



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 19TH FEBRUARY 2020 AT 5:00PM

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#### PRESENT:

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

#### Councillors:

Mrs E.M. Aldworth, C. Andrews, A. Angel, M. Davies, R.W. Gough, D. Hardacre, A. Hussey, J. Ridgewell, J. Taylor and R. Whiting.

#### Together with:

R. Thomas (Planning Services Manager), R. Tranter (Monitoring Officer), R. Kyte (Head of Planning and Regeneration), M. Woodland (Senior Solicitor) M. Noakes (Senior Engineer, Highway Planning), L. Cooper (Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), C. Powell (Principal Planner), E. Rowley (Senior Planner) and E. Sullivan (Senior Committee Services Officer).

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, J.E. Fussell, A.G. Higgs, B. Miles, Mrs G.D. Oliver, J. Simmonds and T. Williams and Cllr E. Stenner (Cabinet Member for Finance, Performance and Planning).

#### 2. DECLARATIONS OF INTEREST

Councillor A. Whitcombe declared a personal and prejudicial interest in relation to Agenda Item No.6 – Code No. 19/0803/NCC. Councillor Whitcombe confirmed that he would be speaking in objection to the application and would leave the Chamber immediately after his statement and would not therefore be present during the debate or the decision on this matter. Mr C. Boardman (Principal Planner) declared a personal and prejudicial interest in relation to Agenda Item No. 4 – Code No. 18/0160/OUT. Details are minuted with the respective item.

#### 3. MINUTES – 22ND JANUARY 2020

It was moved and seconded that the minutes of the meeting held on the 22nd January 2020 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 22nd January 2020 (minute nos. 1-14) be approved and signed as a correct record.

## **PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT**

### **4. PREFACE ITEM CODE NO. 18/0160/OUT – LAND ADJACENT TO TIRYBERTH FARM, HENGOED ROAD, PENDEDAIRHEOL, HENGOED, CF82 8BS**

Mr C. Boardman declared a personal and prejudicial interest as his partner was the Agent for this application and left the Chamber before the matter was discussed.

Following consideration of the application it was moved and seconded that the reasons for refusal contained within the Officer's preface report be approved and by a show of hands and in noting there were 1 against and 3 abstention this was agreed by the majority present.

It was noted that Councillor John Taylor and Councillor Mike Davies were nominated to defend the decision of the Committee at any forthcoming Appeal.

RESOLVED that the application be REFUSED: -

- (i) The proposed development would be contrary to policies SP5 and CW15 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 because it would be: inappropriate development in the countryside, outside the settlement boundary where development would not normally be allowed, and would not promote the full and effective use of urban land in order to concentrate development within settlements."
- (ii) The proposed development represents unjustified development in the countryside outside of the settlement boundary which would detract from the open character of SI 1.7 Penpedairheol, Gilfach and Tiryberth Green Wedge and contrary to the provisions of policy SI1 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

### **5. CODE NO. 19/0705/RET – ROCKWOOD ANIMALS, FFERM PONT CARREG, RHYD Y GWERN LANE, MACHEN, CAERPHILLY, CF83 8UH.**

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 of the comments of Dwr Cymru/Welsh Water;
- (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](http://www.gov.uk/government/organisations/the-coal-authority).

- (iv) 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 100m<sup>2</sup> 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

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

**6. CODE NO. 19/0803/NCC – ROBINSON MANUFACTURING LTD, THE OLD QUARRY, CEMETERY ROAD, ABERCARN, NEWPORT, NP11 5AQ.**

Mr M. Hiller and Councillor A. Whitcombe spoke on behalf of local residents in objection to the application and Mr R. Timmins, the Applicant's Agent spoke in support of the application.

Having declared a personal and prejudicial interest in that he would be speaking in objection to the application, Councillor A. Whitcombe left the Chamber directly after making his statement and was not present for the debate or decision in relation to this 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 were 1 against and 3 abstentions this was agreed by the majority present.

RESOLVED that:

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

**Amended Condition (10)**

In association with both the B2 and B8 uses hereby approved as part of application 12/0473/COU, no machinery shall be operated and no processes shall be carried out, other than those expressly approved by the other conditions of this consent, outside the following times 07.00hrs – 18.00hrs Monday to Fridays, 07.00hrs – 13.00hrs Saturdays, and not at all on Sundays or Bank Holidays.

**Reason**

In the interest of the resident amenity of the area and in order to ensure compliance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

**Amended Condition (11)**

Other than where expressly approved by the other conditions of this consent, deliveries to and from the site, the loading and unloading of heavy goods vehicles and the other operation of forklift trucks, shall only occur between 08.00hrs or 18.00hrs Monday to Fridays and 09.00hrs to 13.00hrs Saturdays, and not all on Sundays or Bank Holidays, Forklift trucks shall only be operated outside of these hours for the purpose of parking.

**Reason**

In the interest of residential amenity of the area and in order to ensure compliance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2020/21 – Adopted November 2010.

In order to monitor compliance with these conditions and in order for the Local Planning Authority to consider the impacts of the changes to the conditions on the amenity of the area it is considered that any consent granted should be subject to a temporary period of 12 months, conditioned as follows: -

Additional Condition (14)

The use hereby permitted shall be discontinued on or before 28<sup>th</sup> February 2021.

Reason

In the interests of residential amenity in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

**7. CODE NO. 20/0017/RET – 40 JAMES STREET, MARKHAM, BLACKWOOD, NP12 0QN**

Mr J. Smith spoke in objection to the application and Mr G. Price the applicant spoke in support of the application.

It was noted that the above application had been subject to a site visit which was held on Monday 17<sup>th</sup> February 2020 and briefing note from which 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 and in noting there was 1 abstention this was agreed by the majority present.

Councillor J. Taylor wished it to be 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 within 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 2020 are relevant to the conditions of this permission:
- (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](http://www.gov.uk/government/organisations/the-coal-authority).

**8. CODE NO. 20/0053/COU – 3 TREETOPS AVENUE, BLACKWOOD, NP12 1JF.**

Members were advised that the Applicant had withdrawn the planning application.

## 9-12. 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 18.20pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 18th March 2020, they were signed by the Chair.

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CHAIR