



PLANNING COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
(CHAMBER)
WEDNESDAY, 10TH FEBRUARY 2016 AT 5:00PM**

PRESENT:

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

Councillors:

M. Adams, J. Bevan, D. Bolter, J. E. Fussell, , Mrs J. Gale, R.W. Gough, A.G. Higgs,
A. Lewis, Mrs G. D. Oliver, J. Simmons, Mrs E. Stenner 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), M. Godfrey
(Environmental Health Officer), M. Davies (Principal Planner), P. Den Brinker (Principal
Planner), C. Powell (Principal Planner), C. Boardman (Senior Planner), A. Pyne (Senior
Planner) and E. Sullivan (Democratic Services Officer)

APOLOGIES

Apologies for absence had been received from Councillors Mrs P. Cook, L. Gardiner,
C. Hawker, K. Lloyd, D. Rees and Mrs J. Summers and K. James, Cabinet Member for
Regeneration and Planning.

1. DECLARATIONS OF INTEREST

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

2. MINUTES – 13TH JANUARY 2016

Subject to an amendment to Minute No. 14 (Application No. 14/0604/OUT) to reflect that it
had also been agreed to include an additional amendment that Officers negotiate with the
Developer and Network Rail any possible enhancements to the condition of the underpass it
was

RESOLVED that the minutes of the Planning Committee held on 13th January 2016
(minute nos. 1-14) be approved and signed as a correct record.

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

3. CODE NO. 15/0790/FULL – OAKDALE HOTEL, CENTRAL AVENUE, 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.

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

RESOLVED that: -

- (i) the application be deferred to enable the completion of a Section 106 Agreement that will require the provision of 25% affordable housing (three 1-bed-2 person apartments);
- (ii) upon completion of the Section 106 Agreement and subject to the conditions contained in the Officer's report and the following additional conditions this application be granted;

Additional Condition (14)

No site shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed with the Local Planning Authority, to be carried out by a specialist acceptable to the Local Planning Authority and in accordance with an agreed written brief and specification.

Reason

As the building is of architectural and cultural significance the specified records are required to mitigate impact.

Additional Condition (15)

Prior to the commencement of the soft stripping of the tiles and other roof materials of the building known as the band hall, a derogation licence shall be obtained from Natural Resources Wales and a copy of the required licence shall have been submitted to the Local Planning Authority.

Reason

To ensure adequate protection to protected species.

Additional Condition (16)

Prior to the soft stripping and any demolition works of the building known as the band hall a detailed Bat Method Statement prepared by a competent ecologist shall be submitted for the approval of the Local Planning Authority. The Bat Method Statement shall include mitigation measures for both temporary and permanent roosts. The soft stripping and demolition works of the building known as the Band Hall shall be carried out in accordance with the approved Bat Method Statement.

Reason

To ensure adequate protection for protected species that may be present in the band hall.

Condition (17)

Prior to the commencement of development hereby approved a Light Mitigation Strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging and roosting habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed and maintained thereafter in accordance with the approved strategy.

Reason

To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.

- (ii) the applicant be advised of the comments of Countryside and Landscape Services, Council's Ecologist, Head of Public Services, Conservation and Design Officer and Wales and West Utilities.

4. CODE NO. 15/0791/LBC – OAKDALE HOTEL, CENTRAL AVENUE, 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) the application be referred to CADW with a recommendation that listed building consent is granted subject to conditions, having special regard to the desirability of preserving the building and its setting without any unacceptable harm to either its setting or the conservation area;
- (ii) upon receipt of a satisfactory response from CADW listed building consent be issued and subject to the conditions contained in the Officer's report, the following additional condition and any additional conditions or alternations as may be recommended by CADW this application be granted;

Additional Condition (07)

No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed with the Local Planning Authority, to be carried out by a specialist acceptable to the Local Planning Authority and in accordance with an agreed written brief and specification.

Reason

As the building is of architectural and cultural significance the specified records are required to mitigate impact.

