



Report to Caerphilly County Borough Council

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an Inspector appointed by the Welsh Ministers

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 64

REPORT ON THE EXAMINATION INTO THE CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN UP TO 2021

Plan submitted for examination on 7 October 2009

Examination hearings held between 20 April and 29 June 2010

File Ref: LDP-09-02

1 Introduction and Overall Conclusion

- 1.1 Under the terms of Section 64(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Local Development Plan (LDP) is to determine:
 - (a) whether it satisfies the requirements of sections 62 and 63 of the Act and of regulations under section 77 and
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Caerphilly County Borough Local Development Plan Up To 2021 (from here referred to as "the LDP" or "the Plan") in terms of the above matters, along with my recommendations and the reasons for them, as required by section 64(7) of the Act.
- 1.3 I am satisfied that the LDP meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted LDP against the tests of soundness set out in paragraph 4.35 of *Local Development Plans Wales, 2005*. The starting point for the examination is that the local planning authority has submitted what it considers to be a sound plan, together with the evidence base that supports its position. Since the purpose of the examination is to determine whether the Plan is sound the changes I recommend in this binding report are made only where I have concluded that there is a clear need to amend the Plan in the light of the legal requirements and/or the tests of soundness. In respect of these changes I am satisfied that they are in line with the substance of the overall Plan and its policies, and do not undermine the Sustainability Appraisal (SA) and participatory processes that have been undertaken.
- 1.4 I have considered all duly made representations and the matters raised at the examination hearings. However, given the focus of the examination on Plan soundness, my report does not refer specifically to the individual representation made in each case. I have alluded to matters raised by individual representations only where it appears to me that these matters raise substantive issues concerning the Plan's soundness. Plan changes sought by any representor are the subject of a recommended change only where I have found, on the basis of all of the evidence, that such a change is required in order to make the Plan sound.

Post-deposit changes

- 1.5 Prior to submission of the LDP for examination the Council considered the representations received and decided to make a number of Focussed Changes (FCs) to the Plan. At the same time the Council took the opportunity to correct a number of typographical and factual errors and address various other presentational and accuracy points. The changes were all duly advertised and the responses taken into account. An Exploratory Meeting with the Council was held on 8 December 2009, shortly before which the

Council reconsidered certain of the FCs in the light of their implications for the soundness of the Plan and other additional information. This resulted in a number of the FCs being withdrawn, by way of Additional Focussed Changes (AFCs). Again, these additional changes were duly advertised and the responses considered by the Council. The Exploratory Meeting also resulted in the Council being given time to carry out further work on certain other matters.

- 1.6 At the Pre-Hearing Meeting the Council confirmed that the Plan it wishes me to examine is the deposit LDP as modified by the changes set out in the addendum "Comprehensive List of Changes" (January 2010)¹. Since the changes within the addendum have been the subject of consultation and the need for revised SA assessed and carried out as necessary² I have accepted the addendum as part of the submitted LDP. The deposit Plan as modified by the Comprehensive List of Changes therefore forms the starting point for my examination of the Plan's soundness. All changes set out in the annexes to my report are changes to this composite document. My report only refers to post-deposit changes contained in the addendum where these raise issues of Plan soundness which the examination has needed to address.

Organisation of the report

- 1.7 Section 2 of this report considers the procedural requirements. Subsequent sections then deal with the relevant issues and matters considered during the examination in terms of testing consistency, coherence and effectiveness. They cover the following subjects:

- The overall Plan strategy (Section 3)
- The level of housing growth (4)
- The amount, distribution and range of housing provision (5)
- Affordable housing provision (6)
- Minerals and waste issues (7)
- Natural heritage and green wedge policies and designations (8)
- Transportation and highways issues (9)
- Commercial and employment development issues (10)
- Community and recreation facilities (11)
- Other development policy matters (12)
- Implementation and monitoring (13)

Recommended changes

- 1.8 Annex A sets out a schedule of the Matters Arising Changes (MAC01 – MAC47) proposed by the Council in response to matters considered during the examination. It is based on the schedule of changes produced by the Council as Examination Document ED.47 and publicised on the examination website. The MACs highlighted with

¹ Document SB.83

² As advised by para 17 of Examining Local Development Plans Procedure Guidance (The Planning Inspectorate Wales, November 2009)

grey shading and numbered in bold type are changes that I consider are required to ensure that the Plan is sound and I recommend these changes accordingly. They are all addressed in this report. The MACs unshaded in Annex A and with un-bold numbering are not required to make the Plan sound. However, I endorse these changes which, although not essential to the Plan's soundness, add clarity and precision and improve its coherence and consistency.

1.9 Annex B sets out the other changes (Inspector's Changes) **IC01 – IC05** that I consider are necessary for the Plan to meet the tests of soundness. None of the ICs or MACs undermine the SA or the participatory process previously undertaken and they do not change the overall strategy or policy thrust within the Plan.

1.10 The Council has also submitted as Examination Document ED.48 a schedule of typographical, formatting and numbering corrections to be incorporated into the adopted Plan. I authorise these changes. For the avoidance of doubt, the Council is also authorised to make any necessary re-numbering or other minor consequential changes arising from the incorporation into the Plan of the changes I recommend and endorse in this report.

Overall conclusion

1.11 My overall conclusion is that the Plan is sound, provided it is changed in the ways specified. I conclude that, with these recommended changes, the Caerphilly County Borough Local Development Plan Up To 2021 satisfies the requirements of section 64(5) of the 2004 Act and meets the tests of soundness in LDP Wales.

1.12 In summary, the main changes which are required are:

- Change the overall housing figure cited in policy SP16 to reflect accurately the total provision for new dwellings in the Plan;
- Change the affordable housing target in policy SP17 to reflect the number of affordable dwellings sought to be delivered through the planning system, adjust policy CW14 and insert a rural exceptions affordable housing policy and supporting text to increase affordable housing delivery;
- Make additional reference to mineral sites and dealing with minerals proposals;
- Recast policy WM1 concerning Cwmbargoed Disposal Point;
- Amend the extent of Special Landscape Area (SLA) designation NH1.1 Upper Rhymney Valley and Visually Important Local Landscape (VILL) designation NH2.1 Northern Rhymney Valley;
- Delete proposal TR7.1 Aberbargoed to Bedwellty relief road;
- Change the northern part of site EM2.11 North Celynen, Newbridge from protected primary employment use status to protected secondary employment use;
- Remove protected secondary employment use restrictions from site EM2.24 Caerphilly Road, Ystrad Mynach;
- Expand the monitoring framework of the Plan.

2 Procedural Tests

- 2.1 The Plan has been prepared in accordance with the Delivery Agreement (as revised in agreement with the Welsh Assembly Government (WAG))³. The evidence base demonstrates that the Plan has also been prepared in substantive accordance with the Community Involvement Scheme, except in respect of the following minor matter. The Council decided at the alternative sites consultation stage not to post site notices in respect of alternative sites as it considered that it may lead to confusion as to the status of such sites. I am satisfied that the Council gave sufficient publicity to these alternative sites by other means, and that this decision did not undermine the Plan preparation and consultation process.
- 2.2 I am satisfied from the evidence base that the Plan complies with the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 including requirements in relation to consultation, advertisement and the publication and availability of prescribed documents.
- 2.3 The Plan has been subject to SA including Strategic Environmental Assessment (SEA)⁴. FCs, AFCs and further changes put forward by the Council as part of the examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA⁵.
- 2.4 In accordance with the Habitats Directive⁶ a Habitats Regulations Assessment of the Plan has been undertaken, including an Appropriate Assessment in relation to the Aberbargoed Grasslands Special Area of Conservation (SAC)⁷. I am satisfied that the Plan would have no significant effects in relation to the Aberbargoed Grasslands SAC, or in relation to other European Sites lying outside the Plan area.
- 2.5 Accordingly, I am satisfied that procedural tests P1 and P2 have been satisfied and the relevant legal requirements complied with.

³ Documents SB.46, SB.64, SB.65 & SB.66

⁴ Documents SB.9 – SB.11 & SB.16 – SB.23

⁵ SB.23 & SB.99

⁶ Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

⁷ Document SB.21

3 The overall Plan strategy

- 3.1 The LDP sets out a clear strategy of promoting, guiding and delivering a moderate level of growth within the Plan area in a sustainable manner through the period to 2021. In so doing, the Plan seeks to build upon the population growth, new employment opportunities and environmental regeneration fostered since the mid-1990s, which followed a sustained period of population decline and loss of the traditional industrial base of the area.
- 3.2 Within this broad thrust the LDP identifies three distinct strategic policy areas within the county borough; the Southern Connections Corridor (SCC), Northern Connections Corridor (NCC) and Heads of the Valleys Regeneration Area (HOVRA). In so doing, the Plan recognises the differing social, economic and environmental factors influencing these policy areas and the resulting development management priorities identified by the Council.
- 3.3 The SCC is under pressure for development arising from its proximity to the M4 corridor and Cardiff and has limited capacity for development without causing environmental harm. The Plan seeks to consolidate and focus new development in the SCC within existing settlement limits, relying almost entirely on brownfield sites. In the NCC the strategy seeks to build upon the substantial levels of development achieved over the lifetime of the Council-approved Unitary Development Plan (UDP), which has succeeded in directing new investment northwards. Here again the primary focus is on re-use of brownfield sites, but also accompanied by limited greenfield site releases as considered necessary to diversify the housing stock and increase the attractiveness of the area to inward investment. In the HOVRA the strategy seeks to encourage development and investment to spread still further northwards, in order to regenerate this part of the Plan area which is characterised by the highest levels of unemployment, social deprivation and population loss in the borough.
- 3.4 Within each strategy area the Plan identifies the principal towns and other local centres, and seeks to achieve a spatial distribution of new development which reflects their respective roles and function and has regard to other Plan objectives such as achieving sustainable patterns of development with good accessibility to complementary activities, facilities and services. The Plan recognises the landscape quality and environmental sensitivity of undeveloped areas within the county borough, and seeks to balance protection of these attributes with accommodating appropriate levels of growth, advancing the recreational and tourism potential of the borough and allowing scope for the exploitation of mineral resources.
- 3.5 The strategy closely reflects the particular characteristics, priorities and opportunities of the differing parts of the Plan area identified by

the “networked city region” concept for the South East Wales - Capital Region in the Wales Spatial Plan⁸ (WSP), including the Connections Corridor, Heads of the Valleys Plus and Valleys Regional Park elements of this spatial concept. The development strategy and the associated strategic, countywide and area specific policies also show close congruity and consistency with the national planning policy framework⁹.

- 3.6 I conclude that the overall nature and direction of the Plan strategy is sound and well-founded in terms of its relationship to, and consistency with, national policy and the WSP. In these terms the Plan satisfies the consistency, coherence and effectiveness tests of soundness.

Recommendation

- 3.7 No changes are required in respect of the overall Plan strategy in order to address key aspects of soundness. However, I endorse the following minor changes which the Council proposes to the introductory and strategy sections of the written statement, since they improve the Plan's clarity, precision and consistency of interpretation:

MAC01, MAC02, MAC04, MAC05, MAC06, MAC07, MAC08, MAC09, MAC10

⁸ People, Places, Futures – The Wales Spatial Plan (2004) & People, Places, Futures – The Wales Spatial Plan 2008 Update

⁹ Primarily Planning Policy Wales and supporting Technical Advice Notes

4 The level of housing growth

- 4.1 In pursuance of the moderate growth strategy opted for over the Plan period, the LDP aims to deliver 8,625 new residential units between 2006 and 2021. The evidence base provides a robust contextual analysis of this level of growth in comparison to year-on-year population changes and accompanying housing completion figures. The Council's work indicates that this level of housing growth within the borough over the Plan period would accommodate a population increase equating to a net annual in-migration rate of about 165 persons per annum over the anticipated population increase attributable to natural change¹⁰. This figure represents a substantive increase over the average annual net in-migration rate of around 100 persons experienced during the preceding UDP period, consistent with the Council's objective of moving still further away from the earlier period of decline.
- 4.2 The South East Wales Sub-regional Planning Group (SEWSPG) housing apportionment exercise was based upon WAG's 2003-based population and housing projections. The inputs to these projections were not disaggregated to individual authority level. There are wide variations in the social and economic factors influencing the nature of population and household change within the constituent local authority areas. It would plainly be over-simplistic merely to apportion the sub-regional projection on a pro-rata basis or to assume that the input data concerning elements of population change apply uniformly at the local authority level.
- 4.3 The Council agreed a figure of 9,750 new dwellings over the Plan period as the initial working basis for its part within the SEWSPG apportionment exercise. However, this was merely the starting point for its detailed analysis of the growth trends that might reasonably be anticipated to apply within the borough over the Plan period and its consideration of the social, economic and environmental implications of accommodating such growth in the context of the Council's strategic development management objectives.
- 4.4 The evidence base adequately supports the lower figure of 8,625 new dwellings proposed in the Plan. Such a level of housing growth would accommodate a significantly higher rate of net in-migration than recently experienced, in addition to expected natural change. It would translate into an average annual house completion rate over the remaining years of the Plan period broadly consistent with the average completion rate during the life of the UDP, which has included periods of strong housing growth as well as intervals of lower house building activity. SEWSPG has accepted the moderate growth option proposed by the Council as satisfactory in the light of the household projection for the sub-region as a whole. Not all of the LDP housing strategies of other authorities within the SEWSPG

¹⁰ Document SB.31

area are clear at present. However, given the comparatively high housing growth strategies of some neighbouring authorities I am satisfied that the Plan's moderate growth option is compatible with the 2003 sub-regional household projection and the approaches of neighbouring local planning authorities towards housing provision within their emerging LDPs so far as known.

- 4.5 The Council has reviewed the robustness of its growth strategy in the light of the 2006-based WAG population and household projections¹¹. It has concluded that the population change and net annual in-migration planned for over the Plan period and requiring the delivery of 8,625 new dwellings remains soundly based. Whilst an important factor, the 2006-based projections are simply projections derived from short-term trends. They are not forecasts of what may happen as a result of policy interventions. Moreover, the 2006-based projections represent the first such exercise at the level of individual local authority areas. Moreover, the subsequent 2008-based projections show a lower rate of population growth and indicate annual net in-migration of only 54 persons per annum. I consider that the Council's decision to pursue the "moderate growth" strategy of delivering 8,625 new dwellings over the Plan period is justified in the light of its longer-term analysis of population change within the borough over recent years, the social and economic factors at play and the Council's aspirations for the area based on its community and stakeholder engagement.
- 4.6 I consider that the growth strategy opted for is supported by a robust evidence base and reflects careful consideration of the relevant social, economic and demographic influences at play in the Plan area, coupled with the Plan's broad policy aspirations. The growth strategy in my view sits comfortably within the framework provided by the WSP, with the work carried out at sub-regional level and with the aspirations and intentions of neighbouring authorities so far as known at this time. Whilst there is inevitably a degree of uncertainty so far as future growth is concerned, the Plan's monitoring framework provides scope for timely review and adjustment, should such need become evident. I conclude that the Plan's moderate growth strategy is soundly-based.

Recommendation

- 4.7 No changes are required.

¹¹ Documents SB.32, ED.13, ES.11.1

5 The amount, distribution and range of opportunities for housing provision

Principles of housing site selection

- 5.1 The Plan sets out clearly and coherently how the 8,625 new dwellings will be delivered in a manner consistent with the key objectives of the Plan. The broad approach to the level and distribution of housing provision in each of the 3 strategy sub-areas is clearly defined and reflects the differing development priorities identified by the Plan. Within the SCC, where market pressure for housing is highest and environmental constraints are most acute, the Plan seeks to restrain new housing growth by limiting new allocations to brownfield sites, so encouraging housing provision and other investment to spread further north within the borough. In the NCC the Plan provides a wider choice of housing sites, allocating a number of greenfield sites in addition to the predominant focus on brownfield opportunities. In the HOVRA the Plan seeks to provide a range of opportunities for housing development by drawing settlement boundaries more generously so as to increase the potential for windfall sites to come forward.
- 5.2 The evidence base demonstrates that housing allocations within the Plan are based on a structured process of site selection¹², encompassing review of existing committed sites and a comprehensive assessment of other potential sites. Decisions as to housing site selection clearly reflect the Plan strategy and key objectives. The distribution of housing sites is consistent with the specific expression of the Plan strategy in each of the strategy areas, the identified role of particular settlements within each strategy area and the sustainability principles within the Plan.
- 5.3 The evidence base indicates, from the Council's broad assessment of the combined capacity of these sites and also taking into account expected contributions from small sites, windfalls and other sources of supply, that up to 10,269 housing units could actually be delivered within the provisions of the Plan¹³. This represents some 19% units more than the 8,625 units required under the moderate growth strategy.
- 5.4 The housing provision identified within the Plan relies heavily on the development of brownfield land, particularly in the SCC. However, the evidence of recent years in my view justifies the Council's confidence that brownfield sites will continue to come forward for housing development, even where there are constraints to development which need to be overcome. Whilst some of these sites may take time to develop, it is plain that the current economic climate has also significantly held back development in recent

¹² Document SB45, SB85 – SB90

¹³ Figure takes into account 245 additional units now expected to be delivered at HG1.35 Penallta Colliery – see Document MA2.11 and Council's proposed changes **MAC14** and **MAC38**

months. I find no evidence to contradict the Council's point that the current cases of developers showing reluctance to progress permitted brownfield development schemes is essentially due to the present economic downturn rather than any intrinsic underlying development viability issues arising from their brownfield status. Aside from the former Bedwas Colliery site, which I deal with in detail below, there is no specific evidence concerning particular brownfield sites proposed for allocation which leads me to conclude that these sites are not realistically deliverable within the Plan period. In any event, I consider that the 19% excess of potential housing opportunities over the number of dwellings required ensures a robust strategy notwithstanding the extent of reliance on brownfield land.

