



PLANNING COMMITTEE

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

PRESENT:

Councillor D.G. Carter - Chair

Councillors:

M. Adams, Mrs E. M. Aldworth, J. Bevan, D. Bolter, Mrs P. Cook, H.R. Davies, Mrs J. Gale, L. Gardiner, R.W. Gough, A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, Mrs J. Summers, 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. Davies (Senior Environmental Health Officer), M. Davies (Principal Planning Enforcement Officer), R. Amundson (Principal Planner), C. Boardman (Area Senior Planner), A. Jones (Ecologist), R. Lloyd (Special Projects Officer), G. Mumford (Senior Environmental Health Officer), A. Pyne (Area Senior Planner), C. Evans (Committee Services Officer)

APOLOGIES

Apologies for absence had been received from Councillors W. David, J.E. Fussell and A.G. Higgs.

1. DECLARATIONS OF INTEREST

Declarations of interest were received as follows:- Councillor J. Bevan – Agenda Item 7. – 13/0732/MIN, Councillor D. Bolter – Agenda Item No. 6 – 15/0038/OUT, D. Carter – Agenda Item No. 6 -15/0038/OUT and Mr R. Crane (Senior Solicitor) – Agenda Item No. 19 – 15/0038/OUT.

2. MINUTES – 24TH JUNE 2015

Subject to the amendment of the statement from Councillor C. Cuss as noted in minute no. 6, in that he referenced a review of funding bond provisions being proposed by Minister Carl Sargent and not a Senedd debate relating to a moratorium on open-cast mining. It was moved and seconded that the minutes of the Special Planning Committee held on 24th of June be approved as a correct record and by a show of hands this was unanimously agreed.

RESOLVED that the minutes of the Special Planning Committee held on 24th June 2015 (minute nos. 1-8) be approved and signed as a correct record.

3. MINUTES - 8TH JULY 2015

RESOLVED that the minutes of the Planning Committee held on the 8th July 2015 (minute nos. 1-12) be approved and signed as a correct record.

4. 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) 15/0038/OUT – Land North of Pandy Road, Bedwas, Caerphilly.
- (2) 15/0043/FULL – Land Between Units 4 and 10, Bedwas Business Centre, Bedwas, Caerphilly.

5. SITE VISIT CODE NO.15/0226/COU – 55 CARDIFF ROAD, BARGOED, CF81 8PA.

Councillor D.G. Carter declared a personal and prejudicial interest in the application on the basis that there could be a public perception that as he is closely involved with what could be perceived to be a rival establishment(s), this involvement, could potentially prejudice his judgement of the merits of this application.

Councillor D. Bolter declared a prejudicial interest in the application on the basis that he was a member of the Licensing Sub-Committee having consideration for and granting the License application. As the item was deferred with no discussion, there was no requirement for him to leave the chamber.

RESOLVED that the application be deferred for further consultation.

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6. PREFACE ITEM CODE NO. 13/0732/MIN – NANT LLESG SURFACE MINE, LAND WEST AND SOUTH-WEST OF RHYMNEY

Councillor J. Bevan declared a personal and prejudicial interest in the item in that he felt that he had a closed mind regarding the application and left the Chamber during the consideration of the item.

Having given due regard to the advice of the Monitoring Officer and Senior Solicitor, Councillors R.W. Gough, and K. Lloyd wished it noted that as they had not been present when the application was first debated they would take no part in its consideration and would abstain from voting.

Following consideration of the Officer's Preface Report, it was moved and seconded that the reason for refusal based on visual impact, be approved and by a show of hands, (and in noting the abstentions of Councillors R.W. Gough and K. Lloyd following the advice of the Senior Solicitor), was unanimously agreed.

RESOLVED that the application be refused on the grounds that the proposed overburden mound and acoustic bund would during their construction and removal have an adverse impact on the visual amenity of the residents of Rhymney, Fochriw and Abertysswg, and an adverse visual impact upon the Brecon Beacons National Park. Those aspect of the proposed development would be contrary to Policy CW2 (A) of the Caerphilly County Borough Council Local Development Plan up to 2021 – Adopted November 2010.

