



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 27TH NOVEMBER 2013 AT 5:00PM

PRESENT:

Councillor D.G. Carter - Chairman

Councillors:

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

Together with:

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), C. Davies (Senior Environmental Health Officer), J. Rogers (Principal Solicitor), M. Noakes (Senior Engineer, Highways and Transportation) Mrs M. Davies (Senior Planner), P. Den Brinker (Team Leader, East), T. Pearce (Senior Planner) J. Forrester (Team Leader, North), C. Grimes (Senior Planner), G. Lewis (Team Leader, South), C. Powell (Senior Planner) and E. Sullivan (Democratic Services Officer).

CHAIRMAN'S ANNOUNCEMENT

The Chairman proudly announced that Caerphilly County Borough Council's Planning Division were the winners of the Wales Planning Award 2013 for the Maes-y-Onn Farm, Living Off the Grid Development. On behalf of all the Members of the Planning Committee the Chairman congratulated Officers on their success.

APOLOGIES

Apologies for absence had been received from Councillors W. David, R.W. Gough and Mrs E. Stenner.

1. DECLARATIONS OF INTEREST

Declarations of interest were received as follows: Councillors J. Taylor - 13/0465/FULL, D. Bolter - 13/0005/RM, L. Gardiner - 13/0488/FULL , H. Davies - 13/0537/FULL and Mr T. Stephens (Development Control Officer) - 13/0611/RET details are minuted with the respective items.

2. MINUTES

RESOLVED that the minutes of the Planning Committee held on the 30th October 2013 (minute nos. 1-21; page nos. 1-8) be approved and signed as a correct record.

3. TO RECEIVE ANY REQUESTS FOR A SITE VISIT

Requests for site visits were received and by a show of hands unanimously accepted by Members of the Planning Committee, as follows: -

- (1) 13/0657/FULL - Erect Utility Extension With Integrated Three Bay Garage and Replacement Porch, The Paddock, Melin Place, Lon Maes Yr Haf, Croespenmaen, Crumlin, NP11 3BL.
- (2) 13/0422/FULL - Change The Use To Provide 18 Accommodation Units For Homeless People and Associated Office Space and Support Facilities, Maes y Dderwen, Heol Las, Nelson, Treharris, CF46 6PW.

A further site visit request was received in relation to 13/0582/FULL - Bryn Ysgawen Farm, Mountain Road, Maesycwmmmer to Machen, Ystrad Mynach and Members were referred to an email from the applicant's agent highlighting the implications that a deferral would have on the viability of the development. Having fully considered the application and the correspondence received it was proposed and seconded and the application be determined as scheduled and by a show of hands this was unanimously agreed.

4. SITE VISIT - CODE NO. 13/0164/RET - REGULARISE MIXED-USE OF THE LAND FOR AGRICULTURAL AND RESIDENTIAL PURPOSES TO INCLUDE RETENTION OF DWELLING HOUSE WITH PROPOSED EXTENSION, RETAIN FARM WORKSHOP AND BARN WITH ALTERATIONS, RETAIN CHICKEN HOUSE, 'ROUND HOUSE' FOR USE AS PICNIC SHELTER/CLASSROOM AND THE PROPOSED ERECTION OF AN ANCILLARY DWELLING, GARDEN SHED, IMPLEMENT SHED AND A MAXIMUM NO. OF 6 SEASONAL CAMPING YURTS, NANT-Y-CWM FARM, CEFN-ONN FARM LANE, RUDRY, CAERPHILLY, CF83 3EJ.

Following consideration of the site visit report it was moved and seconded that consideration of the application be deferred to a future meeting to allow the applicant more time to present a robust evidence base for the One Planet Development application and by a show of hands this was unanimously agreed.

RESOLVED that:

- (i) the site visit report be noted;
- (ii) the application be deferred to the next appropriate Planning Committee.

5. SITE VISIT - CODE NO. 13/0465/FULL - DEMOLISH EXISTING BUILDINGS AND ERECT 29 DWELLINGS (COMPRISING OF A MIX OF 1 BED APARTMENTS AND 2 AND 3 BEDROOM HOUSES) WITH ALL ASSOCIATED INFRASTRUCTURE AND LANDSCAPING, THE GREENFLY AND CATS HOUSE, NEWPORT ROAD, BEDWAS, CAERPHILLY, CF83 8BJ.

