



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 15TH AUGUST 2018 AT 5:00PM

PRESENT:

Councillor M. Adams - Chair

Councillors:

Mrs E.M. Aldworth, A. Angel, M. Davies, J.E. Fussell, R.W. Gough, A.G. Higgs, A. Hussey, B. Miles, J. Simmonds, J. Taylor, A. Whitcombe, R. Whiting, T.J. Williams.

Together with:

Councillor E. Stenner (Cabinet Member for Environment and Public Protection) R. Kyte (Head of Regeneration and Planning), T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Environmental Health Officer), C. Boardman (Principal Planner), R. Amundson (Principal Planner), C. Powell (Principal Planner), E. Rowley (Senior Planner), M. Davies (Principal Planner), and K. Houghton (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors C. Andrews, J. Bevan, W. David, Mrs G.D. Oliver, J. Ridgewell,

2. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: Councillors B. Miles (Agenda Item No. 4 – 17/0973/FULL and Agenda Item No. 5 – 18/0084/RET) and M. Davies (Agenda Item No. 10 – 18/0429/FULL). Details are minuted with the respective item.

3. MINUTES – 18TH JULY 2018

Councillor A. Hussey requested a correction to the minutes. His name does not appear on the minutes however he was present for the meeting

It was moved and seconded that subject to the aforementioned correction, the minutes of the meeting held on the 18th July 2018 be agreed as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that subject to the aforementioned correction, the minutes of the Planning Committee held on 18th July 2018 (minute nos. 1-19) be approved and signed as a correct record.

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

4. PREFACE ITEM CODE NO. 17/0973/FULL – GELLIARGWELLT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, CF82 8FY

Councillor B. Miles declared a personal and prejudicial interest in that Hanson Aggregates Ltd, a company identified as a main competitor by Bryn Recycling Ltd (the applicant), are a tenant on land owned by a family member and she left the Chamber while the application was discussed.

The Principal Planning Officer informed the Committee that Condition 1 and 6 as set out in the Officer's original report had been amended and that the comments of the Council Ecologist had been received. This confirmed the introduction of four additional Ecology Conditions referred to in the presentation of the Officer's original report at the 18th July 2018 Planning Committee.

Following consideration of the application it was moved and seconded that it be refused for the reasons set out in the Officer's preface report. By a show of hands and in noting there was 7 against and 0 abstentions, the motion was declared lost.

A further motion was then moved and seconded that the recommendation contained within the Officer's original report be approved and by a show of hands and in noting there were 5 against and 0 abstentions, this was agreed by the majority present.

RESOLVED that: -

- (i) This application be (A) deferred to allow the applicant to enter into a Section 106 Agreement on the basis as set out in the Officer's original report and on completion of the Agreement, (B) Subject to the conditions contained within the Officer's original report, the amended Conditions 1 and 6 and additional Conditions 7, 8, 9 and 10, Planning Permission be granted.

Amended Condition 1

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details except where modified by the conditions that follow:

Application dated 13 November 2017;

Planning Statement dated November 2017;

Drawing Number AJA.2229.01 Landscape mitigation and planting strategy received 13 November 2017;

Drawing Number BAL-NSB-2916-012 rev A Proposed bund and restoration received November 2017;

Drawing Number BAL-NSB-2016-003 rev G Proposed bind sections 13 November 2017;

Drawing Number BAL-NSB-2016-009 rev A Proposed bind phase 1 received 13 November 2017;

Drawing Number BAL-NSB-2016-010 rev A Proposed bund phase 2 received 13 November 2017;

Drawing Number BAL-NSB-2016-011 rev A Proposed bund phase 3 13 November 2017;

Drawing Number BAL-NSB-2016-013 rev A Site location plan received 13 November 2017;

Drawing Number BAL-NSB-2016-002 rev Q Proposed bund received 24 May

2018;
Drawing Number BAL-NSB-2016-016 Peat for habitat creation received 24 May 2018;
Letter dated 24 May 2018 – Peat quantities appraisal.

Reason:

To ensure the development is carried out only as approved by the Local Planning Authority.

