

**Caerphilly County Borough
Local Development Plan
Examination**

**Issues and
Matters**

<http://www.caerphilly.gov.uk/LDPExamination>

Hearings Commence: **Tuesday 20th April 2010 at 10.00 am**

Location: Council Chamber/Rhymney Room
Ty Penallta, Tredomen Park,
Ystrad Mynach, Hengoed CF82 7PG

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Hearing Session 1: PLAN PREPARATION, STRATEGY AND POLICY CONTENT

Issues & Matters Agenda

1 Welcome and introductory matters

2 Procedural matters

- Have all of the necessary procedural requirements been complied with in preparing the Plan?

3 Is the Plan development strategy consistent with the Wales Spatial Plan (WSP); regional plans/strategies; neighbouring authority plans/strategies; and national policy guidance?

- Does the strategy reflect the broad spatial response to development issues affecting the area as identified in the WSP?
- Is the identified hierarchy, role and function of the main settlements consistent with the settlement hierarchy identified in the WSP?
- Does (i) the identification of 5 settlements with principal town centre boundaries (policy SP19); (ii) the identification of Bargoed as a principal town (policy SP4); make the Plan unacceptably at variance with the WSP?
- Is the Plan consistent with regional strategies, plans and programmes (eg: transport; minerals; waste)?
- Does the Plan relate coherently to the emerging LDP strategies and policy approaches of neighbouring authorities?

4 Is the Plan development strategy sound in sustainability terms and founded on robust evidence?

- Does the Plan strategy seek a sustainable balance between where people live and access to employment, commercial, community and leisure facilities?
- Does the Plan have adequate regard to the objective of reducing reliance on car-borne travel?
- Does the Plan seek an appropriate balance between re-use of brownfield sites and development of Greenfield land?
- Does the Plan strategy demonstrate a sustainable approach to achieving levels and types of development appropriate to the character, role and function of individual settlements?

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**Caerphilly County Borough
Local Development Plan Examination**

5 Delivery of Plan strategy and policies

- Are the strategy aims and key objectives consistent with the provisions of the Plan?
- Does the Plan adequately demonstrate how and when development will be realised over the Plan period? Is there a need for greater clarity on strategic-level timing, linkages to infrastructure and funding sources?
- Is a clearer monitoring framework needed within the Plan, linked to specific objectives to indicate when strategy or policy review will be required?

6 Plan strategy: development and flood risk.

- Does policy SP8 Flood Risk satisfactorily translate national policy concerning development and flood risk down to the local level? Is it drafted as a land-use policy?
- Do the Plan's development allocations demonstrate adequate recognition of national policy concerning development in zone C areas?
- Is reference required within policy SP7 Planning Obligations to measures which seek to enhance flooding resilience where development is found to be justified in areas of flood risk?

7 Do other strategy and countywide policies within the Plan have a distinctive local dimension? Do they satisfactorily translate national policy down to the local level? Do they unnecessarily re-iterate national policy requirements?

- Policy SP10 Renewable Energy
- Policy SP22 Transport Requirements for Development
- Policy CW 1 Sustainable Buildings
- Policies CW 4 and CW 5 General Design Considerations
- Policy CW 7 Design Considerations – Telecoms Apparatus

8 Other policy matters

- Is the requirement to maintain or enhance the main characteristics of SLAs and VILLs in Criterion A of policy CW 8 Natural Heritage Protection too restrictive?
- Is policy CW 9 Trees, Woodland and Hedgerow Protection sufficiently clear and precise? Is the policy unreasonably onerous?
- Should policy CW 17 General Locational Constraints allow for tourism and affordable housing as potentially suitable developments outside settlement boundaries?
- Does the supporting text (para 2.43) to policy CW 22 Locational Constraints – Conversion, Extension and Replacement of Buildings in the Countryside need to include reference to forestry complexes?
- Does policy CW 23 Gypsy and Traveller Caravan Sites satisfactorily translate national policy down to the local level?

