



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON WEDNESDAY, 9TH NOVEMBER 2016 AT 5:00PM

PRESENT:

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

Councillors:

M. Adams, J. Bevan, D. Bolter, J.E. Fussell, Ms. J. Gale, L. Gardiner, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, Mrs J. Summers and Mrs E. Stenner.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), G. Mumford (Senior Environmental Health Officer), C. Powell (Principal Planner), C. Campbell (Manager, Transport Engineering), P. Den Brinker (Principal Planner) E. Rowley (Senior Planner), A. Pyne (Senior Planner), A. Wilcox (Senior Planner) and E. Sullivan (Democratic Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs P. Cook, J. Simmonds and J. Taylor.

2. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: 15/0567/OUT – Councillor D. Rees and Agenda Item 16 – BT Payphone Boxes – Councillor W. David details are minuted with the respective item.

3. MINUTES – 12TH OCTOBER 2016

RESOLVED that the minutes of the Planning Committee held on 12th October 2016 be approved and signed as a correct record.

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

4. PREFACE ITEM CODE NO. 15/0567/OUT – LAND AT OAKDALE GOLF COURSE, OAKDALE GOLF COURSE LANE, OAKDALE, BLACKWOOD.

Councillor D. Rees declared an interest in that he had previously played golf at the site, had made a planning enquiry on behalf of the applicant and has a friend who has objected to the application and left the Chamber when the application was discussed.

Councillor R. Saralis spoke in support of upholding the reason for refusal at appeal.

Following consideration of the Officer's preface report it was moved and seconded that the reason for appeal be upheld and by show of hands and in noting there were 8 against and 1 abstention the motion was declared lost.

It was moved and seconded that the recommendation contained in the Officer's report be approved and by show of hands and in noting there were 6 against and 1 abstention this was agreed by the majority present.

RESOLVED that for the reasons given in the Officer's report the Planning Inspectorate and appellants be advised that the Council will not be defending the reasons for refusal.

5. CODE NO. 16/0506/OUT – PLOT 2, LAND ADJACENT TO ISLWYN INDOOR BOWLS CLUB, GELLI LANE, PONTLLANFRAITH, BLACKWOOD.

It was noted that the above application had been subject to a site visit on Monday 7th November 2016 a briefing note on the issue raised was tabled at the meeting and are appended to these minutes.

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 Agreement upon completion of that agreement and subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition (15)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 CW6;

- (iii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water and Head of Public Protection and Transportation Engineering Manager.

6. CODE NO. 16/0507/OUT – PLOT 1, LAND ADJACENT TO ISLWYN INDOOR BOWLS CENTRE, GELLI LANE, PONTLLANFRAITH, BLACKWOOD.

It was noted that the above application had been subject to a site visit on Monday 7th November 2016 a briefing note on the issue raised was tabled at the meeting and are appended to these minutes.

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 Agreement upon completion of that agreement and subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition (15)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 CW6;
- (iii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water and Head of Public Protection and Transportation Engineering Manager.

7. CODE NO. 16/0508/OUT – PLOT 4, LAND ADJACENT TO ISLWYN INDOOR BOWLS CENTRE, GELLI LANE, PONTLLANFRAITH, BLACKWOOD.

It was noted that the above application had been subject to a site visit on Monday 7th November 2016 a briefing note on the issue raised was tabled at the meeting and are appended to these minutes.

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 Agreement upon completion of that agreement and subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition (15)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 CW6;
- (iii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water and Head of Public Protection and Transportation Engineering Manager.

8. CODE NO. 16/0509/OUT – PLOT 3, LAND ADJACENT TO ISLWYN BOWLS CENTRE, GELLI LANE, PONTLLANFRAITH, BLACKWOOD.

It was noted that the above application had been subject to a site visit on Monday 7th November 2016 a briefing note on the issue raised was tabled at the meeting and are appended to these minutes.

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 Agreement upon completion of that agreement and subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition (15)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 CW6;
- (iii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water and Head of Public Protection and Transportation Engineering Manager.