Councillor J. Taylor declared an interest as the owner of land was known to him and left the chamber when the application was discussed.

Councillor Mrs J. Gale had declared an interest in this application at the last meeting as her grandson worked for the developer, however in the intervening period her grandson had changed employment and as such the conflict of interest no longer applied.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that:

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

Condition (16)

Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4metres x 43 metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.

Reason

In the interests of highway safety.

Condition (17)

Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.

Reason

In the interest of highway safety.

Condition (18)

The development shall not be occupied, until the area indicated for the parking of vehicles had been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason

In the interest of highways safety.

Condition (19)

Prior to the commencement of work on site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.

Reason

To encourage the use of a variety of transport options.

Condition (20)

No obstruction or planting exceeding 900mm in height above the adjacent footways shall be placed or allowed to grow in the required forward visibility splay of 43 metres at the road bend on Newport Road front Plot 23.

Reason

In the interests of highway safety.

Condition (21)

The proposed parking area shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried onto the public highway.

Reason

In the interest of highway safety.

Condition (22)

Prior to development commencing a scheme showing refuse/recycling collection points adjacent to the adopted highway, shall be submitted to and agreed in writing with the local Planning Authority. Thereafter these details shall be implemented concurrently with the development.

Reason

To ensure that the dwelling units have adequate arrangements for the collection of refuse and recycled materials.

- (iv) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Council's Ecologist, Coal Authority and Head of Public Services;
- (v) the applicant be advised 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.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - EAST AREA

6. PREFACE ITEM - CODE NO. 13/0005/RM - SEEK APPROVAL OF RESERVED MATTERS REGARDING ACCESS, APPEARANCE, LANDSCAPING AND LAYOUT IN CONNECTION WITH THE RESIDENTIAL DEVELOPMENT APPROVED UNDER PLANNING APPLICATION 06/0821/OUT, LAND AT THORNCOMBE ROAD, BLACKWOOD.

Councillor D. Bolter declared an interest in that a close friend lived opposite the development site and left the chamber when the application was discussed.

Following consideration of the Officer's Preface report it was proposed and seconded that the recommendations contained therein be approved and by a show of hands this was agreed.

RESOLVED that: -

- (i) the Preface Report be noted;
- (ii) subject to the conditions contained in the Officer's original report dated 10th April 2013 and the additional conditions presented to Committee on the 12th June 2013 as amended this application be approved;

- (iii) the applicant be advised of the comments of the Police Architectural Liaison Officer, Senior Engineer (Land Drainage), Head of Public Services and Countryside and Landscape Services Manager;
- (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: SP10, CW2, CW3, CW6 and CW10.

7. CODE NO. 12/0720/RM - SEEK APPROVAL OF THE RESERVED MATTERS REGARDING ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE IN CONNECTION WITH THE RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS APPROVED UNDER PLANNING APPLICATION 08/0373/OUT, OLD STATION YARD, BRIDGE STREET, ABERCARN.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

- (i) the application be deferred to allow the completion of a revised Section 106 Agreement reflecting the Adopted Education Obligations;
- (ii) on completion of the Agreement and subject to the conditions contained in the Officers report and the following amended condition this application be granted;

Amended Condition (2)

Prior to the commencement of the development hereby approved details of the extent and finishes to the areas identified for refuse (and recycling) collection shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed in accordance with the agreed details and the refuse collection (and recycling) areas shall be maintained free of obstruction for the collection of refuse (and recycling) only.

Reason

To ensure adequate provision for refuse collection.

- (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 (Natural Habitats, &c.) Regulations 1994 (as amended), which implements the EC Directive 92/43/ECC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended). 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. If necessary, further advice on this can be sought from the local authority ecologists or the Countryside Council for Wales.
- (v) the applicant be advised that an extensive stand of Japanese Knotweed in the centre of the site has been noted as well as being scattered along the site perimeter. Japanese Knotweed is an invasive non native plant species. Please note that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to 'introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act'. Japanese Knotweed (*Fallopia*

Japonica/Polygonum Cuspidatum) is included within this schedule. All Japanese knotweed waste (the plant itself or material contained its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991;

- (vi) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and Natural Resources Wales.

