



## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 2ND OCTOBER 2013 AT 5:00PM**

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#### **PRESENT:**

Councillor D.G. Carter - Chairman  
Councillor W. David- Vice-Chairman

#### **Councillors:**

Mrs E.M. Aldworth, J. Bevan, Mrs A. Blackman, D. Bolter, J.E. Fussell, H.R. Davies, Mrs J. Gale, L. Gardiner, N. George, Mrs B.A. Jones, K. Lloyd, Mrs J. Summers, Mrs G.D. Oliver and J. Taylor.

#### **Together with:**

P. Elliott (Head of Planning and Regeneration), J. Rogers (Principal Solicitor), T. Stephens (Development Control Manager), C. Davies (Senior Environmental Health Officer), M. Noakes (Senior Engineer, Highways and Transportation) C. Boardman (Senior Planner), P. Den Brinker (Team Leader, East), S. Hockaday (Senior Planner), W. Grimstead (Area Principal Enforcement Officer) and E. Sullivan (Democratic Services Officer).

#### **APOLOGIES**

Apologies for absence had been received from Councillors M. Adams, R.W. Gough, A.G. Higgs and Mrs E. Stenner.

#### **1. DECLARATIONS OF INTEREST**

Declarations of interest were received as follows: Councillor W. David and L. Gardiner 12/0753/FULL, K. Lloyd 13/0500/COU and Mrs E. Aldworth and Mr M. Noakes 12/0787/FULL details are minuted with the respective items.

#### **2. MINUTES**

RESOLVED that the minutes of the Planning Committee held on the 4th September 2013 (minute nos. 1-17; page nos. 1-10) be approved and signed as a correct record.

**3. TO RECEIVE ANY REQUESTS FOR A SITE VISIT**

Requests for site visits were received and by a show of hands unanimously accepted by Members of the Planning Committee, as follows: -

- (1) 12/0860/RM - Seek approval of the reserved matters of layout, scale, appearance and landscaping in connection with the residential development of 142 dwellings and associated works approved under planning permission P/04/1325, Mackworth Grange, Pontypandy Lane, Caerphilly, CF83 3HT.
- (2) 13/0537/FULL - Extend existing car park on adjacent vacant land which includes the introduction of 38 new bays, with the reconfiguration of the existing car park and site access with associated works to the site, McDonalds Restaurants Ltd, Unit C, Crossways Park, Parc Pontypandy, Caerphilly, CF83 3NL.

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION**

**4. CODE NO. 13/0454/NCC - VARY CONDITIONS (02) AND (03) OF PLANNING PERMISSION REFERENCE 12/0742/NCC TO ALLOW OPEN A1 FOOD AND NON-FOOD RETAIL AND BULKY GOODS RETAIL/LEISURE USE, BLACKWOOD GATE RETAIL PARK, BLACKWOOD.**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

- (i) on completion of the Section 106 Agreement that planning permission 13/0454/NCC is issued with the amended condition (09) as set out below.

**Amended Condition (09)**

The additional parking provision as shown in layout plan SP2160(05)200 revision A, shall be completed prior to the occupation of 50% of the units hereby approved, unless a revised parking layout tailored to meet a defined retail/leisure need and the time for its completion is agreed in writing with the Local Planning Authority and it is carried out within the agreed time and maintained thereafter free of obstruction for the parking of customer vehicles in accordance with the agreed details including the defined retail/leisure need to which it is tailored.

**Reason**

To ensure adequate off-street parking provision to serve the approved used.

**5. CODE NO. 13/0517/NCC - VARY CONDITIONS 8 AND 15 OF PLANNING PERMISSION 12/0782/COU - FORMER TONY MORGAN CARS (PROPOSED ONE STOP FOOD STORE), HIGH STREET, NEWBRIDGE**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that:

- (i) subject to the conditions contained in the Officer's preface and original report this application be granted;

- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

**6. CODE NO. 12/0787/FULL - CONVERT FORMER PUBLIC HOUSE INTO SEVEN FLAT UNITS (CHANGE OF USE) INCLUDING DEMOLITION OF SOUTHERN SINGLE-STOREY ANNEX AND CONSTRUCT SIX NEW TERRACED HOUSES TO INCLUDE NEW SITE ACCESS ROAD, CAR PARKING, EXTERNAL WORKS AND LANDSCAPING, TREDEGAR JUNCTION HOTEL, COMMERCIAL STREET, PONTLLANFRAITH, BLACKWOOD, NP12 2JY.**

Mr M. Noakes (Senior Engineering, Highways Transportation) declared an interest as his father lives next door to the development and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the following additional condition this application be granted;

**Additional Condition (25)**

There shall be no vehicular access from the application site onto Gelligroes Road.