9. CODE NO. 16/0510/OUT – PLOT 5, LAND ADJACENT TO ISLWYN BOWLS CENTRE, GELLI LANCE, PONTLLANFRAITH, BLACKWOOD.

It was noted that the above application had been subject to a site visit on Monday 7th November 2016 a briefing note on the issue raised was tabled at the meeting and are appended to these minutes.

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 Agreement upon completion of that agreement and subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition (15)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 CW6;
- (iii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water and Head of Public Protection and Transportation Engineering Manager.

10. CODE NO. 16/0617/OUT – LAND SOUTH OF THE GLADE, WYLLIE, BLACKWOOD.

It was noted that this application had been subject to a site visit on Monday 7th November 2016 a briefing note of the issues raised was tabled at the meeting and is appended to these minutes.

Councillor J. Jones spoke in objection to the application; the applicant who had been advised did not speak.

Following consideration of the application it was moved and seconded that the application be deferred for a further report for reasons for refusal based on the accumulative impact of the development and that the site had been previously rejected during the LDP process, by show of hands and in noting there were 8 against and 1 abstention the motion was declared lost.

It was moved and seconded that the recommendation contained in the Officer's report subject to the inclusion of additional conditions, be approved, by show of hands and in noting there were 5 against and 1 abstention this was agreed by the majority present.

RESOLVED that: -

- (i) the application be deferred to allow the completion of a Section 106 Agreement upon completion of that agreement and subject to the conditions contained in the Officers report and the following additional conditions this application be granted;

Additional Condition (10)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interest of public health.

Additional Condition (11)

Notwithstanding the submitted plans, no works shall commence on site until details of a turning head have been submitted to and agreed in writing with the Local Planning Authority. The details shall include a timetable for providing the turning head which, along with the access thereto, shall be constructed to base course level prior to the construction of any dwelling hereby approved.

Reason

In the interest of highway safety.

Additional Condition (12)

Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats; shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.

Reason

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

Additional Condition (13)

Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House Sparrow, House Martin, Starling, Swallow or Swift) in the dwellings hereby approved shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the dwellings hereby approved are first occupied.

Reason

To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

- (ii) the applicant be advised of the comments of the Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water;
- (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: CW2, CW3, CW6, CW10 and CW11.

11. CODE NO. 16/0668/OUT – LAND TO NORTH OF CAR PARK, AIWA TECHNOLOGY PARK, NORTH CELYNEN, NEWBRIDGE, NP11 5AN.

It was reported that the application had been deferred to allow further consultation.

12. CODE NO. 16/0820/FULL – CEFN BACH FARM, CEFN ROAD UPPER, DERI, BARGOED, CF81 9GW.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by 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 the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW15;
- (iii) the applicant be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs) their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1982 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (02920 772400).
- (iv) the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Property specific summary information on past, current and future coal mining activity can be obtained from: www/groundstability.com.

The Standing Advice is valid from 1st January 2015 until 31st December 2016.

- (v) the applicant be advised of the comments of the Council's Ecologist.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT - SOUTH AREA.

13. PREFACE ITEM CODE NO. 15/0459/RET – CHRIS HOWELL TIMBER AND LANDSCAPING SUPPLIES, NANTGARW ROAD, NORTH UI, CAERPHILLY.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's preface report be approved and by a show of hands and in noting there was 1 against this was agreed by the majority present.

RESOLVED that the application be granted in accordance with the Officer's original report.

14. CODE NO. 16/0626/FULL – TY YN Y PWLL HOTEL, NEWPORT ROAD, TRETTHOMAS, CAERPHILLY.

It was noted that this application had been subject to a site visit on the 7th November 2016 a briefing note on the issues raised were tabled at the meeting and are appended to these minutes.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved subject to the inclusion of two additional condition and by show of hands this was unanimously agreed.

RESOLVED that: -

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

Additional Condition (22)

The premises shall only be used for C2 purposes as defined by the Town and Country Planning (Use Classes) Order 1987, or as defined by any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, without the approval of the Local Planning Authority.

Reason

In the interest of residential amenity.

Additional Condition (23)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interests of public health.

