



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 20TH JANUARY 2021 AT 5:00 PM

#### PRESENT:

Councillor R. Saralis – Chair  
Councillor E.M. Aldworth – Vice-Chair

#### Councillors:

M. Adams, C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W. Gough (part of meeting), A.G. Higgs, A. Hussey, B. Miles, J. Simmonds, A. Whitcombe, T.J. Williams

Councillor S. Morgan (Deputy Leader and Cabinet Member for Economy and Enterprise)

#### Together with:

M. Woodland (Senior Solicitor), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Boardman (Area Principal Planner), C. Powell (Area Principal Planner), A. Pyne (Principal Planner), L. Cooper (Assistant Engineer), J. Hobbs (Principal Engineer), M. Godfrey (Team Leader - Pollution Control), R. Barrett (Committee Services Officer)

#### RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View Part 1](#) and [Click Here to View Part 2](#). Members were advised that voting on decisions would be taken by way of roll call.

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, D.T. Hardacre, L. Harding, G. Oliver and J. Taylor.

#### 2. DECLARATIONS OF INTEREST

Councillor B. Miles confirmed that she had sought advice from the Senior Solicitor in relation to Agenda Item 7 (as she has relatives who farm land near the proposed development) and Councillor A. Whitcombe confirmed he had sought advice from the Monitoring Officer in relation to Agenda Items 5 and 6 (as Chair of the Housing & Regeneration Scrutiny Committee). Both Members were advised there was no requirement to declare an interest on this occasion.

There were no declarations of interest received at the commencement or during the course of the meeting.

**3. MINUTES – 2ND DECEMBER 2020**

It was moved and seconded that the minutes of the meeting held on the 2nd December 2020 be agreed as a correct record and by a show of hands-up this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 2nd December 2020 (minute nos. 1-8) be approved as a correct record.

**4. CODE NO. 20/0662/OUT - LAND NORTH WEST OF ATCOMBE COTTAGE, WATERLOO LANE, MACHEN, CAERPHILLY**

Mr P. Williams and Councillor E. Forehead spoke on behalf of local residents in objection to the application and a written statement was read out on behalf of Mr D. Lock (the applicant's agent) in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained within the Officer's report, the recommendation contained in the Officer's report be approved, and in noting there were noting there were 4 For, 10 Against and 0 Abstentions, the motion was declared lost.

As the motion was lost, the application would be deferred for a further report to a future meeting with draft reasons for refusal based on unjustified development outside the settlement boundary, and the scale and siting of the development and its impact on neighbouring properties and the character of the area.

RESOLVED that the application be deferred for a further report with draft reasons for refusal based on unjustified development outside the settlement boundary, and the scale and siting of the development and its impact on neighbouring properties and the character of the area.

**5. CODE NO. 20/0635/NCC - FORMER PONTYMISTER SERVICE STATION, NEWPORT ROAD, PONTYMISTER, RISCA**

Mrs L. Woodford and Councillor B. Owen spoke in objection to the application on behalf of local residents and Mr R. Chichester (the applicant's agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an amended recommendation to extend the completion of the Section 106 Agreement from three months to six months, the recommendation in the Officer's report be approved, and in noting there were 11 For, 1 Against and 1 Abstention this was agreed by the majority present.

RESOLVED that the application be deferred to allow the applicant to enter into a Section 106 Agreement as set out in the report (with the completion period extended from three to six months) and on completion of the Agreement the application be GRANTED subject to the conditions contained in the Officer's report.

**6. CODE NO. 20/0688/FULL - TY YN Y PWLL HOTEL, NEWPORT ROAD, TRETTHOMAS, CAERPHILLY, CF83 8BR**

Councillor D. Havard spoke in objection to the application on behalf of local residents and Mr J. Hurley (the applicant's agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved, and in noting there were 12 For, 0 Against and 1 Abstention this was agreed by the majority present.

RESOLVED that:-

- (i) the application be deferred to allow the applicant to enter into a Section 106 Agreement as set out in the report and on completion of the Agreement the application be GRANTED subject to the conditions contained in the Officer's report;
- (ii) the applicant be advised that a registered Asbestos contractor should remove any asbestos within the boundary of the development. Although this development would not need a formal air quality impact assessment, Environmental Health would encourage the applicant to submit a scheme of air quality soft measures that can reduce the impact of the development on local air quality. This should include the provision of electric charging points or wiring, cycling routes and facilities etc. that encourage cleaner travel.

**7. CODE NO. 20/0645/FULL - GELLIARGWELT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, HENGOED, CF82 8FY**

Mrs V. Muxworthy, Councillor C. Bezzina and Councillor A. Gair spoke in objection to the application on behalf of local residents 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 in the Officer's report be approved, and in noting there were 11 For, 1 Against and 1 Abstention this was agreed by the majority present.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report the application be GRANTED;
- (ii) The applicant be advised that SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT

From 7<sup>th</sup> January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring that all new developments of more than one house or where the construction areas 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)

- (iii) The applicant be advised of the comments of the Land Drainage Officer and the Coal Authority that are brought to the applicant's attention.