- 5.5 Moreover, directing development to brownfield land before looking to greenfield sites is an important element of the Plan's wider focus on sustainable development and environmental protection and enhancement.
- 5.6 In the light of the updated evidence concerning the development of site HG1.35 Penallta Colliery the Council proposes changes **MAC14**, **MAC38** and **MAC46**, which correct the site details and the housing figures for that site and overall as set out in policy SP16. These changes are necessary to ensure that the Plan properly and accurately reflects the available evidence on housing provision.

The former Bedwas Colliery site (allocation HG1.64)

- 5.7 It is plain that the allocation of the former Bedwas Colliery site for housing and ancillary community purposes is locally contentious. I have no doubt that the views expressed opposing the allocation of this site are genuinely and deeply held. However, from my examination of the evidence I am satisfied that the Council has given serious and detailed consideration to the substantive issues associated with the site's redevelopment as proposed¹⁴. A planning application would need to be supported by more detailed information but I consider the assessment of land contamination, remediation, reclamation and reprofiling to be sufficient to support the allocation of this site in the LDP. Issues relating to land drainage and surface water flooding; new access road provision and associated traffic, road safety, air quality and health implications; and consideration of the scale and location of the development, the ecological and conservation value of the land concerned and local opinion that the land should be developed instead as a country park have all been duly evaluated by the Council. I find no substantive flaw in the Council's decision to allocate the site for the proposed combination of uses.
- 5.8 Although the Plan makes reference to investigating the possibility for creating a country park in the Caerphilly basin area, I consider

¹⁴ Main document references summarised in ES5.1

that there would be no realistic possibility of funding the reclamation and remediation costs of the former Bedwas Colliery/Benzol and Cokeworks site on the basis of such an after-use. The Plan also contains proposals for informal leisure provision in Bedwas/Trethomas, to assist in meeting local need.

- 5.9 I consider that the proposed allocation accords with the wider thrust of the Plan strategy. Bedwas/Trethomas is identified as a local centre, secondary only in the SCC to the principal towns of Caerphilly itself and Risca/Pontymister. In this context, and given the key principles of the Plan strategy to channel new development to settlements according to their role and function and within the SCC to focus new housing allocations on brownfield sites, I find the allocation of the site for the uses proposed entirely consistent with the strategic policies and principles of the Plan.
- 5.10 Delivering development in accordance with the proposed allocation will be a complex process, not least because of the necessary reclamation and remediation. Although the position regarding reclamation funding is unclear at present, there is unlikely to be any realistic prospect of the site's inclusion within a funded land reclamation programme unless it is allocated for a viable after-use in the LDP. This weighs in favour of the site's allocation. The net development, environmental and investment benefits of bringing this heavily despoiled site back into productive use are such that current uncertainty concerning reclamation funding should not militate against the site's allocation. Although the economics of a development of around 630 dwellings on the site has been questioned, I consider that the Council's evidence indicates sufficiently robustly that the proposed allocation is justified from a development viability standpoint.
- 5.11 Given the need for reclamation and remediation it is unlikely that development of the site would commence before 2017. The Plan does not rely on earlier commencement in order to ensure adequate housing land supply over the Plan period. However, given the likelihood of an initial focus on basic site infrastructure and local market factors I consider that there is a real prospect that the site will not be fully built out within the Plan period, even if more than one housing developer is involved.
- 5.12 I have considered carefully the implications for Plan soundness of a lower level of housing delivery on the site within the Plan period. However, based on the known details of approved schemes on committed sites and an assumed average gross development density of 35 units per hectare on other allocated sites, the Plan gives scope to accommodate 1,644 (19%) more dwellings than planned under the moderate growth strategy. Even should around one third of the dwellings planned for HG1.64 not be delivered within the Plan period a margin of around 16% would still remain to allow for uncertainty and provide an element of flexibility and choice. Consequently I do not consider that the prospect of a lower

housing delivery figure for the site during the Plan period necessitates the allocation of additional housing land in overall numerical terms. Nor do I find a need for compensatory provision in the SCC, given the overall strategy of housing restraint for the Caerphilly basin and the number of existing committed sites and other brownfield sites already allocated.

- 5.13 Having regard to all of the foregoing, I conclude that the Plan allocation for the former Bedwas Colliery site is appropriate. Although I consider that the residential element may not be fully built-out within the lifetime of the Plan, I consider that there is a realistic prospect that most of the units can be delivered within this timescale; and that there is sufficient other capacity within the Plan to counter this uncertainty.

HG1.32 Hawtin Park, Pontllanfraith

- 5.14 Site HG1.32 land at Hawtin Park is allocated for housing purposes in the UDP, is well related to the existing development pattern and moreover is the subject of a planning application at an advanced stage of consideration. Although the site is identified as a Site of Interest for Nature Conservation (SINC), the Council is working with the applicant to secure a form of development that will satisfactorily safeguard the particular nature conservation interest of the site. In the light of these considerations I find no basis for a conclusion that this allocation prejudices the soundness of the Plan.

HG1.22 Park Estate, Bargoed

- 5.15 I have also considered issues concerning the proposed allocation of HG1.22 Park Estate, Bargoed. Whilst the current open, grassed character of this area of around 1.5ha is no doubt valued by the local community, it has plainly long been intended for housing development at some stage. The site relates logically to the adjoining built form of the settlement and there are no fundamental reasons why it should not be developed. Local residents are well served in terms of open space and associated amenity, having enjoyment of the nearby public park, other open spaces within the Park Estate and the nearby open countryside. The Council proposes additional text within Appendix 7 (proposed change MAC42), recognising that development will need to take appropriate account of the community based Taraggan allotment project adjoining the north east corner of the allocation, and provide scope for some limited expansion of the allotment area if required. On the basis of these factors I conclude that allocation HG1.22 is sound, being supported by a robust and credible evidence base.

Managing urban form and settlement boundary matters

- 5.16 The evidence base demonstrates that a systematic and considered approach has been taken in relation to the allocation of residential sites and to the identification of settlement boundaries and green

wedges as a means of defining and managing the limits of urban form and preventing coalescence of separate settlements¹⁵. The approach has taken into account relevant factors concerning sustainability and environmental implications, settlement size, form and function, social and physical infrastructure and development delivery. Residential land allocations and settlement boundary delineations are coherently based upon the role, scale and physical form of individual settlements and their settings, informed by the preference for the re-use of previously developed land where appropriate and the protection of the quality of the natural environment.

- 5.17 I have examined those relatively few cases where objections have been raised to the exclusion of a particular site from defined settlement limits. However, a rational and methodical approach has been taken to the identification of settlement boundaries. In the cases raised I consider that there is a robust basis for the Council's stance. In no case do I find any settlement boundary to be irrational or lacking in justification such as to render the Plan unsound in this respect.
- 5.18 The Plan adopts a coherent approach to very small settlements lacking a basic range of community facilities and minor groupings of dwellings in the countryside. Such locations have no settlement boundary and are treated in policy terms as part of the wider countryside. I find this approach to be soundly based, supported by a clear planning rationale and consistent with the sustainability principles which underpin the Plan. As regards those cases where an objection has been raised to the absence of a settlement boundary for certain small hamlets or particular groupings of buildings in the countryside, the Council has presented clear justification for its approach. I find no evidence of an overriding need to provide opportunities for new housing in these locations, either to provide for local needs or to create wider housing choice.
- 5.19 However, I recommend change **MAC37** to Aberbargoed settlement boundary, proposed by the Council as a consequence of deletion of proposal TR7.1 (see paragraph 9.8). With the removal of this road proposal from the Plan a change to the settlement boundary is needed to maintain a logical limit to development. I also recommend settlement boundary change **MAC47** (Gellideg Heights, Maesycwmmmer), which reflects a recent grant of planning permission on appeal.

Uncertainty, flexibility and choice

- 5.20 The precise contribution of individual elements to housing delivery, such as windfalls, small sites, conversions and allowances for demolitions and net reductions in vacancy rates, is inevitably subject to a degree of uncertainty. In addition, it is always possible

¹⁵ Documents SB.45 & SB.98

that some allocated sites may not be developed as expected within the Plan period. The high proportion of brownfield sites allocated for housing may increase this possibility, although there is no substantive evidence before me to suggest that this puts the delivery of the Plan strategy at significant risk.

- 5.21 However, I am satisfied from the evidence base that the Plan, by making provision from all sources for an anticipated level of provision of housing units some 19% in excess of the planned moderate growth strategy requirement of 8,625 units, adequately caters for such uncertainty, even allowing for the likelihood of former Bedwas Colliery site HG1.64 not fully delivering its projected housing contribution within the Plan period. Moreover, this level of opportunity for housing development, coupled with the pattern and range of housing sites throughout the Plan area, provides sufficient flexibility and choice to ensure that the general housing needs identified by the Plan strategy can adequately be met.

Conclusions on housing delivery

- 5.22 In the light of all of the foregoing, and having examined all of the proposed housing allocations within the Plan, I conclude that the Plan makes satisfactory provision for the delivery of housing to fulfil the moderate growth strategy in a manner consistent with the spatial, socio-economic, sustainability and environmental principles it seeks to promote. Accordingly I find the Plan sound in respect of its general housing provisions. Consequently there is no need for me to examine further those alternative sites advanced as candidates for housing development, either from the standpoint of making sufficient housing provision in numerical terms or in order to provide a wider range and choice of sites. I find nothing which leads me to conclude that the Plan is unsound by reason of its non-inclusion of any of these sites.

Recommendation

- 5.23 That in order to make the Plan sound the following changes are required:

MAC14, MAC37, MAC38, MAC46, MAC47

- 5.24 I also endorse the following minor changes which the Council wishes to make to the submitted Plan. Although these changes do not address key aspects of soundness, I endorse them on the basis that they improve the clarity, consistency and accuracy of the Plan.

MAC42, MAC43

6 Affordable housing provision

Affordable housing need

- 6.1 Consistent with national policy, the Plan seeks to deliver good quality housing which can be afforded by those who need it. The evidence base provides a local housing market assessment (LHMA) (2007) of affordable housing need in the county borough and calculates a target for the amount of affordable housing to be provided through the planning system. Policy SP17 identifies a total of 3,640 affordable dwellings that the Council will seek to deliver over the Plan period. The supporting text to the policy states that this figure represents the total number of affordable units which might be delivered via all possible mechanisms, with affordable housing delivered through the planning system via planning obligations contributing around 900 dwellings. Policy CW14 Affordable Housing Planning Obligations sets out the levels of affordable housing provision that will be sought as part of housing proposals that come forward during the Plan period.
- 6.2 Paragraph 9.1 of TAN 2 states that development plans must identify the expected contributions that the policy approaches in the development plan will make to meeting the affordable housing target. In order to provide consistency with this national guidance policy SP17 should specify the amount of affordable housing that the Plan seeks to deliver, through the sites expected to be developed during the Plan period and the affordable housing planning obligations anticipated. The Council's proposed change **MAC15** addresses this matter.
- 6.3 The 2007 LHMA estimated a Borough-wide shortfall of 516 affordable units per annum; subsequent work undertaken indicates that the level of need rose further in 2008¹⁶. This indicates a high level of affordable housing need compared to the total amount of housing (8,625 units) which the LDP seeks to deliver over the 15 year Plan period. In response to this the Plan includes policies which seek to deliver significantly increased amounts of affordable housing than have been delivered under policies in the UDP.

Viability

- 6.4 The Plan's affordable housing provisions are informed by an affordable housing viability assessment (AHVA)¹⁷. The AHVA adopts the residual development appraisal methodology developed for SEWSPG by Three Dragons to enable local authorities in South East Wales to undertake viability assessments in a robust and consistent manner. The methodology has been developed in consultation with relevant stakeholders. The testing undertaken within the viability assessment used the Three Dragons Development Appraisal Toolkit.

¹⁶ Documents SB.50, SB.51

¹⁷ Document SB.35

- 6.5 Based on the conclusions of the AHVA, policy CW14 seeks to provide differing proportions of affordable housing in different parts of the borough. In the Caerphilly Basin (excluding Aber Valley) the target is 40% of the total number of dwellings on qualifying sites. In the NCC (excluding Newbridge) the target is 25%. In the rest of Caerphilly County Borough, including Aber Valley and Newbridge but excluding the HOVRA (where no affordable housing contribution is required) the target is 10%.
- 6.6 Viability testing has been carried out on the basis of a 25% uplift on an existing industrial use value. I consider that this is an acceptable approach in this case for the purposes of testing for policy setting, since some 80% of sites allocated for housing in the Plan are brownfield, generally with a previous industrial use. The majority of windfall sites during the Plan period are similarly anticipated to be of this type. A 25% uplift over existing and/or alternative use value is noted in the SEWSPG guide as a reasonable starting point for the analysis of brownfield sites. I find no compelling evidence, either arising from the local development industry workshop or from elsewhere, that local circumstances in Caerphilly point to the use of a different figure. The balance of evidence indicates that robust and realistic values were used for other inputs when testing the percentage targets examined.
- 6.7 Representatives of the housebuilding industry contend that this approach is unrealistic, because of the large difference between industrial use values plus 25% uplift and residential land values (based on District Valuation Service figures for 2009). However, given the extent to which brownfield industrial sites figure in the housing allocations of the Plan and are also likely to feature in windfalls, I consider this approach wholly appropriate for the Plan area. I find no substantive evidence pointing to a different approach or a different uplift figure being more appropriate in the Caerphilly area. Whilst it may be that some owners of greenfield allocated housing sites will have an expectation of a much higher development land value, this does not alter my conviction that industrial use value plus 25% uplift represents an appropriate basis for viability assessment in connection with policy setting in this case. Greenfield sites are likely to comprise a comparatively small proportion of the land developed for housing during the plan period on which an element of affordable housing will be required. It would therefore be inappropriate to base the norms established by the policy on such sites. Moreover, development value expectations must begin to recognise the increased priority, at national and local level, being given to delivering sufficient amounts of affordable housing as part of the housing development process.
- 6.8 I consider that the evidence base provides a robust and coherent justification for policy CW14 so far as the differing target levels for affordable housing provision are concerned. As stated in the supporting text to policy CW14, these targets are indicative and the level of affordable housing required in each case will depend on

detailed site-specific assessment of the development proposal and up-to-date information concerning market conditions. Moreover, the Plan monitoring provisions (see proposed change **MAC44**) provide the requisite flexibility to enable the Plan to respond to any significant change in local market conditions.

Maximising delivery through the Plan

- 6.9 Securing the provision of affordable housing to meet identified needs is a key aim of national policy, rightly recognised in the LDP. However, the number of affordable dwellings expected to be delivered through planning obligations during the Plan's lifetime is significantly lower than cited in the deposit Plan, due to the additional AHVA work carried out and consequent adjustment of affordable housing negotiation targets contained in policy CW14. Given the major shortfall in the number of affordable housing units expected to be delivered compared to the level of identified need, the Council has considered during the examination ways in which the Plan might realistically increase affordable housing delivery¹⁸.
- 6.10 Following this work the Council has put forward proposed change **MAC21**, which amends policy CW14 by lowering the size threshold of sites on which a proportion of affordable housing will be sought from 10 dwellings/0.3ha to 5 dwellings/0.15ha. This change would increase by 40 or so the number of affordable housing units delivered through planning obligations and the overall affordable housing delivery figure contained in strategic affordable housing policy SP17 (see change **MAC15**). Even though the resulting amount of additional affordable housing is relatively modest, I regard these changes as necessary for the Plan to properly reflect its stated commitment to delivering affordable housing.
- 6.11 I acknowledge the Council's evidence that the additional yield from an affordable housing exception sites policy applying to the more rural parts of the Borough might only be up to 24 dwellings. Nonetheless, an exceptions policy would increase the Plan's scope to deliver affordable housing, including in the HOVRA strategy area where policy CW14 would not deliver affordable housing but where pockets of need may exist. Given the extent to which the affordable housing delivery target in the Plan fall short of levels of identified need, I consider that an exception sites policy is a necessary element of the Plan's affordable housing provisions. The Council, whilst not proposing this change, has indicated the form which it considers such a policy, if included, should take. Accordingly, I recommend change **IC01** inserting affordable housing exception sites policy CW14a and supporting text. This change will increase further the affordable housing delivery figure in policy SP17 in change **MAC15**.
- 6.12 I have concluded that little would be gained by a specific policy concerning sites within identified settlement boundaries and

¹⁸ Documents ED.18, ED.19, ES11.1

allocated or protected for purposes other than housing. Where such sites genuinely are no longer required for their allotted purpose, proposals for housing would in any event fall to be considered on their merits in the light of all material considerations, including the extent to which a contribution would be made to meeting affordable housing need.

- 6.13 I have considered the possibility of allocating additional, greenfield, sites for housing in order to increase the amount of affordable housing that might be delivered. Such sites would logically be located in the Caerphilly Basin area, where the 40% affordable housing target applies. However, this would result in excessive provision of housing land contrary to the Plan's moderate growth strategy and would seriously undermine key parts of the Plan strategy concerning the prioritisation of previously developed land for development and protection of the countryside.
- 6.14 The Plan already includes a significant element of housing land overprovision, in order to ensure delivery of the moderate growth strategy target. It also provides a sufficiency of housing opportunities in the SCC, arising from existing commitments and other identified brownfield opportunities, bearing in mind the element of development restraint in the Caerphilly basin identified by the LDP strategy. Given these factors, I conclude that allocating new greenfield sites for general housing merely to boost delivery of affordable housing would not be in the interests of Plan soundness.
- 6.15 Overall, I regard the affordable housing delivery targets as solidly reflecting the supporting evidence base and being realistic and deliverable. However, despite the Council's advancement of change **MAC21** and the additional provision potentially arising from **IC01**, the evidence provided on other mechanisms outside the Plan's influence to increase affordable housing delivery and the considerable advance over policies in the current UDP, I remain concerned that the amount of affordable housing delivered by the Plan remains low compared to the identified need. The Plan's soundness is questionable in this regard. However, rejection of the Plan on this point would be counterproductive, since it would delay the introduction of the Plan's undoubtedly more proactive affordable housing measures in place of the current UDP provisions.
- 6.16 I consider that scope remains to investigate the identification of particular development sites, in locations of high affordable housing need and being particularly suited for such provision, for up to 100% affordable housing, along the lines indicated by TAN 2 paragraph 10.9. It is not appropriate, or indeed possible on the information available, for me to identify specific sites. The Council should undertake such an assessment at the earliest opportunity, and consider a policy specifically concerning this element of affordable housing delivery in the first review of the Plan. As an interim measure I consider that additional supporting text is required in relation to policy CW14 (**IC02**), to ensure that the Plan

properly reflects and responds to the evidence base concerning affordable housing need. This text states that, on sites assessed and formally concluded by the Council as being in locations of high affordable housing need and possessing locational or other attributes of particular suitability in terms of meeting such need, the Council may seek to negotiate levels of affordable housing provision of up to 100%, having regard to all relevant considerations. Subject to this change, change **IC01** as set out above and those proposed by the Council, I find the Plan's approach to affordable housing sound.