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**Caerphilly County Borough
Local Development Plan Examination**

- Is policy CW 26 Supplementary Planning Guidance drafted as a land use policy? Is a policy concerning this necessary?
- Is proposed additional policy CW xx Water Protection (Focussed change FC 03) needed to make the Plan sound? Does it unnecessarily reiterate national policy and the requirements of other legislation? Does it have a distinctive local dimension? Is requirement A precise and reasonable?
- Does the absence of a policy recognising the need to rationalise, replace and redevelop redundant health and hospital sites make the Plan unsound?

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Hearing Session 2: HOUSING PROVISION

Issues & Matters Agenda

1 Welcome and introductory remarks

2 Is the moderate growth strategy sound?

- Is the Plan's adoption of a moderate growth strategy figure of 8,625 units justified?
- Is there a robust rationale for this figure in the light of (i) recent population trends, (ii) the SEWSPG housing apportionment exercise; (iii) the WAG 2006-based household projections?
- Have the interrelationships between the Plan's moderate growth strategy and the emerging strategies of neighbouring authorities been taken into account?

3 Is the overall level of provision for new housing over the Plan period acceptable?

- Does the Plan provide a satisfactory total amount of land for housing development?
- Are there sufficient margins in the Council's calculations to provide confidence that planned growth can be accommodated?
- Have the sites been subjected to a robust assessment of availability/deliverability?
- Is the Plan's estimate of windfall sites coming forward realistic?
- Is the estimate of small site contributions too high?
- Is it reasonable to include an allowance for empty properties brought back into use as part of the housing supply figure?
- Is the estimated number of conversions reasonable?
- Are there robust monitoring and review mechanisms that will enable the Plan to respond to changing future circumstances?

4 Is the spatial distribution of new housing opportunities across the County Borough acceptable?

- Is the planned balance of HOVRA/NCC/SCC provision satisfactory?
- Is the overall distribution of sites in relation to settlement characteristics, size and function justified?
- Is the allocation of housing sites based on a robust and comprehensive sites assessment methodology?

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**Caerphilly County Borough
Local Development Plan Examination**

5 Is the balance of reliance on brownfield land versus Greenfield sites acceptable?

- Is the extent of reliance on brownfield sites for provision of housing land in the SCC (97%) appropriate and realistic? Will this result in an insufficient range and choice of housing?
- Should the Plan allocate more brownfield sites for housing in the NCC?
- Is the proportion of housing land using brownfield sites (67%) too high? Will this result in an insufficient range and choice of housing?

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Hearing Session 3: AFFORDABLE HOUSING PROVISION

Issues & Matters Agenda

1 Welcome and introductory remarks

2 Is the target for delivery of affordable housing through the planning system contained within policy SP17 satisfactory?

- Should the level of affordable housing need in the County Borough be identified in the Plan, as advised in PPW?
- Is the level of identified affordable housing need founded on robust evidence?
- Does the Plan adequately distinguish the amount of affordable housing to be delivered via the policies of the Plan?
- Is the target for delivery of affordable housing by the Plan sufficiently high in the light of the level of identified need?
- Have all policy options been adequately pursued in order to maximise the extent to which the need for affordable homes is met, for example (i) increased housing site allocations in those areas of greatest affordable housing need; (ii) inclusion of a rural exceptions site policy for affordable housing; (iii) enabling consideration of sites unallocated for general housing provision to be considered for affordable housing schemes, subject to meeting appropriate criteria?
- Is the affordable housing target in policy SP17 too high, in the light of the recent falls in house prices and land values?
- Is the affordable housing target deliverable, given that the target proportions in policy CW 14 are maxima and given the high proportion of housing allocations on brownfield sites with higher development costs?

3 Are the levels of affordable housing provision sought by policy CW 14 warranted and realistic?

- Are the target affordable housing proportions for qualifying sites in different parts of the Borough based on robust evidence?
- Are the target proportions appropriate in the light of current economic circumstances?
- Will the target proportions make development of brownfield sites unviable?
- Does the policy adequately take into account individual site viability factors, as advised by TAN2 – or does the Plan place undue onus on developers to

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**Caerphilly County Borough
Local Development Plan Examination**

carry out costly viability analysis in relation to individual sites, contrary to national policy guidance?

