



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 9TH SEPTEMBER 2015 AT 5:00PM

PRESENT:

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

Councillors:

M. Adams, Mrs E. M. Aldworth, D. Bolter, Mrs P. Cook, H.R. Davies, J. E. Fussell, Mrs J. Gale, R.W. Gough, A.G. Higgs, A. Lewis, Mrs G. D. Oliver, D. Rees, Mrs J. Summers, Mrs E. Stenner, J. Taylor

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), M. Davies (Principal Planner), G. Lewis (Principal Planner), C. Powell (Senior Planner), C. Boardman (Senior Planner), A. Pyne (Senior Planner), V. Morgan (Planner), R. Lloyd (Special Projects Officer) and E. Sullivan (Democratic Services Officer)

APOLOGIES

Apologies for absence had been received from Councillors J. Bevan, L. Gardiner and K. Lloyd and P. Elliott (Head of Regeneration and Planning)

1. DECLARATIONS OF INTEREST

Declarations of interest were received at the beginning and during the course of the meeting as follows:- Councillors D.G. Carter and Cllr D. Bolter – Agenda Item 6a – 15/0226/COU, Councillors J. Taylor and Mrs E.M. Aldworth – Agenda Item 6 – 15/0043/FULL, Councillor Ms J. Gale – Agenda Item 11 – 14/0024/FULL and R. Crane (Solicitor) Agenda Item 5 – 15/0038/OUT details are minuted with the respective item.

2. MINUTES

RESOLVED that the minutes of the Planning Committee held on 5th August 2015 (minute nos. 1-21) be approved and signed as a correct record.

3. TO RECEIVE ANY REQUESTS FOR A SITE VISIT

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

- (1) Code No. 15/0360/FULL - 13 Rising Sun Close, Oakdale, Blackwood.
- (2) Code No. 15/0023/COU - Manchester House, Clifton Street, Caerphilly.
- (3) Code No. 15/0423/FULL - McDonalds Restaurant Ltd, Unit 4 Crossways Park, Caerphilly.
- (4) Code No. 15/0424/ADV - McDonalds Restaurant Ltd, Unit 4 Crossways Park, Caerphilly.

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

R. Crane (Solicitor) declared an interest in that a family member owns land adjacent to the proposed development and left the Chamber when the application was discussed.

Professor M. Harmer, Councillor D. Havard and Councillor L. Jones spoke on behalf of residents in objection to the application and Mr T. Gent the applicant's agent spoke in support of the application.

A further petition in objection to the application was submitted by Councillor D. Havard and accepted by the Chair.

Councillor M. Adams wished it noted that he would be abstaining from voting as he felt that having been unable to attend the site meeting, he did not have enough information to make an informed decision.

Following consideration of the application it was moved and seconded that the application be deferred for a further report with reasons for refusal in that the proposed development is outside the settlement boundary and lies within a Special Landscape Area and as such is contrary to policy and by a show of hands (and in noting there was 1 abstention) this was agreed by the majority present.

RESOLVED that: -

- (i) the site visit report be noted;
- (ii) the application be deferred for a further report for reasons for refusal in that the proposed development is outside the settlement boundary and lies with a Special Landscape Area and as such is contrary to Caerphilly County Borough Council planning policy.

5. SITE VISIT CODE NO. 15/0043/FULL – LAND BETWEEN UNITS 4 & 10 BEDWAS BUSINESS CENTRE, BEDWAS HOUSE INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY.

Councillor Mrs E.M. Aldworth having taken advice from the Monitoring Officer declared a prejudicial interest in that a family friend lives in very close proximity to the proposed development and would be directly affected by it and left the Chamber when the application was discussed.

Councillor J. Taylor declared a prejudicial interest in that the speaker in objection to the application was well known to him and left the Chamber when the application was discussed.

Mr M. Hubbard and Councillor D. Havard spoke on behalf of local residents in objection to the application. The applicant, who had been advised, decided not to speak.