Amended Condition 6:

Within one month of the date of this permission a scheme and programme of measures for the suppression of dust, shall be submitted for the approval of the Mineral Planning Authority. The scheme shall include:

- (a) The suppressions of dust caused by the moving and storage of soil and overburden, stone and other materials within the site;
- (b) Dust suppression on haul roads, including speed limits;
- (c) The provisions of dust collection and storage facilities;
- (d) Provision for monitoring and review of the scheme;

Such scheme shall be implemented and complied with at all times during the constructions of the bund.

Reason:

To protect the amenities of the locality from the effects of any dust arising from the development.

Additional Condition 7:

Within 6 months of the approval of the application, details of the management of the peat areas within the application site shall be submitted to the Local Planning Authority for approval. The management shall be implemented in accordance with the agreed details.

Reason:

To protect the peat resource and its ecological interest.

Additional Condition 8:

Prior to commencement of further works, details of hydrological and ground water monitoring in the application site and in the adjacent SINC shall be submitted to the Local Planning Authority for approval. Following approval, by the Local Planning Authority, the first year's data shall be collected prior to further works to the bund or ditch systems.

Reason:

To protect the peat resource and its ecological interest.

Additional Condition 9:

Prior to commencement of further works, details of a vegetation monitoring programme that includes a base line Phase 2 vegetation survey of the Waun Rhyd SINC shall be submitted to the Local Planning Authority for approval. The

approved base line surveys shall be implemented prior to further works being undertaken on the bund or ditch systems, and subsequent monitoring programme implemented in accordance with the agreed programme.

Reason:

To protect the peat resource and its ecological interest.

Additional Condition 10:

Prior to commencement of further works, a detailed management plan for Waun Rhyd SINC shall be prepared and submitted to the Local Planning Authority for approval, to cover the lifetime for the approved quarry and reviewed every 5 years and shall include targets for species composition and sward condition, stocking levels, water level management, scrub control, and other management necessary to achieve the conservation targets for the SINC. The agreed management plan shall be implemented and an annual management report shall be submitted to the Local Planning Authority which shall include details of the management undertaken during the previous 12 months, an annual assessment of the sward condition and hydrology, and if required, any necessary remedial measures that may need to be undertaken over the following 12 month period.

Reason:

To ensure that the ecological importance of the Waun Rhyd SINC is maintained throughout the life of the quarry.

- (i) The applicant be advised of the attached (to the Officer's report) comments of Natural Resources Wales, Rights of Way Officer and Senior Engineer (Land Drainage).
- (ii) The applicant be advised of the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of the permission: SP5, CW15, SP6, SP8, CW2, CW4, CW5, CW22 and CW23.

5. CODE NO. 18/0084/RET – GELLIARGWELLT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, CF82 8FY

Councillor B. Miles declared a personal and prejudicial interest in that Hanson Aggregates Ltd, a company identified as a main competitor by Bryn Recycling Ltd (the applicant), are a tenant on land owned by a family member and she left the Chamber while the application was discussed.

Ms S. Spencer, Councillor A. Gair and Councillor C. Bezzina spoke in objection and Mr J. Ayoubkhani (the applicant's agent) 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 and in noting there was 8 against and 1 abstention, this motion was declared lost.

A further motion was then moved and seconded that the application be deferred for reasons for refusal based on the impact of the application on an area of nature conservation. By a show of hands and in noting, there was 1 against and 1 abstention, this was agreed by the majority present.

RESOLVED that the application be deferred for a further report for reasons for refusal based on the impact of the site on an area of nature conservation.

6. CODE NO. 18/0655/NCC – 87 BEDWELLY ROAD, CEFN FFOREST, BLACKWOOD, NP12 3HB

Following consideration 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 within 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: CW2.
- (iii) The applicant be advised that 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.