- Should the target level sought take account of the anticipated levels of public finance available for affordable housing?
- Are the locations to which the different target proportions apply sufficiently precisely identified in the Plan?
- Are the site size thresholds proposed in policy CW 14 appropriate?
- Does the Plan make adequate provision for monitoring, review and response to changing market conditions, including clear, identifiable and measurable trigger points?

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Hearing Session 4: HOUSING SITES

Issues & Matters Agenda

Note: This session will be split into a series of sub-sessions dealing with the particular sites that representors have made representations about. Details of the timing of these sub-sessions and attendees are given in the Hearings sessions programme. Where representors have made related representations concerning settlement boundaries or green wedge or landscape/nature conservation designations, these will also be covered within this session.

1 Welcome and introductory remarks

2 Allocated sites objected to by other parties

- Is the Council's decision to allocate the site for housing based on a robust and rational site selection process?
- Why is the deletion of the site concerned required in order to make the Plan sound?

3 Alternative sites put forward by other parties

- Is the Council's decision not to allocate the site for housing based on a robust and rational site selection process?
- Why is the allocation of the site concerned required in order to make the Plan sound?
- Have the housing allocations sought above been considered in respect of the Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA)? Would the change be likely to have significant effects that require reassessment? If so, has such an assessment been carried out? What was the outcome of this process?
- Would other amendments to the Plan sought alongside the housing allocation change follow as necessary consequential amendments?
- Are other changes sought to Plan designations relating to the site sought irrespective of the decision in relation to the suggested housing site? If so what is the basis for the proposed change, in terms of the soundness of the Plan?

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Hearing Session 5: FORMER BEDWAS COLLIERY SITE

Issues & Matters Agenda

1 Welcome and introductory remarks

2 Is the proposed HG1.64/CF1.34/LE allocation sound?

- What is the overall planning rationale for the allocation?
- What are the reasons for the Council's continued pursuit of the proposed allocation in the Plan despite the extent of local opposition?
- Is the proposed housing allocation based on a robust site assessment exercise?
- Is the location and scale of the housing allocation appropriate to the size, form, characteristics and function of the existing settlement?
- What is the brownfield/Greenfield mix of the land proposed for development?
- What is the planning rationale for the proposed community facility and leisure components of the mixed use allocation?
- Can adequate access be obtained for the development? What are the estimated access provision costs and how would these be met?
- Would the proposed means of access have unacceptable effects on open space and woodland areas?
- Would the proposal result in unacceptable traffic and air quality effects for the existing road network?
- Can contamination and pollution issues be properly addressed?
- Are drainage and sewerage infrastructure adequate?
- Will development have adverse flooding consequences for existing property?
- How will the necessary reclamation/remediation works be funded?
- How will reclamation of the spoil tips above the site be realised? Has funding been identified? Does a timescale exist for this?
- Is the proposed location of the new school site appropriate?
- What is the nature of the formal leisure provision proposed as part of the allocation?
- How will the proposed school and leisure developments be funded and provided?
- Has a development viability assessment been carried out? What are its conclusions?

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**Caerphilly County Borough
Local Development Plan Examination**

- Has an assessment of the development's potential to contribute to affordable housing provision been carried out? What are its conclusions?
- What are the realistic prospects for delivery of the development within the Plan period?
- Should the site instead be developed as a country park? Is this a realistic and deliverable proposal?
- Should the site instead be developed for employment purposes? Is this a realistic and deliverable proposal?
- What would be the implications of deletion of the housing allocation for delivery of the Plan's housing strategy and overall development strategy?