It was moved and seconded that the application be deferred for a further report with reasons for refusal based on the detrimental impact to residential amenity.

An amendment was moved and seconded that the application be granted in line with the recommendation contained in the Officer's report.

By a show of hands (and in noting there were 12 against) the motion was lost and as such the amendment was declared carried.

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 there were 3 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 (8)

Prior to the commencement of development, details of the hedgerow to be planted along the rear, northern boundary of the site shall be submitted for consideration and approval in writing with the Local Planning Authority. The scheme shall include details of the size and species of plants to be planted. Unless otherwise agreed in writing with the Local Planning Authority, the agreed details shall be implemented in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason

In the interest of visual amenity.

Additional Condition (18)

Prior to the construction of the building hereby approved, details and/or samples of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual and residential amenity.

- (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 his permission: CW2 and CW3;
- (iv) the applicant be advised of the comments of the Transportation Engineering Manager, Council's Ecologist and Senior Engineer (Land Drainage).

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

6. LATE AGENDA ITEM - PREFACE ITEM 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 and left the chamber when the item was discussed.

Councillor D. Bolter declared a prejudicial interest in the application on the basis that he was a Member of the Licensing Sub-Committee that considered and granted the license application and left the chamber when the item was discussed.

In the absence of the Chair, Councillor W. David (Vice-Chair) presided as Chair for this item.

Councillor David confirmed that he was prepared to accept this as a late item for the following reasons:-

1. The matter was previously reported to the Committee so the application has been in the public domain for some time.
2. The additional consultation did not attract any comment
3. Cllr T. Davies represents the objectors and he has not raised any objection to the proposal to include as a late item.

It was reported that an additional letter of objection had been received, a letter of support from Bargoed Chamber of Trade and a petition in support of the application.

Councillor D.T. Davies who had requested to speak was not present but on behalf of local residents submitted an email in objection to the application, which was summarised by the Development Control Manager. Ms T. Moberly on behalf of the applicant spoke in support of the application.

Having considered the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by a show of hands (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 and the following amended condition this application be granted;

Amended Condition (03)

The use hereby permitted shall not be open to customers outside the following times: 12.00 hours to 23.30 hours Monday to Sunday.

Reason

In the interest of residential amenity

- (ii) the applicant be advised that the following policy of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions imposed on this consent: Policy CW2.

7. CODE NO. 15/0360/FULL – ERECT DORMER EXTENSION WITH INTERNAL ALTERATIONS, 13 RISING SUN CLOSE, OAKDALE, BLACKWOOD, NP12 0JB.

Having regard to the impact of the development on the existing street scene it was moved and a 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.

8. CODE NO. 15/0468/RET – PLAS HOUSE, RHOSNEWYDD TERRACE LANE, BLACKWOOD, NP12 1DT

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 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 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.

9. CODE NO. 15/0554/NMA – 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 this application be granted.

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

10. CODE NO. P/99/0768 – DISCHARGE OF CONDITION 4(5) ATTACHED TO LAND AT PENALLTA COLLIERY, YSTRAD MYNACH, HENGOED

Following consideration of the application it was moved and seconded that the recommendation in relation to the latest revision of the proposed play area (version 8) be approved and by a show of hands this was unanimously agreed.

RESOLVED that the latest revision of the proposed play area be approved.

11. CODE NO. 14/0024/FULL – FWRRWM ISHTA INN, 68 COMMERCIAL ROAD, MACHEN, CAERPHILLY, CF83 8PG

Councillor Ms J. Gale declared a prejudicial interest in that she lives in very close proximity to the proposed development and left the Chamber when the application was discussed.

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 this was unanimously agreed.

RESOLVED that the application be refused.

12. CODE NO. 15/0023/COU – MANCHESTER HOUSE, 1 CLIFTON STREET, CAERPHILLY, CF83 1HA

Having regard to the impact of the proposed development on residential amenity 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.

13. CODE NO. 15/0397/COU – 3 STATION TERRACE, CAERPHILLY, CF83 1HD

It was reported that an additional letter of objection had been received the details contained therein were summarised by the Planning Officer.

