



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 9TH APRIL 2014 AT 5:00 PM

PRESENT:

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

Councillors:

M. Adams, Mrs E.M. Aldworth, J. Bevan, D. Bolter, H.R. Davies, J.E. Fussell, Mrs J. Gale, L. Gardiner, R.W. Gough, N. George, Mrs B.A. Jones, K. Loyd Mrs G.D. Oliver, D. Rees, Mrs J. Summers, Mrs E. Stenner and J. Taylor.

Together with:

T. Stephens (Development Control Manager), R. Crane (Senior Solicitor), M. Noakes (Senior Engineer, Highways and Transportation) J. Forrester (Principal Planner), S. Hockaday (Principal Planner) C. Davies (Senior Environmental Health Officer), G. Lewis (Principal Planner), C. Grimes (Principal Planner), W. Grimstead (Area Principal Enforcement Officer), M. Davies (Senior Planner) and E. Sullivan (Democratic Services Officer).

1. APOLOGIES

An apologies for absence was received from Councillor A.G. Higgs and P. Elliott (Head of Regeneration and Planning).

2. DECLARATIONS OF INTEREST

Declarations of interest were received as follows: - 13/0865/FULL - Councillor R.W. Gough, 14/0139/COU - Councillors M. Adams and D. G. Carter, 13/0483/FULL - Councillor J. Bevan. 14/0057/FULL - Mrs C. Davies (Senior Environmental Health Officer). Details are minuted with the respective items.

3. MINUTES

RESOLVED that the minutes of the Planning Committee held on the 13th March 2014 (minute nos. 1-14; page nos. 1-5) be approved and signed as a correct record.

4. TO RECEIVE ANY REQUESTS FOR A SITE VISIT

A request for a site visit was received and by a show of hands accepted by the majority of the

Members of the Planning Committee, as follows: -

- (1) 13/0712/OUT - Land at Homeleigh, 1 Tuckers Villas and Adjacent To 13 Woodbine Road, Blackwood.

5. SITE VISIT - CODE NO. 11/0650/FULL - ERECT NEW HOUSING DEVELOPMENT COMPRISING OF 13 DETACHED AND 1 PAIR OF SEMI-DETACHED DWELLINGS, LAND ADJACENT TO FORMER WATERLOO WORKS, MACHEN, CAERPHILLY, CF83 8NL

Mr L. Richards and Councillor D. Havard spoke in support of the application.

It was moved and seconded that the application be refused in accordance with the recommendation contained within the Officers report.

An amendment was moved and seconded that the application be deferred for a further report with suitable conditions attached should permission be granted at a future meeting.

In accordance with Rule of Procedure 15.4 (1) a request was made for a recorded vote.

FOR THE AMENDMENT

Councillors Mrs E. M. Aldworth, J. Bevan, H. R. Davies, Mrs J. Gale, L. Gardiner, N. George, Mrs B.A. Jones, Mrs G. Oliver, D. Rees and Mrs J. Summers. (10)

AGAINST THE AMENDMENT

Councillors D. Bolter, D. G. Carter, W. David, R.W. Gough, K. Lloyd, Mrs E. Stenner and J. Taylor. (7)

ABSTENTIONS

Councillor M. Adams. (1)

The amendment was won and as the substantive motion, by a show of hands was declared carried.

RESOLVED that: -

- (i) the site visit report be noted.
- (ii) the application be deferred for a further report with suitable condition attached should permission be granted at a future meeting.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - EAST AREA

6. PREFACE ITEM CODE NO. 14/0055/NCC - REMOVE CONDITION (07) OF PLANNING PERMISSION 11/0934/FULL TO ALLOW THE RESTAURANT TO OPERATE 24 HOURS DAILY, MCDONALDS RESTAURANTS LTD, UNIT 2 NEWBRIDGE GATEWAY, BRIDGE STREET, NEWBRIDGE, NEWPORT

The Development Control Manager advised members that Planning Officers would not be in a position to defend the reasons put forward for refusal at any appeal and that the Committee would need to nominate two members to defend any appeal.

It was moved and seconded that the application be refused for the reasons contained in the

Officer's preface report.

An amendment was moved and seconded that the application be granted for a temporary period so that sites operations could be effectively monitored as conditioned in the Officer's original report.

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

In accordance with Rule of Procedure 15.5 Councillor L. Gardiner wished it recorded that he had voted against the application.

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

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's Original Report this application be granted for a period of one calendar year from the date of the permission.
- (ii) the applicant be advised that the following policies of the Caerphilly Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

7. CODE NO. 13/0712/OUT - ERECT DETACHED TWO BEDROOM DWELLING, LAND AT HOMELEIGH, 1 TUCKERS VILLAS AND ADJACENT TO 13 WOODBINE ROAD, BLACKWOOD, NEWPORT, NP12 1QH

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

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

8. CODE NO. 14/0057/FULL - REMOVE A SINGLE STOREY GARAGE AND ERECT A TWO STOREY SIDE ELEVATION EXTENSION AND A REAR SINGLE STOREY EXTENSION, 18 MOUNT PLEASANT ROAD, RISCA, NEWPORT, NP11 6QB

Mrs C. Davies (Senior Environmental Health Officer) declared an interest in that the applicant is a friend and colleague and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation contained 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 policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of this permission: Policy CW2.