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Hearing Session 6: TRANSPORT ISSUES

Issues & Matters Agenda

1 Welcome and introductory remarks

2 Transport policies and proposals

- Policy SP21 Transport Infrastructure Improvements; are the schemes proposed for road dualling and bypasses consistent with the environmental aims of the Plan and with national policy?
- Should the Plan strategy include more proposals for the creation of additional rail passenger routes?
- Are all of the road improvement schemes identified capable of being funded and delivered within the plan period?
- Is the Plan unsound by reason of the inclusion of policy TR9 Caerphilly South East Bypass safeguarding? Is the policy founded on a sufficiently robust evidence base?
- Is the Plan unsound by reason of the inclusion of policy TR6.6 Penrhos to Pwllpant strategic network improvement? Is the policy founded on a sufficiently robust evidence base?
- Does the absence of a provision under policy TR7 to protect land TR99.2 to provide a Nelson north-south bypass make the plan unsound? Is there evidence of real need? Would such a provision in the Plan be realistically deliverable?
- Is the allocation of site TR99.1 land adjoining Llancaiach View Nelson for park and ride facilities associated with the Nelson Station necessary to the soundness of the Plan? Is such a proposal realistic and achievable?
- Is the allocation of site TR99.4 land at Crown Roundabout Pontllanfraith for A472 roadside facilities in association with transport improvement TR 5.5 necessary to the soundness of the Plan?
- Is the amendment of the route of TR 1.9 as shown on the Proposals Map so as to reflect planning application 08/1199/LA necessary in terms of the soundness of the Plan?
- Does policy SP24 satisfactorily translate national policies concerning parking provision down to the local level?

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Hearing Session 7: COMMUNITY FACILITIES, LEISURE AND TOURISM

Issues & Matters Agenda

1 Welcome and introductory remarks

2 Community facility allocations (policy CF1)

- Should site HG1.68 St Ilans Comprehensive, Caerphilly be re-used for education purposes, and allocated accordingly?
- Do the allocations for the re-building of Cwm Ifor Primary, Hendre Junior and St James Primary Schools, Caerphilly (CF 1.25, CF 1.27, CF 1.29) involve the use of greenfield land? If so, does this render the Plan unsound?
- Is the proposal to remodel the former library building at Brooklands, Risca as a Adult and Youth Education Centre (CF 1.38) founded on a robust evidence base?
- Does allocation CF 1.16 (GP surgery at Oakfield Street Ystrad Mynach) render the Plan unsound due to car parking implications?
- Is allocation CF 1.9 proposed fire station, land south of Aberbargoed Plateau, Aberbargoed) founded on a robust evidence base? Does the allocation render the Plan unsound?
- Does allocation CF 1.1 extension to Rhymney cemetery render the Plan unsound?
- Is allocation CF1.12 cemetery eastern extension at Gelligaer sound (proximity to area of scheduled ancient monument Roman remains)?

3 Leisure allocations (policies LE 1 – LE 5)

- Should site E31 land at Pendinas Avenue Croespenmaen be protected for informal recreation and community uses under policy LE 5? Would the allocation be realistic and deliverable? Is the Plan unsound as a result of the site's non-allocation?
- Should site LE99.16 old landfill site at Hafodyrynys be allocated for formal leisure purposes under policy LE 4? Would the allocation be realistic and deliverable? Is the Plan unsound as a result of the site's non-allocation?
- Should sites: LE99.32 Ness Tar site Caerphilly;
HG1.72 Caerphilly Miners Hospital;
LE99.26 part of Venosa Trading Estate HG1.66;

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Caerphilly County Borough Local Development Plan Examination

LE99.26 Pontypandy Industrial Estate HG1.67;

be protected for informal recreation and community uses under policy LE 5? Would the allocations be realistic and deliverable? Is the Plan unsound as a result of the sites' non-allocation for this purpose?

- Should site LE99.32 Ness Tar site Caerphilly be allocated for formal leisure facilities under policy LE 4? Would the allocation be realistic and deliverable? Is the Plan unsound as a result of the site's non-allocation?
- Should site LE99.24 part of land east of Wingfield Works Llanbradach be allocated for leisure (in conjunction with allocation of remainder of site for housing)? Would the allocation be realistic and deliverable? Is the Plan unsound as a result of the site's non-allocation?
- Should the Monmouthshire-Brecon Canal (LE99.2) be protected as informal leisure open space under policy LE 5? Is the Plan unsound as a result of the site's non-allocation for this purpose? Should the proposed allocation replace the canal's designation as a SINC under policy NH3?
- Is the plan unsound as a result of the non-allocation of LE99.1 land rear of Woodville Terrace Argoed under policy LE 4 for the purpose of allotment use? Would the allocation be appropriate, realistic and deliverable?
- Does the non-identification of land at LE99.12 Brooklands Risca for leisure/as a play area under policy LE 5 render the Plan unsound?