Recommendation

6.17 That the following changes are required to make the Plan sound:

MAC15, MAC21, IC01, IC02

7 Minerals and waste issues

Minerals policy matters

- 7.1 The LDP acknowledges that there are significant minerals resources within the Plan area. The evidence base acknowledges and includes the regional and national context for minerals planning matters contained in Minerals Planning Policy Wales 2000 (MPPW), Minerals Technical Advice Notes (MTANs) and the Regional Technical Statement (RTS) recommendations in respect of the Plan area produced by the Regional Aggregates Working Party for South Wales.
- 7.2 For the most part the Council is content to rely on the framework provided by national minerals planning policy, in conjunction with wider criteria-based development management policies proposed in the LDP, for the consideration of minerals development proposals. Although the submitted Plan contains policies concerning minerals safeguarding (SP10 and CW24) and quarry buffer zones (CW25) it says little about the consideration of proposals connected with minerals extraction. Given the existence of significant mineral resources within the Plan area, I consider that the Plan needs to set out the position more explicitly, in order to provide an effective basis for considering minerals development proposals.
- 7.3 Changes **MAC03**, **MAC19** and **MAC23** address this issue. **MAC03** adds to paragraphs 0.44-0.45 of the Written Statement, which sets out the relationship between the LDP and national planning policy guidance, providing text which explains the broad approach taken by the Plan in relation to consideration of minerals development proposals. **MAC19** and **MAC23** add supporting text following policies CW8 (natural heritage protection) and CW17 (general locational constraints), referring to the mineral resources present within the Plan area and explaining how minerals development proposals will be assessed in relation to these and other LDP policies and national planning policy guidance. I consider that these changes are sufficient to make the Plan sound in this respect.
- 7.4 For consistency with national guidance and to ensure that the LDP operates effectively, the buffer zones delineated in the Plan need also to include dormant quarry and aggregates sites and the Ffos-y-frân opencast coal working site in Merthyr Tydfil county borough, close to Caerphilly's boundary. Changes **MAC25**, **MAC26** and **MAC34** are thus required in order to ensure that the Plan satisfies the consistency soundness tests. Change **MAC25** broadens the title and text of policy CW25 to refer to mineral site buffer zones rather than quarry buffer zones, whilst change **MAC34** adds the coal buffer zone and dormant mineral site buffer zones to the area specific mineral site buffer zone policy MN1 and to the Proposals Map. Change **MAC26** inserts additional supporting text to policy CW25 explaining the rationale behind the delineation of the buffer

zones and clarifying the position regarding review of dormant and inactive sites.

Cwmbargoed disposal point waste facility

- 7.5 The Cwmbargoed Disposal Point site is a railhead complex of uses at the head of Cwmbargoed which straddles the boundary of Caerphilly and Merthyr Tydfil county boroughs. Around 24ha of the site lies within the Plan area and currently is used primarily for the preparation and despatch of coal arising from the Ffos-y-frân reclamation and opencast operation nearby. The submitted Plan identifies the site as suitable for a waste management facility serving more than one local authority area, and allocates the land accordingly under policy WM1.
- 7.6 However, the evidence base does not support the proposal as a realistic, deliverable proposition within the Plan period¹⁹. The majority of the site area within Caerphilly's boundary is used for coal preparation and despatch and these operations are likely to continue throughout the Plan period. Indications are that the net remaining areas within the Caerphilly part of the complex are of inadequate size and configuration to accommodate a waste handling facility of sufficient scale to serve more than one local authority area. Whilst there have been some general discussions with Merthyr Tydfil County Borough Council, the proposal is not put forward in conjunction with a parallel allocation on adjacent land in the emerging Merthyr Tydfil County Borough LDP.
- 7.7 In the light of the foregoing the Council has reviewed allocation WM1.1, and now proposes via **MAC33** to modify the site allocation to a combined minerals and waste handling site, based upon the presence of the railhead facilities. The revised allocation would also countenance other employment uses requiring a railhead facility and appropriate to the location in sustainability terms. The change put forward by **MAC33** is realistic and deliverable. Subject to this change I conclude that the Plan would satisfy the coherence and effectiveness tests of soundness in respect of this matter.

Recommendation

- 7.8 That in order to make the Plan sound the following changes are required:

MAC03, MAC19, MAC23, MAC25, MAC26, MAC33, MAC34

¹⁹ Document ED.17

8 Natural heritage and green wedge policies and designations

- 8.1 Natural heritage protection policies are present in the Plan at strategic (policy SP12), countywide (policy CW8) and area specific (policies NH1, NH2, NH3) level. The policies contain three local designations: Special Landscape Areas (SLAs), Visually Important Local Landscapes (VILLs) and Sites of Importance for Nature Conservation (SINCs). The evidence base provides the underlying rationale for these local designations and contains information on the methodology and criteria used in determining the designations within the Plan²⁰.

SLAs and VILLs

- 8.2 SLAs and VILLs are non-statutory local landscape designations. SLAs seek to protect areas that exhibit distinctive landscape, historical, cultural, biodiversity and geological features and characteristics within the county borough, reflecting a holistic approach to landscape evaluation. VILLs seek to protect the distinctive features or characteristics of areas of the county borough which do not qualify for designation as SLAs but which nonetheless possess significant visual and sensory qualities.
- 8.3 In formulating the Plan policies and identifying the areas for designation the Council has sought to follow national guidelines and the established appropriate methodologies and evaluation processes. In relation to SLAs, the methodology for identifying areas for designation has utilised LANDMAP information for the various aspect layers. For VILLs the evaluation has utilised the information provided by the LANDMAP visual and sensory aspect layer. However, the Council acknowledges that resources have limited the extent to which it has undertaken more detailed field analysis as part of the evaluation of the LANDMAP aspect areas leading to designation of each SLA and VILL in the Plan and determination of its precise boundaries.
- 8.4 Appendices 1 and 2 to the LDP Written Statement summarise the primary reasons for designation of the SLAs and VILLs, their main distinctive characteristics and features and key policy, management and development control issues. The Council's proposed change **MAC41** adds missing Historical Landscape layer information to the SLA descriptions which was not finalised at the time of the deposit Plan and I recommend that this information be incorporated into Appendix 1. Whilst more detailed information would provide greater clarity and certainty for users of the Plan, and may be provided as and when the Plan is reviewed, I do not consider that the level of information provided renders the Plan unsound.

²⁰ Documents SB.25, SB.47 – SB.49

- 8.5 It is self-evident that any given SLA or VILL will not be of completely uniform character throughout and that there will inevitably be pockets of lesser quality if such designations are to have coherent, clearly identifiable and defensible boundaries. Moreover, the purpose of designation of SLAs and VILLs is not to attempt to place an embargo on development. Instead it is to ensure that the distinctive landscape qualities and characteristics of the designated area are identified, given adequate protection and, where appropriate, enhanced as part of the development process.
- 8.6 Accordingly, determination of the acceptability of specific development proposals within SLAs or VILLs will be on the basis of their effect on the particular distinctive qualities and characteristics of the designated area rather than the mere fact of location within its boundaries. Appendices to the Plan summarise the primary landscape qualities and features on which each designation is based. Washing-over of quarrying or other visually unattractive uses by the SLA or VILL designation is not inconsistent with the overall purposes and objectives of the designations. The Council proposes minor changes to the wording of strategic policy SP12, countywide policy CW8 and the supporting text to these policies, NH1 and NH2 in order to provide greater clarity and consistency of interpretation (MAC13, MAC18, MAC30, MAC31).
- 8.7 The evaluation of data concerning different aspect layers so as to produce a rational and coherent landscape designation is not an exact science and can involve a series of individual judgements. I recognise the evidence produced in some instances presenting a contrary case. However, for the most part I consider that the evidence base provided by the Council is sufficiently robust and credible to support the SLA and VILL designations in the Plan.

NH1.1 Upper Rhymney Valley SLA

- 8.8 The exception to this concerns the designation of that part of the proposed Upper Rhymney Valley SLA in the Nant Llesg area lying to the west of the A469 and south of the A465 Heads of the Valleys road. Detailed analysis of landscape character evidence for this area considered during the examination²¹, and accepted by the Council, demonstrates that this part of the proposed SLA does not possess to a sufficient extent the distinctive special landscape qualities on which the designation is based and moreover is to a substantial extent a significantly degraded landscape. Because of its size and location relative to the remainder of the designation the area concerned cannot realistically be considered a pocket of lower landscape quality included so as to achieve a comprehensive and coherent designated area. Moreover, the existing southern limit to this part of the proposed SLA does not comprise a clearly defined or defensible boundary.

²¹ Document ES9.2

- 8.9 I conclude that the LDP is unsound as regards the designation of the Nant Llesg locality as part of Upper Rhymney Valley SLA. However, I consider that the Plan can be made sound in this respect by amending the boundary of SLA NH1.1 so as to exclude from the designation the area lying to the west of the A469 and south of the A465 (**IC03**).
- 8.10 I recognise that this change would exclude from the SLA a segment of prominent upland landscape, of particular significance due to its position adjacent to the A465 corridor and at the northern gateway to the County Borough. The Plan's strategic focus on regeneration in the HOVRA and development of the area's recreation and tourism potential are clear reasons for prioritising landscape improvement in this area. However the purpose within the Plan of designating SLAs is not to identify priority areas for landscape improvement, but instead to identify, conserve and enhance areas of existing special quality. Designation primarily to secure landscape improvement objectives is not appropriate.
- 8.11 The absence of an SLA designation covering the Nant Llesg area would not result in landscape considerations being ignored in the determination of development proposals. Historical and cultural features present would still need to be taken into account. SINC designations identifying areas of biodiversity and species habitat importance would remain. The visual and sensory effects of development would also form part of the balance of considerations. Whilst the Plan contains no specific landscape improvement policy I consider that additional emphasis regarding landscape considerations and the Plan objectives for this particular area could nonetheless be provided at paragraph 3.11 of the Written Statement, as set out within the Council's proposed change MAC29.

NH2.1 Northern Rhymney Valley VILL

- 8.12 The north boundary of VILL designation NH2.1 Northern Rhymney Valley in the vicinity of Rhaslas Pond is contiguous with the southern boundary of SLA designation NH1.1 in the submitted Plan. The Council concedes that this boundary is erroneous and not supported by a robust and credible evidence base, and states that an appropriate clear and defensible northern boundary for the VILL would be the minor road running westwards from Pontlottyn and passing to the north of Fochriw. Accordingly, it proposes a change to the VILL designation to this effect (**MAC45**). I accept this analysis and endorse this change, which is required in order to make the Plan sound in terms of its consistency, coherence and effectiveness.

SINCs

- 8.13 The SINCs listed under policy NH3 identify significant areas of biodiversity priority habitats and species, based on objective scientific criteria in accord with established guidelines. The

evidence base provides a clear explanation of the basis for SINC designation, the selection criteria and the methodology of the site selection process²². All sites that meet the criteria for designation have been designated.

- 8.14 Policy NH3 sets out the basis on which development proposals for sites affected by a SINC designation will be considered. Appendix 4 in the Appendices to the Written Statement summarises the primary features which form the basis of each current designation. Although in a small number of cases the detail of designation is questioned by others, the process of candidate SINC assessment and SINC designation is independent of the LDP process. Policy NH3 does not automatically preclude development, but rather acts to ensure that the significant biodiversity and ecological interest for which the site has been designated is properly taken into account within the process of consideration of any development proposals. The outcome in each case will depend upon the overall balance of considerations and the impacts of the particular form of development proposed entailing assessment as necessary of the extent and quality of the nature conservation interest at planning application stage.
- 8.15 I conclude that the Plan's approach to SINC designations is robust and that the Plan is sound in this respect. I endorse minor changes to the wording of policy CW8 and the supporting text to policies CW8 and NH3, which the Council proposes in order to provide greater clarity and consistency of interpretation (MAC18, MAC32).

Green wedges

- 8.16 As national policy guidance in PPW indicates, green wedges can be a valuable mechanism for managing urban form in order to protect open land around settlements, prevent coalescence of separate settlements and protect the setting of urban areas. They can also assist in encouraging urban regeneration by encouraging the recycling of derelict and other urban land. The settlement form and pattern of built development throughout much of the Plan area makes green wedges an important development management mechanism in many locations. The evidence base²³ demonstrates that the Council has reassessed the green wedge designations contained in the UDP and has systematically reviewed the purpose of, requirement for and necessary extent of all of the green wedges proposed in the LDP in a manner consistent with national guidance.
- 8.17 I have had regard to representations relating to the detailed extent of green wedge designations proposed in a number of different locations within the Plan area. However, I am satisfied that the detailed designation in each case is consistent with national guidance concerning green wedges, and with the particular reasons

²² Documents SB.25, SB.49

²³ Documents SB.25, SB.98

given by the Council for the designation concerned in Appendix 3 of the Plan's Appendices document.

- 8.18 The Council has proposed change **MAC47** to the extent of green wedge designation SI1.16 on the edge of Maesycwmmmer in order to reflect the outcome of a planning appeal determined in 2009. I agree that this change will ensure that the Plan is consistent with the established development status of land in this location. In all other respects I conclude that the Plan is sound as regards the designations made concerning green wedges.

Recommendation

- 8.19 That in order to make the Plan sound the following changes are required:

IC03, MAC41, MAC45, MAC47

- 8.20 I also endorse the following minor changes which the Council wishes to make to the submitted Plan. Although these changes do not address key aspects of soundness, I endorse them on the basis that they improve the clarity, consistency and accuracy of the Plan.

MAC13, MAC18, MAC29, MAC30, MAC31, MAC32

9 Transportation and highways issues

- 9.1 The evidence base demonstrates that the Council has taken into account transportation and highways issues in formulating the Plan strategy²⁴. The Plan has regard to existing highway network, congestion and air quality issues, facilities for travel by rail and local movement by bicycle and on foot, and considers current funding programmes, sources and opportunities. The Plan seeks to implement improvements to the existing transport infrastructure in a way that achieves the key Plan objectives set out in strategic policy SP21.
- 9.2 The Plan takes a balanced, realistic and coherent approach to transportation and highways matters, both in its transport policies and proposals and in its wider development policies and land use allocations. The Plan pursues sustainable development objectives but recognises the historical pattern of settlement, land use and transport infrastructure with which new development and transport changes must integrate. Its policies and provisions aim to deliver movement towards a more sustainable, resource-efficient settlement pattern and transport system. However, the Plan rightly also recognises that the road network plays a critical role in providing accessibility to employment opportunities and to services and facilities, and that there are particular road network issues which will need to be addressed.
- 9.3 Strategic highway network improvements proposed in the Plan for the NCC and SCC are justified in the light of congestion issues and the anticipated increases in traffic over the Plan period. Policy SP7 contains provision to ensure that new development during the Plan period which contributes to the need for such network improvements also contributes to their delivery on the ground.

Caerphilly basin provisions

- 9.4 Some opponents of the Plan maintain that, in the Caerphilly basin in particular, there should be an embargo on housing development and no road improvements should be proposed. However, much of the traffic increase leading to the need for the improvement schemes in the Caerphilly basin will arise from schemes already committed or underway. Other housing allocations within the Caerphilly basin are restricted to previously developed land in appropriate locations and will be expected to address any resulting highway issues as necessary. In my view the need for the strategic network improvements identified within the Caerphilly basin over the Plan period is adequately demonstrated by the evidence base.
- 9.5 The intention of policy TR9 is to safeguard a corridor for a Caerphilly south eastern bypass whilst further investigative work is

²⁴ Documents SB.43, SB.59-SB.61, ED11

carried out to determine whether a bypass would be the appropriate solution to the town centre's congestion and consequent air quality problems. No decision has been taken as to the construction of such a road, and policy TR9 does not propose its construction. On completing the investigative work the Council will either seek to confirm the safeguarded route for the development of a bypass or will remove the safeguarding corridor. I endorse this safeguarding measure provided that the necessary investigative work and a decision as to whether to proceed, in the light of need and deliverability, is undertaken promptly. Change MAC40 put forward by the Council amends the wording of policy TR9 to avoid any suggestion that the construction of a bypass is already decided.

- 9.6 I have concluded earlier (paragraphs 5.6-5.12) that allocation of the former Bedwas Colliery site for housing, community and leisure facilities and involving provision of new access road proposal TR7.3 to serve this development is soundly based.