9. CODE NO. 14/0062/TPO - PROVIDE TREE WORKS TO TWO ASH TREES PROTECTED BY TREE PRESERVATION ORDER 58/72/MCC, TY-ADERYN, 6 DARRAN ROAD, RISCA, NEWPORT, NP11 6GY.

Following consideration of the application it was moved and seconded that the recommendation contained 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 the Council's Tree Officer.

10. 14/0139/COU - CHANGE THE USE OF THE PROPERTY FROM D1 NON-RESIDENTIAL INSTITUTION TO A2 OFFICE WITH LIMITED USE ON THE PREMISES FOR A1 RETAIL SALES AND A3 CAFÉ, 1 BRYN LANE, PONTLLANFRAITH, BLACKWOOD, NP12 2PG

Councillor M. Adams declared an interest in that he is on the Committee of the Penllwyn Millennium Centre who are landlords to Disability Can Do and left the Chamber when the application was discussed.

Councillor D. G. Carter declared a personal interest as he had previously referred Disability Can Do to premises in the Bargoed area.

Following consideration of the application it was moved and seconded that the recommendation contained 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 conditional condition this application be granted.

Condition (05)

Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of the use hereby approved a scheme for the ventilation of the premises including any external openings and flues shall be installed in accordance with details that shall have been submitted to and agreed in writing with the Local Planning Authority.

Reason

In the interests of the amenity of the area.

Condition (06)

Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of the development thereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.

Reason

In the interests of the amenity of the area.

Condition (07)

Unless otherwise agreed in writing with the Local Planning Authority, prior to

the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial waste shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.

Reason

In the interests of public health.

Condition (08)

Prior to development commencing on site, details of any external and roof mounted plant/machinery associated with the application shall be submitted to and agreed in writing with the Local Planning Authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter these agreed details shall be fully installed prior to the use of each of the units commencing.

Reason

In the interests of residential amenity.

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

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - NORTH AREA.

- 11. **CODE NO. 13/0483/FULL - INSTALL THREE WIND TURBINES AND CONSTRUCT ASSOCIATED INFRASTRUCTURE ON LAND USED FOR GRAZING, THE MAXIMUM HEIGHT TO BLADE TIP OF EACH TURBINE WILL BE 110M ABOVE EXISTING GROUND LEVEL AND INFRASTRUCTURE ASSOCIATED WITH THE WIND TURBINES INCLUDING ONE-SITE ACCESS TRACKS, LAY-BYS AND TURNING AREAS, WITH DITCH CULVERTS WHERE REQUIRED, PERMANENT CRANE HARDSTANDING AREA AND EXTERNAL SWITCHGEAR BUILDINGS FOR EACH TURBINE, A SUBSTATION, UNDERGROUND ON SITE ELECTRICAL CABLING AND THE CREATION OF A TEMPORARY CONSTRUCTION COMPOUND AND LAYDOWN AREA, PEN BRYN OER, MERTHYR ROAD, RHYMNEY**

Councillor J. Bevan having taken legal advice declared a personal but not prejudicial interest in that he had previously expressed a personal opinion on wind frames in general but as these comments were not specific to this application he retained an open mind and would therefore take part in the debate and vote on the application.

Councillor J. E. Fussell wished it recorded that as he had not been present for the whole of the debate, he had not taken part in the vote.

Dr J. Evans and Councillor C. Cuss spoke on behalf of local residents in objection to the application and Mr M. Partridge of REG Windpower spoke in support of the application.

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

RESOLVED that this application be refused.

12. CODE NO. 13/0846/FULL - DEVELOP A SOLAR PHOTOVOLTAIC FARM WITH ATTENDANT EQUIPMENT AND INFRASTRUCTURE LAND AT HENDAI FARM, HEOL ADAM, GELLIGAER, HENGOED, CF82 8FU

Following consideration of the application it was moved and seconded that the recommendation contained 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 amended conditions this application be granted.

Amended Condition (1)

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Amended Condition (7)

Construction, movement of materials and decommissioning works shall take place only between the hours of 08.00-18.00 Mondays to Fridays and 08.00-13.00 Saturdays and not at all on Sundays or Public Holidays.

Reason

In the interests of residential amenity and to minimise disturbance to foraging/community bats and other nocturnal animals.

Amended Condition (16)

The development hereby approved shall be carried out in accordance with the recommendations made in Chapter 8 Sections 8.111, 8.112, 8.114, 8.115, 8.118, and 8.122 of the Environmental Statement dated July 2013; prepared by Wardell Armstrong; unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure adequate protection and mitigation for protected species.