**Reason**

In the interest of highway safety.

- (ii) the applicant be advised of the comments of the Transport Engineering Manager, Head of Public Protection, Senior Engineer (Land Drainage), Countryside and Landscape Services and Dwr Cymru/Welsh Water;
- (iii) the applicant be advised that the follow policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2 and CW3.

**7. CODE NO. 13/0500/COU - REFURBISH OLD DERELICT DAIRY INTO SIX DOG KENNELS, THREE PENTREF-Y-GOES FARM, CROSPENMAEN, NEWPORT, NP11 3BT.**

Councillor K. Lloyd declared an interest in that the applicant's family is known to him and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that the following policies of Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

**8. CODE NO. 13/0559/FULL - ERECT SINGLE STOREY KITCHEN, W.C. AND CARPORT EXTENSION TO SIDE OF DWELLING, 20 MAPLE CLOSE, PONTLLANFRAITH, BLACKWOOD, NP12 2PH.**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's Report this application be granted;
- (ii) the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3;
- (iii) the applicant be advised that before any vehicle crosses the public highway a properly formed vehicular cross over must be provided, the constructional details of which must be agreed with the Highway Authority. The applicant is invited to contact Highways Customer Care Line Tel. 01495 235323 to discuss the alteration required to the existing crossover.

**9. CODE NO. 13/0602/FULL - ERECT TWO-STOREY REAR BATHROOM AND KITCHEN EXTENSION, 19 HILL STREET, NEWBRIDGE, NEWPORT, NP11 4GD.**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the following policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions attached to this consent: CW2.

**10. CONSULTATION FROM MERTHYR TYDFIL COUNTY BOROUGH COUNCIL IN RESPECT OF TWO PLANNING APPLICATIONS, LAND NORTH WEST OF TIR COOK FARM, TREHARRIS AND LAND ON NORTH WEST OF TIR LLAN FARM TREHARRIS.**

Following consideration of the report it was moved and seconded that Merthyr Tydfil County Borough Council be advised that this Council had no objection to the proposed wind turbine at Tir Cook Farm, but objects to the proposed wind turbine at Tir Llan Farm because of its impact in the wider landscape and by a show of hands this was unanimously agreed.

**11. CODE NO. 12/0753/FULL - PROVIDE A SINGLE WIND TURBINE (500KW, 50M HUB HEIGHT, 73.5M MAXIMUM TIP OF BLADE HEIGHT) WITH ASSOCIATED ELECTRICAL INFRASTRUCTURE AND CRANE HARDSTANDING, PEN Y FAN GANOL FARM, MANMOEL, BLACKWOOD, NP12 0HY.**

Councillor W. David declared an interest in that he is related to the applicant and his son is a close friend of the applicant's daughter, Councillor L. Gardiner declared an interest as he felt he had a closed mind and both left the meeting when the application was discussed.

Members were advised that additional comments had been received expressing concerns about the proposed development and an additional letter of objection had been received.

The Head of Planning and Regeneration advised members that Planning Officers would not be in a position to defend the reason put forward for refusal at any appeal and that the Committee would need to nominate two members to defend any appeal.

Officers confirmed that should Members be of a mind to grant the application additional conditions would be required in relation to the Traffic Management Plan, site restoration and removal of the turbine at the conclusion of the project.

It was proposed and seconded that the application be granted subject to the aforementioned conditions and those contained in the Officer's original report.

An amendment was moved and seconded that the application be refused for the reason given in the Officer's preface report.

By a show of hands the amendment was lost and as such the motion was declared carried.

In accordance with Rule of Procedure 15.5 Councillor K. Lloyd wished it recorded that he had voted against the granting of the application.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the following additional conditions this application be granted;

**Additional Condition (15)**

Notwithstanding the submitted details the development shall not commence until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate fully consultation and approval with neighbouring county boroughs, which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the haulier's indemnity insurance for approval. Any highway improvements required to the highway network shall also be provided for approval by the Local Planning Authority and be completed prior to delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.