4 Tourism allocations (policy TM 1)

- Is the Plan unsound as a consequence of non-allocation of site TM99.1 Islwyn Scout Parc under policy TM 1?
- Is the Plan unsound as a consequence of non-allocation of TM99.4 land south of Westhaven, Watford Road, Caerphilly for tourism use under policy TM 1?

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Hearing Session 8: EMPLOYMENT AND COMMERCIAL DEVELOPMENT MATTERS

Issues & Matters Agenda

1 Welcome and introductory remarks

Employment matters and issues

2 Policy CW 15 Use Class Restrictions – Business and Industry

- Does part C of policy CW 15 need to be more flexible in relation to alternative uses on secondary industrial sites in order to make the Plan sound?
- Does the absence of a further limb to policy CW15, permitting wider redevelopment in certain circumstances of industrial estates not covered by parts A, B or C of the policy, render the Plan unsound?

3 Representations relating to employment sites (policies EM 1, EM 2)

- Is the protection of site EM2.11 North Celynen, Newbridge as a primary employment site unsound?
- Does the non-allocation of sites:
 - D5 land at Ness Tar, Caerphilly
 - HG1.61/EM99.1 Waterloo Works
 - HG1.64/EM99.4 Bedwas Colliery site
 - HG1.66/EM99.3 Venosa Trading Estate
 - HG1.67/EM99.5 Pontypandy Industrial Estate
 - HG1.69/EM99.6 Cardiff Rd/Pentrebane St Caerphilly
 - HG1.62/EM99.2 former petrol filling station Trethomasfor employment use under policy EM 1 render the plan unsound?
- Is the Plan unsound as a consequence of the non-allocation of site E310 land at Gelligaer Court Penpedairheol?
- Is FC05 removal of allocation EM1.7 land south of Penyfan, Croespenmaen necessary in the interests of Plan soundness? Does the land perform the recognised function of a green wedge?
- Is deletion of part of allocation EM2.10 land at north end of Penyfan industrial estate, Croespenmaen, and designation as open space as extension to LE 3.5 Penyfan Pond Country Park necessary in the interests of Plan soundness?

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Caerphilly County Borough Local Development Plan Examination

- Does the identification of site EM2.21 Switchgear, Pontllanfraith as a protected employment site subject to policy CW 15 make the Plan unsound? Is the identification of the site as suitable instead for a mixture of housing, retail and leisure development necessary in the interests of Plan soundness?
- Have the employment allocations sought above been considered in respect of the Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA)? Would the change be likely to have significant effects that require reassessment? If so, has such an assessment been carried out? What was the outcome of this process?

Commercial development matters and issues

5 Representations concerning commercial development allocations and designations (policies CM 1 to CM 5)

- Does the designation of site CM 2.1 Blackwood Gate as a Retail Warehouse Park under policy CM 2 and its exclusion from the Blackwood Principal Town Centre Boundary under policy CM 1.2 render the plan unsound?
- Does the inclusion of site CM 4.9 Foundry site Risca/Pontymister as a principal town and key settlement development site render the Plan unsound?
- Is the allocation of site CM99.2 at Pontymister Industrial Estate for commercial/retail development required in order to make the Plan sound?
- Does the non-allocation of site HG1.62/CM99.3 former petrol filling station Trethomas for retail purposes under policy CM 4 render the plan unsound?
- Have the changes sought above been considered in respect of the Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA)? Would the change be likely to have significant effects that require reassessment? If so, has such an assessment been carried out? What was the outcome of this process?

