



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 22ND JANUARY 2020 AT 5:00PM

PRESENT:

Councillor M. Adams - Chair
Councillor A. Whitcombe - Vice-Chair

Councillors:

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

And:

Councillor E. Stenner – Cabinet Members for Finance, Performance and Planning,

Together with:

R. Kyte (Head of Planning and Regeneration), R. Thomas (Planning Services Manager), R. Tranter (Monitoring Officer), M. Noakes (Senior Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), C. Powell (Principal Planner), M. Davies (Team Leader), E. Rowley (Senior Planner), J. Lougher (Sport and Development Manager), A. West (21st Century Schools) and E. Sullivan (Senior Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, J.E. Fussell, D. Hardacre and Mrs G. Oliver.

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start of the meeting from C. Boardman (Principal Planner) in relation to Agenda Item No's. 4 (18/0160/OUT) and 9 (19/0874/CLPU), from Councillor A. Whitcombe in relation to Agenda Item No.7 (19/0851/COU) and Councillor B. Miles in relation to Agenda Item No. 8 (19/0868/FULL). Details are minuted with the respective item.

3. MINUTES – 4TH DECEMBER 2019

It was moved and seconded that the minutes of the meeting held on the 4th December 2019 be agreed as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 4th December 2019 (minute nos. 1-15) be approved and signed as a correct record.

4. CODE NO. 18/0160/OUT – LAND ADJACENT TO TIRYBERTH FARM, HENGOED ROAD, PENPEDIARHEOL, HENGOED, CF82 8BS

Mr C. Boardman (Principal Planner) declared a personal and prejudicial interest as his Partner is the Agent for this application and left the Chamber when the matter was discussed.

Mrs N. Davies spoke on behalf of residents in objection to the application and Councillors D. Cushing, T. Parry and W. David also spoke in objection to the application. Ms. L. Houghson-Smith the Applicant's Agent spoke in support of the application.

It was noted that the application had been subject to a site visit, which was held on Tuesday 21st January 2020. A briefing note from which is appended to these minutes.

Following consideration of the application it was moved and seconded that the application be deferred for a further report with reasons for refusal, as the proposed development is located outside of the designated settlement boundary and is contrary to the provisions of Policy SP5 particularly criterion D and is also contrary to criterion C of Policy CW15 which restricts the form of development that is acceptable outside the settlement boundary and that the proposed development is located within a green wedge, by a show of hands and in noting there were 11 for 1 against and 3 abstentions this was agreed by the majority present.

RESOLVED that the application be deferred for a further report for reason for refusal as the proposed development is located outside of the designated settlement boundary and is contrary to the provisions of Policy SP5 particularly criterion D and is also contrary to criterion C of Policy CW15 which restricts the form of development that is acceptable outside the settlement boundary and that the proposed development is located within a green wedge.

5. CODE NO. 19/077/LA – LAND AT CAERPHILLY TWYN COMMUNITY CENTRE, THE TWYN, CAERPHILLY, CF83 1JL.

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 within the Officer's report this application be granted;
- (ii) 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.

6. CODE NO. 19/0772/LA – SPORTS GROUND, BRYN HOWARD TERRACE, OAKDALE, BLACKWOOD

Mrs S. Hancock and Cllr R. Saralis spoke on behalf of local residents in objection to the

application.

It was noted that the application had been subject to a site visit held on the 21st January 2020, the briefing note from which is 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.

Councillor J. Taylor wished it noted that as he had not been present for the whole debate he had not taken part in the vote.

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 Ecologist, the Landscape Architect Officer, Dwr Cymru/Welsh Water, the Coal Authority, the Design and Conservation Officer, the Rights of Way Officer;
- (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.

- (iv) the application be advised that no development should 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 1981 (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) (029 20 772400).
- (v) WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

7. CODE NO. 19/0851/COU – 12 GWENDOLINE ROAD, RISCA, NEWPORT, NP11 6DD.

Councillor A. Whitcombe declared a personal and prejudicial interest as he had been spoken to privately by residents in objection to the application and therefore could be perceived as having a closed mind, he 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 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.

8. CODE NO. 19/0868/FULL – LAND ADJACENT TO AND PART OF B4254, GELLIGAER ROAD, GELLIGAER, HENGOED, CF82 2FY.

Councillor B. Miles declared a personal and prejudicial interest in that she is employed by one of the named consultees which may give rise to a perception that she may be biased, also a relative owns land adjacent to or in close proximity to Tir-y-Rhen Farm and left the Chamber when the matter 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 of the comments of Natural Resources Wales, the Transportation Engineering Manager, the Landscape Architect and the Council's Ecologist;
- (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.

9. CODE NO. 19/0784/CLPU – NYTH Y NANT, 1 CWM-NANT-YR-ODYN, SPRINGFIELD, PONTLLANFRAITH, BLACKWOOD, NP12 2DU.

C. Boardman (Principal Planner) declared a personal and prejudicial interest in that his Partner is the Agent for the application and left the Chamber when the matter 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 the application be granted.

10. CODE NO. 19/0972/FULL – LAND AT 94-96 HIGH STREET, BLACKWOOD.

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 within the Officer's report and the following additional condition in relation to A3 Use, this application be granted;

Additional Condition (10)

A grease trap, details of which shall be agreed with the Local Planning Authority prior to installation, shall be installed in the foul drainage system prior to the commencement of the A3 use hereby approved.

Reason

To prevent pollution in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) 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.

- (iii) the applicant be advised that the premises will require registration as a food business in accordance with the provisions of Regulation (EC) No. 852/2004 on the Hygiene of Foodstuffs, Article 6(2). The premises must also comply with the general hygiene requirements contained within ANNEX II of this Regulation, prior to becoming operational. The applicant is advised to contact the Food, Health & Safety Team in the Environmental Health Department, Caerphilly County Borough Council for advice, particularly regarding the internal arrangements of the kitchen prior to development. Food registration forms are available on the Caerphilly Council website and can be submitted online or downloaded.
- (iv) the applicant also be advised of the additional comments recommended by our Food/Health and Safety Team to be applied to all commercial uses.

11-14. 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;

A Member referred to application 19/0138/COND, Seion Baptist Church, Glenview Terrace, Llanbradach on page 140 of the out of time list and queried as to whether any supervision or monitoring had taken place.

The Head of Planning and Regeneration advised that she did not have that information to hand as the Planning Case Officer was not present but would forward details following the meeting.

- (3) Applications awaiting completion of a Section 106 Agreement;

A member referred to the number of applications awaiting completion of a Section 106 Agreement and the length of time taken by developers in this regard and queried as to whether it would be possible to attach a timescale for completion. For example when approving an application subject to completion of a Section 106 Agreement would it be possible to make that approval subject to the Section 106 Agreement being completed within 24 months.

Officers acknowledged the concerns raised and confirmed that they would look into the matter further.

- (4) Appeals outstanding and decided.

The meeting closed at 19.20pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 19th February 2020, they were signed by the Chair.

CHAIR