



PLANNING COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE (CHAMBER),
YSTRAD MYNACH ON WEDNESDAY, 5TH DECEMBER 2012 AT 5.00 P.M.**

PRESENT:

Councillor D.G. Carter - Interim Chairman
Councillor W. David - Interim Vice Chairman

Councillors:

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

Together with:

T. Stephens (Development Control Manager), J. Rogers (Principal Solicitor), C. Campbell (Engineering Transportation Manager), G. Mumford (Environmental Health Officer) and E. Sullivan (Committee Services Officer)

APOLOGIES

Apologies for absence were received from Councillors J. Bevan, R.W. Gough and J. Taylor.

CHAIRMAN'S ANNOUNCEMENT

The Committee was advised of the continued ill health of Councillor S. Jenkins and all Members joined with the Chair in sending their best wishes to him and his family as he recovers. Members requested that a letter of support be sent to him on behalf of the Planning Committee.

The Chairman welcomed Councillor Eluned Stenner to her first Planning Committee meeting.

1. DECLARATIONS OF INTEREST

Declarations of interest were received as follows: Councillors Mrs E.M. Aldworth and Mrs J. Gale 12/0635/RET and Councillor D. Bolter 12/0582/RET details are minuted with the respective item.

2. MINUTES

RESOLVED that the minutes of the Planning Committee held on 31st October 2012 (minute nos. 1-23; page nos. 1-7) 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. 12/0219/RET - Retain Renovation Of Old Barn For Use As Leisure Facility/Games Room, Bryntirion, Llanfabon, Nelson, Treharris, CF46 6PG.

Code No. 12/0638/FULL - Erect Single-Storey Extension and Decking To Rear, 131 Shingrig Road, Nelson, Treharris, CF46 6DU.

Code No. 12/0653/RM - Erect Development of Fourteen Dwellings and Associated Landscaping, Land at Moriah Hill, Risca, Newport.

Code No. 12/0657/FULL - Install External Wheelchair Lifting Platform To Front Elevation, 4 Heol Derw, Hengoed, CF82 7NT.

Code No. 12/0740/FULL - Create A New Building To Collect, Sort, Grade, Process Non Ferrous Materials; Re-organise The Existing Site Accommodation and Reposition The Weigh Bridge To Improve The Site Monitoring and Productivity And Upgrade The Site Boundary, GLJ Recycling Units 5-9, Units 10-11, Units 12 and 13 Fern Close, Pen-y-Fan Industrial Estate, Pen-y-Fan, Newport, NP11 3EH.

REPORTS OF OFFICERS

Consideration was given to the following reports:

4. 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.

Councillor D. Bolter declared an interest in that the objector to the application is known to him and left the Chamber when the application was discussed.

An objector Mr Brownsword, the applicants representative Mr C. Jackson and Councillors T. Williams and C. Hawker addressed the Committee.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) the application be deferred to allow the completion of a Section 106 Agreement to require compliance with the approved plans and;
- (iii) on completion of the Section 106 Agreement and subject to the conditions contained in the Officer's report and the following additional conditions this application be granted;

Condition (2)

The development shall be served by separate entry and exit points onto Bedwellty Road the details of which shall firstly be submitted to and agreed in writing by the Local Planning Authority. The details shall indicate the separate entry and exit points which shall be marked out and sign posted on site and shall be completed within 1 calendar month from the agreement in writing and operated in accordance with the approved details thereafter.

Reason

In the interests of highway safety.

Condition (3)

The exit point onto Bedwellty Road as agreed under the terms of Condition 2 above shall be improved to provide visibility splays of 2.4m x 90m. No obstruction or planting when mature exceeding 900mm above the adjacent footway shall be placed or allowed to grow in the required visibility splay areas. Those improvements shall be carried out within one calendar month from the date that the details of the exit point were agreed in writing under the terms of Condition 2 above.

Reason

In the interests of highway safety.

- (v) 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;
- (vi) the applicant be advised of the comments of this Council's Ecologist, Dwr Cymru/Welsh Water.

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

An objector Mr K. Williams on behalf of local residents, Mr S. Groucott the applicant's representative 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 highway safety, the impact on the retaining wall and the possible use of the site for future rail and cycleway use.

6. Site Visit - 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 The Dwelling, 23 Chepstow Close, Cefn Fforest, Blackwood, NP12 1GP.

Councillors N. Dix and Mrs D. Ellis addressed the Committee.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) for the reasons given in the Officer's report this application be refused.

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

Councillors Mrs E.M. Aldworth and Mrs J. Gale declared an interest in that an objector to the application is a friend and colleague and left the Chamber when the application was discussed.