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 there were 2 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;
- (iii) the applicant be advised that in preparing the schemes for control of noise and odour advice should be sought from the Council's Environmental Health Officer (01495 235279). The scheme for control of noise should incorporate measures to protect the future occupiers of the first floor flat from noise from the takeaway at ground floor level;
- (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 the permission: CM1, CW2, CW3, CW14 and SP6.

14. CODE NO. 15/0423/FULL – MCDONALDS RESTAURANT LTD, UNIT C, CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY, CF83 3NL

Having regard to the impact of the development on residential amenity 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.

15. CODE NO. 15/0424/ADV – RECONFIGURE EXISTING SIGNAGE SUITE, CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY

Having regard to the impact of the development on residential amenity it was moved and second 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.

16. CONSULTATION FROM WELSH GOVERNMENT ABOUT SECONDARY LEGISLATION FOR DEVELOPMENT MANAGEMENT

Mr T. Stephens, Development Control Manager introduced the report which outlined proposals in relation to Secondary Legislation for Development Management as part of the consultation process.

The proposals and consultation questions in relation to invalid applications, decision notices, notification of development, consultations in respect of certain applications for approval, appeal against a notice issued in respect of land adversely affecting amenity, post submission amendments, application that fall within Section 73 of TCPA 1990 and a national scheme of charging fees for pre-application advice were noted along with the Officer's responses.

Members were referred to the table in section 19 of the report and the standard national fees proposed for pre-application advice, which were noted to be similar to those charged by this Council and were in some cases higher. However, the Development Control Manager confirmed that where Welsh Government proposed a charge of £25 for a domestic query, Officers felt that a charge of £48 would more appropriately cover costs and for minor developments where Welsh Government proposed a fee of £100, Officers felt that £150, the current fee, would also more appropriately cover costs.

The Chair thanked the Officer for his report and full discussion ensued.

Having fully considered the report it was moved and seconded that the recommendation contained there be approved and by a show of hands this was unanimously agreed.

RESOLVED that the answers to the consultation questions contained within the Officers report be forwarded to Welsh Government.

17. INCREASE IN FEES 2015

Mr T. Stephens, Development Control Manager introduced the report which advised Members of the changes to the fees for the submission of planning applications and other legislative changes coming into effect from the 1st of October 2015.

Members were advised that an increase of approximately 15% would be introduced under these changes. The Officer highlighted one significant change which introduced a policy for the refund of fees and advised that there would now be a requirement to refund a fee should a decision not be given within a certain period of time. It was noted that once a planning application has been validated, Welsh Government expects the LPA to make a decision on the proposal as quickly as possible, within an 8 week timeframe for the majority of applications. This meant that Officer's would need to act more promptly in getting applications to the committee and changes to the current planning site visit procedure would need to be considered if possible refund requests were to be avoided. The Development Control Manager advised that a further report would be brought before the committee detailing a new site visit process that would see visits held the day before (Tuesday) the Planning Committee meeting.

The Chair thanked the Officer for his report and having fully considered its content the Planning Committee noted the report.

18. LOCAL LIST REPORT

Mr T. Stephens, Development Control Manager introduced the report which proposed the adoption a local list for validating planning applications for major developments. The local list would cover a variety of additional information which would be required to accompany major proposals where appropriate.

The Officer referred to section 3 and 4 of the report which detailed the criteria for requiring the submission of additional information and the various assessment that often accompany major applications including Air Quality, Open Spaces and Affordable Housing provision etc.

Members noted the table in section 5 of the report which detailed the national list and the local list which Officers would follow on adoption.

The Chair thanked the Officer for his report and full discussion ensued.

Having fully considered the report and the recommendation contained therein it was moved and seconded that the local list as detailed in section 5 of the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that the local list as detailed in section 5 of the Officers report be adopted.

19. 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 19.08 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 7th October 2015, they were signed by the Chair.

CHAIR