Aberbargoed to Bedwellty relief road

- 9.7 The Aberbargoed to Bedwellty Relief Road (proposal TR7.1) is carried forward from the UDP as a scheme needed to facilitate new development. The Council states that it remains committed to bringing a relief road forward and housing site allocation HG1.16 (Bedwellty Road, Aberbargoed) now is the subject of an extant planning permission and planning obligation conditionally securing construction of a minor section of the proposed road. However, the Council acknowledges that there is no realistic prospect of funding and delivering the larger part of this proposal within the Plan period. There are no other development allocations in the Plan directly related to the provision of a relief road in this location. In addition, there are outstanding technical issues concerning the adjacent spoil tip.
- 9.8 Given the lack of prospect of delivery of this road within the Plan period the Council has put forward change **MAC37**, which would delete proposal TR7.1 and replace supporting paragraphs 3.66-3.68 with new text confirming the Council's commitment to further design and costing work and identifying how the remainder of the new road would be funded. The change also makes a consequential alteration to the settlement boundary for Aberargoed in this location, aligning it more closely to the settlement form in the absence of a defined new road line. I consider that **MAC37** would make the Plan sound in respect of this issue.

Nelson western bypass

- 9.9 There is no technical evidence to justify the construction of a bypass around the western side of Nelson, either based on present traffic conditions or arising from expected traffic growth including that arising from proposals in the Plan. There is also no realistic prospect of the funding needed to make such a scheme deliverable.

The absence of a western bypass proposal for Nelson therefore does not render the Plan unsound.

Rail transport matters

- 9.10 The Plan seeks to identify and pursue opportunities to develop new rail passenger travel and freight transport facilities within the Plan area. The evidence base demonstrates that the proposals to develop new rail station and park and ride facilities are realistic and deliverable within the Plan period. The Plan also safeguards the current position in respect of the Cwmbargoed rail line between Ystrad Mynach and Bedlinog, to facilitate the reopening of the line to passenger services. In conjunction with this the Plan also safeguards land at the former station site at Nelson for the provision of a new rail station. The available land area also has space for car parking, a set down area and a bus interchange. Although the possibility of a park and ride facility at Llancaiach View, Nelson has also been examined, this is not a realistic proposition as the land is now committed for housing. I consider that the Plan is sound in its approach to these matters.
- 9.11 Whilst the reinstatement of a number of former lines for passenger rail transport has been advocated by some and considered during Plan preparation, the reopening of these former routes has been compromised by subsequent activities and development. Further investigation of the practicality, costs and benefits of reinstating these routes is needed before realistic and deliverable policies and proposals concerning them could be formulated and adopted.

Cycle routes

- 9.12 The Plan makes provision for the continuing development of a network of cycle routes, as part of its focus on improving accessibility by sustainable means of travel and its promotion of recreational routes and tourism-related facilities. Policy TR1 safeguards land to facilitate various improvements to the cycle route network. The routes shown on the Proposals Map are indicative only. Paragraph 3.147 of the Written Statement states that the specific route alignments for the improvements identified have yet to be considered in detail and that the schemes are at differing stages of development. The precise alignment and detailed design of the routes identified in the Plan will be a matter for investigation and determination on the ground, involving due consultation, negotiation and legal process as necessary according to the circumstances of the case.
- 9.13 I find no substantive evidence to indicate that policy TR1 renders the Plan unsound. To make it clearer that the route alignments shown on the Proposals Map are not prescriptive the Council has put forward change MAC36, which amends the wording of the final sentence of paragraphs 3.56, 3.147 and 3.241 to refer to "indicative alignments" rather than "allocations". It also changes

the TR1 notation on the Proposals Map to a dotted rather than a dashed line and specifies on the Map legend that these routes are indicative. I endorse this change, which improves the clarity and precision of the Plan in relation to policy TR1.

Recommendation

- 9.14 That in order to make the Plan sound the following change is required:

MAC37

- 9.15 I also endorse the following minor changes which the Council wishes to make to the submitted Plan. Although these changes do not address key aspects of soundness, I endorse them on the basis that they improve the clarity, consistency and accuracy of the Plan.

MAC36, MAC40

10 Employment and commercial development issues

Employment land provision

- 10.1 The Plan seeks to secure a range of employment opportunities in appropriate locations to meet the needs of the area's growing population over the Plan period. To this end, preparation of the Plan's employment land policies and proposals has involved a review of existing employment land allocations in the UDP in the light of present-day circumstances²⁵. This review and the consideration of the availability of brownfield land for employment use versus other uses has resulted in the suite of employment land policies and allocations proposed in the LDP. The Plan's retail and town centre policies and proposals also contribute significantly towards the provision of a full range of employment opportunities, whilst supporting the vitality and viability of town centres and ensuring that goods and services are concentrated in sustainable locations.
- 10.2 The Plan's employment land strategy identifies three categories of employment site; business parks, primary employment sites and secondary employment sites. Existing sites identified for retention in employment use and allocations for new employment uses are categorised in these terms. Essentially, business parks are identified as appropriate locations for B1 uses, primary employment sites are identified as suitable to accommodate B1, B2 and B8 uses along with a range of *sui generis* employment uses, whilst secondary employment sites are additionally considered to be appropriate locations for a range of commercial service uses.
- 10.3 I consider that the employment land provisions of the Plan are soundly based as regards the amount, range and distribution of employment land across the Plan area and general coherence and consistency with the Plan strategy as a whole. Taking into account service sector jobs arising within Caerphilly town centre and the existence of employment opportunities in Cardiff, many of which can be accessed by public transport, I find no substantive evidence that the Plan under-provides employment land in the Caerphilly basin area.

Site EM1.7 south extension Penyfan, Croespenmaen

- 10.4 Although included as a primary employment site in the deposit Plan, site EM1.7 (south extension Penyfan, Croespenmaen) is not allocated for this purpose in the Plan submitted for examination. Whilst the area in which the site is located is identified as a primary employment land focus in the Plan strategy, the site lies on the periphery of the allocated employment area and is a discrete, relatively small greenfield site of some 2.4ha. Some 45ha of other

²⁵ Documents SB.37, SB.52

primary employment sites are allocated within the adjacent Oakdale Business Park, comprising almost 45% of the total area of allocated sites for new employment development within the Plan area.

- 10.5 I find that the LDP makes ample provision for employment uses, particularly in this part of the Plan area. Whilst there is no overriding case against the site's earlier proposed allocation in terms of maintaining a buffer between different uses or impact on residential amenity, given the extent and nature of other employment land uses and allocations in the vicinity I find no substantive evidence that the non-allocation of this site for employment purposes renders the Plan unsound.

EM2.11 North Celynen, Newbridge

- 10.6 The 2.5ha element of EM2.11 (North Celynen, Newbridge) lying to the north of the access road into the site is protected for primary employment purposes in conjunction with the larger area to the south. Although the whole of EM2.11 was clearly originally envisaged as a single primary employment site, the southern part is fully utilised by a single occupier whilst the northern part has never been utilised other than for parking. The occupiers of the southern part have no expansion plans and the northern part is now in separate ownership. The scale of any standalone development on the northern portion would be constrained by the restricted size and tapering shape of the site and by SINC designation NH3.12. As a primary employment site the northern part of EM2.11 is in unequal competition with the much wider range of such sites at Oakdale Business Park.
- 10.7 In the light of these factors I conclude that designation of the remaining available northern part of EM2.11 as a primary employment site in the Plan is unrealistic and inappropriate. However, this can be remedied by changing the Plan designation for the northern part of EM2.11 to a secondary employment site. Such a designation would properly reflect the characteristics of the site and permit a more realistic range of employment uses to be considered. Accordingly, I conclude that change **IC04** is required in order to make the Plan sound.

Supporting text to policy CW15

- 10.8 I have also considered whether the examples of other (sui generis) uses outside B1, B2 and B8 cited within the supporting text to policy CW15 (Use Class Restrictions – Business and Industry) should be more extensive. However, the uses cited are provided as examples, and as such are self-evidently not exhaustive. In any event, the appropriateness of any sui generis employment or commercial service use in a given case would also depend upon the particular characteristics of the site and its surroundings. I do not consider that the absence of further specific detail in this respect renders the Plan unsound.

EM2.24 Caerphilly Road Ystrad Mynach

10.9 Evidence I heard relating to existing premises forming part of EM2.24 on Caerphilly Road Ystrad Mynach demonstrates that the existing business units on this site are unviable and unable to attract occupiers, and that the site is not marketable for purposes falling within the range of other uses permitted by part C of policy CW15. The site scored poorly in the Atkins employment land study²⁶, and clearly suffers markedly from its inferior location, access and visibility in comparison to the nearby, much larger, Dyffryn Business Park. The site lies adjacent to a broad mix of uses including community facilities and services and housing, and is close to the core of Ystrad Mynach. Having regard to these factors, the small land area concerned and wide range of uses present on EM2.24, I consider that the protection of this site as a secondary employment site is not founded on a robust and credible evidence base. However, this can be remedied by deleting Plan allocation EM2.24, leaving the land unallocated and lying within the defined settlement boundary of Ystrad Mynach. This would enable a wider range of development proposals to be considered on their individual merits. Accordingly, I conclude that change **IC05** is required in order to make the Plan sound.

Principal town centres

10.10 The Plan strategy identifies five principal towns within the Plan area; Bargoed within the HOVRA strategy area, Blackwood and Ystrad Mynach within the NCC and Caerphilly and Risca/Pontymister in the SCC. The identification of these five settlements as principal towns is entirely consistent with the role and function of these centres, the existing pattern of development in the Plan area, the broad development strategy of the Plan and the planned pattern of development growth over the Plan period. The WSP identifies only Blackwood and Caerphilly as key settlements within the Plan area. However, I see no inconsistency between the broader analysis of the WSP and the more detailed analysis of settlement function and hierarchy at the local level contained in the LDP.

10.11 In the context of the LDP strategy the identification of Bargoed as a principal town is entirely justified. It recognises and seeks to reinforce the historical function of Bargoed as the principal centre serving the Upper Rhymney Valley and is a key component of the HOVRA regeneration element of the Plan's development strategy. There is no evidence that identification of Bargoed as a principal town with proposals for enhanced retail and leisure facilities would significantly undermine Blackwood's status and function as a principal centre.

²⁶ Document SB.52

Blackwood Gate Retail Warehouse Park

10.12 The recently-constructed units alongside the Focus DIY store at the Blackwood Gate Retail Warehouse Park have remained vacant since built. However, I consider that the delineation of principal town centre boundary CM1.2 accurately reflects the pattern and extent of town centre uses in Blackwood. The Blackwood Gate Retail Warehouse Park is physically segregated from the principal retail area of the town centre by a combination of topography, development orientation, walking distance and intervening land uses. Permitting of general retailing use of the site would undermine retailing activity within Blackwood town centre. There is thus no good argument for extending the principal town centre boundary to include the Blackwood Gate Retail Warehouse Park. Consequently I find no evidence that leads me to conclude that the Plan is unsound in relation to this matter.

10.13 I find the Plan sound in all other respects as regards town centre and retail development matters.

Recommendation

10.14 That in order to make the Plan sound the following changes are required:

IC04, IC05

11 Community and recreation facilities

11.1 The evidence base demonstrates that the Council has had regard to issues concerning provision of community and leisure facilities and opportunities for recreation and tourism in formulating the Plan strategy²⁷. In overall terms the Plan embodies a balanced, realistic and coherent approach to community infrastructure and leisure and tourism matters, both in its policies and proposals and in its wider development policies and land use allocations. Within the parameters imposed by the existing patterns of population, community infrastructure and facilities, the Plan's development proposals seek both to reflect sustainable development principles and to give effect to the overall thrust of the Plan strategy and its key objectives.

Caerphilly basin

11.2 A number of representations maintain that the level of facilities in a given area is inadequate to cater for new development, or alternatively that proposals in the Plan affecting existing facilities would have adverse consequences in community infrastructure terms. However, no substantive evidence has been produced in these cases to disturb my conclusion that the Plan is sound as regards these matters and is supported by a robust and credible evidence base. In relation to the Caerphilly basin, no substantive evidence exists to show that the Plan is unsound because various housing sites are not allocated for leisure use. Similarly, there is no substantive evidence to support the assertion that proposals to redevelop certain school sites in the Caerphilly area are unsound.

Former Bedwas Colliery

11.3 Opposition has been voiced to the location of school and leisure facilities at the former Bedwas Colliery site on the basis that they would be unacceptably close to the colliery spoil heaps. However, the allocation does not fix the precise location of these facilities. The spoil heaps have already been the subject of re-profiling and land-drainage measures in order to address any potential public safety issues. I would also expect these matters to be considered in detail at planning application stage. I therefore find no basis for concluding that the Plan is unsound in respect of these allocations.

Caerphilly Miners' Hospital

11.4 The Council has decided that housing site HG1.72 (Caerphilly Miners' Hospital) should be identified solely as a housing allocation, rather than as a mixed housing and community facilities allocation. Whilst the Council is supportive of the plans to retain part of the existing hospital building for community use, it considers it

²⁷ Documents SB.40-SB.42

sufficient for the Plan to recognise this within the text of Appendix 7 relating to HG1.72. I share this view, and do not regard it as necessary for the Plan to designate HG1.72 as a mixed use.

Oakfield Street, Ystrad Mynach

11.5 Proposals in the Plan to provide a new doctors' surgery at Oakfield Street, Ystrad Mynach will involve reorganisation of the existing town centre parking area at this location. Whilst this may result in the loss of a small number of parking spaces, the Council points to other parking facilities nearby which are also available to town centre users. I am satisfied that this proposal does not render the Plan unsound.

11.6 In relation to all other matters concerning community facilities, leisure and tourism, including identification of appropriate locations for new cemeteries and cemetery extensions, I have concluded that the Plan is supported by a robust and credible evidence base and meets all of the tests of soundness.

Recommendation

11.7 No changes are required.

12 Other development policy matters

- 12.1 The submitted Plan contains a small number of policies which do not meet the basic requirements of LDP policies, since they either merely repeat national planning policy or do not regulate the use of land. The policies concerned are SP10 Renewable Energy, SP22 Transport Requirements for Development, CW7 Design Considerations – Telecoms Apparatus and CW26 Supplementary Planning Guidance.
- 12.2 As part of the examination process the Council has reconsidered the need for these policies in the Plan and has put forward changes **MAC11, MAC16, MAC17 and MAC27**, which delete policies SP10, SP22, CW7 and CW26 and the associated supporting text from the Plan. I agree with these changes, which are necessary in order to ensure that the Plan satisfies the consistency tests of soundness.
- 12.3 The submitted Plan also includes a proposed additional countywide policy CWxx concerning protection of the water environment. During the examination the Council put forward change **MAC28**, which amends the policy and supporting text to ensure that it specifically concerns land use matters, is realistic as regards its requirements and is clearly related to particular water quality issues within the Plan area. I recommend this change, which is needed to ensure that the Plan is sound in relation to these matters.
- 12.4 The Council also proposes changes MAC20 (policy CW9; trees, woodland and hedgerow protection, and supporting text) and MAC24 (policy CW22; locational constraints – conversion, extension and replacement of buildings in the countryside, and supporting text), which, whilst not required to address fundamental questions of Plan soundness, do aid the clarity, consistency and precision of the Plan. Other minor changes put forward by the Council (MAC12, MAC22, MAC35, MAC39) address similar matters.

Recommendation

- 12.5 That in order to make the Plan sound the following changes are required:

MAC11, MAC16, MAC17, MAC27, MAC28

- 12.6 I also endorse the following minor changes which the Council wishes to make to the submitted Plan. Although these changes do not address key aspects of soundness, I endorse them on the basis that they improve the clarity, consistency and accuracy of the Plan.

MAC12, MAC20, MAC22, MAC24, MAC35, MAC39

13 Implementation and monitoring

- 13.1 The Plan identifies where development of allocated sites or proposed schemes is expected to be delivered by the private sector and where delivery is reliant on public sector funding. Appendix 20 of the Plan summarises anticipated funding sources for individual development proposals. The evidence base contains details of existing public expenditure programmes.
- 13.2 The submitted Plan sets out the national core and other key indicators and targets that will be used to monitor delivery of its policies and proposals. These include the targets and indicators that will be used to measure progress on sustainability issues, derived from the SEA/SA Scoping Report. The progress on these targets and indicators and on the detailed site allocation policies will be reported in the annual monitoring report.
- 13.3 During the examination process the Council has developed in greater detail the targets and indicators for monitoring delivery of each of the strategic policies in the Plan. It proposes change **MAC44**, which develops the monitoring framework presented as Appendix 19 to the Plan. The updated framework provides a robust mechanism for monitoring delivery and review of the Plan's provisions where necessary.
- 13.4 I recommend change **MAC44**, which is necessary to ensure that the Plan satisfies the coherence and efficiency soundness tests. I conclude that with this change the Plan is sound as regards its mechanisms for implementation and monitoring and its flexibility to deal with changing circumstances.

Recommendation

- 13.5 That in order to make the Plan sound the following change is required:

MAC44

14 Overall Conclusions

- 14.1 I conclude that, with the changes I recommend, the Caerphilly County Borough Local Development Plan Up To 2021 satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural, consistency and coherence and effectiveness tests of soundness in LDP Wales.

Alwyn B Nixon

INSPECTOR

Annex A: Council's proposed changes recommended or endorsed by the Inspector

Annex B: Inspector's binding recommendations

ANNEX A – CHANGES PROPOSED BY THE COUNCIL

Changes shaded grey and numbered in bold are recommended changes required to make the Plan sound. Other changes are not essential to make the Plan sound but are endorsed on the basis that they aid clarity, precision, coherence and consistency.

Where changes involve the insertion of new policies and/or paragraphs of text (here denoted CWxx, x.xx etc.) these should be numbered as appropriate in the Plan. These and other changes may result in consequential alterations to numbering throughout the Plan. For the avoidance of doubt such numbering changes are also authorised.