Nominations were sought with regard to defending the reason for refusal at any appeal and Councillors D.G. Carter and Mrs G. Oliver agreed to represent the Planning Committee at any appeal.

7. ADJOURNMENT

Following consideration of the item and at 5.30pm, the Chair called for an adjournment. The meeting reconvened at 5.50pm.

8. CODE NO. 14/0604/OUT – CAR PARK AIWA TECHNOLOGY PARK, NEWBRIDGE, NEWPORT

Following consideration of the Officer's Preface Report it was moved and seconded that the reasons for refusal contained therein be approved and by a show of hands this was unanimously agreed.

The Development Control Manager, advised Members that Planning Officers would not be in a position to defend all four reasons put forward at any appeal and that the Committee would need to nominate two members to defend any appeal.

Nominations were sought and Councillors A. Lewis and K. Lloyd agree to represent the Planning Committee at any appeal.

RESOLVED that for the following reasons this application be refused: -

- (i) the application site is in close proximity to existing industrial premises where the impact of noise, particularly at night, upon the proposed residential properties cannot be satisfactorily ameliorated other than by methods such as mechanical ventilation which is not suitable for family accommodation. The development would therefore be contrary to policy CW2 (c) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 because it would be incompatible with the existing adjoining land use.
- (ii) the application site is a good quality employment site allocated for employment in the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 and should be retained for modern/manufacturing/new technology employment. The development is contrary to policy EM3.14 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.
- (iii) the proposed pedestrian link to North Road is not considered to provide adequate security for users particularly the underpass section because of the lack of adequate surveillance.
- (iv) the proposed residential development would give rise to a loss of valued jobs at the adjoining industrial site by reason of a perceived lack of security on the part of the occupiers that would cause that company to relocate. The development would therefore be contrary to policy CW2(c) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 because it

would be incompatible with the existing adjoin land use.

9. CODE NO. 15/0316/FULL – GROESFAEN FARM, GROES-FAEN TERRACE, BARGOED, CF81 9GH

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 (and in noting there were 2 against) this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and the amendments to Conditions 03 and 11, this application be granted;
- (ii) the applicant be advised that the following polices 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.

Amended Conditions

Condition 03

During the course of the investigation required by Condition 04, should the wind turbine or be identified as operating above the parameters specified in Condition 02, the wind turbine will be modified, limited or shut down as required to measures shall be applied until such time as maintenance or repair is undertaken sufficient to turbine to within the parameters specified.

Reason

In the interest of the amenity of noise sensitive properties.

Condition 11

The wind turbine and tower hereby approved together with the group equipment and plant shall be removed from the application site and the land restored to its former condition, either before the end of 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 the earlier.

Reason

In the interests of visual amenity.

Condition 16

This condition has been removed.

10. CODE NO. 15/0335/FULL – LAND ON NORTHERN BANK OF RIVER EBBW BETWEEN CROSSKEYS AND PONTYMISTER, RISCA, NEWPORT

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by show of hands (and in noting there was 1 against) this was agreed by the majority present.

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, Natural

Resources Wales and Head of Public Protection.

11. CODE NO. 15/0065/FULL – PLATEAU 1 OAKDALE BUSINESS PARK, LON GELLIDEG, OAKDALE BUSINESS PARK, OAKDALE, NP12 4AB

Ms. L Rich on behalf of the Gwent Wildlife Trust and Cllr Mrs J. Jones spoke in objection to the application and Mr M. Pullman, Managing Director of I.G Doors, spoke in support of the application.

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 on the comments of the Senior Engineer (Land Drainage), Wales and West Utilities, Natural Resources Wales and Countryside and Landscape Services.

12. CODE NO. 15/0428/FULL – BLUEBELL BUNGALOW, HEOLDDU ROAD, GELLIGROES, PONTLLANFRAITH, BLACKWOOD, NP12 2HT

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 of the comments of the Rights of Way Officer;
- (iii) the applicant be advised that the following policy of the Caerphilly Local Development Plan up to 2021 – adopted November 2010 is relevant to the conditions of this permission: CW2.

