



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 23RD JANUARY 2019 AT 5.00 PM

PRESENT:

Councillor M. Adams - Chair

Councillors:

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

Together with:

R. Kyte (Head of Regeneration and Planning), T. Stephens (Development Control Manager), C. Boardman (Principal Planner), M. Davies (Team Leader South), C. Powell (Principal Planner), A. Pyne (Senior Planner), A. Wilcox (Senior Planner), L. Cooper (Engineer), M. Noakes (Senior Engineer - Highway Planning), M. Godfrey (Senior Environmental Health Officer), R. Crane (Senior Solicitor), R. Barrett (Committee Services Officer)

and

Councillor Eluned Stenner (Cabinet Member for Environment and Public Protection)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs E.M. Aldworth, J. Bevan, Mrs G.D. Oliver, and A. Whitcombe (Vice-Chair).

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the beginning and during the course of the meeting as follows: -

Mr C. Boardman (Principal Planner) and Councillor D. Hardacre - Agenda Item No. 9 - Planning Application: 18/0551/OUT. Details are minuted with the respective item.

3. MINUTES – 5TH DECEMBER 2018

Councillor Mrs B. Miles asked for it to be noted that she had given her apologies for the meeting but had been recorded in the minutes as being present.

It was moved and seconded that subject to the above correction the minutes of the meeting held on the 5th December 2018 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 5th December 2018 (minute nos. 1-16) be approved and signed as a correct record.

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

4. CODE NO. 18/1046/LA - YSTRAD MYNACH PRIMARY SCHOOL, LEWIS STREET, YSTRAD MYNACH, HENGOED, CF82 7AQ

Following consideration of the application it was moved and seconded that the recommendation contained within 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 many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats 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 Wales (NRW) should be contacted for advice on any special precautions before continuing (03000 653170).
- (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 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 (01443 866616) or Natural Resources Wales (NRW) (03000 653170).
- (iv) The applicant be advised of the comments (attached to the Officer's report) of The Council's Ecologist and the Senior Engineer (Land Drainage).

5. CODE NO. 18/0902/FULL – 24 MILL-RACE, ABERCARN, NEWPORT, NP11 4TL

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 following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: SP6, CW2 and CW3.
- (iii) 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 crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats 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 Wales (NRW) should be contacted for advice on any special precautions before continuing.
- (iv) 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 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) The applicant be advised that properties on Mill Race were constructed on a former colliery site which was remediated during development. The developer is advised that as part of the remediation strategy, a 600mm clean imported cap was placed in garden and soft landscape area for the protection of human health. The developer is advised to apply caution during this development and to ensure that any materials reused on site are not from a level below 600mm.
- (vi) 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. 18/1038/COU – UNIT 2A AND 2B, BLOCK C, NEWBRIDGE ROAD INDUSTRIAL ESTATE, PONTLLANFRAITH, BLACKWOOD, NP12 2XF

Following consideration of the application and it being noted that the decision of the Planning Committee could not be issued until expiration of the site notice attached to this 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 expiration of the site notice on the 28th January 2019, and the conditions contained in the Officer's report, this application be granted on the 28th January 2019.
- (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: CW13.
- (iii) The applicant be advised of the comments (attached to the Officer's report) of the Council's Head of Public Protection.

7. CODE NO. 18/1042/FULL – 38 HOMELEIGH, NEWBRIDGE, NEWPORT, NP11 4RR

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 following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: SP6 and 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

- (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 crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats 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 Wales (NRW) should be contacted for advice on any special precautions before continuing.
- (v) The applicant be advised that any development that involves works on land close to a neighbour's land will require agreement under the Party Wall Act. This planning permission is issued having regard to the land ownership certificate submitted by the applicant.

8. CODE NO. 18/1005/FULL – LAND AT FORMER BEDWELLY COMPREHENSIVE SCHOOL, PENGAM ROAD, ABERBARGOED

Councillor J.E. Fussell wished it noted that as he had not been present for the whole of the debate he would not take part in the vote.

Following consideration of the application and the amendment to Condition 14 and the inclusion of an additional condition in relation to electrical charge points for vehicles, 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.

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 report and on completion of the Agreement (B) that subject to the amendment to Condition 14 and the aforementioned additional condition (31) and the conditions within the Officer's report, this application be granted.

Amended Condition (14)

Prior to the occupation of any of the dwellings hereby approved a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the relevant dwellings are first occupied.

