety).

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d. Any proposal to discharge surface/ground water flows to existing watercourses is likely to be limited to minimum rates of discharge which will be determined by this authority. The applicant should indicate how these requirements will be met. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 (TAN15).

Planning Requirements Relating to Drainage & Flood Risk Management:-

2

e. Development layout should take into account exceedance of the drainage system by demonstrating safe overland flows paths and flood routing. Runoff for the 1 in 100 RP event (plus climate change allowance) should be managed within the site at designated temporary storage locations and not adversely affect the development or surrounding infrastructure.

f. It is recommended the applicant open early dialogue with Dwr Cymru Welsh Water (DCWW) with regards to foul/ surface water drainage arrangements, and secure the necessary permissions/ adoption agreements, where interaction with DCWW infrastructure is proposed.

g. The applicant must ensure that during the development period and thereafter that surface water, groundwater, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of permanent or temporary cut off drainage.

h. The applicant should also demonstrate that appropriate pollution control measures are in place prior to discharge and confirm the proposals for adoption and long-term maintenance of the drainage system, where appropriate.

i. Please note that no discharge of surface water from the proposed development including driveways will be permitted to drain to the public highway or any highway drain. If the applicant intends to discharge surface water runoff from new highway areas submitted for adoption to the local highway drainage system he may be required to demonstrate that this system has adequate capacity to deal with anticipated additional flows generated by the proposed development. Permission to discharge to the existing highway drainage system may be conditional on the applicant carrying out upgrading works at their own expense or connecting to a point of adequacy within the system.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW4.