8. CODE NO. 13/0582/FULL - ERECT SINGLE WIND TURBINE, WITH A MAXIMUM BLADE TIP HEIGHT OF 77M, ALONG WITH ACCOMPANYING ACCESS TRACK, CRANE HARDSTANDING, SUBSTATION, ASSOCIATED UNDERGROUND CABLING AND TEMPORARY CONSTRUCTION COMPOUND, BRYN YSGAWEN FARM, MOUNTAIN ROAD, MAESYCWMMER TO MACHEN, YSTRAD MYNACH, HENGOED, CF82 7SN.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

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

Amended Condition (03)

The level of noise from the wind turbine hereby approved measured at the nearest noise sensitive properties shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height (in the case of Brynysgawen Farmhouse 45dB(A) (LA90, 10 mins) at all wind speeds) when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.

Reason

In the interest of the amenity of noise sensitive properties.

Condition (25)

In the event of works being identified within the Traffic Management Plan to trees abutting the land leading to the site (Mountain Road), the applicant shall appoint a suitably qualified arboricultural consultant recommending job specifications to the same British Standard. Details of the required works shall be agreed in writing with the Local Planning Authority, and the works thereafter be carried out in accordance with the agreed details.

Reason

In the interest of visual amenity.

Condition (26)

Unless otherwise agreed in writing with the Local Planning Authority, prior to the commissioning of the wind turbine hereby approved it shall have been fitted with a control system that automatically shuts down the turbines during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority.

Reason

To control flicker in the interests of the amenity of nearby flicker-sensitive properties.

- (ii) the applicant be advised of the comments of Police Air Support Services, Police Architectural Liaison Officer, South Wales Fire and Rescue Service, Senior Engineer (Land Drainage), Chief Fire Officer, Welsh Government Transport Division and Glamorgan Gwent Archaeological Trust;
- (iii) the applicant be advised of the notes in respect of the noise conditions attached to this consent;
- (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: SP10, CW2, CW3 and CW4.

9. CODE NO. 13/0657/FULL - ERECT UTILITY EXTENSION WITH INTEGRATED THREE BAY GARAGE AND REPLACEMENT PORCH, THE PADDOCK MELIN PLACE, LON MAES YR HAF, CROESPENMAEN, CRUMLIN, NP11 3BL.

Having regard to the impact of the development on residential amenity it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (all Members).

10. CODE NO. 13/0691/COU - CHANGE USE FROM BUTCHERS TO PIZZA TAKE AWAY, PRIME CUTS, 8 CENTRAL BUILDINGS, OAKDALE, BLACKWOOD, NP12 0JU.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that:-

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

Additional Condition (10)

Before any extraction system from the kitchen is used on the premises, it shall be mounted in a way that will minimise transmission of structure borne sound in accordance with a scheme to be approved in writing by the LPA.

Reason

In the interests of residential amenity.

- (ii) the applicant be advised to contact the Council with regard to the requirements of the Food Premises (Registration) Regulations and the Food Hygiene Regulations;
- (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.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - NORTH AREA

11. **PREFACE ITEM - CONSULTATION BY MERTHYR TYDFIL COUNTY BOROUGH COUNCIL - CONSOLIDATION OF TWO EXISTING PLANNING PERMISSIONS FOR QUARRYING (REF.52/82/0773 AND P/07/0120) INCLUDING EXTENSION OF END DATE FOR QUARRYING AND DEEPENING OF QUARRY WITHIN EXISTING FOOTPRINT, GELLIGAER QUARRY.**

Following consideration of the report it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that Merthyr Tydfil Borough Council be advised that this Council has no objection to the proposed development and that the comments of the internal consultees be forwarded for information.

