



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 14TH DECEMBER 2016 AT 5PM

PRESENT:

Councillor W. David - Vice-Chair - Presiding

Councillors:

M. Adams, Mrs P. Cook, J.E. Fussell, Ms. J. Gale, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, K. Lloyd, Mrs E. Stenner, J. Taylor

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), C. Powell (Principal Planner), P. Den Brinker (Team Leader East), C. Boardman (Area Senior Planner), E. Rowley (Area Senior Planner), A. Pyne (Area Senior Planner), M. Davies (Team Leader South), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Environmental Health Officer), H. Morgan (Senior Committee Services Officer)

APOLOGIES

Apologies for absence had been received from Councillors J. Bevan, D. Bolter, D. Carter, L. Gardiner, Mrs G.D. Oliver, D. Rees, J. Simmonds, Mrs J. Summers and the Cabinet Member for Regeneration, Planning and Sustainable Development - Councillor K. James.

1. DECLARATIONS OF INTEREST

A declaration of interest was received from Councillor W. David in relation to Agenda Item 4 - 16/0656/FULL. Details are minuted with the respective item.

2. MINUTES - 9TH NOVEMBER 2016

RESOLVED that the minutes of the Planning Committee held on 9th November 2016 (minute nos. 1 - 18) be approved and signed as a correct record.

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

3. CODE NO. 16/0656/FULL - LAND TO THE EAST OF EAST VIEW TERRACE, BARGOED

Councillor W. David declared a prejudicial interest in that his son Councillor H. David, in his capacity as Assembly Member, has objected to the application on behalf of local residents and left the Chamber when the application was discussed.

Councillor A. Lewis was moved to the Chair for this item only.

It was noted that the application had been subject to a site visit on Monday 12th December 2016. A briefing note on the issues raised was tabled at the meeting, summarised by the Officer and is appended to these minutes.

Following consideration of the application it was moved and seconded that subject to the following additional conditions, the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there was 1 against, this was agreed by the majority present.

It was noted that the ward members had requested that there be consultation with themselves, local residents and United Welsh Housing Association.

RESOLVED that: -

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

Additional Condition (14)

Prior to the commencement of any work on site a Construction Method shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide all details in relation to construction on the site together with a scheme for the management of traffic associated with the construction activities at the site, including deliveries and workers vehicles and the construction of a temporary access from Angel Lane. The development shall be carried out in accordance with the plan.

Reason

In the interests of highway safety.

Additional Condition (15)

The dwellings hereby approved shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans to the satisfaction of the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason

In the interests of highway safety.

Additional Condition (16)

The proposed parking areas shall be completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried on to the public highway.

Reason

In the interests of highway safety.

Additional Condition (17)

No surface water run-off shall drain on to the public highway.

Reason

In the interests of highway safety

Additional Condition (18)

Notwithstanding the submitted plans there shall be no vehicular access to the rear of the site along the lane to the rear of number 1a to 7A Eastview Terrace unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety.

- (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 SP10;
- (iii) the applicant be advised of the comments of Cymru/Welsh Water, Senior Engineer (Land Drainage), Gwent Police and Wales and West Utilities together with the information from the Council's Ecologist.

4. CODE NO. 16/0897/FULL - PEN BRYN OER, MERTHYR ROAD, RHYMNEY

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. 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 the permission: CW2.

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

5. CODE NO. 16/0665/FULL - FORMER CWM IFOR PRIMARY SCHOOL SITE, CAERPHILLY

Following consideration of the application it was moved and seconded that subject to the deletion of condition 04 and its replacement with a new condition and an amendment to the Officer's recommendations to enable the completion of a Section 106 Unilateral Obligation, the recommendations contained in the Officer's report be approved. By a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the application be deferred to enable the completion of a Section 106 Unilateral Obligation;
- (i) upon completion of the Section 106 Unilateral Obligation, subject to the conditions contained in the Officer's report, the deletion of condition 04 and its replacement with a new condition this application be granted;

New Condition (4)

A Landscape Management Plan, including

- (a) long term design objectives,

(b) management responsibilities, and

(c) maintenance schedules for all landscape areas, other than domestic gardens, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.

The Landscape Management Plan shall be carried out as agreed.

Reason

To ensure that the landscaping is maintained in the interests of the visual amenity of the area.

- (ii) the applicant be advised of the comments of the Senior Engineer (Land Drainage), the Council's Ecologist, Countryside and Landscape Services, Wales and West Utilities, The Coal Authority, Transportation Engineering Manager and Head Of Public Services;

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites.

Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencingdistance-of-mine-entries>.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

This Informative Note is valid from 1st January 2015 until 31st December 2016.

- (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, CW11, SP6.

6. CODE NO. 16/0919/COU - UNIT 4 RIVER BANK COURT, NEWPORT ROAD, TRETHOMAS, CAERPHILLY

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. 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 the permission: CW2.

7. CODE NO. 16/0950/COU - MANCHESTER HOUSE, 1 CLIFTON STREET, CAERPHILLY

Following consideration of the application it was moved and seconded that the recommendations contained in the Officer's report be approved. 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 the permission: CW2 and CW4;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

8. 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 5.35pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th January 2017, they were signed by the Chair.

CHAIR

MEMBERS SITE VISIT

PLANNING APPLICATION REFERENCE: 16/0656/FULL

PROPOSED DEVELOPMENT: Erect a development of 10 no dwellings and associated works

LOCATION: Land to the east of East View Terrace, Bargoed

DATE OF SITE VISIT: 12th December 2016

MEMBERS PRESENT: A Lewis and C Hawker.

The following points were raised by members, and the answers provided:

- Cllr D Price requested that the application be deferred to allow a Ward Member to speak at the next available committee as neither she nor Cllr Carter would be available and Cllr D T Davies had declared an interest. As discussed at the meeting this matter has been referred to the Council's Legal section who have commented as follows.
 - Planning committee would not normally be deferred because a local member was not available to attend to speak except where formal notice is given under the challenge procedure set out in the constitution. However, in most cases, if a local member cannot attend and wishes to speak, it would be usual for that member to ask a fellow ward member or adjacent ward member to speak or read out a prepared statement on their behalf.
- Cllr D T Davies requested that the application be deferred to enable members and the public to be consulted on the Construction Method Statement (CMS) submitted by the developer.
 - It was explained at the site visit that the submitted CMS was provided for information purposes in order to establish that construction access could be achieved via Angel Lane and that a condition would be attached to any consent granted requiring the submission and approval of a final version of the CMS prior to the commencement of works on site. Members were advised by the Planning Officer that it was common on larger schemes for such conditions to be attached to consents as this allowed the appointed contractor to submit a detailed scheme setting out how the development would be carried out. Such a scheme would include details in relation to noise dust, hours of working, site compound, construction access etc. This matter has also been referred to the Council's Legal Section and they have advised that "This can be adequately dealt with by condition, which would be the usual practice. If granted, the applicant would need to apply for discharge of that condition to comply with the planning permission and the authority have the ability to control that by first approving the plan."
- Members queried why the access to the dwellings could not be provided off Angel Lane in line with the construction access.
 - The first thing to note is that the current proposal to provide access off East View terrace is considered to be acceptable in planning terms and it is against that background that a decision has to be made. The developers were requested to consider whether access to the dwellings could be obtained off Angel Lane they have stated that for construction and development reasons this is not possible. As the proposal is considered to be acceptable in planning terms it would not therefore be reasonable to require the developers to amend the scheme to provide access off Angel Lane. This matter was explained to the members at the site visit.