**Reason**

In the interests of highway safety.

**Additional Condition (16)**

Notwithstanding the submitted plans prior to the commencement of work on site engineering details of the proposed site access track from Manmoel Lane to the application site shall be submitted to and approved in writing by the Local Planning Authority. The engineering details shall include the proposed

longitudinal gradient of the track, surfacing details and suitable cut off drainage to prevent flooding of the public highway. The development shall be carried out in accordance with the agreed details.

**Reason**

In the interest of highway safety.

**Additional Condition (17)**

Prior to the transportation of any abnormal loads a condition survey along Manmoel Lane shall be carried out and agreed in writing with the Local Planning Authority including a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.

**Reason**

In the interest of highway safety.

**Additional Condition (18)**

The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.

**Reason (18)**

In the interests of visual amenity.

**Additional Condition (19)**

Within six months of the granting of planning approval, a scheme for the monitoring of birds for a period of three years following the commencement of operation of the turbine shall be submitted to the Local Planning Authority for approval. The scheme shall include details of the bird monitoring proposed actions in the light of impacts identified and triggers for action. The approved scheme shall be complied with.

**Reason**

To ensure that protected bird species are safeguarded.

**Additional Condition (20)**

The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.

**Reason**

To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

- (ii) the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2, CW3 and CW15.

**12. CODE NO. 13/0523/COU - CHANGE USE OF AREA REFERENCE 'H' FROM AMENITY TO CAMPING AND POD DEPLOYMENT, PEN Y FAN LEISURE PARK, MANMOEL ROAD, MANMOEL, BLACKWOOD, NP12 0HY.**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Natural Resources Wales and Senior Engineer (Land Drainage);
- (iii) the applicant be advised of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions attached to this consent: CW2 and CW15.

**13. CONSULTATION WITH RHONDDA CYNON TAF COUNCIL ON AN APPLICATION FOR REMOVAL OF CONDITION - CASTELL HEIGHTS, UPLANDS, NANTGARW, TAFFS WELL, CAERPHILLY, CFG83 1NG.**

Following consideration of the report it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that Rhondda Cynon Taf Council be informed that this Council had no objections to the proposed removal of the condition.

**14. CODE NO. 12/08608/RM - SEEK APPROVAL OF THE RESERVED MATTERS OF LAYOUT SCALE, APPEARANCE AND LANDSCAPING IN CONNECTION WITH THE RESIDENTIAL DEVELOPMENT OF 142 DWELLINGS AND ASSOCIATED WORKS APPROVED UNDER PLANNING PERMISSION P/04/1325, MACWORTH GRANGE, PONTYPANDY LANE, CAERPHILLY CF83 3HT.**

Having regard to the impact of the development on resident amenity it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (all Members).

**15. CODE NO. 13/0537/FULL - EXTEND EXISTING CAR PARK ON ADJACENT VACANT LAND WHICH INCLUDES THE INTRODUCTION OF 38 NEW BAYS, WITH THE RECONFIGURATION OF THE EXISTING CAR PARK AND SITE ACCESS WITH ASSOICATED WORKS TO THE SITE, MCDONALDS RESTUARANTS LTD, UNIT C CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY, CF83 3NL.**

Having regard to the impact of the development on resident amenity it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (all Members).

**16. CODE NO. 13/0580/COU - CHANGE THE USE FROM A1 RETAIL TO D1 FOR CHIROPODY/PODIATRY CLINIC, 26 CARDIFF ROAD, CAERPHILLY, CF83 1JP.**

Councillor Mrs E. Aldworth having taken advice from the Principal Solicitor declared a personal interest in that she knows of the applicant through constituency work but did not consider the relationship to be close enough to constitute a prejudicial interest.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water and Head of Public Protection;
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP5, CW14 and CW3.

**17. ITEMS FOR INFORMATION**

The following items were reported and noted:-

- (1) Applications determined by delegated powers;
- (2) Applications which are out of time/not dealt with within 8 weeks of date of registration;
- (3) Applications awaiting completion of a Section 106 Agreement;
- (4) Outstanding Appeals;
- (5) Appeal Decisions.

The meeting closed at 18.15 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 30th October 2013, they were signed by the Chairman.

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CHAIRMAN