12. **PREFACE ITEM - CODE NO. 08/0752/OUT - ERECT RESIDENTIAL AND COMMERCIAL DEVELOPMENT, LAND AT HAWTIN PARK, GELLI-HAF, PONTLLANFRAITH, BLACKWOOD.**

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that the requirements for the Section 106 Agreement be varied to reflect: -

- (i) a reduction in the level of affordable housing to 15%, with the level being re-assessed in the event of the development not commencing within 24 months of the issue of planning permission;
- (ii) a reduction of £81,000 in the level of contribution towards the leisure provision;
- (iii) the phasing of the 106 payments throughout the construction and occupation of the development;
- (iv) on completion of the agreement that planning permission be granted subject to the conditions detailed in the Officer's original report.

13. **PREFACE ITEM - CODE NO. 13/0684/RET - RETAIN AND COMPLETE DETACHED GARAGE - DRENEWYDD HOUSE, COLLINS' ROW, BUTETOWN, RHYMNEY.**

In accordance with Rule of Procedure 15.5 Councillors J. Bevan and A.G. Higgs wished it recorded that they had abstained from voting.

Following consideration of the report it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

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

14. CODE NO. 11/0772/LA - CHANGE USE OF LAND AND ERECT EXTENSION TO EXISTING GELLIGAER CEMETERY, INCLUDING ACCESS ROAD, CAR PARKING AND FOOTPATHS, LAND ADJOINING GELLIGAER CEMETERY, GELLIGAER, HENGOED.

Following consideration of the report it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

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

Amended Condition (11)

Unless otherwise agreed in writing with the Local Planning Authority, no burials shall be within the burial exclusion zones as illustrated on drawing TFT878-LP6 dates 12th November 2013.

Reason

To manage the risk of polluting of the water environment

Amended Condition (14)

No development should take place until a long-term monitoring plan in respect of groundwater and surface water, including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure future protection of controlled waters within the local area of the cemetery development.

Amended Condition (15)

The development hereby approved relates to details received on 7th March 2013, drawing number LP2A and on the 12th November 2013, drawing number LP6.

Reason

For the avoidance of doubt as to the details hereby approved.

- (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, CW4, CW5 and CW6.
- (iii) the applicant be advised of the comments of the Senior Engineer (Land Drainage), Council's Ecologist, Glamorgan/Gwent Archaeological Trust and Natural Resources Wales.

15. CODE NO. 13/0422/FULL - CHANGE THE USE TO PROVIDE 19 ACCOMMODATION UNITS FOR HOMELESS PEOPLE AND ASSOCIATED OFFICE SPACE AND SUPPORT FACILITIES, MAES Y DDERWEN, HEOL LAS, NELSON, TREHARRIS, CF46 6PW.

Having regard to the impact of the development on highway safety it was moved and seconded that this application be deferred for a site visit and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit by the Planning Committee (all Members).

16. **CODE NO. 13/0488/FULL - ERECT SINGLE WIND TURBINE, WITH A MAXIMUM BLADE TO HEIGHT OF 77 METRES, ALONG WITH ACCOMPANYING ACCESS TRACK, CRANE HARDSTANDING, SUBSTATION, ASSOCIATED UNDERGROUND CABLING AND TEMPORARY CONSTRUCTION COMPOUND, GELLI-WEN FARM, BEDWELLY ROAD, MARKHAM, BLACKWOOD, NP12 0PP.**

Councillor L. Gardiner declared an interest as the applicant was known to him and left the Chamber when the application was discussed.

In accordance with Rule of Procedure 15.5 Councillors Mrs E.M. Aldworth and Mrs G.D. Oliver wished it recorded that they had abstained from voting.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

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

Condition (22)

The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of the 25 years from the date of commencement of the development hereby approved or within six months upon their becoming no longer operationally active in the generation of electricity, whichever is earlier.

Reason

In order to define the extent of the permission hereby granted.

Condition (23)

Following the bringing into operation of the wind turbine hereby approved, a report shall be submitted to the Local Planning Authority at the end of each of the first three years of operation providing details of any bat fatalities or injuries associated with the operation of the turbine. The reports shall be based on fortnightly checks made between 1 May and 31st October as a minimum and the reports shall include dates, times, locations and condition (dead or injured, and type of injury where identified) of all bats found within a 5metre radius of the turbine.

Reason

In the interests of biodiversity conservation.