Amended Condition (17)

Heol Adam shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on site. The improvements shall be in the form of the provision of passing bays at suitable locations along the lane, which shall be completed in materials to be firstly agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety.

Amended Condition (18)

The applicant shall submit a revised Construction and Traffic Management Plan for the consideration and approval in writing of the Local Planning Authority. The terms and content of the agreed Construction and Traffic Management Plan shall be implemented before construction and deliveries commence.

Reason

In the interests of highway safety.

Amended Condition (19)

Prior to the commencement of any deliveries to the site a condition survey of Heol-Adam shall be carried out (in conjunction with the Highway Authority) and agreed in writing by the Local Planning Authority and shall include a scheme and timetable for the repair of any damage caused by loads associated with this development.

Reason

In the interests of highway safety.

Amended Condition (20)

Prior to the commencement of construction works Hen-Dai Farm Lane access off Heol-Adam shall be surfaced in permanent materials for the first 10m of the lane in accordance with details to be agreed in writing with the Local Planning Authority.

Reason

In the interests of highway safety.

Amended Condition (21)

Notwithstanding the submitted plans, no works shall commence on site until details of the parking areas have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be completed in accordance with the agreed details prior to works commencing and maintained for the duration of the works.

Reason

In the interests of highway safety.

Amended Condition (22)

Prior to the commencement of the development a programme of archaeological work in accordance with a written scheme of investigation, including a timetable and extent of work, shall be submitted by the applicant and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason

In the interests of the archaeological and historical heritage of the Borough.

- (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, CW3, CW4.
- (iii) the applicant be advised of the comments of the Public Rights of Way Officer, Coal Authority, South Wales Fire Service, Dwr Cymru/Welsh Water, CADW, Natural Resources Wales and Glamorgan Gwent Archaeological Trust.

13. CODE NO. 14/0047/FULL - ERECT EXTENSION TO KITCHEN, 20 AELYBRYN STREET, FOCHRIW, BARGOED, CF81 9JW

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

RESOLVED that subject to the conditions contained in the Officer's report this application be granted.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - SOUTH AREA

14. PREFACE ITEM CODE NO. P/06/0037 - REDEVELOP SITE INCORPORATING 545 RESIDENTIAL UNITS AND 2.5 ACRES FOR A PRIMARY SCHOOL, WATERLOO WORKS, MACHEN

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

RESOLVED that the Section 106 Agreement be amended to reflect the payment of the education contribution upon the occupation of the 100th dwelling on the site rather than the granting of the licence to build the school.

15. PREFACE ITEM CODE NO. 13/0164/RET - REGULARISE MIXED-USE OF THE LAND FOR AGRICULTURE AND RESIDENTIAL PURPOSES TO INCLUDE RETENTION OF DWELLING HOUSE WITH PROPOSED EXTENSION, RETAIN FARM WORKSHOP AND BARN WITH ALTERATIONS, RETAIN CHICKEN HOUSE, 'ROUNDHOUSE' FOR USE AS PICNIC SHELTER/CLASSROOM AND THE PROPOSED ERECTION OF AN ANCILLARY DWELLING, GARDEN SHED, IMPLEMENT SHED AND A MAXIMUM NO. OF 6 SEASONAL CAMPING YURTS, NANT-Y-CWM FARM, CEFN-ONN FARM LANE, RUDRY, CAERPHILLY, CF83 3EJ

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

RESOLVED that subject to the conditions contained in the Officer's report this application be granted.

16. CODE NO. 13/0865/FULL - CONSTRUCT THREE DETACHED HOUSES WITH ANCILLARY WORKS LAND AT GLYN DERWEN, LLANBRADACH, CAERPHILLY

Councillor R. W. Gough declared an interest in that the applicant is known to him and left the Chamber when the application was discussed.

Councillor D. Bolter wished it recorded that as he had not been present for the whole of the debate he had not taken part in the vote.

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

RESOLVED that: -

- (i) the application be deferred to allow the completion of a Section 106 Obligation requiring payment of £5,500.00 (index linked) for each dwelling totalling £16,500 for highway improvements in the Caerphilly Basin area.
- (ii) on completion of the legal agreement and subject to the conditions contained in the Officer's report this application be granted.
- (iii) the applicant be advised of the comments of the Head of Public Protection, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Invasive Species Officer, County Ecologist, Natural Resources Wales and Transportation Engineering Manager.
- (iv) the applicant be advised that the following policies of the Caerphilly Country Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of this permission: SP3, SP5, CW2, CW3 and CW15.

17. CODE NO. 14/0094/COU - CHANGE OF USE FROM A1 RETAIL TO A2 FINANCIAL SERVICES AND FIRST FLOOR FLAT, RESIDENTIAL BATHROOM EXTENSION AT REAR AND PROVIDE NEW SHOP FRONT AND ALTERATIONS, 60 CARDIFF ROAD, CAERPHILLY, CF83 1JQ

It was reported that the application had been deferred to allow further discussions with the applicant.

18. 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 19.59pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 14th May 2014, they were signed by the Chairman.

CHAIRMAN