CHANGE NUMBER	PLACE IN PLAN	CHANGE
MAC01	Para 0.32	<p>Change paragraph 0.32 to read as follows:</p> <p>Alongside the Plan, a Constraints Map has been produced which shows the geographical location and extent of constraints to development arising outside of the LDP. It includes the location of features such as sites of special scientific interest, conservation areas and flood plains. Although the Constraints Map is not part of the LDP the Council will also have regard to these factors where relevant in the consideration of development proposals. The matters shown on the Constraints Map are in some cases designations by statutory bodies other than the Council, and may be subject to change. The Council Web Site will host the dynamic Constraints Map, which will illustrate the up-to-date data at www.caerphilly.gov.uk.</p>
MAC02	Para 0.36	<p>Change the first two sentences of paragraph 0.36 to read as follows:</p> <p>Supplementary Planning Guidance (SPG) will be produced and will be the subject of appropriate public consultation. SPG is not part of the LDP itself.</p>
MAC03	Paras 0.44, 0.45	<p>Delete paragraphs 0.44 and 0.45 and replace with:</p> <p>0.44 In producing the LDP, the Council has had regard to national planning policies. The Assembly Government's national land use planning policies are set out in Planning Policy Wales (PPW), Circulars and Ministerial Interim Planning Policy Statements (MIPPS) supplemented by Technical Advice Notes (TANs).</p> <p>0.45 Minerals Planning Policy Wales (MPPW) sets out the land use planning policy of the Assembly Government in relation to mineral extraction and related development in Wales, which includes all minerals and substances (including onshore oil, gas and coal bed methane) in, on or under land extracted either by underground or surface working. MPPW is supplemented by Mineral Technical Advice Notes (MTANs) and Ministerial Interim Minerals Planning Policy Statements (MIMPPS).</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>x.xx In accordance with guidance contained in LDP Wales, LDPs should have regard to national planning policies, but they should not repeat them. The LDP should therefore be considered in conjunction with PPW, which identifies those areas where clear statements of national development control policy should not need to be repeated as local policies in the LDP. It should be noted therefore that the LDP only provides the policy framework for issues of a locally distinct nature. Development proposals that do not present specific locally distinct issues will be assessed in accordance with the requirements of national planning policy.</p> <p>x.xx Caerphilly County Borough Council is the minerals planning authority with responsibility for planning control over minerals exploration and working within the county borough. There is no companion guide to MPPW. However, the Council considers that, on minerals issues, national policy and guidance is sufficiently clear and therefore will be relied upon in the determination of planning applications in relation to mineral extraction and related development, in conjunction with any relevant countywide policies and site-specific policies contained within the LDP.</p> <p>x.xx National policy and guidance, taken together with the policies in the LDP, set out the planning framework for Caerphilly County Borough. It is important to remember that policies are interrelated and must be read together to understand their combined effect upon a planning proposal.</p>
MAC04	Key Diagrams	Change references to "Key Settlement(s)" to "Local Centre(s)" at: Key Diagram Legend on page 30 of the Written Statement and in Strategy Area 1 HOVRA diagram on page 72, Strategy Area 2 NCC diagram on page 89 and Strategy Area 3 SCC diagram on page 112. Add footnote to Key Diagram page 30 stating that each strategy area has a more detailed diagram.
MAC05	Para 1.20	Change paragraph 1.20 third bullet to read: Residential settlements – other areas within settlement boundaries that have neighbourhood shops and/or individual units serving more immediate needs.
MAC06	Para 1.28	Change paragraph 1.28, line 2 to read:in a series of background papers to the deposit LDP, but the key.....
MAC07	Paras 1.54 & 1.55	Paragraph 1.54 – change final sentence to: The energy provision benefits of renewable energy schemes therefore need to be balanced against the potential impact of such development on the landscape and on sites of ecological interest. Paragraph 1.55, line 11 – Delete the words: "...renewable energy schemes or..."
MAC08	SP4 Settlement	Change references to "Key Settlement(s)" to "Local Centre(s)" at:

CHANGE NUMBER	PLACE IN PLAN	CHANGE
	Strategy	<p>Written Statement paragraphs 1.20 (second bullet), 1.29, 1.58, policy SP4, paragraphs 1.62, 1.89, 3.5, 3.8, heading preceding policy CM4 and policy CM4 on page 82, paragraph 3.85, heading preceding policy CM4 and policy CM4 on page 104, heading preceding policy CM4 and policy CM4 on page 125; and at Appendices to Written Statement Appendix 9 (page A9.1), Appendix 19 (page A19.1) and Appendix 20 (pages A20.5, A20.12 and A20.15).</p> <p>Policy SP4 (Written Statement page 42) – change “Residential Areas” to “Residential Settlements” and “All other villages within settlement limits” to “All other areas within defined settlement boundaries”.</p> <p>Change Appendix 10 heading to read: PRINCIPAL TOWN AND LOCAL CENTRE DEVELOPMENT SITES – SITE DESCRIPTIONS</p>
MAC09	SP7 Planning Obligations	<p>Change “of” to “to” in policy SP7 line 2 and add new criterion following criterion D as follows:</p> <p>E Flood defence measures required to mitigate the risk of flooding</p>
MAC10	SP7 Planning Obligations supporting text	<p>Add the following text to the end of paragraph 1.66: In line with national guidance the Council will negotiate obligations where these are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.</p> <p>Change paragraph 1.67 to read as follows: In the case of previously used land, the Council will take into consideration abnormal costs associated with the redevelopment of a site when negotiating the level of planning obligation to be sought. Where a developer considers that the level of obligation sought may affect the viability of a development proposal to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process.</p>
MAC11	SP10 Renewable Energy	Delete policy SP10 Renewable Energy and supporting text paragraphs 1.70 – 1.72.
MAC12	SP11 Waste Management & supporting text to SP11 and CW15	Add “in-building” before “waste management facilities” in text of policy SP11 (line 2 of first bullet point), in line 7 of paragraph 1.74 supporting text and in line 6 of paragraph 2.31 of supporting text to policy CW15.
MAC13	SP12 Conservation of Natural Heritage & supporting text	<p>Amend text of policy SP12 to read as follows:</p> <p>The Council will protect, conserve, enhance and manage the natural heritage of the County Borough in the consideration of all development proposals within both the rural and built environment</p> <p>Amend paragraph 1.77 to read as follows:</p> <p>Almost 80% of Caerphilly County Borough Council is classified as countryside, i.e. lies outside of defined settlement boundaries.</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>Whilst change is inevitable and opportunities for growth and development of the Borough need to be provided, respecting the unique and distinctive features or characteristics of the natural heritage of the County Borough is essential in protecting, conserving, enhancing and managing the valuable features in both the natural and built environment.</p>
<p>MAC14</p>	<p>SP16 Total Housing Requirements & supporting text</p>	<p>Change text of policy SP16 and the supporting text of paragraphs 1.83 & 1.84 to read as follows:</p> <p>SP16:</p> <p>The Council has made provision for the development of up to 10,269 new dwellings in the County Borough between 2006 and 2021 in order to deliver the 8625 new dwellings required to meet the moderate growth strategy. This 19% over provision allows for flexibility and choice.</p> <p>Paragraph 1.83:</p> <p>The Local Development Plan ensures that sufficient residential land is made available to meet the future needs of communities for both market and affordable housing. On the basis of sites allocated for housing under Policy HG1, as well as completions, units under construction and allowances for windfall sites, small sites, conversions, demolitions and bringing empty properties back into beneficial use, the Plan makes provision for 10,269 dwellings. This represents 1,644 (19%) residential units more than the 8,625 dwellings required to meet the dwelling housing requirement identified by the moderate growth strategy. This allowance provides for choice and flexibility. The assumptions used to underpin this housing land provision are set out in the Population and Housing Background Paper.</p> <p>Paragraph 1.84:</p> <p>Opportunities for residential development will be distributed across the whole County Borough, in line with the role and function of individual settlements. In particular, housing development will be targeted at settlements with good rail and bus services and also former mining villages that require additional housing in order to promote and sustain them as viable residential areas. Furthermore, brownfield sites will be promoted over greenfield sites where appropriate.</p>
<p>MAC15</p>	<p>SP17 Affordable Housing Targets & supporting text</p>	<p>Change the wording of policy SP17 and paragraph 1.86 as follows:</p> <p>SP17:</p> <p>The Council will seek to deliver through the planning system at least 964 affordable dwellings between 2006 and 2021 in order to contribute to balanced and sustainable communities</p> <p>Paragraph 1.86:</p> <p>The target of at least 964 affordable dwellings reflects the number of units that it is expected can be delivered across the County</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		Borough through the use of planning obligations on qualifying sites coming forward for development over the Plan period and through rural exceptions affordable housing proposals. The target of at least 964 dwellings delivered through the planning system forms part of a wider total of around 3664 affordable dwellings which it is estimated could be provided using all other delivery mechanisms in response to levels of need.
MAC16	SP22 Transport Requirements for Development	Delete policy SP22 Transport Requirements For Development and supporting paragraphs 1.94 – 1.95.
MAC17	CW7 Design Considerations: Telecoms Apparatus	Delete policy CW7 Design Considerations: Telecoms Apparatus and supporting paragraph 2.17.
MAC18	CW8 Natural Heritage Protection & supporting text	<p>Amend policy CW8 and its supporting text to read:</p> <p>CW8: Development proposals that affect locally designated natural heritage features will only be permitted:</p> <p>A Where they conserve and where appropriate enhance the distinctive or characteristic features of the Special Landscape Area (SLA) or Visually Important Local Landscape (VILL).</p> <p>B Within or in close proximity to sites designated as Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), Regionally Important Geological Sites (RIGS), Green Corridors or Local Priority Habitats and Species, where proposals either:</p> <p>i Conserve and where appropriate enhance the ecological or geological importance of the designation, or</p> <p>ii Are such that the need for the development outweighs the ecological importance of the site, and where harm is minimised by mitigation measures and offset as far as practicable by compensation measures designed to ensure there is no reduction in the overall value of the area or feature</p> <p>2.18: The natural heritage of the County Borough is diverse and contains specific biodiversity protection areas from European to local designations, together with local landscape designations. It is important that these are protected from inappropriate development. This policy test applies to any development proposal that would, or would be likely to, have a detrimental effect upon the distinctive biodiversity, geological or landscape features and characteristics of the County Borough. The level of potential harm will be assessed taking into account mitigation, compensatory and restoration measures.</p>
MAC19	CW8 Natural Heritage Protection supporting text	<p>Add the following supporting text after paragraph 2.18 following countywide policy CW8:</p> <p>x.xx Minerals underlie the majority of the County</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>Borough, and the Council aims to balance the need to conserve the distinctive features and characteristics of the natural heritage with the need to safeguard nationally important mineral resources. Proposals for mineral workings are subject to national policy tests, as set out in Minerals Planning Policy Wales (MPPW), 2000, Minerals Technical Advice Note 1 (Aggregates) (MTAN1) and Minerals Technical Advice Note 2 (Coal) (MTAN2). The implications of such proposals will also need to be considered in respect of the distinctive features and characteristics of the natural heritage identified within the Plan.</p>
MAC20	CW9 Trees and Woodland Protection & supporting text	<p>Change policy CW9 and supporting text to read as follows:</p> <p>CW9 Development proposals on sites containing trees, woodlands and hedgerows, or which are bordered by one or more such trees or hedgerows, will only be permitted provided that:</p> <p>A Where arboricultural surveys are required, they are submitted and approved, including any mitigation, compensation or management requirements, as part of the planning application.</p> <p>B Root systems will be retained and adequately protected for the duration of all development activity on site.</p> <p>C Development proposals have made all reasonable efforts to retain, protect and integrate trees, woodlands or hedgerows within the development site.</p> <p>D Where trees, woodlands or hedgerows are removed, suitable replacements are provided where appropriate.</p> <p>2.19 Trees, woodlands and hedgerows make a positive contribution to both the natural and built environment. They enhance the amenity value, character and diversity of the landscape, provide vital habitat for biodiversity and offer substantial environmental benefits such as offsetting of noise and improving air quality. Trees can occupy a substantial part of a development site and because of their potential size can have a major influence on the planning and use of the site. Arboricultural surveys evaluate trees and hedgerows, assess the effects of development and propose suitable mitigation. Detailed assessments, including topographical surveys, tree surveys/categorisation, tree constraints plans and arboricultural implications assessments, provide important information on the quality and quantity of trees present and identify mitigation of the potential impacts of development, including the construction process, on trees and hedgerows and their root systems.</p> <p>2.20 Effective measures should be taken to protect existing</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>trees, woodlands and hedgerows that have been identified as worthy of retention through the arboricultural survey process. These features, if integrated sensitively and with due care, will enhance the quality of the development and amenity, safeguard biodiversity and natural heritage resources and minimise loss of trees and woodlands.</p> <p>2.21 Where the loss of trees, woodlands and hedgerows is unavoidable, the loss should be minimised by providing appropriate replacements. This will ensure that the overall amenity, landscape and ecological value of the site and its setting is conserved.</p> <p>2.22 Requirements to be observed in respect of trees and woodland are detailed in <i>Supplementary Planning Guidance: Trees and Development – A Guide to incorporating Trees in Proposals for Developing Land</i>.</p>
MAC21	CW14 Affordable Housing Planning Obligation	<p>Amend policy CW14 to read as follows:</p> <p>Legal agreements will be required to ensure that there is provision of an element of affordable housing, in accordance with an assessment of local need, for all allocated and windfall housing sites that:</p> <p>A Accommodate 5 or more dwellings; or</p> <p>B Exceed 0.15ha in gross site area, or</p> <p>C Where the combined product of adjacent housing site proposals would exceed the thresholds set in A or B above</p> <p>Where there is evidence of need, the Council will seek to negotiate the following affordable housing targets of:</p> <ul style="list-style-type: none"> • 40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley); • 25% in the Northern Connections Corridor (excluding Newbridge); and • 10% in the Rest of Caerphilly County Borough (including Aber Valley and Newbridge but excluding the Heads of the Valleys Regeneration Area)
MAC22	CW15 Use Class Restrictions – Business and Industry supporting text	<p>Add footnote to second sentence of paragraph 2.31 to read as follows:</p> <p>Development proposals for waste management facilities on allocated or protected Use Class B2 sites must be considered against other provisions in the Plan and national policy guidance, in particular TAN15.</p>
MAC23	CW17 General Locational Constraints - supporting text	<p>Add the following supporting text after countywide policy CW17:</p> <p>x.xx Minerals development is unique in that it can only happen where the minerals occur. There are substantial mineral resources within the county borough, including resources of shallow coal, limestone, sandstone and sand and gravel all of which are indicated on the Proposals Map. In addition</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>some of the coal resources in the county borough also have the potential to contain economically viable amounts of coal bed methane and licenses have been granted in two areas under other regulations for the exploration of on shore oil and gas.</p> <p>x.xx Any proposals for the winning or working of minerals will be considered in the context of national guidance together with the countywide policies and appropriate site-specific policies contained within the LDP. Development proposals that do not present specific locally distinct issues will be assessed in accordance with the requirements of national planning policy.</p>
MAC24	CW22 Buildings in the Countryside & supporting text	<p>Change policy CW22 and supporting text to read as follows:</p> <p>CW22 The conversion, extension or replacement of a building outside settlement boundaries will be permitted where:</p> <p>A The proposed use, scale, form, siting, design and materials are suitable within its context.</p> <p>B A conversion is justified by demonstrating that:</p> <ul style="list-style-type: none"> i The building is not makeshift in nature and is of permanent, substantial construction; and ii The building is structurally sound and capable of conversion or rehabilitation without major alteration or reconstruction; iii The building is capable of accommodating the proposed use without materially changing its existing character; iv The development does not result in the domestication or urbanisation of an otherwise rural setting or the unacceptable loss of undeveloped countryside. <p>C Extension is justified by demonstrating that:</p> <ul style="list-style-type: none"> i The scale, form and design of the extension respects the scale and character of the original building, which remains the dominant element; ii The extension does not result in the loss of undeveloped countryside; iii The extension does not result in the domestication or urbanisation of an otherwise rural setting. <p>D Replacement is justified by demonstrating that:</p> <ul style="list-style-type: none"> i The existing building is structurally unsound and not capable of rehabilitation or conversion to an alternative appropriate use without major alteration or rebuilding; ii The use of the existing building has not been abandoned; iii The use cannot practicably continue to be accommodated in the existing building; and iv All practical appropriate alternatives for re-

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p style="text-align: center;">use have been examined.</p> <p>2.41 Many buildings outside settlement boundaries become unsuited to the purpose for which they were originally built, and without beneficial use can become redundant and fall into disrepair. When assessing planning applications for the reuse or adaptation of a building, the primary considerations will be whether the nature and extent of the new use and the detail of any changes to the building are acceptable in planning terms.</p> <p>2.42 When permitting development beyond the settlement boundary a careful balance is required to conserve, protect and enhance the rural environment through a sensitive approach to design including scale, form, siting and the use of materials, all of which should be appropriate to the context of the proposed development. Careful consideration should be given to the character of the building and its immediate and wider setting.</p> <p>2.43 Proposals for the conversion of buildings outside of the settlement boundary should respect local building styles and materials and should be sympathetic to the character of the original building and the locality. For conversion to be acceptable the building should be structurally sound and capable of conversion or rehabilitation without major alteration or reconstruction; it should be of permanent and substantial construction and should not result in the domestication or urbanisation of an otherwise rural setting. Buildings that are ruinous or abandoned would not normally be considered suitable for conversion.</p> <p>2.44 The existing building may require an element of extension to enable a new use to be accommodated. Where an extension is proposed it should respect the character, size and scale of the host building, with the original structure remaining the dominant element. Particularly careful scrutiny will be given to proposals that would further extend buildings that have previous extensions, in order to ensure that the scale and character of the original building is not compromised. Proposals should respect the character and setting scale of both the host building and its immediate and wider surroundings and should not lead to an unacceptable loss of undeveloped land.</p> <p>x.xx In order to maintain appropriate forms of development in the countryside and avoid their replacement with inappropriate development, replacement buildings will only be permitted where part D can be satisfied. This policy is designed to ensure that where buildings are clearly ruinous or abandoned they are not classed as buildings that require rebuilding; and that where buildings are replaced, the new development is sympathetic to its location in terms of both use and design.</p>
MAC25	CW25	Change "Quarry" to "Mineral Site" in title of policy CW25 and