## **8. REVIEW OF SERVICE LEVELS AND DECISION-MAKING PROCESSES FOR THE DEVELOPMENT MANAGEMENT AND PLANNING ENFORCEMENT FUNCTIONS OF THE PLANNING SERVICE**

Consideration was given to the report, which had previously been considered at a special meeting of the Housing and Regeneration Scrutiny Committee on 9<sup>th</sup> December 2020. The report provided a review of service delivery and decision-making processes for the development management and enforcement functions of Planning Services, and sought views from the Planning Committee on the service levels proposed, recommendations for amendments to the Scheme of Delegation and Member protocols and a review of the size of the Planning Committee.

Members were advised that the Planning Service has recently undergone the final stages of restructure to accommodate significant budgetary pressures with staff resources now well below historic levels. In recent years the planning system in Wales has been modernised which has facilitated the introduction of new ways of working and models of service delivery. The opportunity now exists to review the development management and enforcement service and embed many of these new approaches through the introduction of an output driven statutory service and more strategically focussed decision-making processes.

The Planning Committee were therefore asked to consider and endorse a number of detailed proposals in the report, which will allow the Planning Service to respond more positively to key challenges and deliver the Council's priorities, particularly around Team Caerphilly and the Place Shaping and Caerphilly Homes agendas.

It was noted that at the meeting of the Housing and Regeneration Scrutiny Committee, Members had endorsed the report recommendations subject to the exclusion of Recommendation 3.1 (d) relating to proposed changes to the Scheme of Delegation. It was explained that although the Scrutiny Committee had accepted that Planning Committee should not deal with a plethora of minor development proposals, it was felt they should deal with minor proposals if they are a matter of great concern or controversy within a ward. Their main concern around Recommendation (d) was the high threshold of objections that was proposed to allow a "call-in" request for the Planning Committee to consider the application and address the issues raised.

The Planning Committee considered the report and one Member stated that they would support the removal of the proposed threshold for written objections, but expressed concerns around the proposal to delegate all householder planning applications to Planning Officers, thereby removing the opportunity for contentious applications to be brought to Committee, and also queried how applications that do not meet the definition of major planning developments (such as HMOs or change of use) would be dealt with under the amended Scheme of Delegation. Officers explained that the applicant has a right of appeal in the event of refusal and that the proposed changes to the Scheme of Delegation is intended to provide a more strategic focus for Planning Committee but that the proposal could be adjusted if Members were so minded. With regards to HMOs and change of use applications, it was confirmed that these would be subject to the proposed threshold for written objections.

In responding to a Member's query, Officers explained that the proposed amendment to reduce the size of the Planning Committee from 20 Members to 16 Members takes into account the average attendance at Committee and would provide parity with the size of the Council's other Committees and Planning Committees across other local authorities. A

Member queried the staff resources available to deliver the Council's planning priorities, particularly in relation to the lack of planning enforcement officers and Officers confirmed that there are proposals contained in the forthcoming budget report to provide additional staffing resources going forward.

Following discussion on the contents of the report and in taking into account the views of the Scrutiny Committee, the Planning Committee determined that they were generally supportive of recommendations 3.1 (a) (b) (c) and (e) but expressed reservations about endorsing recommendation (d) in its current form in view of the concerns raised by Members. It was agreed that the Planning Committee would take a vote on the other recommendations in the report and then address Recommendation 3.1 (d) separately.

It was therefore moved and seconded that Recommendations 3.1 (a) (b) (c) and (e) be endorsed and in noting that there were 12 for, 0 against and 0 abstentions, this was unanimously agreed.

Following further discussion, it was moved and seconded that Recommendation (d) in relation to the Scheme of Delegation be endorsed, subject to the following amendment to the wording detailed at 7.18(b) of the Officer's report to read: ***"Call In – Any planning application where a Member has requested in writing on material planning grounds to the Head of Regeneration & Planning within the 21 day consultation period that the application should be considered by the Planning Committee"***. In noting that there were 12 for, 0 against and 0 abstentions, this was unanimously agreed.

It was therefore RESOLVED that:-

- (a) the output driven service delivery model proposed for the development management and enforcement function be endorsed, with a focus on the delivery of its statutory obligations, frontloading, further commercialisation and the delivery of major and strategically significant schemes underpinned by the introduction of a new Wellbeing local performance indicator;
- (b) the amendments to the Enforcement Charter be endorsed;
- (c) the changes to the Planning Committee structure with a reduction from 20 to 16 Members be endorsed;
- (d) the changes to the Scheme of Delegation to provide Planning Committee with a more strategic role and focus be endorsed, subject to the following amendment to the wording detailed at 7.18(b) of the Officer's report to read: ***"Call In – Any planning application where a Member has requested in writing on material planning grounds to the Head of Regeneration & Planning within the 21 day consultation period that the application should be considered by the Planning Committee"***;
- (e) the Non-Planning Committee Member Protocol for Ward Members be endorsed.

The meeting closed at 8.29 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th February 2021.

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CHAIR