It was report that an additional letter of objection had been received.

An objector Mr Havard, the applicant Mrs Davies and Councillor R.T. Davies addressed the Committee.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) for the reasons given in the Officer's report this application be granted.

8. Site Visit - 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.

Councillor D. Bolter wished it recorded that as he had not been present for the whole of the debate, he had not taken part in the vote.

Mrs S. Andrews on behalf of an objector and Councillors Miss L. Ackerman and G. Johnston addressed the Committee.

Councillor G. Johnston presented a petition in support of the application and it was noted that an additional letter of objection had been received.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) this application be deferred for a further report with reasons for refusal based on the overdevelopment of the site, loss of privacy and the detriment to residential amenity.

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

9. Preface Item - Code No. 11/0367/FULL - Erect Two-Storey Extension To Front, Side and Rear Plus Replacement Garage, Hillside House, St David's Avenue, Woodfieldside, Blackwood, NP12 0PD.

RESOLVED that: -

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

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

Councillor T. Williams and Councillor C. Hawker addressed the Committee

RESOLVED that: -

- (i) the preface report be noted;

- (ii) subject to the conditions contained in the Officer's preface report and the following amended conditions this application be granted.

Condition (01)

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Condition (02)

The proposed shop area hereby approved shall not come into beneficial use until the existing shop area has been converted into a domestic lounge in association with the residential property at 102 Fair View, Blackwood as shown in the submitted plans and the domestic lounge area shall not thereafter be used for any other purpose.

Reason

In order to retain control over the future use of the property in the interests of highway safety and residential amenity.

Condition (03)

The development hereby approved shall be carried out in accordance with the amended plans received on 9th July 2012.

Reason

In order to ensure that the development is carried out in accordance with the correct plans.

Condition (4)

Prior to the installation of any external or roof mounted plant/machinery associated with the development, details of such plant and machinery shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a revised location for the plant and machinery and predicted noise levels (measured as LAeq 1 hour) as measured on the boundary of the application site. The plant and machinery shall be installed in accordance with the approved details prior to being brought into operational use.

Reason

In the interests of public amenity.

Condition (5)

The area indicated for the parking of vehicles shall be kept free of obstruction and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason

In the interests of highway safety.

Condition (6)

Notwithstanding the submitted plans or the provisions of the Town and County Planning (General Permitted Development) Order 1995 as amended the site boundary wall fronting Elgar Close shall not be removed without the prior written consent of the Local Planning Authority.

Reason

In the interests of highway safety.

11. Preface Item - 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.

RESOLVED that: -

- (i) the preface report be noted;
- (ii) for the reason contained in the Officer's preface report this application be refused.

12. Code No. 10/0808/FULL - Erect Two Bedroom Agricultural Dwelling Supporting Organic Free Range Egg Production Unit, Caer-Llwyn Farm, Abertridwr, Caerphilly, CF83 4FG

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

13. Code No. 12/0219/RET - Retain Renovation Of Old Barn For Use As Leisure Facility/Games Room, Bryntirion, Llanfabon, Nelson, Treharris, CF46 6PG.

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.

14. Code No. 12/0510/FULL - Operate A Wood Pellet Production Plant With Associated Ancillary Services (CHP Plant) Involving Timber Delivery, Handling And Storage, Wood Processing, De-Barking and Chipping, Woodchip Storage, Pellet Production, Wet Milling, Drying, Dry Milling, Pelletising, Pellet Bagging (optional) and Pellet Loading, Unit 6, Capital Valley Eco Park, Rhymney Tredegar.

RESOLVED that: -

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

Amended Condition (33)

Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation or completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

In the interests of the visual amenity of the area.

- (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 and CW5;
- (iii) the applicant be advised of the comments of The Coal Authority, Senior Engineer (Land Drainage), Environment Agency (Wales) and Dwr Cymru/Welsh Water;

- (v) 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 and its amendment 2012, 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 the Countryside Council for Wales should be contacted for advice on any special precautions before continuing.
- (vi) 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 ecologist (01495 235253) or the Countryside Council for Wales (02920 772400).

15. Code No. 12/0559/NCC - Vary Condition 10 of Planning Permission 11/0481/FULL (Convert and Partially Demolish Existing Public House to Single Retail Unit, Bulk Store and Associated Ancillary Rooms, Construct Additional Two New Retail Units and Site Reconfiguration Including Car Parking and Reconfiguration of Highway) To Change The Hours In Which Deliveries Can Be Undertaken To Between 0800 Hours and 1600 Hours on Sundays, Bowls Inn, Bowls Terrace, Penyrheol, Caerphilly, CF83 2RD.