Condition (24)

The Local Planning Authority shall be notified when the turbine hereby approved is brought into operation, and for a period of three years from this date bat surveys to monitor the activity and behaviour or foraging/commuting bats within 100 meters of the development hereby approved shall be carried out by a competent ecologist with proven experience of bat surveying between the months of May and October. The results of monitoring surveys shall be submitted to the Local Planning Authority at the end of each survey period annually along with details of any proposed remedial measures to reduce any

negative effects on bats. The approved remedial measures shall be implemented in accordance with the agreed details.

Reason

In the interests of biodiversity conservation

Condition (25)

In the event that the bat monitoring results referred to in Condition 24 above confirm that the operation of the turbines is considered to have an unacceptable impact on bats, the turbines shall thereafter be operated only between the hours of 07:00 and 19:30 from 1 April to 31 August inclusive in any calendar year, and the hours of 08:30 and 16:00 from 1 September to 31 March inclusive in any calendar year, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard protected species in the interests of biodiversity conservation.

- (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 CW15.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND ASSOCIATED LEGISLATION - SOUTH AREA

- 17. **PREFACE ITEM - CODE NO. 13/0537/FULL - EXTEND EXISTING CAR PARK ON ADJACENT VACANT LAND, WHICH INCLUDES THE INTRODUCTION OF 38 NEW BAYS, WITH THE RECONFIGURATION OF THE EXISTING CAR PARK AND SITE ACCESS WITH ASSOCIATED WORKS TO THE SITE, MCDONALDS RESTAURANTS LTD, UNIT C CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY.**

Councillor H. Davies declared an interest as a relative lives in close proximity to the proposed development and left the chamber when the application was discussed.

Following consideration of the report it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

RESOLVED that: -

- (i) the preface report be noted;
- (ii) planning permission be granted in accordance with the condition contained in the Officer's original report and subject to an additional condition in respect of the amended plans.

Condition (10)

Notwithstanding the submitted plans prior to the commencement of development details of a 600mm high knee-rail to be erected between the footway adjacent to the exit roadway and four adjacent car-parking spaces as delineated by the blue line between points A and B on the attached plan ref. no. 13/0537/FULL/KNEE RAIL shall be submitted to and approved in writing by the local planning authority. Development shall be in accordance with the approved details.

Reason

In the interest of residential amenity.

18. CODE NO. 13/0545/COU - CONVERT PUBLIC HOUSE AND FLAT TO RETAIL GROUND FLOOR AND NINE SELF CONTAINED FLATS IN UPPER FLOORS WITH TWO AND SINGLE-STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS, PANTEG HOTEL, THE SQUARE, ABERTRIDWR, CAERPHILLY, CF83 4DH.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) this application be deferred for the completion of a Section 106 Agreement;
- (ii) on completion of the Section 106 Agreement and subject to the conditions contained in the Officer's Report this application be granted;
- (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 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.

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.

- (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 the Countryside Council for Wales (02920 772400).
- (v) 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.

19. **CODE NO. 13/0595/COU - CHANGE THE USE FROM A3 (PUB/RESTAURANT) TO C3 (RESIDENTIAL), ALTER AND REFURBISH FWRRWM ISHTA PUBLIC HOUSE TO CREATE NEW FIVE-BEDROOM SINGLE FAMILY DWELLING WITH ASSOCIATED EXTERNAL WORKS, PARKING AND NEW GARDEN AREA, FWRRWM ISHTA INN, 68 COMMERCIAL ROAD, MACHEN, CAERPHILLY, CF83 8PG.**

It was reported that an additional letter of objection and a letter of support had been received.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was agreed.

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 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: SP3, SP5, CW2, CW3 and CW15.

20. **CODE NO. 13/0611/RET - RETAIN EXTENSION TO THE EXISTING BOILER HOUSE TO THE SIDE ELEVATION OF THE MAIN HOUSE, HAWTHORN COTTAGE, RUDRY, CAERPHILLY, CF83 3DF.**

Mr T. Stephens (Development Control Manager) declared an interest in that the applicant is known to him and left the chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation in the Officer's report be approved and by a show of hands this was 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 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;
- (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 (01495 235253) or the Countryside Council for Wales (02920 772400).

21. 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.

The meeting closed at 19.03 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 15th January 2014, they were signed by the Chairman.

CHAIRMAN