CHANGE NUMBER	PLACE IN PLAN	CHANGE
	Locational Constraints – Quarry Buffer Zones	"quarry" to "mineral site" in line 2 of policy text.
MAC26	CW25 Locational Constraints – Quarry Buffer Zones supporting text	<p>Insert additional supporting text after paragraph 2.48 as follows:</p> <p>x.xx In line with national guidance, buffer zones have been delineated around active, inactive and dormant mineral sites. In relation to active and inactive sites, the buffer zones are drawn from the outer edge of the permission boundary. The extent of the buffer zone reflects the known effects of mineral working at the site and may exceed the minimum distances set out in MPPW, MTAN1 and MTAN2. For dormant sites, where there is no experience of the impact of mineral extraction operations, the minimum distances set out in guidance will apply.</p> <p>x.xx Whilst dormant sites retain permission, full modern conditions would be applied to the extant permission in accordance with national guidance prior to any working recommencing on site. National guidance also recognises the importance of determining the future use of dormant and inactive sites to give certainty to local communities that may be affected by future mineral operations. Having regard to this, the Council will continue to review, on an annual basis, those sites that have not worked to any substantial extent in the preceding two years and will consider an appropriate strategy for the future use and restoration of those sites, which may include Modification, Suspension, Discontinuance, Revocation or Prohibition Orders where appropriate.</p>
MAC27	CW26 Supplementary Planning Guidance	Delete policy CW26 Supplementary Planning Guidance and supporting paragraph 2.49
MAC28	CWxx – Water Protection Policy & supporting text	<p>Amend policy heading to "Protection of the Water Environment". Change policy wording to read as follows:</p> <p>CWxx Development proposals will only be permitted where:</p> <p>A They do not have an unacceptable adverse impact upon the water environment, and</p> <p>B Where they would not pose an unacceptable risk to the quality of controlled waters (including groundwater and surface water)</p> <p>Add new supporting paragraph after policy text as follows:</p> <p>x.xx Whilst the Environment Agency Wales has a regulatory role in relation to water quality, the planning system has a crucial role to play in limiting the adverse effects of development on the water environment.</p> <p>Add new sentence to end of paragraph 2.50 of supporting text, to</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>read as follows:</p> <p>This is particularly important in terms of any development proposals that would be likely to impact on the rivers Rhymney, Ebbw and Sirhowy.</p>
MAC29	Para 3.11	<p>Change paragraph 3.11 to read as follows:</p> <p>The Upper Rhymney Valley offers the most significant potential in terms of energy production within the county borough due to the presence of coal resources at Nant Llesg and the potential of the Upper Rhymney Valley area in terms of renewable energy generation. However, the area is also a principal gateway to the northern end of the County Borough and is particularly prominent when viewed from the A465 Heads of the Valleys Road. The Plan seeks to balance the merits of renewable energy schemes and the safeguarding of minerals in this area against the objective of safeguarding the landscape from further degradation and, where possible, securing landscape enhancement. Due to its prominence, any proposals for development associated with energy generation within the Upper Rhymney Valley will need to recognise that development must be undertaken in an environmentally acceptable manner. Development proposals should, where appropriate, secure effective landscape rehabilitation and enhancement as an integral part of the scheme. Proposals will also need to be consistent with the wider regeneration strategy and enhanced recreational and tourism role envisaged for this part of the Plan area.</p>
MAC30	NH1 Special Landscape Areas - supporting text	<p>Change the supporting text to policy NH1 (paragraphs 3.19-3.21, 3.100-3.102 & 3.190-3.192) to read as follows:</p> <p>3.19/3.100/3.190: Special Landscape Areas (SLAs) are local non-statutory designations that seek to protect areas that exhibit distinctive landscape, historical, cultural, biodiversity and geological features and characteristics within the County Borough. They are locally important elements of the natural heritage of the rural and urban environments, and provide a living history of the evolution of the area's landscape as well as cultural backdrop and visual setting. The designation of SLAs highlights the holistic consideration of the landscape, with emphasis placed on the 'special' nature of the distinctive landscape features and characteristics in these areas.</p> <p>3.20/3.101/3.191: These areas will be protected from any development that would harm their distinctive features or characteristics. The policy is not designed to preclude development. However, an applicant will need to demonstrate that any development proposal will not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA.</p> <p>3.21/3.102/3.192: LANDMAP is the national information system for taking landscape into account in decision-making. It separates landscape into five aspect areas: geological landscapes, visual and sensory, landscape habitats, cultural landscapes and the historic</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>landscapes. The system allows information to be gathered, organised and evaluated within a nationally consistent data set. All of the SLAs have been identified using LANDMAP information and SLA designation methodology. This recognises that an SLA may include small parts of the local landscape that do not display the same level of landscape importance. A detailed description of the SLA designations can be found in Appendix 1, which provides a breakdown of the distinctive landscape features and characteristics within each SLA.</p>
MAC31	NH2 Visually Important Local Landscapes – supporting text	<p>Change the supporting text to policy NH2 (paragraphs 3.22-3.23, 3.103-3.104 & 3.193-3.194) to read as follows:</p> <p>3.22/3.103/3.193: Visually Important Local Landscapes (VILLS) are non-statutory designations that seek to protect the distinctive features or characteristics of the visual and sensory landscape of the County Borough and how we perceive and respond to the landscape around us. VILLS have been identified using only the visual and sensory layer of LANDMAP.</p> <p>3.23/3.104/3.194: Development will only be permitted where it conserves and, where appropriate, enhances the distinctive visual and sensory landscape features or characteristics of the VILL. Development proposals should demonstrate that these features of the visual and sensory LANDMAP aspect layer are conserved and, where appropriate, enhanced for the benefit of the visual landscape. A detailed description of the VILL designations can be found in Appendix 2, which provides a summary of the distinctive visual and sensory landscape features and characteristics within the VILL.</p>
MAC32	NH3 Sites of Importance for Nature Conservation	<p>Change the supporting text to policy NH3 (paragraphs 3.24-3.26, 3.105-3.107 & 3.195-3.197) to read as follows:</p> <p>3.24/3.105/3.195: Sites of Importance for Nature Conservation (SINCs) are an important biodiversity resource covering significant areas of priority habitats and species. Designations are based on objective scientific criteria to accord with the (developing) Wales-wide guidelines. This policy applies to all sites that meet the criteria for designation.</p> <p>3.25/3.106/3.196: Development will normally be permitted where it would not cause unacceptable harm to the particular features of the SINC. Where harm is unavoidable it should be minimised by effective mitigation measures to ensure that there is no reduction in the overall nature conservation value of the area or feature. Where this is not possible, compensation measures designed to conserve, enhance and manage locally distinctive natural habitats and species should be provided, including for example details of restoration and reclamation schemes. A description of the designated SINCs can be found in Appendix 4.</p> <p><i>(NB: Existing paragraphs 3.26, 3.107 & 3.197 will disappear)</i></p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
MAC33	WM1.1 – Cwmbargoed Waste Facilities Site, supporting text, Appendix 6 & Proposals Map	<p>Replace headings following paragraph 3.26, policy WM1, supporting paragraph 3.27 and Appendix 6 – page A6.1 with new headings, policy MW1, new supporting paragraph 3.27 and new Appendix 6 – page A6.1 as follows:</p> <p>MINERALS AND WASTE HANDLING FACILITIES</p> <p><u>Minerals and Waste Handling Site</u></p> <p>MW1 A railhead site is identified as suitable for minerals handling and despatch and rail transport related waste management facilities, as follows:</p> <p>MW1.1 Cwmbargoed Disposal Point, north west of Fochriw</p> <p>3.27 The Cwmbargoed Disposal Point complex straddles the boundary of Caerphilly and Merthyr Tydfil County Boroughs. The majority of the site lying within Caerphilly County Borough is used for the preparation and despatch of coal. Other appropriate employment activities relying on the railhead facility and satisfying the sustainability principles of the Plan, for example waste management facilities and aggregates handling and despatch, would be acceptable. A detailed description of this site can be found in Appendix 6.</p> <p>APPENDIX 6</p> <p>MINERALS AND WASTE HANDLING FACILITIES SITE DESCRIPTION</p> <p><u>HEADS OF THE VALLEYS REGENERATION AREA</u></p> <p>MW1.1 Cwmbargoed Disposal Point, north west of Fochriw. A railhead site is identified as suitable for minerals handling and despatch and rail transport related waste management facilities.</p> <p>Cwmbargoed Disposal Point is an existing industrial installation primarily used for the preparation and despatch of coal by road and rail. It currently handles all the coal from the adjoining Ffos-y-frân reclamation and opencast scheme and includes staff accommodation, welfare and car parking facilities ancillary to the Ffos-y-frân operation. As such, it is considered to be a brownfield site for the purposes of the proposed allocation. The site complex continues into Merthyr Tydfil CBC area in two small parcels. It lies on the edge of the Ffos-y-frân reclamation and opencast scheme and has its own railhead providing direct access to the rail network. Other associated industrial / mineral land uses have been accommodated in the past. Aggregate handling and despatch, rail transport related waste management facilities and other appropriate employment activities relying on the railhead facility and satisfying the sustainability principles of the Plan would be acceptable land uses on this site. A sliver of land within</p>

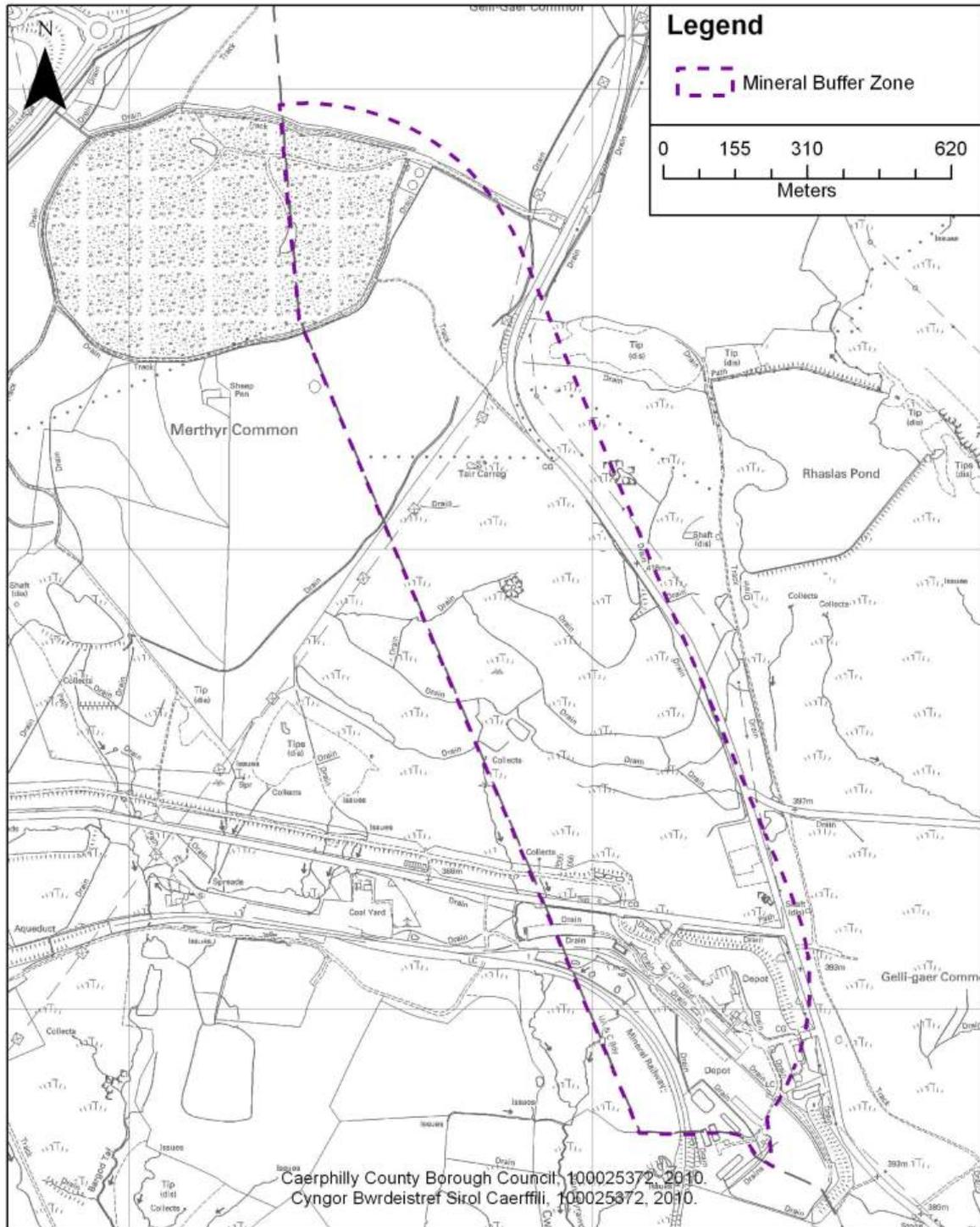
CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>the allocated site has been identified as a SINC. Any future proposals should have regard to the presence of the SINC and provide sufficient mitigation in terms of any likely impact on this part of the site.</p> <p>Proposals Map: Change Proposals Map annotation/legend from WM1.1 to MW1.1</p>
MAC34	<p>Policy MN1 Mineral Site Buffer Zones – HOVRA, NCC & SCC and Proposals Map</p>	<p>Insert new sub-heading, policy MN1 wording and supporting text within Section C – Area Specific Policies HOVRA, immediately following “MINERALS” heading after paragraph 3.27, as follows:</p> <p><u>Mineral Site Buffer Zone</u></p> <p>MN1 A 500m buffer zone is identified in relation to the following site: MN1.x Ffos-y-frân opencast coal site.</p> <p>x.xx The development restrictions associated with this zone are described in Policy CW25 in Section B of the Plan.</p> <p>Amend the policy heading and text of policy MN1 in Section C – Area Specific Policies – NCC to read as follows:</p> <p><u>Mineral Site Buffer Zones</u></p> <p>MN1 Buffer zones are identified around the following mineral sites:</p> <ul style="list-style-type: none"> MN1.1 Bryn Quarry - Active MN1.2 Hafod Fach Quarry - Active MN1.3 Gelligaer Quarry – Active MN1.x Caerllwyn Quarry – Dormant MN1.x Darren Felin Farm Gravel Pit – Dormant <p>Amend the policy heading and text of policy MN1 in Section C – Area Specific Policies – SCC to read as follows:</p> <p>Mineral Site Buffer Zones – Southern Connections Corridor</p> <p>MN1 Buffer Zones are identified around the following mineral sites:</p> <ul style="list-style-type: none"> MN1.4 Machen Quarry – Active MN1.5 Cefn Onn Quarry – Dormant MN1.6 Cwmleyshon Quarry – Inactive MN1.7 Blaengwynlais Quarry – Inactive MN1.x Pontymister Quarry – Dormant <p>Make corresponding changes to the Proposals Map – see Proposals Map changes MAC34 at end of Annex.</p> <p><i>(NB: Where new site is denoted MN1.x, Council is authorised to amend to new numbering as appropriate)</i></p>
MAC35	<p>LE5 Protection of Informal Open Spaces</p>	<p>Change final sentence of paragraphs 3.52, 3.143 and 3.236 to read as follows:</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
	supporting text	These areas may also be used for walking and can in some instances offer informal enjoyment for cyclists passing through the area.
MAC36	TR1 Cycle Routes supporting text and Proposals Map	<p>Policy TR1 supporting text: Change "allocations" to "indicative alignments" in the final sentence of paragraphs 3.56, 3.147 and 3.241.</p> <p>Proposals Map: Change delineation of all cycleways under policy TR1 from a dashed line to a dotted line and change Proposals Map legend "Cycleways TR1" to read "Cycleways TR1 - indicative alignment".</p>
MAC37	TR7.1 (HOVRA) – New Roads to Facilitate Development, supporting text, Appendix 15 & Proposals Map	<p>Delete policy TR7.1 and paragraphs 3.66 - 3.68 and replace with new paragraphs 3.66 – 3.68 to read as follows:</p> <p>3.66 The Council has long considered that a relief road which would divert traffic away from the Bedwellty Lights junction in Aberbargoed should be pursued in conjunction with new housing proposals in the area. A Bedwellty Relief Road scheme has been identified in previous development plans and the Council remains committed to bringing it forward. However, doubts about the deliverability of the proposal during the Plan period have precluded the allocation of the scheme in the LDP.</p> <p>3.67 Planning permission was granted in February 2009 for housing development on housing allocation site HG1.16 - Bedwellty Road. The development on this site will provide the eastern portion of the Bedwellty Relief Road. However it would be unreasonable to expect this development to fund the full extent of the relief road and the Council will need to identify funding to provide the remaining section.</p> <p>3.68 The specific route alignment for the remaining section of the relief road has yet to be considered in detail. The Council remains committed to progressing the full scheme and will undertake the necessary detailed investigative and feasibility work required for determining the specific alignment and cost of the remaining section. During the Plan period the Council will also identify and pursue opportunities for securing funding to facilitate the provision of the remaining section of the road.</p> <p>Appendix 15 page A15.2:</p> <p>Delete heading "New Roads to Facilitate Development" and subsequent transportation proposal description relating to TR7.1 Aberbargoed to Bedwellty Relief Road.</p> <p>Proposals Map:</p> <p>Delete TR7.1 from Proposals Map and make consequential amendment to settlement boundary - see Proposals Map change MAC37 at end of Annex.</p>
MAC38	HG1.35 (NCC) Penallta	Change details of the number of dwellings to be accommodated on the Penallta Colliery Site and the area of the site as follows:

