



## **PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE (CHAMBER),  
YSTRAD MYNACH ON WEDNESDAY, 31ST OCTOBER 2012 AT 5.00 P.M.**

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PRESENT:

Councillor D.G. Carter - Acting Chairman

Councillors:

M. Adams, Mrs E.M. Aldworth, J. Bevan, Mrs A. Blackman, D. Bolter, W. David, H.R. Davies, Mrs J. Gale, L. Gardiner, N. George, R.W. Gough, A.G. Higgs, Mrs B.A. Jones, Mrs G. D. Oliver and Mrs J. Summers.

Together with:

T. Stephens (Development Control Manager), J. Rogers (Principal Solicitor), M. Noakes (Senior Engineer, Highway Planning), C. Davies (Senior Environmental Health Officer) and E. Sullivan (Committee Services Officer)

### **APOLOGIES**

Apologies for absence had been received from Councillors J.E. Fussell, S. Jenkins, K. Lloyd and J. Taylor

### **VICE -CHAIRMAN'S ANNOUNCEMENT**

Councillor D.G. Carter, Vice Chairman advised Members of the recent illness of Councillor S. Jenkins, Chairman of the Planning Committee. Members and Officer's of the Planning Committee wished Councillor Jenkins a speedy and complete recovery.

In the absence of the Chair, Councillor D.G. Carter presided as Chairman for the meeting.

### **1. DECLARATIONS OF INTEREST**

Declarations of interest were received as follows: Councillor N. George 11/0191/OUT and 12/0686/FULL- details are minuted with respective items.

### **2. MINUTES**

RESOLVED that the minutes of the Planning Committee held on 3rd October 2012 (minute nos. 1-22; page nos. 1-6) be approved and signed as a correct record.

**3. TO RECEIVE ANY REQUESTS FOR A SITE VISIT**

Requests for site visits were received and accepted by Members of the Planning Committee, as follows:

Code No. 12/0296/FULL - Erect A Pair Of Semi-Detached Houses, Land Adjacent To Old Station House, Old Station Yard, Bedwas, Caerphilly, CF83 8QZ.

Code No. 12/0579/FULL - Erect First Floor Bedroom Extension Over Existing Kitchen Plus A Single Storey Kitchen/Breakfast Extension, Both To The Rear Of Dwelling, 23 Chepstow Close, Cefn Fforest, Blackwood, NP12 1GP.

Code No. 12/0635/RET - Retain Boundary Fence, 77 Ridgeway, Graig-y-Rhacca, Caerphilly, CF83 8RD.

Code No. 12/0654/RET - Retain Decking On Roof Of Existing Garage At Rear and Timber Decking and Surrounding Post and Balustrade Enclosure Formed On Top Of Roof, 16 Field's Park Road, Pentwyn-Mawr, Newport, NP11 3NQ.

**REPORTS OF OFFICERS**

Consideration was given to the following reports:

**4. Site Visit - Code No. 12/0465/COU - Change The Use From Use Class A1 to Use Class A3 Takeaway, Unit 4, Riverbank Court, Newport Road, Trethomas, Caerphilly, CF83 8BY.**

Ms R. Lees the applicant's agent and Councillor R.T. Davies addressed the Committee.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) the application be deferred for a further report with reasons for refusal, based on the detriment to highway safety.

**5. Site Visit - Code No. 12/0581/RET - Restore and Refurbish Existing Buildings, Including the Demolition of the Existing Canopy, the Retention of Works Undertaken To Date and the Continuation of Established Uses, Including a Retail Shop Unit, Vehicle Repairs and Maintenance, Storage and New Toilet Facilities, Park Service Station, Bedwellty Road, Cefn Fforest, Blackwood, NP12 3HA.**

RESOLVED that the application be deferred to allow speakers to address the Committee.

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION**

**6. Preface Item - Code No.11/0519/FULL - Erect Extension and Alterations to Hotel, Lechwen Hall Hotel, Craig-Evan-Leyshon, Common Road, Nelson, Treharris.**

In accordance with Rule of Procedure 15.5 Councillors J. Bevan, W. David, Mrs B.A. Jones and Mrs G.D. Oliver wished it recorded that they had voted against the application.

RESOLVED that: -

- (i) the preface report be noted;
- (ii) subject to the conditions contained the Officer's preface report this application be granted.

**7. Preface Item - Code No. 12/0057/FULL - Reposition Existing Shop With Small Store and Convert Existing Shop Into Lounge, 102 Fair View, Cefn Fforest, Blackwood NP12 3NL.**

RESOLVED that the application be deferred to allow speakers to address the Committee.