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Hearing Session 9: MINERALS AND WASTE

Issues & Matters Agenda

1 Welcome and introductory remarks

Minerals

2 Does the Plan satisfactorily translate national minerals planning policy down to the local level?

- Should the identification of minerals safeguarding areas in policy SP9 (i) be unqualified by references to the environmental etc. impacts of minerals working, (ii) refer to “resources” rather than “reserves” and to a minimum 10-year landbank?
- Are the coal and other minerals safeguarding areas identified under policy MN 2 adequate in extent? Should they extend right up to settlement boundaries and be identified on the Proposals Map? Should the coal safeguarding areas include the tertiary coal resource?
- Is reducing the extent of sand and gravel safeguarding areas under policy MN 2 compared to the MTAN 1: Aggregates map, so as to create separate buffer zones, justified?
- Does the Plan adequately define buffer zones around all mineral sites, including dormant (inactive) sites and Bryn Quarry?
- Does policy SP9 comprise an adequate strategy in relation to the area’s contribution to the regional demand for a continuous supply of minerals?
- Is there a need for a policy setting criteria for considering proposals for minerals working?
- Should the Plan identify specifically those areas where coal operations would not be acceptable?
- Does the plan adequately set out a strategy for the future use of all dormant mineral sites, in line with MPPW Para 19?
- Is there a need for a policy concerned specifically with onshore gas (Coal Bed Methane) extraction?
- Are the provisions of the Plan sound in relation to the Nant Llesg area north of Fochriw? Does the absence of an allocation of the Nant Llesg site for mineral development make the Plan unsound?
- Is FC14 (MN1.2 Hafod Quarry Buffer Zone/MN99.3 Hafod Quarry Mineral Safeguarding Area/NH2.3 VILL Abercarn) necessary in the interests of Plan soundness? Is it sufficiently clear that FC14 also proposes changes to the

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Caerphilly County Borough Local Development Plan Examination

extent of VILL and SLA designations in relation to other mineral working sites in the county borough? Have these other changes been adequately identified and advertised?

Waste

3 Does the Plan satisfactorily translate national and regional waste policy down to the local level?

- Does the Plan adequately translate the provisions of the Regional Waste Plan (RWP) down to the level of Caerphilly Borough, and demonstrate how the policies and proposals of the Plan help to facilitate implementation of the RWP?
- Does the evidence base provide sufficiently detailed and specific information about current and anticipated waste arisings; existing and foreseeable arrangements to deal with the different waste streams; and the consequent land-use and spatial requirements of future waste management arrangements, to demonstrate the adequacy and deliverability of the Plan's waste policies?
- Is policy SP11 founded on a sufficiently robust evidence base? Are its provisions demonstrably adequate, sufficiently clear, realistic and deliverable?

4 Policy WM 1 (HOVRA) – Cwmbargoed Washery Site

- Is the policy founded on a robust evidence base?
- Does the proposal fit with the waste strategy of neighbouring authorities?
- Is the policy realistic and deliverable?
- Is the proposal consistent with emerging LDP allocations for that part of the site within Merthyr Tydfil CBC?
- Should the policy be replaced by one allocating the Cwmbargoed Washery site in mixed-use terms, including for Waste Management Facilities?

5 Bryn Quarry Waste Transfer Station and Composting Facility

- Does the absence of identification of the Bryn Quarry site as a waste facility under policies SP11/WM 1 render the Plan unsound?
- Is the nature and use of the site such that its inclusion within a Special Landscape Area under policy NH 1 is unsound?

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Hearing Session 10: OTHER PROPOSED PLAN CHANGES AND MISCELLANEOUS MATTERS

Issues & Matters Agenda

- 1 Welcome and introductory remarks**
- 2 Matters raised by Representors not dealt with at preceding sessions.**
 - Should the Plan protect SLAs, VILLs and SINCs from all road, housing and employment developments?
 - Are the following changes warranted in the interests of securing a sound Plan?:
 - Deletion of SINC site NH3.170 at The Crescent, Machen
 - Identification of parts of Mynydd Maen as an area for wind turbine development
 - Identification of a settlement boundary for Manmoel and removal from the VILL designation
 - Inclusion of land NE of Llancayo Street, Bargoed within the settlement boundary
 - Inclusion of Rhymney House Hotel within Llechryd settlement boundary
- 3 Consideration of proposed Focussed/Other Changes not covered at earlier sessions.**
- 4 Minor editing corrections.**

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