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

7. CODE NO. 18/0580/NCC – LAND AT GRID REF 314499 200312, ADJACENT TO 128 LLANCAYO STREET, BARGOED

Following consideration 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: -

- (ii) This application be (A) deferred to allow the applicant to enter into a Section 106 Agreement to implement only one consent as set out in the Officer's report and on completion of the Agreement, (B) Subject to the conditions contained within the Officer's report, Planning Permission be granted.
- (iii) The applicant be advised of the attached (to the Officer's report) comments of Dŵr Cymru/Welsh Water, The Senior Engineer (Land Drainage) and CADW.
- (iv) 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: Policy CW2, CW3, CW4 and CW5.

8. CODE NO. 18/0582/OUT - LAND AT GRID REF 314499 200312, ADJACENT TO 128 LLANCAYO STREET, BARGOED

Following consideration 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 within the Officer's report this application be granted.
- (ii) The applicant be advised of the attached (to the Officer's report) comments of the Senior Engineer (Land Drainage) and Dŵr Cymru/Welsh Water.
- (iii) The applicant be advised of 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: Policy CW2, CW3 and CW5.

9. CODE NO. 17/0864/FULL – DURISOL UK, UNIT 4, PARKWAY, PEN-Y-FAN INDUSTRIAL ESTATE, NP11 3EF

Mr J. Powell, Councillor C. Thomas and Councillor W. Williams spoke in objection and Mr N. Davies (the applicant) spoke in support of the application.

It was noted that a site visit took place on Monday 13th August 2018.

Following consideration the application it was moved and seconded that the application be deferred for a further report for reasons for refusal based on saturation of the skyline, visual impact on the surrounding landscape, noise pollution, potential shadow flicker and the impact on Penyfan Pond. By a show of hands and in noting there was 4 against and 2 abstentions, this was agreed by the majority.

RESOLVED that the application be deferred for a further report for reasons for refusal based on saturation of the skyline, visual impact on the surrounding landscape, noise pollution, potential shadow flicker and the impact on Penyfan Pond.

10. CODE NO. 18/0429/FULL – LAND AT GRID REF 319863 198707, PLEASANT VIEW SOUTH LANE, CROESPENMAEN

Councillor M. Davies declared a personal and prejudicial interest in that a family member lives on South Lane and he left the Chamber while the application was discussed.

The Principal Planning Officer informed the Committee that an amendment was required to Condition 2 in order to ensure that the development is carried out only as approved by the Local Planning Authority.

Following consideration 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 within the Officer's report and the amendment to Condition 2, this application be granted.

Amended Condition 2:

The development shall be carried out in accordance with the following approved plans and documents:

Drawing No: 161202/AR/PL/202, Location Plan & Site Plan – Proposed Layout, received 04.07.2018;
Drawing No: 161202/AR/PL/211, Plot 1 Floor Plans & Elevations – Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/212, Plot 2 Floor Plans & Elevations – Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/213, Plot 3 Floor Plans & Elevations – Proposed, received 10.05.2018;
Drawing No: 161202/AR/PL/214, Revision PO1, Plot 4 Floor Plans & Elevations – Proposed, received 05.07.2018;
Drawing No: 161202/AR/PL/311, Revision PO1, Site Sections 01 – Proposed, received 05.07.2018;
Drawing No: 161202/AR/PL/312, Site Sections 02 – Proposed, received 10.05.2018.

Reason:

To ensure that the development is carried out only as approved by the Local Planning Authority.

- (ii) The applicant be advised of the following 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.

11. CODE NO. 18/0451/FULL – SITE OF FORMER LYNDARYN BUNGALOW, CLIFF ROAD, BLACKWOOD

Following consideration 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 with the Officer's report this application be granted.
- (ii) The applicant be advised of the attached (to the Officer's report) comments of the Senior Engineer (Land Drainage), Dŵr Cymru/Welsh Water, The Coal Authority, the Transportation Engineering Manager and Head of Public Protection.
- (iii) The applicant be advised of 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: Policy CW2, CW3, CW4 and CW5.

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

12. CODE NO. 18/0547/NCC – BRYNVIEW AVENUE, TREDOMEN, HENGOED, CF82 7DB

Following consideration 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 within the Officer's report this application be granted.
- (ii) The applicant be advised of 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.

13-16. 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 19.25pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 12th September 2018, they were signed by the Chair.

CHAIR