**8. Code No. 11/0191/OUT - Demolish Existing Farmhouse and Farm Buildings and Construct New Two-Storey Residential Units, Gelli Pystyll Farm, Elm Drive, Ty Sign, Risca, Newport, NP11 6HN.**

Councillor N. George declared an interest, as the applicant is a personal friend and left the Chamber when the application was being discussed.

RESOLVED that: -

- (i) the application be deferred to enable the completion of a Section 106 Agreement and upon completion of the legal agreement and subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Head of Public Protection and Transportation Engineering Manager;
- (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: CW2, CW3, CW10 and CW11.

**9. Code No. 11/0575/FULL - Replace Planning Permission 09/0043/FULL For A 5kwhr Wind Turbine With An Application For A 500 kwhr Turbine (The Existing Planning Permission Is For A Turbine With A 12m Tower, This Application Is For A Turbine With A 50m Tower), Pen yr Heol Las Farm, Heol Las, Energlyn, Caerphilly, CF83 2TT.**

It was reported that the application had been withdrawn.

**10. Code No. 11/0581/COU - Change of Use From Mixed Use Retail/Nightclub to Public House/Night Club (A1 to A3), 3 Pentrebane Street, Caerphilly, CF83 1FR.**

RESOLVED that for the reasons given in the Officer's report this application be refused.

**11. Code No. 11/0953/FULL - Erect Extension To The Existing Hotel/Public House to Provide 6 No. Additional Guest Bedrooms, a Dining Room and All Associated Access and Groundworks etc. Newbridge Hotel, High Street, Newbridge, Newport NP11 4FH.**

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 Transportation Engineering Manager, Head of Public Protection, Dwr Cymru/Welsh Water and Senior Engineer (Land Drainage);
- (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: CW2 and CW3.

**12. Code No. 12/0296/FULL - Erect a Pair of Semi-Detached Houses Land Adjacent to Old Station House, Old Station Yard, Bedwas, Caerphilly, CF83 8QZ.**

Having regard to the effect of the proposal on residential amenity it was

RESOLVED that the application be deferred for a site meeting by the Chairman, Vice Chairman and local ward members.

**13. Code No. 12/0397/FULL - Substitute 9 x 2 Bed Affordable Apartments With 9 x 1 Bed Affordable Apartments With Associated Works, Land Off Virginia Close, Caerphilly.**

RESOLVED that: -

- (i) the application be deferred to allow the completion of a Deed of Variation to the Section 106 Agreement requiring the payment of £5,500.00 (index linked) for each dwelling (£49,500) for highway improvements in the Caerphilly Basin area; and £1,000.00 per dwelling unit for Leisure provision (£9,000)
- (ii) on completion of the variation to the Deed of Variation and subject to the conditions contained in the Officer's report this application be granted;
- (iii) the applicant be advised of the comments of the Head of Public Protection, Dwr Cymru/Welsh Water, Environment Agency (Wales) and Senior Engineer (Land Drainage)
- (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: CW2, CW3 and CW15.

**14. Code No. 12/0398/FULL - Erect Three Bungalows, Land Adjacent To The Grove, Tynywern Terrace, Trethomas, Caerphilly.**

RESOLVED that: -

- (i) the application be deferred to allow the completion of a Section 106 Agreement requiring the payment of £5,500.00 (index linked) for each dwelling for highway improvements in the Caerphilly Basin area;
- (ii) on completion of the legal agreement and subject to the conditions contained in the Officer's report this application be granted;
- (iii) the applicant be advised of the comments of the Coal Authority, Dwr Cymru/Welsh Water, Gwent Wildlife Trust, Senior Engineer (Land Drainage), Glamorgan Gwent Archaeological Trust and Transportation Engineering Manager.

15. **Code No. 12/0579/FULL - Erect First Floor Bedroom Extension Over Existing Kitchen Plus A Single Storey Kitchen/Breakfast Extension, Both To Rear Of Dwelling, 23 Chepstow Close, Cefn Fforest, Blackwood, NP12 1GP.**

Having regard to the effect of the proposal on residential amenity it was

RESOLVED that the application be deferred for a site meeting by the Chairman, Vice Chairman and local ward members.

