



PLANNING COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
(CHAMBER)
ON WEDNESDAY, 7TH OCTOBER 2015 AT 5:00PM**

PRESENT:

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

Councillors:

M. Adams, D. Bolter, Mrs P. Cook, Miss J. Gale, L. Gardiner, R.W. Gough, A. Lewis, K. Lloyd, , D. Rees, J. Simmonds and J. Taylor.

Together with:

P. Elliott (Head of Regeneration and Planning), T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), C. Boardman (Planner), M. Davies (Principal Planner), C. Powell (Principal Planner), G. Lewis (Principal Planner) and E. Sullivan (Democratic Services Officer)

APOLOGIES

Apologies for absence had been received from Councillors Mrs E. M. Aldworth, J. Bevan, J. E. Fussell, A.G. Higgs, K. Lloyd, Mrs G. Oliver, Mrs E. Stenner and Mrs J. Summers.

1. DECLARATIONS OF INTEREST

Declarations of interest were received as follows:- 14/0836/FULL and 15/0023/COU – Councillor W. David, 14/0836/FULL – Councillor D. Bolter and 15/0669/FULL – Councillor Miss J. Gale and 15/0038/OUT – R. Crane (Solicitor) details are minuted with the respective item.

2. MINUTES

RESOLVED that the minutes of the Planning Committee held on 9th September 2015 (minute nos. 1-19) 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:

- (1) 15/0252/OUT – Land at Cwmgelli, Blackwood NP12 1BZ.
- (2) 14/0836/FULL – The Surgery, Oakfield Street, Ystrad Mynach.
- (3) 14/0855/FULL – Land at Watford Road, Caerphilly.
- (4) 15/0433/FULL – Pen-y-Fan Farm, Pen-y-Fan Farm Lance, Manmoel.
- (5) 15/0451/FULL – Land at Pen-yr-Heol-Las, Manmoel.

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

Councillor W. David declared a prejudicial interest in that the speaker in objection to the application is a close friend of his son and left the Chamber when the application was discussed.

Mr T. Graham and Councillor C. Elsbury spoke on behalf of local residents in objection to the application. The applicant who had been informed decided not to speak.

Following consideration of the application it was moved and seconded that the application be deferred for a further report with reasons for refusal based on highway safety, lack of associated parking and by a show of hands this was unanimously agreed

RESOLVED that the application be deferred for a further report with reasons for refusal based on highway safety and the lack of associated parking.

5. SITE VISIT CODE NO. 15/0360/FULL – 13 RISING SUN CLOSE, OAKDALE, BLACKWOOD, NP12 0JB

Mr C. Brewster on behalf of local residents spoke in objection to the application and Mr L. Hall the applicant 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 (and in noting there was 1 against) this was agreed by the majority present.

In accordance with rule of procedure 15.5 Councillor L. Gardiner wished it recorded that he had voted against the application.

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 of the comments of Welsh Water;
- (iv) the applicant be advised that the following policies of the Caerphilly County Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3.

6. SITE VISIT CODE NO. 15/0423/FULL – MCDONALDS RESTAURANT’S LTD, UNIT C, CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY, CF83 3NL

Councillor M. Prew spoke on behalf of local residents in objection to the application and the applicant who had been advised was not present.

Councillor W. David wished it noted that as he had not been present for the whole of the debate he had not taken part in the vote.

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) the site visit report be noted;
- (ii) subject to the conditions contained in the Officer’s report with the removal of condition (08) this application be granted;
- (iii) 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;
- (iv) public footpath FP56 in the Community of Caerphilly abuts the site and must be protected and available through the duration of the works;
- (v) the applicant be advised of the comments of Dwr Cymru/Welsh Water and the Council’s Senior Engineer (Land Drainage).

7. SITE VISIT CODE NO. 15/0424/ADV – RECONFIGURE EXISTING SIGNAGE SUITE, MCDONALD’S RESTAURANTS LTD, CROSSWAYS PARK, PARC PONTYPANDY, CAERPHILLY

Councillor M. Prew spoke on behalf of local residents in objection to the application, the applicant who had been advised was not present.

Councillor W. David, wished it noted that as he had not been present for the whole of the debate he had not taken part in the vote.

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) the site visit report be noted;
- (ii) subject to the conditions contained in the Officer’s report this application be granted.

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

8. CODE NO. 15/0252/OUT – LAND AT CWMGELLI, BLACKWOOD, NP12 1BZ

Having regard to the impact of the proposed development on highway safety in terms of its access it was moved and seconded that the application be deferred for a site visit by the Planning Committee (All Members) and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit.