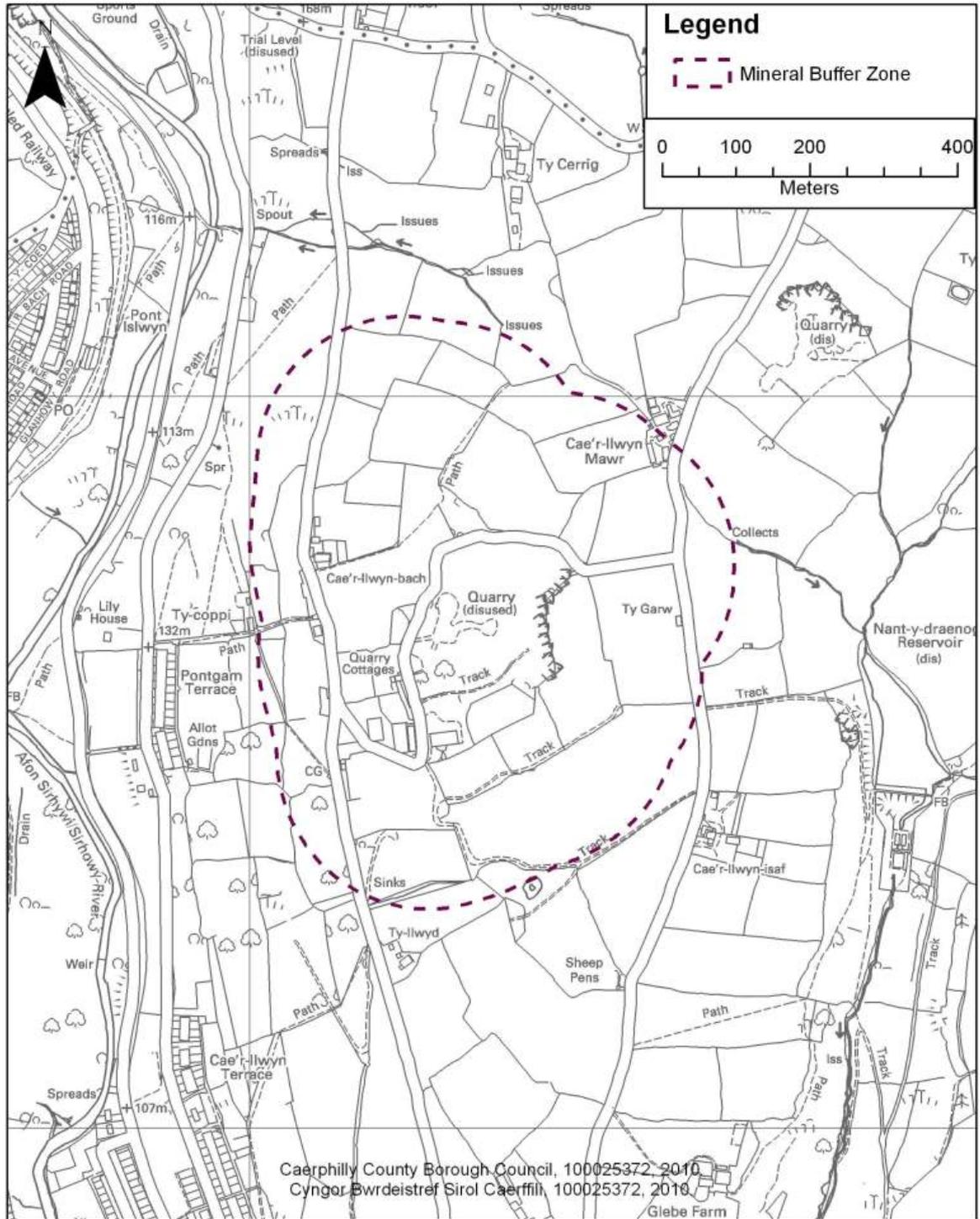
CHANGE NUMBER	PLACE IN PLAN	CHANGE								
	Colliery & Appendix 7	<table border="1" data-bbox="639 293 1541 360"> <thead> <tr> <th>Site Name</th> <th>Settlement</th> <th>Size(ha)</th> <th>Units</th> </tr> </thead> <tbody> <tr> <td>HG1.35 Penallta Colliery+</td> <td>Ystrad Mynach</td> <td>27.18</td> <td>689</td> </tr> </tbody> </table> <p>Appendix 7 page A7.14:</p> <p>Change site area and capacity figures in heading of housing site description for HG1.35 Penallta Colliery to 27.18 Ha and 689 units.</p> <p>Delete third paragraph of site description and replace with new text to read as follows:</p> <p>In line with the conditions of the planning consent, details of the siting, design and external appearance have been submitted to the local authority for approval as phases of the scheme have progressed. On the basis of these details it is apparent that the number of dwellings likely to be delivered on this site within the plan period will be far greater than that initially anticipated. It is currently expected that the site will deliver in the region of 825 units in total, across the new build and listed building conversion schemes. As of the base date of the 1st April 2007 Joint Housing Land Availability Study, the first phase of the development comprising 136 dwellings had been completed, resulting in a residual 689 units to be constructed in the period 2007-2021.</p>	Site Name	Settlement	Size(ha)	Units	HG1.35 Penallta Colliery+	Ystrad Mynach	27.18	689
Site Name	Settlement	Size(ha)	Units							
HG1.35 Penallta Colliery+	Ystrad Mynach	27.18	689							
MAC39	LE2.2 (SCC) Bedwas Community Park, Bedwas supporting text	<p>Change final sentence of paragraph 3.229 to read as follows:</p> <p>The re-profiled spoil tips to the north of the colliery site are proposed for a country park in the longer term.</p>								
MAC40	Policy TR9 (SCC) Highway Corridor Safeguarding	<p>Change the text of policy TR9 to read as follows:</p> <p>Land will be safeguarded to the south east of Caerphilly town to prevent development that would prejudice the possible future construction of a Caerphilly South East Bypass.</p>								
MAC41	Appendix 1 Special Landscape Areas	<p>Add omitted Historical Landscapes descriptions to Primary Landscape Qualities and Features sections for NH1.1 to NH1.6, as set out in Examination Document ED.50.</p>								
MAC42	Appendix 7 Housing Site Descriptions - HG1.22 Park Estate, Bargoed	<p>Add text to description for HG1.22 Park Estate Bargoed in Appendix 7 (page A7.9) to read as follows:</p> <p>The Taraggan Project, a community based organic allotment and education facility, adjoins the north-eastern corner of the housing allocation. Care will need to be taken that the layout of the proposed development takes appropriate account of the Taraggan project to ensure its continued operation, and accommodate some limited expansion if required.</p>								
MAC43	Appendix 7 Housing Site Descriptions - HG1.53 Pen-y-Cwarel Road, Wyllie	<p>Change third paragraph of description for HG1.53 Pen-y-Cwarel Road, Wyllie in Appendix 7 (page A7.20) to read as follows:</p> <p>The site could be accessed either from the south off Pen-y-Cwarel Road, subject to the provision of footways, or via the boundary from The Avenue, although additional land would need to be acquired.</p>								

CHANGE NUMBER	PLACE IN PLAN	CHANGE
MAC44	Appendix 19 Monitoring Framework	Replace monitoring framework table with more detailed monitoring framework as set out in Examination Document ED.49.
MAC45	Proposals Map NH2.1	Amend the boundary of Visually Important Local Landscape designation NH2.1 Northern Rhymney Valley in accordance with the change shown on plan MAC45 at end of Annex.
MAC46	Proposals Map EM1.12, EM2.18 & HG1.35	Correct Proposals Maps to rectify drafting errors concerning extent of allocation HG1.35 Penallta Colliery, location of allocation EM1.12 and extent of allocation EM2.18 (see plan MAC46 at end of Annex).
MAC47	Proposals Map SI1.16 Gellideg Heights, Maesycwmmmer	Amend Maesycwmmmer settlement boundary and extent of green wedge designation SI1.16 to reflect recent grant of planning permission (Appeal Reference: APP/K6920/A/08/2092651) (see plan MAC47 at end of annex).

MAC34 – MINERAL SITE BUFFER ZONE – MN1.x FFOS-Y-FRÂN



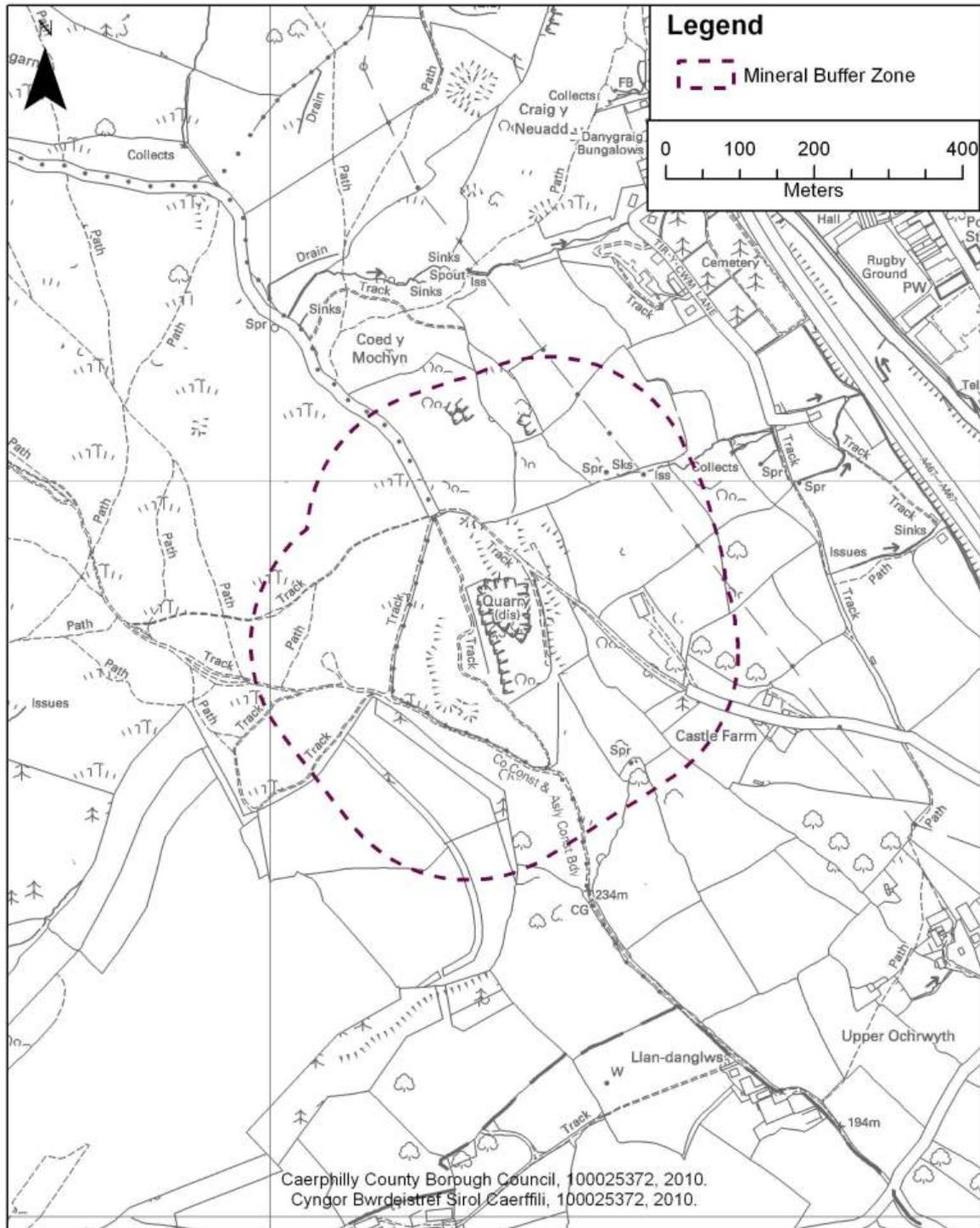
MAC34 – MINERAL BUFFER ZONE – MN1.x CAERLLWYN QUARRY



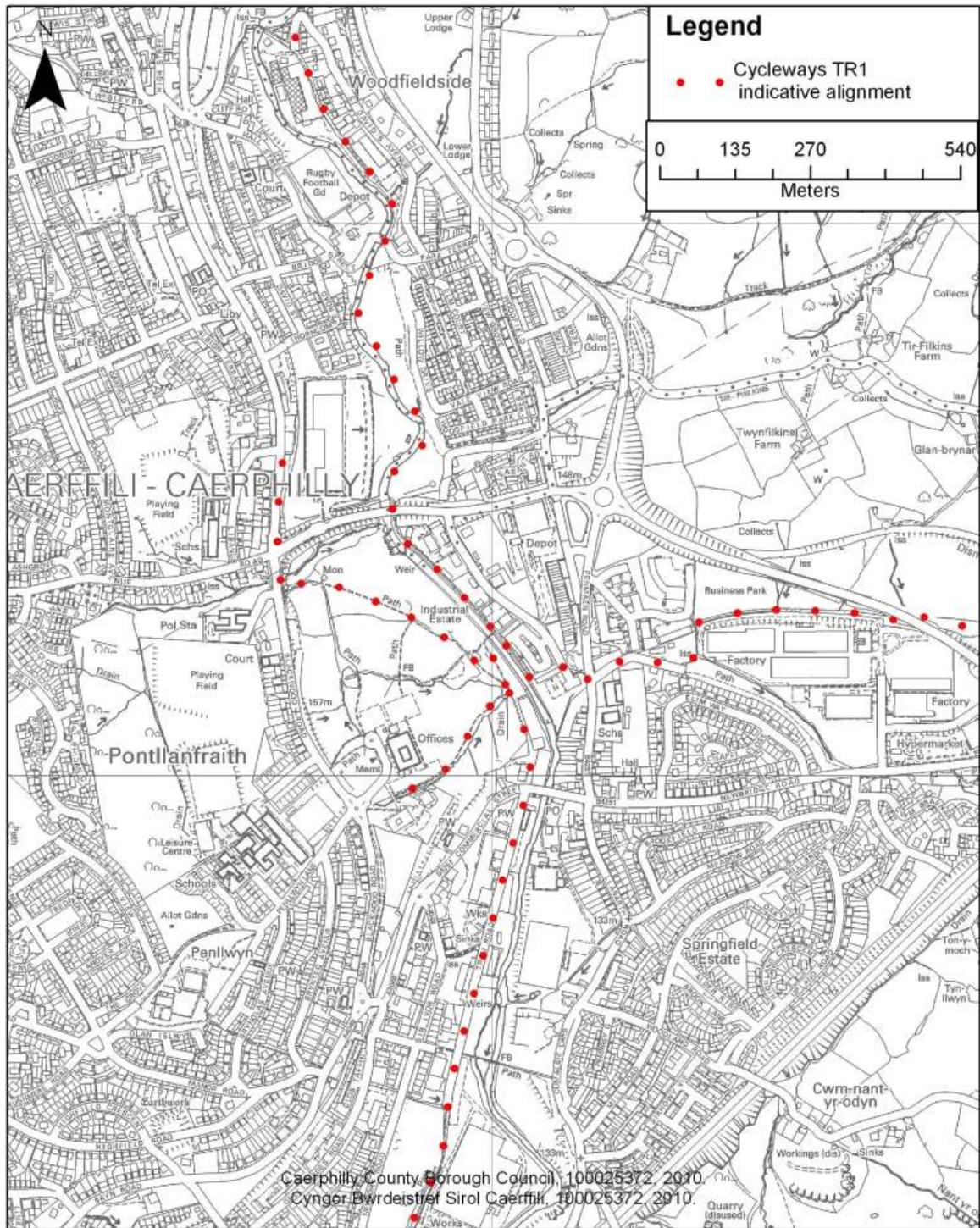
MAC34 – MINERAL BUFFER ZONE – MN1.x DARREN FELIN FARM GRAVEL PIT



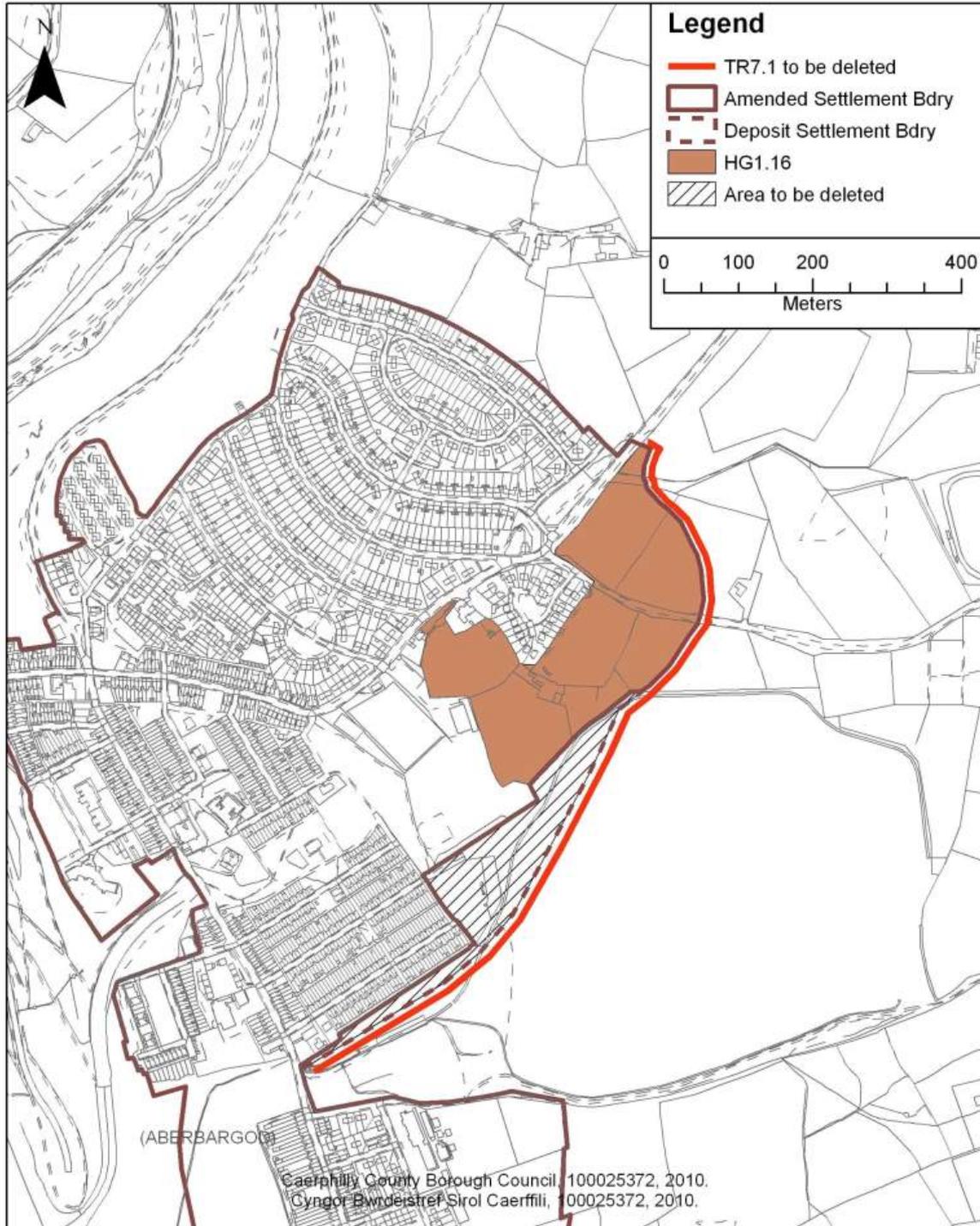
MAC34 – MINERAL BUFFER ZONE – MN1.x PONTYMISTER QUARRY



