



## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 8TH JULY 2015 AT 5:00PM**

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#### **PRESENT:**

Councillor D.G. Carter - Chair  
Councillor W. David - Vice-Chair

#### **Councillors:**

M. Adams, Mrs E. M. Aldworth, J. Bevan, D. Bolter, Mrs P. Cook, J.E. Fussell, Ms J. Gale, R.W. Gough, A.G. Higgs, A. Lewis, K. Lloyd, Mrs G.D. Oliver, Mrs E. Stenner and J. Taylor

#### **Together with:**

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), R. Crane (Solicitor), L. Cooper (Engineer, Highway Planning), C. Davis (Environmental Health Officer), G. Mumford (Senior Environmental Health Officer), P. Den Brinker (Principal Planner), G. Lewis (Principal Planner), R. Amundson (Principal Planner, Minerals), E. Rowley (Senior Planner), C. Powell (Senior Planner), M. Snell (Engineer, Land Drainage) and E. Sullivan (Democratic Services Officer)

#### **APOLOGIES**

Apologies for absence had been received from Councillors H.R. Davies, L. Gardiner and Mrs J. Summers.

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

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

#### **2. MINUTES**

RESOLVED that the minutes of the Planning Committee held on 10th June 2015 (minute nos. 1-16) be approved as a correct record and were signed by the Chair.

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

A request for a site visit was received and accepted by Members of the Planning Committee, as follows:

- (1) Code No. 15/0226/COU - 55 Cardiff Road, Bargoed, CF81 8PA.

**4. SITE VISIT CODE NO.14/0847/FULL – LAND TO THE REAR OF BRYNMYNACH AVENUE, YSTRAD MYNACH, HENGOED**

Mr R. Brown spoke on behalf of local residents in objection to the application and Councillor C.P. Mann spoke on behalf of the Local Ward Member, who was unable to be present, in objection to the application. Mr D. Williams the applicant's agent spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officers report be approved and by a show of hands (and in noting that there were 6 against) this was agreed by the majority present.

RESOLVED that: -

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

**Amended Condition (04)**

Prior to the commencement of works on site a scheme of land and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.

**Reason**

To ensure the development is served by an appropriate means of drainage.

**Additional Condition (22)**

The removal of the trees covered by TPO 74/14/CCBC hereby permitted shall not be commenced before:

- (a) Planning permission for the redevelopment of the site has been obtained, and
- (b) Details have been submitted to the Local Planning Authority of a contract for the development of the site indicating the work is to commence within 3 months, or such longer period that may have been agreed by the Local Planning Authority in writing.

**Reason**

In the interests of visual amenity and in order to retain effective control over the trees on site.

- (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 and CW4;
- (iv) 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;

- (v) the applicant also 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) (02920 722400).
- (vi) the applicant be advised of the comments of the Council's Senior Engineer (Land Drainage) and Network Rail.

**5. SITE VISIT CODE NO. 15/0158/FULL – CHEZ NOUS, 26 SUNNY BANK TERRACE, MACHEN, CAERPHILLY, CF83 8BY**

Mrs D. Butler on behalf of local residents spoke in objection to the application and the Applicant who had been advised, did not speak.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officers report be approved and by a show of hands (and in noting that there were 2 against and 1 abstention) this was agreed by the majority present.

RESOLVED that: -

- (i) the site visit 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, CW3 and CW4.

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

**5. PREFACE ITEM CODE NO. 03/09336 – CONSULTATION BY TORFAEN COUNTY BOROUGH COUNCIL APPLICATION REFERENCE 03/09336, PROPOSED RECLAMATION OF FORMER OPENCAST WORKINGS, RECOVERING OF SECONDARY AGGREGATES AND CONSTRUCTION OF NEW ACCESS ROAD AFFECTING PUBLIC RIGHTS OF WAY AT TIR PENTWYS, HADFODRYNYS**

The report provided an update on additional information received in relation to the Air Quality Management Area at Hafodyrynys. It was noted that the Annual Average Daily Traffic (AADT) flow on the A472 Hafodyrynys Road is 16,111 of which 3.7% are Heavy Goods Vehicles (HGVs). A letter had been received from the applicant which advised that a quantitative assessment of potential air quality impact is only required where daily traffic flows are increased by 1,000 AADT or more, or where there is a high proportion of heavy duty vehicles. In this case the predicted daily HGV movements were significantly below the DMRB criteria and as such the applicant concludes that there will be no adverse impact on air quality as a result of the development and therefore an in-depth air quality impact assessment was not required.