RESOLVED that: -

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

Amended Condition (14)

All car parking areas must have a lockable barrier fitted, which must be used when the facilities are closed. Details of such a barrier must be submitted to and agreed in writing with the Local Planning Authority prior to works commencing on site. Thereafter this agreed barrier(s) shall be completed and functioning prior to any use of the units hereby approved commencing.

Reason

To prevent anti-social behaviour taking place within these areas.

- (ii) 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;
- (iii) the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal-mining feature is encountered during development, this should be reported to The Coal Authority;

- (v) any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority;
- (vi) the applicant be advised that property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

16. Code No. 12/0603/TPO - Carry Out Selective Coppicing Of Five Silver Birch And One Goat Willow in W1 And The Removal Of Selected Hazel Stems To Clear Minimum Space To Erect A Four Foot Fence, 34 Griffin Drive, Penallta, Hengoed, CF82 6AH.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report this application be granted;
- (ii) the applicant be advised that mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.
- (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 ecologist (01495 235253) or the Countryside Council for Wales (02920 772400).

17. Code No. 12/0638/FULL - Erect Single Storey Extension And Decking To Rear, 131 Shingrig Road, Nelson, Treharris, CF46 6DU.

Councillor Mrs A. Blackman declared an interest as she lives in close proximity to the application site.

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. 12/0653/RM - Erect Development Of Fourteen Dwellings And Associated Landscaping, Land At Moriah Hill, Risca, Newport.

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 wards members.

19. Code No. 12/0657/FULL - Install External Wheelchair Lifting Platform To Front Elevation, 4 Heol Derw, Hengoed, CF82 7NT.

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

RESOLVED that the application be deferred for a site meeting by all Members of the Planning Committee.

20. Code No. 12/0740/FULL - Create A New Building To Collect, Sort, Grade, Process And Redistribute Ferrous and Non Ferrous Materials; Re-organise The Existing Site Accommodation And Reposition The Weigh Bridge To Improve The Site Monitoring And Productivity And Upgrade The Site Boundary, GLJ Recycling, Units 5-9, Units 10-11, Units 12-13 Fern Close, Pen-y-Fan Industrial Estate, Pen-y-Fan, Newport, NP11 3EH.

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

RESOLVED that the application be deferred for a site meeting by all Members of the Planning Committee.

21. Code No. 12/0742/NCC - Vary Condition 6 Of Outline Planning Permission Reference P/00/1022 (As Amended By Condition 3 Of Planning Permission Reference P/05/1697 And Condition 2 Of Permission Reference 11/0861/FULL) To Allow Open A1 Food and Non-Food Retail And Bulky Goods Retail/Leisure Use, Blackwood Gate Retail Park, Blackwood.

Mr G. Hale addressed the Committee, Mr G. Tromans the owner and Councillors Mrs P. Cook, N. Dix and Mrs D. Ellis addressed the Committee.

It was noted that a petition of 3000 signatures and 300 letters in support of the application had been received together two additional letters in objection.

It was proposed and seconded that the application be granted on the basis of the economic development and the regeneration of the site and associated job creation opportunities.

An amendment was moved and seconded that the application be refused in accordance with the reasons contained in the Officer's report.

In accordance with Rule of Procedure 15.4 (1) (b) a request was made for a recorded vote.

AGAINST THE AMENDMENT

Councillors M. Adams, Mrs E.M. Aldworth, Mrs A. Blackman, W. David, H.R. Davies, Mrs J. Gale, L. Gardiner, N. George, A.G. Higgs, Mrs B.A. Jones, Mrs E. Stenner and Mrs J. Summers.

FOR THE AMENDMENT

Councillors D. Bolter, D.G. Carter, J.E. Fussell and K. Lloyd.

The amendment was lost and as such the motion was declared carried.

RESOLVED that having regard to the economic redevelopment and regeneration of the site and associated job creation opportunities the application be deferred for a further report with appropriate conditions to be attached in the event that planning permission was granted at a future meeting.

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. CONSULTATION WITH NEWPORT CITY COUNCIL ON AN APPLICATION FOR THE SITING OF A TEMPORARY AGRICULTURAL WORKERS DWELLING AND FORMATION OF ACCESS AT LAND NORTH OF AND ADJACENT TO COED MAWR COTTAGE, FOX HILL, RHIWDERIN, NEWPORT.

RESOLVED that Newport City Council be informed that this Council has no objections to the proposal.

The meeting closed at 19.50 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 16th January 2013, they were signed by the Chairman.

CHAIRMAN