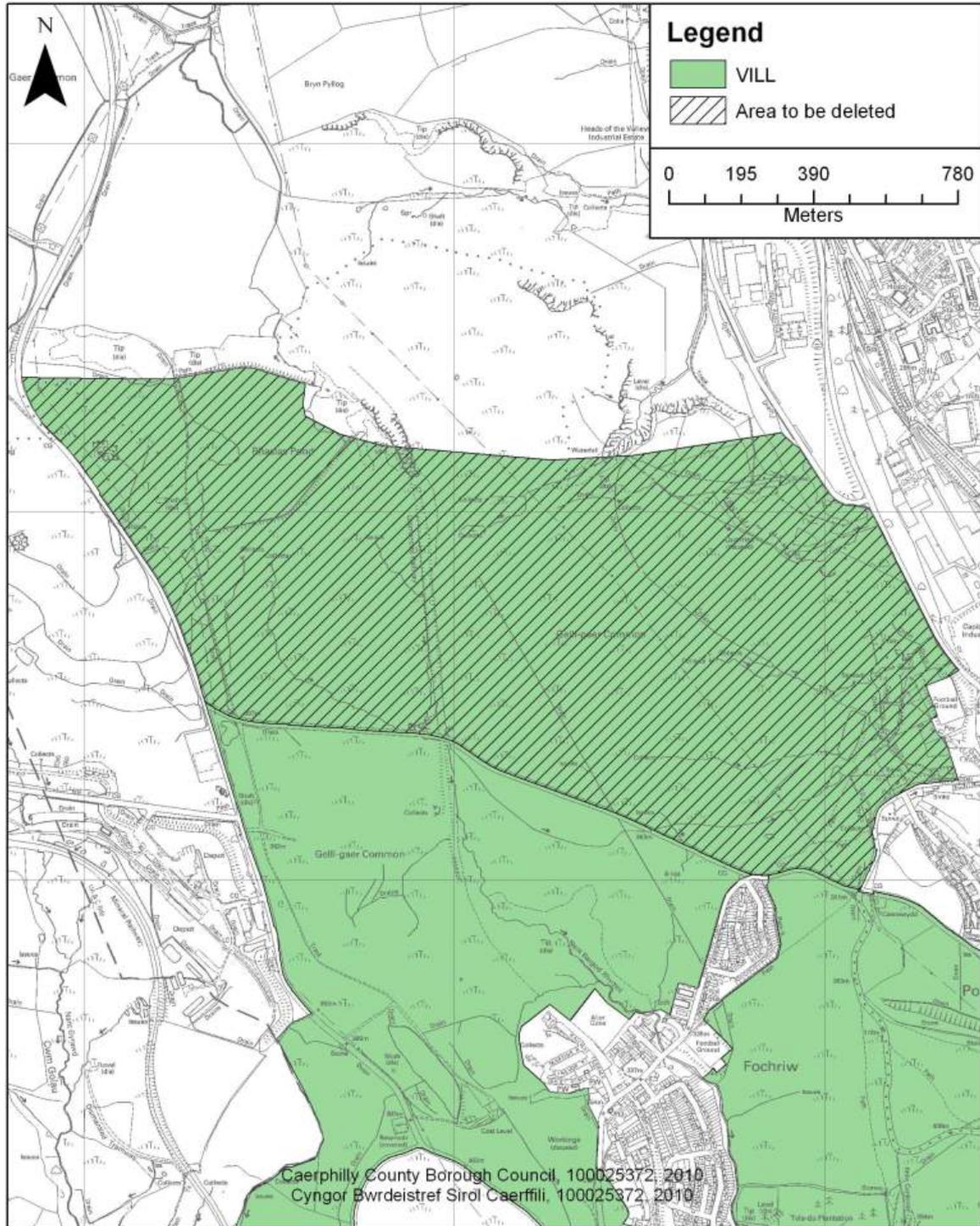
MAC36 – AMENDMENT TO TR1 CYCLEWAYS (TO BE APPLIED TO ALL TR1 ROUTES)



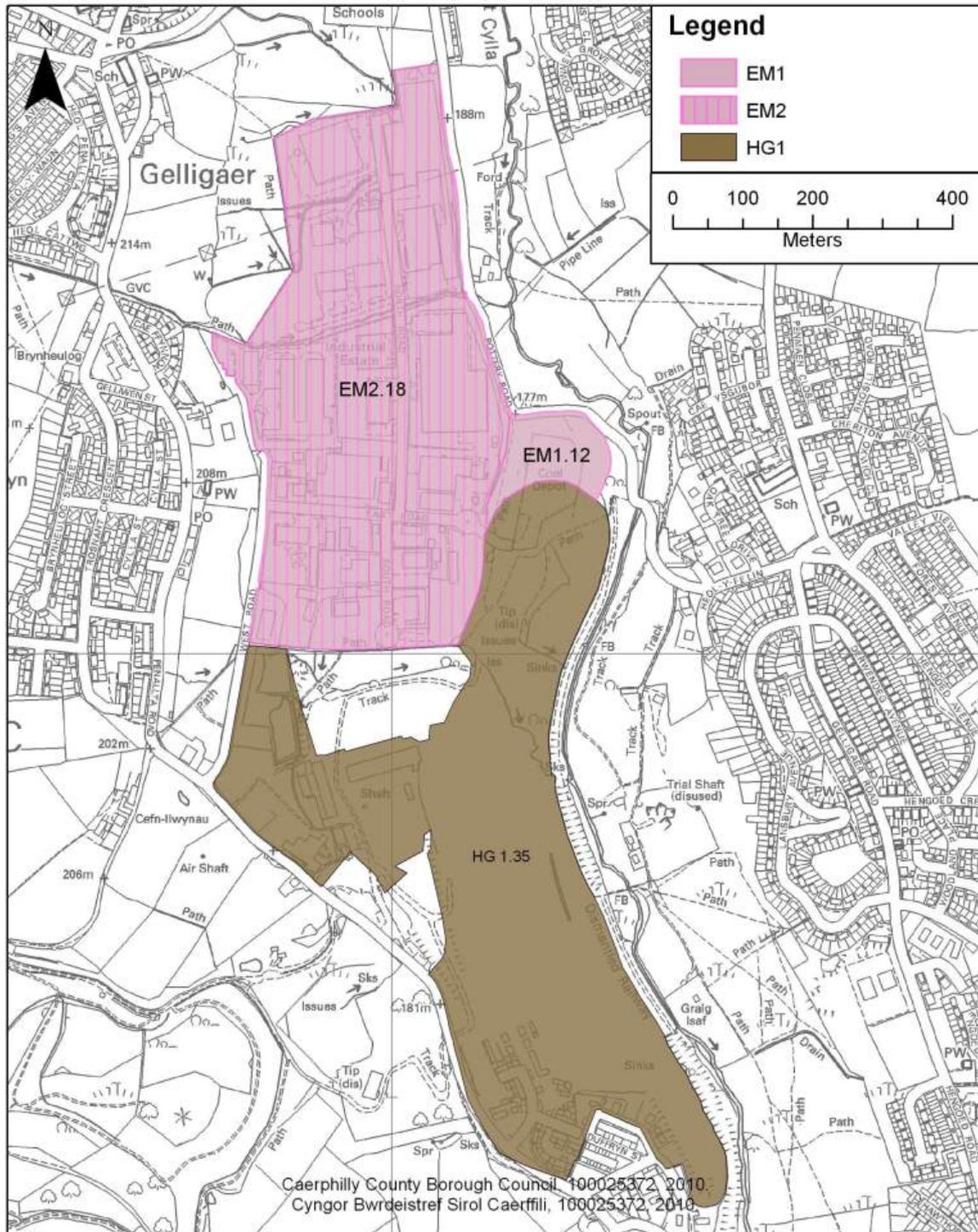
MAC37 – DELETION OF TR7.1 ABERBARGOED TO BEDWELLY RELIEF ROAD AND ABERBARGOED SETTLEMENT BOUNDARY CHANGE



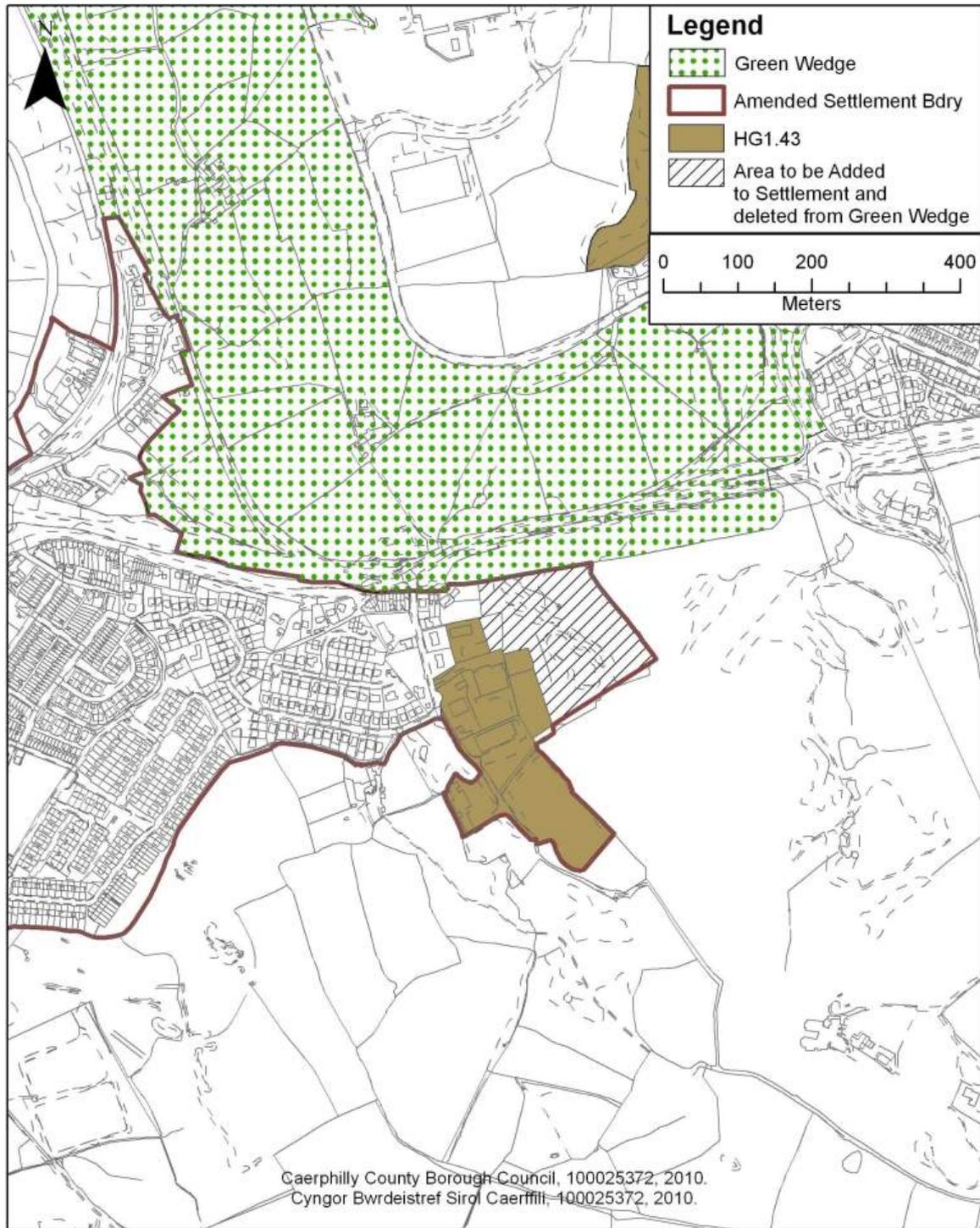
MAC45 – CHANGE BOUNDARY OF VISUALLY IMPORTANT LOCAL LANDSCAPE DESIGNATION NH2.1 NORTHERN RHYMNEY VALLEY



MAC46 - PROPOSALS MAP: CHANGE BOUNDARIES OF ALLOCATIONS EM1.12, EM2.18 AND HG1.35 PENALLTA COLLIERY



**MAC47 - GREEN WEDGE AND SETTLEMENT BOUNDARY CHANGE –
SI1.16 GELLIDEG HEIGHTS, MAESYCWMMER**



ANNEX B – INSPECTOR’S BINDING RECOMMENDATIONS

Where changes involve the insertion of new policies and/or paragraphs of text (here denoted CWxx, x.xx etc.) these should be numbered as appropriate in the Plan. These and other changes may result in consequential alterations to numbering throughout the Plan. For the avoidance of doubt such numbering changes are also authorised.

CHANGE NUMBER	PLACE IN PLAN	CHANGE
IC01	Following policy CW14 Affordable Housing Planning Obligation supporting text and diagram; annotation on Proposals Map	<p>Insert affordable housing exception sites policy and supporting text as follows:</p> <p><u>Affordable Housing Exception Sites</u></p> <p>CWxx Permission will be granted for small affordable housing sites in or adjoining rural settlements on land where housing would not normally be permitted and where:</p> <p>A The site is solely for affordable housing and there are suitable arrangements to ensure that the housing is affordable and made available for initial and subsequent occupation by those in need of affordable housing;</p> <p>B A genuine local need for affordable housing has been identified in the village or settlement;</p> <p>C It can be demonstrated that the need for affordable housing in the village or settlement cannot be satisfactorily met within the settlement or within a nearby settlement;</p> <p>D The site is at an appropriate scale and is in keeping with the form and character of the settlement</p> <p>x.xx Exception sites are a potential means of delivering affordable housing in rural areas. Such developments must relate acceptably to rural settlements and will concern sites where new-build housing would not normally be permitted. Exception sites should be at an appropriate scale for the size of the settlement to ensure that communities are balanced and would normally accommodate no more than 5 dwellings.</p> <p>x.xx Planning permission will be subject to a planning condition or obligation to ensure that the affordable housing will remain available in perpetuity to meet local housing needs. The release of exception sites will only be appropriate where there is evidence of local need and this need cannot be addressed within the particular settlement or an adjoining one. In the context of this policy 'local need' means a person or household who lives within and/or has a family connection to the settlement in question or an adjoining settlement, and is in affordable housing need.</p>

CHANGE NUMBER	PLACE IN PLAN	CHANGE
		<p>x.xx The settlements to which this policy applies are Princetown, Llechryd, Argoed, Markham, Hollybush, Deri, Fochriw, Hafodyrynys, Trinant, Machen, Rudry, Draethen, Wyllie, Cwmfelinfach, Ynysddu and Wattsville.</p> <p>x.xx It will be necessary for exception site proposals to meet all the other relevant criteria including in particular the requirements of Policies CW3 and CW6.</p> <p>Add new annotation to Proposals Map to indicate settlements where new policy CWxx applies.</p>
IC02	CW14 Affordable Housing Planning Obligation supporting text	<p>Add additional supporting text to end of paragraph 2.29 following policy CW14 as follows:</p> <p>In the case of sites assessed and formally concluded by the Council as being in locations of high affordable housing need and possessing locational or other attributes of particular suitability in terms of meeting such need, the Council may seek to negotiate levels of affordable housing provision of up to 100%, having regard to all relevant considerations including the viability of such provision.</p>
IC03	Proposals Map SLA NH1.1	<p>Change the designated area of Special Landscape Area NH1.1 Upper Rhymney Valley to exclude the area west of the A469 and south of the A465 Heads of the Valleys Road, as shown on attached plan IC03.</p>
IC04	Policy (NCC) EM2	<p>Change designation of EM2.11 North Celynen, Newbridge to read as follows:</p> <p>EM2.11 North Celynen, Newbridge (south of site access road) Primary site</p> <p>EM2.11 North Celynen, Newbridge (north of site access road) Secondary site</p>
IC05	Policy (NCC) and Proposals Map EM2	<p>Delete secondary employment site designation EM2.24 Caerphilly Road, Ystrad Mynach.</p>

IC03 – AMEND BOUNDARY OF SPECIAL LANDSCAPE AREA DESIGNATION NH1.1 UPPER RHYMNEY VALLEY