Having fully considered the report it was moved and seconded that the objections previously raised with regard to residential amenity, highway safety and air quality should still be referred to Torfaen County Borough Council as part of the consultation process and by a show of hands (and in noting there were 3 against and 1 abstention) this was agreed by the majority present.

RESOLVED that Torfaen County Borough Council be advised that Caerphilly County Borough Council Planning Committee raises objections to the application on the grounds of the detrimental impact on residential amenity, highway safety and air quality.

**6. PREFACE ITEM CODE NO. 15/0097/FULL – LAND AT CEFN BACH FARM, CEFN ROAD, UPPER DERI, BARGOED**

Having fully considered the application it was moved and seconded the recommendation contained in the Officer's preface report be approved and by a show of hands (and in noting there were 2 abstentions) this was agreed by the majority present.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's preface 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 attached to this consent: CW2, CW3 and CW4.

**7. PREFACE ITEM CODE NO. 14/0604/OUT – CAR PARK AIWA TECHNOLOGY PARK, NEWBRIDGE NEWPORT**

Having fully considered the additional information contained within the Officer's preface report it was moved and seconded that the application be deferred for a further report for reasons for refusal and by a show of hands (and in noting there were 4 against) this was agreed by the majority present.

RESOLVED that the application be deferred for a further report with reasons for refusal based on: -

- (1) that the proposed development for residential housing is contrary to Caerphilly County Borough policy and should be retained for employment use;
- (2) that the levels of noise generated by the adjacent industrial unit, should it come into full use, would be unacceptable and have a negative impact on residential amenity;
- (3) the proposed development would have a negative impact on the adjacent industrial unit with the potential for loss of employment;
- (4) the proposed footpath did not provide a safe and secure route.

**8. CODE NO. 15/0334/FULL – 16 THE AVENUE, WYLLIE, BLACKWOOD, NP12 2HU**

Having fully considered the application it was moved and seconded that the recommendation contain 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 within the Officer's report this application be granted;
- (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: CW2.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

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

**9. CODE NO. 15/0385/FULL – 61 THE AVENUE, YSTRAD MYNACH, HENGOED, CF82 8AF**

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 subject to the condition contained in the Officer's report this application be granted.

**10. CODE NO. 15/0161/OUT – CHEZ NOUS, 26 SUNNY BANK TERRACE, MACHEN, CAERPHILLY**

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 the application be refused.

**11. CODE NO. 14/0688/LA – TY DYFFRYN, 5A AND 5B, ALDER AVENUE, DYFFRYN BUSINESS PARK, YSTRAD MYNACH, HENGOED**

Mr Hallinan on behalf of local residents spoke in objection to the application.

Following consideration of the application it was moved and seconded that the application be deferred for a further report with reasons for refusal.

An amendment was moved and seconded that the recommendation contained in the Officer's report be approved.

By a show of hands (and in noting there were 11 against) the motion was declared lost.

By a show of hands (and in noting there were 4 against) the amendment was declared carried.

RESOLVED that: -

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

**Amended Condition (20)**

There shall be no external preparation, storage, mixing and screening of waste operations.

**Reason**

To control pollution

- (ii) the applicant be advised of the comments of the Council's Ecologist, Senior Engineer (Land Drainage), Head of Public Protection and Natural Resources Wales;
- (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 and SP5.

**12. 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 20.01 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th August 2015, they were signed by the Chairman.

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CHAIRMAN