9. CODE NO. 15/0463/OUT – LAND ADJACENT TO VICTORIA HOUSE, ASHFIELD ROAD, NEWBRIDGE, NEWPORT, NP11 4RA

Following consideration of the application is 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 that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 210 are relevant to the conditions of this permission: CW2 and CW3;
- (iii) the applicant be advised of the comments of the Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Wales and West Utilities and Transportation Engineering Manager;
- (iv) 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 (as amended), 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 Natural Resources Wales (NRW) 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.

Please 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) (029 20 772400).

10. CODE NO. 15/0433/FULL – PEN-Y-FAN FARM, PEN-Y-FAN FARM LANE, MANMOEL, BLACKWOOD, NP12 0HZ

Having regard to the visual impact of the proposed development it was moved and seconded that the application be deferred for a site visit by the Planning Committee (all Members) and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit.

11. CODE NO. 15/0451/FULL – LAND AT PEN-YR-HEOL-LAS, MANMOEL ROAD, MANMOEL, NP12 0RQ

Having regard to the visual impact of the proposed development it was moved and seconded that the application be deferred for a site visit by the Planning Committee (all Members) and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred for a site visit.

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

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

R. Crane (Solicitor) declared an interest in that a family members owns land adjacent 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 preface report be approved and by a show of hands (and in noting there was 1 abstention) this was agreed by the majority present.

RESOLVED that: -

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

Reason 1

The development is contrary to the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 in that the site lies beyond the identified settlement boundary as specified by Policy SP5.

Reason 2

The proposal is contrary to the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 in that the development of the site would result in the unacceptable erosion of the Special Landscape Area contrary to the provisions of Policy SP10.

13. CODE NO. 14/0836/FULL – THE SURGERY, OAKFIELD STREET, YSTRAD MYNACH, HENGOED, CF82 7WX

Councillor W. David and D. Bolter declared a prejudicial interest in that they are both patients at the surgery, as the item was deferred without discussion for a site visit, there was no requirement for them to leave the chamber.

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

RESOLVED that the application be deferred for a site visit.

14. CODE NO. 14/0855/FULL – LAND AT WATFORD ROAD, CAERPHILLY

Having regard to the impact of the development on residential amenity and which would introduce an overbearing aspect it was moved and seconded that the application be deferred for a site visit by the Planning Committee (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. 15/0472/FULL – 16 GRIFFITHS STREET, YSTRAD MYNACH, HENGOED, CF82 7AW

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 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 and SP6
- (iv) 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 (as amended), 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 Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

16. CODE NO. 15/0526/LA – BRODAWEL HOUSE, COURT ROAD, ENERGLYN, CAERPHILLY, CF83 2QW

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 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 CW18.

17. CODE NO. 15/0669/FULL – FWRRWM ISHTA HOUSE, 68 COMMERCIAL ROAD, MACHEN, CAERPHILLY, CF83 8PG

Councillor Miss J. Gale declared a prejudicial interest in that she lives in close proximity to the proposed development and as such would be directly affected by it 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 a show of hands this was unanimously agreed.

RESOLVED that for the reasons given in the Officer's report and the following amended reason this application be refused.

Amended Reason (05)

It is not possible to accommodate the proposed building together with providing adequate parking, turning and servicing areas as well as amenity space for the apartments and as such the proposal represents over development of the site contrary to Criterion B of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

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

The Development Control Manager introduced the report which advised Members of a consultation from Welsh Government in relation to secondary legislation for development management in relation to Statutory Consultees, Design and Access Statements and Houses in Multiple Occupation.

The proposals were summarised and Officer's responses to the questions raised were detailed.

Having fully considered the consultation questions and the responses of Officers it was moved and seconded that Welsh Government be advised of the answers as set out in the Officer's report as part of the consultation process and by a show of hands this was unanimously agreed.

RESOLVED that Welsh Government be advised of the answers as set out in the Officer's report as Caerphilly County Borough Planning Authority's response to the consultation process.

19. TOWN AND COUNTRY PLANNING ACT 1990 – OBJECTION TO CAERPHILLY COUNTY BOROUGH COUNCIL TREE PRESERVATION ORDER 78 OF 2015 – LAND SOUTH OF YNYS FIELD RECREATION GROUND, PENGAM

Following consideration of the Officer's report it was moved and seconded that Tree Preservation Order 78 of 2015 be confirmed without modification and by a show of hands this was unanimously agreed.

RESOLVED that Caerphilly County Borough Council Tree Preservation Order 78 of 2015 be confirmed.

20. 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 18.40 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 4th November 2015, they were signed by the Chair.

CHAIR