Reason

In the interests of the visual amenities of the area and to accord with Policy CW2 of the Caerphilly Local Development Plan up to 2021 (Adopted November 2010).

Additional Condition (31)

Unless otherwise agreed in writing with the Local Planning Authority 20% of residential units constructed shall have provision to allow for the installation of electric charge points for vehicles.

Reason

To promote less polluting forms of private travel.

- (ii) The applicant be advised of the comments (attached to the Officer's report) of the Council's Tree Officer, Landscape Architect Officer, Head of Public Protection, Housing Enabling Officer, Senior Engineer (Land Drainage), Head of Public Services, Dwr Cymru/Welsh Water, Wales & West Utilities and Police Architectural.
- (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: Policy CW2, CW3, CW4, CW5, CW6, CW10, CW11.

9. CODE NO. 18/0551/OUT – LAND WITHIN THE CURTILAGE OF WEST WINDS, NEW ROAD, GELLIHAF, PONTLLANFRAITH, BLACKWOOD, NP12 2QE

Mr. C. Boardman (Principal Planner) declared a personal and prejudicial interest in that the

Applicant's Agent was his partner. Councillor D. Hardacre declared a personal and prejudicial interest in that the applicant is a friend. Both 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 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 CW4.0.

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

10. CODE NO. 18/0415/OUT – LAND AT GRID REF 314932 189096 (ADJACENT TO Y FRON), PWLLYPANT ROUNDABOUT TO COED-Y-BRAIN ROUNDABOUT, PWLLYPANT, CAERPHILLY

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

RESOLVED that: -

- (i) This application be (A) deferred to enable the completion of a Section 106 Agreement, which requires 40% affordable housing provision comprising 6 x 2 person 1 bedroom units be transferred to the Local Authority or a Registered Social Landlord and built to DQR at a transfer price of £48, 723 and (B) on completion of the Section 106 Agreement and subject to the aforementioned additional condition and the conditions within the Officer's report, Officers be authorised to grant this application.

Additional Condition (14)

A turning facility shall be provided within the curtilage of the site to ensure that service and delivery vehicles can both enter and exit the development in a forward gear at all times. This turning facility shall be provided before the development hereby approved is first occupied, in accordance with details which shall have been first submitted to and approved in writing by the Local Planning Authority. Following the occupation of the development the turning facility shall thereafter be maintained free of obstruction so that vehicles can turn within the facility at all times.

Reason

In the interests of highway safety.

- (ii) The applicant be advised of the comments (attached to the Officer's report) of The Head of Public Protection, Senior Engineer (Land Drainage), Ecologist, Estate Officer, Gwent Police and DWR Cymru/Welsh Water.

- (iii) 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 crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roost are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats 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 Wales (NRW) should be contacted for advice on any special precautions before continuing.
- (iv) 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 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 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) The applicant be advised that the following policies of the adopted Caerphilly County Borough Local Development Plan up to 2021 are relevant to conditions attached to this consent (Officer's report): Policies CW2, CW3 and CW6.

11. CODE NO. 18/0988/OUT – LAND AT GRID REF 311602 19525, GRAIG TERRACE, SENGHEDYDD

Councillor J. Roberts spoke on behalf of local residents in objection to the application. The applicant, who had been advised, declined the opportunity to speak.

Following consideration of the application it was moved and seconded the application be deferred for reasons for refusal based on highway safety grounds. By a show of hands and in noting there were 10 against, the motion was declared lost.

It was then moved and seconded that subject to the removal of Condition 6 and an additional condition in relation to traffic management during the construction process, the recommendation contained in the Officer's report be approved, and by a show of hands and in noting there were 2 against and 2 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 as set out in the Officer's report and upon completion of the Agreement (B) that subject to the removal of Condition (6) and the aforementioned additional condition and the conditions contained within the Officer's report, this application be granted.

Additional Condition (18)

Notwithstanding the submitted plans no works shall commence on site until after a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide details of the contractors parking provision within the site, details of the

HGV delivery movements in terms of size, duration and number of vehicles and the provision of a suitable turning area within the site for approval. The works thereafter shall be carried out in accordance with the approved plan.

Reason

In the interests of highway safety.

- (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 (attached to the Officer's report) from DWR Cymru/Welsh Water, the Senior Engineer (Land Drainage) and the Council's Ecologist.
- (iv) 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

12-15. 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 6.20p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 20th February 2019, they were signed by the Chair.

CHAIR