16. **Code No. 12/0587/FULL - Create A New Railway Station Consisting Of Two Platforms, Improvements To Existing Subway, Lighting, Access Ramps, Signage, Boundary Treatments, Waiting Shelters, Passengers Drop-Off Point and Car Parking Provision, Land West of Lewis Drive, Caerphilly.**

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 Senior Engineer (Drainage), Dwr Cymru/Welsh Water, Countryside and Landscape Manager, Transportation Engineering Manager, Head of Public Protection and Heddlu Gwent Police;
- (iii) the applicant be advised that the following policies of the Caerphilly County Borough Local Development Plan 2021 - Adopted November 2010 are relevant to the conditions of this permission: TR3 (TR3.3), SP21, CW3, LDP5, CW2 and TAN12.

17. **Code No. 12/0635/RET - Retain Boundary Fence, 77 Ridgeway, Graig-y-Rhacca, Caerphilly, CF83 8RD.**

Having regard to the effect of the proposal on residential amenity it was

RESOLVED that the application be deferred for a site meeting by the Chairman, Vice Chairman and local ward members.

18. **Code No. 12/0654/RET - Retain Decking On Roof Of Existing Garage At Rear and Timber Decking and Surrounding Post and Balustrade Enclosure Formed On Top Of Roof, 16 Field's Park Road, Pentwyn-Mawr, Newport, NP11 3NQ.**

Having regard to the visual impact of the proposal in the local and wider landscape and the overbearing nature of the development, it was

RESOLVED that the application be deferred for a site meeting by the Chairman, Vice Chairman and local ward members.

19. **Code No. 12/0659/COU - Change The Use Of Photographic Studio to Hot Food Takeaway (A3), Unit 7, Bryn Lane, Pontllanfraith, Blackwood, NP12 2PG.**

Mr Lucas an objector on behalf of local residents addressed the Committee.

RESOLVED that for the reasons contained in the Officer's report the application be refused.

**20. Code No. 12/0661/LA - Convert Flat Roof To Pitched Caerphilly County Borough Council, The Cube, Pontllanfraith House, Blackwood Road, Pontllanfraith.**

RESOLVED that: -

- (i) subject to the condition contained in the Officer's report this application be granted;
- (ii) the applicant be advised of the comments of the Council's Ecologist.

**21. Code No. 12/0686/FULL - Extend The Tearoom To Form Booking Office, Information Centre and Landing Stage, Whysom's Wharf, Darran Road, Risca, Newport, NP11 6GY.**

Councillor N. George declared an interest as he volunteers at the Canal and left the Chamber when the application was discussed.

It was reported that two additional letters in objection had been received.

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 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 (Natural Habitats &c.) Regulations 1994 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Council for Wales should be contacted for advice on any special precautions before continuing. If necessary, further advice on this can be sought from the local authority ecologists or the Countryside Council for Wales.
- (iii) the applicant be advised that the proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities, which disturb or enter any coal seams, coal mine working or coalmine entries (shafts and adits) require prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from the Coal Authority's Property Search Service on 0845 7626848 or at [www.groundstability.com](http://www.groundstability.com).

- (iv) the application be advised of the comments of the Senior Engineer (Land Drainage).

## 22. ITEMS FOR INFORMATION

The following items were reported 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) Outstanding Appeals;
- (5) Appeal Decisions.

## 23. ENFORCEMENT REPORT EE/09/017 - WITHOUT PLANNING PERMISSION CHANGE OF USE OF WAREHOUSE FOR THE STORAGE AND DISPATCH OF STEEL SECTIONS AND SHEETS (B8) TO USE FOR THE FABRICATION OF HEAVY STRUCTURAL STEEL WORK (B2) AT ROWECORD ENGINEERING LIMITED, COMMERCIAL STREET, PONTYMISTER.

RESOLVED that for the reasons contained in the Officer's Enforcement Report the recommendations be approved: -

- (i) Officer's are authorised to issue and serve a revised enforcement notice in accordance with the following requirements and in the event of non-compliance with the notice, authorisation is granted to take such legal proceedings as may be required in order to terminate the breach of planning control;
- (ii) Cease the use of land and buildings for the manufacture of steel products, falling within Class B2 of The Town and Country Planning (Use Classes) Order 1987, including the ancillary making of and receiving of deliveries, between the following times: -
  - 18:30hrs to 07:30hrs on the following days Mondays to Thursdays
  - 18:30 hrs Fridays to 08:30hrs on Saturdays
  - 13:30hrs Saturdays to 07:30hrs Mondays (inclusive of Sundays) and cease that use during Bank Holidays.

The meeting closed at 17.52 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 5th December, they were signed by the Chairman.

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CHAIRMAN