- (iii) the applicant be advised of the comments of the Conservation Officer.

5. CODE NO. 15/0789/FULL – 16 THORNCOMBE ROAD, BLACKWOOD.

Following consideration 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 policy of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 is relevant to the conditions of this permission: CW2.

6. CODE NO. 15/0021/LA – RHYMNEY COMPREHENSIVE SCHOOL SITE AND LAND ADJACENT LAND, ABERTYSSWG ROAD, RHYMNEY, TREDEGAR.

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 within 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, CW4 and CW5.
- (iii) the applicant be advised of the comments of this Council's Ecologist, Natural Resources Wales, Senior Engineer (Land Drainage), The Coal Authority, Dwr Cymru/Welsh Water, Senior Arboricultural Officer (Trees) and Transport Engineering Manager.

7. CODE NO. 16/0020/FULL – 28 FOREST HILL, BLACKWOOD.

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 of the comments of Dwr Cymru/Welsh Water;
- (iii) 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

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

8. CODE NO. 15/0675/FULL – LAND TO THE NORTH OF CWM CALON, PENALLTA, HENGOED.

Following consideration of the application Members requested that a condition to address the concerns raised with regard to the discharge of materials on to public footpaths from the development be attached to the granting of this permission and subject to this addition (Condition 12 (vi)) 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.

RESOLVED that: -

- (i) subject to the removal of conditions 6,7 and 8, the renumbering of the remaining conditions and amendments to conditions 10,11 and 15 (now numbered 7, 8 and 12) this application be granted;

Condition (01)

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Condition (02)

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 waster 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 interests of highway safety.

Condition (03)

The development shall not be occupied until the area indicated for the parking of vehicles has 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 highway safety.

Condition (04)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.

Reason

In the interests of highway safety.

Condition (05)

The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that breeding birds are protected. All British birds 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.

Condition (06)

The development hereby approved shall be carried out fully in accordance with the recommendations made in Section 5 of the Ecological Appraisal Report dated August 2015 prepared by EDP. The development shall be undertaken fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure adequate protection for protected species and habitats.

Amended Condition (07)

Prior to the commencement of any works associated with the development hereby approved a plan showing details of the provision of roosts and a means of access to bats in 75% of the new development at Cwm Calon, Penallta shall be submitted to the Local Planning Authority for approval. The approved details be implemented before the development hereby approved in first occupied.

Reason

To provide additional roosting for bats as a biodiversity enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006 and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning.

Amended Condition (08)

Prior to the commence of any works on site, details of the provisions of nesting sites for bird species (House Sparrow, House Martin, Starling or Swift) in 75% of the new development at Cwm Calon, Penallta, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new development hereby approved is first occupied.

Reason

To provide additional nesting opportunities for birds as a biodiversity enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006. Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.

Condition (09)

Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed in accordance with the approved strategy.

Reason

To ensure proper measures are taken to safeguard the habitat of bats in the interest of biodiversity.

Amended Condition (10)

No development shall commence until details of the scheme for the disposal of surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason

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

Condition (11)

The layout of the development hereby approved shall include off-highway collection areas for refuse, recycling, food and garden waste to be collected by vehicles operating a highway kerbside collection service. The approved collection areas shall be completed before the residential units to which they relate are occupied and thereafter they shall be maintained free of obstruction for the storage and collection of refuse, recycling, food and garden waste only.

Reason

To ensure that adequate provision for refuse, recycling food and garden waste collection is included in the site layout in the interest of visual amenity and highway safety.

Amended Condition (12)

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding;
- v) measures to control the emission of dust and dirt during construction;
- vi) measures to control the discharge of materials, soils, surface water onto neighbouring lands and public footpaths.

Reason

In the interest of residential amenity.

Condition (13)

No activity associated with the development hereby approved shall commence until an Arboricultural Method Statement (AMS) which shall detail fully the implementation of the Tree Protection Plan and include all instructions or prohibitions necessary for the success of the Tree Protection Plan, including:

- A programme for arboricultural supervision and monitoring.
- A full compaction damage/levels changing and soil improvement works mitigation plan.
- A programme for any pre-development access facilitation works and the requirements for any contractors engaged to provide such services.