- (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 and CW4;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Council's Ecologist, The Coal Authority, Wales and West Utilities, Director of Social Services and Countryside and Landscape Services;
- (iv) the applicant be advised that many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in cervices such as under roof tiles, behind roofing felt or in cavity calls and are therefore not often seen in the roof space. Bat roosts are protected even with bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bat are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources (NRW) should be contacted for advice on any special precautions before continuing;
- (v) the applicant be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs) their nests and eggs (with certain limited exceptions) are protected by lay under Section 1 of the Wildlife and Countryside Act 1982 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (02920 772400).

15. CODE NO. 16/0676/FULL – PEN YR HEOL LAS FARM, HEOL LAS, ENERGLYN, CAERPHILLY.

Following consideration of the application it was moved and seconded that subject to an amendment to condition (07) the recommendation contained in the Officer's report be approved and by show of hands and in noting there was 1 abstention this was agreed by the majority present.

RESOLVED that: -

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

Amended Condition (07)

Notwithstanding the submitted plans, prior to the commencement of works on site a detailed plan of the exact location of the proposed dwelling together with a detailed plan indicating the curtilage of the dwelling at a scale of 1:200 or 1:500 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

For the avoidance of doubt as to the location of the dwelling hereby approved.

- (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 and CW4;
- (iii) the applicant be advised of the comments of the Council's Ecologist and Senior Engineer (Land Drainage).

16 BT PAYPHONE BOXES

Councillor W. David expressed a personal interest in that he had been part of the decision making process within Gelligaer Community Council which registered the objection to the closure of the Glan y Nant phone box.

Mr Tim Stephens introduced the report which sought Member's views on the consultation from British Telecom in relation to the closure and removal of the borough's BT telephone boxes.

Members were referred to section 4.1 of the report and the table contained therein which detailed the location of the boxes and the number of calls made within the last 12 months. The extent of the consultation was summarised and Members views were welcomed as part of the process.

The Chair thanked the Officer for his report and full discussion ensued.

A Member referred to the objection to the closure of the Glan y Nant phone box and moved that in addition to the objection, due to its contribution to the character of the area enquiries be made to Cadw with a view to listing the phone box.

The Interim Head of Planning confirmed that certain types of telephone boxes, primarily the K6 type, were considered worthy of listing by Cadw and would pass on the Members request to the appropriate department.

Members discussed the possible adoption of phone box for £1 but acknowledged ongoing cost such as maintenance would need to be factored in before considering this option.

It was moved and seconded that the objection raised on behalf of Gelligaer Community Council be sent to British Telecom as part of the consultation process and Cadw be approached with a view to listing the Glan y Nant telephone box and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) that British Telecom be advised that this Council on behalf Gelligaer Community Council objects to the removal of the telephone box at Glan y Nant on the basis of its usage and contribution to the character of the area;
- (ii) Cadw be contacted with a view to listing the aforementioned telephone box.

17. PLANNING COMMITTEE SITE VISITS

Mr Tim Stephens introduced the report which presented the six month review of the changes to the Planning Committee Site Visit process for Members consideration with a view to recommending to Council that they be adopted on a permanent basis.

It was noted that all Councillors had been consulted at the close of the trial period and the feedback received was summarised. The general impression was that the new procedures were working well although concerns were expressed that it could be difficult to cover a number of major site visits in a single day. Mr Stephens advised that this had been noted and an additional recommendation as detailed in section 9.1.1 of the report was proposed in order to alleviate the issue.

Members noted the improvements made in the last two quarters of 2015/16 with regard to the percentage of applications determined within the statutory timescales and that these were continuing to be made in the first quarter of 2016/17.

The Chair thanked the Officer for his report and full discussed ensued.

Having fully considered its content it was moved and seconded that for the reasons given in the Officer's report the recommendation contained therein be recommended to Full Council for approval and by show of hands this was unanimously agreed.

RECOMMENDED to Council that the relevant changes to the Council's Constitution relating to Planning Site Visits be made permanent and the Council's Monitoring Officer be authorised to make the following amendment:

1. Where it is impractical to undertake all approved site visits on the Monday before the Planning Committee, the visit/s may take place on any day subject to the visit/s taking place before the Planning Committee to which the application/s is/are being reported.

18. ITEMS FOR INFORMATION

The following items were received 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) Appeals outstanding and decided.

The meeting closed at 18.45pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 14th December 2016, they were signed by the Chair.

CHAIR