13. CODE NO. 15/0501/NCC – PLATEAU 3 OAKDALE BUSINESS PARK, WATERLOO, OAKDALE, BLACKWOOD

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 Officer's report this application be granted;
- (ii) the applicant be advised of the comments of Dwr Cymru/Welsh Water;
- (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, CW4, CW5 and CW6;

- (iv) the applicant be advised that there will be a requirements to fund and implement all necessary Traffic Regulation Order in association with the Safe Routes to School scheme works;
- (v) the applicant be advised that the Council's School Travel Plan Coordinator will be available to assist in the preparation, development and implementation of the School Travel Plan;
- (vi) the applicant be advised to discuss and agreed the proposed lighting levels with the Council's Street Lighting Manager.

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14. PREFACE ITEM CODE NO. P99/0768 – LAND AT PENALLTA COLLIERY, YSTRAD MYNACH, HENGOED

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's Preface report be approved and by a show of hands (and in noting that there was 1 against) this was agreed by the majority present.

RESOLVED that the details submitted within the Officer's Preface report in respect of the MUGA be approved.

15. PREFACE ITEM CODE NO. 07/0318/FULL – LAND TO EASTERN BOUNDARY OF REDROW DEVELOPMENT (FORMER RAILTRACK) CWM CALON, YSTRAD MYNACH

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 (and in noting that there was 1 against) this was agreed by the majority present.

RESOLVED that the submitted cycle track details be approved.

16. CODE NO. 15/0446/FULL – 11 HENGOED ROAD, PENPEDAIRHEOL, HENGOED, CH82 8BQ

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 conditions contained in the Officer's report this application be granted.

17. CODE NO. 15/0320/FULL – NEWLAND, 7 WARREN DRIVE, CAERPHILLY, CF83 1HQ

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's 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 although bats were not known to occur in the building prior to development, the applicant should be advised that if bats are subsequently discovered during works associated with the development hereby approved, all works should stop immediately and Natural Resources Wales should be contacted for advice on any special precautions before continuing;
- (iii) the applicant be advised that there is potential for next birds on/within the dwelling at Newland, 7 Warren Drive, Caerphilly and that all British Birds (while nesting, building a nest or sitting on a nest), 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 there are any birds nesting on/within the vicinity of the proposed development, then work should therefore be undertaken outside the breeding season for birds (typically between September and February) to ensure their protection. Further advice can be sought from the Local Planning Authority Ecologists.

18. CODE NO. 15/043/FULL – LAND BETWEEN UNITS 4 AND 10 BEDWAS BUSINESS CENTRE, BEDWAS HOUSE INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY

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

RESOLVED that the application be deferred for a site visit.

19. CODE NO. 15/0038/OUT – LAND NORTH OF PANDY ROAD, BEDWAS, CAERPHILLY

Mr. R. Crane (Senior Solicitor) declared an interest in that a family member owns land adjacent to the proposed development, as the application was deferred without discussion there was no requirement for him to leave the Chamber.

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

RESOLVED that the application be deferred for a site visit.

20. DEVELOPMENTS OF NATIONAL SIGNIFICANCE

The report informed Members of a recent consultation from Welsh Government in relation to Developments of National Significance (DNS). It was noted that some 23,000 planning applications per year were submitted in Wales and concerns had been raised with regard to a Local Planning Authorities ability to make timely decisions on some of the most challenging applications.

The consultation proposals were summarised along with the Officer's suggested responses to the questions raised by Welsh Government. Members were advised that the deadline for responses was the 12th August 2015.

Having fully considered the report and the consultation responses from Officer's to the questions raised it was moved and seconded that the comments set out in the report be

forwarded to Welsh Government and by a show of hands this was unanimously agreed.

21. 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 7.02 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 9th September 2015, they were signed by the Chairman.

CHAIRMAN