This plan shall be agreed in writing with the Local Planning Authority and thereafter all works shall be undertaken in accordance with these agreed details.

Reason

To protect the trees on site during construction works.

Condition (14)

Prior to the commencement of works associated with the development hereby approved, a landscaping and management scheme shall be submitted and approved in writing by the Local Planning Authority. Areas identified for native hedgerows, woodlands or wild flower planting shall include a mix of approved species of which at least 75% shall be of local provenance. The agreed details shall be carried out in the first planting or seeding season following the completion of the development. Any trees or plants which within a period of five years from completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The management proposals should also be included, along with timing of management, management requirements, who is responsible for management etc.

Reason

In the interest of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Government's Planning Policy Wales TAN 5 Nature Conservation and Planning.

Amended Condition (15)

Prior to commencement of development hereby approved details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include secondary glazing systems in all bedrooms of residential units situated on plots 01, 02, 03, 07, 08, 09, 31 & 32 (as stipulated in the Cwn Calon planning layout diagram DRG Number 7895-PL01) to achieve an internal Lmax level of 45dB(A). Development shall be carried out in accordance with the approved details before the first occupation of the dwellings hereby approved.

Reason

In the interest of residential amenity.

Condition (16)

Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include the design of a solid, continuous acoustic barrier to be constructed along the Western boundary of the application site. The scheme shall detail the decibel reduction capability of the acoustic barrier and how that will impact upon both internal and external noise levels at the proposed dwellings. The development shall be carried out in accordance with the agreed details and completed prior to the occupation of the dwellings at plots referred to in Condition 15.

Reason

In the interest of residential amenity.

Condition (17)

Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.

Reason

In the interest of public health.

Condition (18)

No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.

Reason

To protect public health

Condition (19)

Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason

To prevent contamination of the application site in the interest of public health.

Condition (20)

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:

drwg no's. 7895-PL01 Revision E, 881.01 Revision B, TUE91148/A/EL DD 002/6 engineering details and drainage layout, 7895-PL02 Revision C materials layout, 7895-PL03 Revision B Boundary treatments, 7895-PL05 Revision A, site location plan. The Oxford EF Series, Render (A1), EF Series Brick (B1), The Letchworth EF Series Render (A1), EF Series, The Cambridge EF Series Render (A1), EF Series Brick (B1) all received 14.1.16. TUE91148/A/EL PL 002: The Warwick WF Series Brick (B1), WF Series Render (A1), WF Series Brick (B2), WF Series Render (A2). The Amberley WF Series Brick (B1), WF Series Render (A1), (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

Reason

To ensure that the development is carried out only as approved by the Local Planning Authority.

- (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: SP10, CW2 and CW3;
- (iii) the applicant be advised of the comments of the Council's Ecologist, Heddlu Gwent Police, Natural Resources Wales, Public Rights of Way, Senior Engineer (Land Drainage), Wales and West Utilities and Head of Public Services.

9. CODE NO. 15/0310/COU – LAND TO THE REAR OF 13-17 GLYN DERWEN, LLANBRADACH, CAERPHILLY.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officers 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 on this permission: CW2, CW3, CW15, SP5 and SP6.

10. CODE NO. 15/0740/FULL – 78 BRYNMYNACH AVENUE, TREDOMEN, HENGOED.

Mrs N. John spoke in objection to the application and the applicant who had been advised did not speak.

Councillor Mrs G.D. Oliver wished it noted that as she had not been present for the whole of the debate she 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 show of hands and in noting there was 1 against and 1 abstention this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's report and that a letter be sent advising the applicant that should complaints be received in relation to the fence then enforcement action would be taken forward by the Highway Authority under its legislation, 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 are relevant to the conditions imposed on this permission: CW3.

11. 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 18.27 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 March 2016, they were signed by the Chair.

CHAIR