



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 8TH MARCH 2017 AT 5PM

PRESENT:

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

Councillors:

M. Adams, P.J. Bevan, Mrs P. Cook, J.E. Fussell, Ms. J. Gale, C. Hawker, A.G. Higgs,
A. Lewis, K. Lloyd, Mrs G.D. Oliver, D. Rees, J. Simmonds

Cabinet Member for Regeneration, Planning and Sustainable Development - Councillor K. James

Together with:

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

1. **APOLOGIES**

Apologies for absence had been received from Councillors J. Bevan, D. Bolter, R.W. Gough, Mrs J. Summers, Mrs E. Stenner and J. Taylor.

2. **DECLARATIONS OF INTEREST**

Councillors P.J. Bevan declared an interest in agenda item 6 - Code No. 16/0208/OUT, Details are minuted with the respective item. Other declarations were received during the course of the meeting and are minuted with the respective item.

3. **MINUTES - 8TH FEBRUARY 2017**

RESOLVED that the minutes of the Planning Committee held on 8th February 2017 be approved and signed as a correct record.

4. **PREFACE ITEM - COE NO. 15/0782/FULL - ERECT RESIDENTIAL DEVELOPMENT FOR 45 DWELLINGS ON LAND AT WOODFIELD PARK LANE, PENMAEN, OAKDALE**

Following consideration of the application it was moved and seconded that subject to an amendment to reason 2 to include reference to the fact that the development would have an

adverse effect on the intrinsic character and appearance of a valued landscape, for reasons 1 and 2 as contained in the Officer's preface report, the application be refused. By a show of hands this was unanimously agreed.

RESOLVED that the application be refused for the following reasons:

Reason 1

The proposed development is outside the settlement boundary and within the Blackwood, Oakdale and Penmaen green wedge as defined by the Caerphilly County Borough Council Local Development Plan, up to 2021, adopted November 2010 and is thus contrary to Policy SP5 criterion B of that plan, which seeks to promote the full and effective use of urban land and thus concentrate development within settlements. The development is also contrary to Policy CW15 criterion C of that plan because it is not one of the developments specified as being acceptable outside the settlement boundaries.

Reason 2

The development would have an adverse effect on the intrinsic character and appearance of a valued landscape. The proposal is also contrary to criterion B of Policy CW4 of 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 Blackwood Riverside Woodlands, North East of Blackwood Site of Importance of Nature conservation as identified by Policy NH3.71 of the plan.

Nominations were sought with regard to defending the reasons for refusal at any appeal and Councillors Mrs P. Cook and A. Lewis agreed to represent the Planning Committee at any appeal.

5. PREFACE ITEM - CODE NO. 16/0899/FULL - FACTORY UNIT, PENGAM ROAD, ABERBARGOED

Following consideration of the application it was moved and seconded that the conditions contained the Officer's preface and original report be approved. By a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's original and preface 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

6. CODE NO. 16/0208/OUT - CATNIC PONTYPANDY INDUSTRIAL ESTATE, CAERPHILLY

It was noted that the application had been subject to a site visit on Monday 6th March 2017.

Councillor P. J. Bevan declared a prejudicial interest (in that the land owner is known to him) and left the Chamber when the application was discussed.

Councillor J. Pritchard spoke on the application. The applicant's agent, who was present, indicated that he not wish to speak.

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) the application be deferred to allow the completion of a Section 106 Agreement for the provision of 5% Affordable Housing and Open Space Provision as set out in the report;
- (ii) on completion of the Agreement, 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, CW3 and CW4;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Council's Ecologist, Coal Authority and Wales and West Utilities.

7. CODE NO. 17/0031/FULL - 11 MAES-Y-DRUDWEN, CAERPHILLY

It was noted that the application had been subject to a site visit on Monday 6th March 2017.

Ms K. Selway spoke in objection to the application. The applicant who had been advised had declined the offer to speak.

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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
- (iii) 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 of the permission: SP6, CW3.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water;
- (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.

8. CODE NO. 16/1062/FULL - GLYN GWYN FARM, HIGH STREET, BEDWAS

Councillors P. Bevan, W. David and K. Lloyd declared an interest (as the applicant's representative is known to them) and left the meeting when the application was discussed.

It was noted that the application had been subject to a site visit on Monday 6th March 2017 and that since the preparation of the report a further 2 letters of objection and 3 of support had been received.

Mrs D. Parnell spoke in objection to the application and Mr L. Nicholas, the applicant's representatives, spoke in support of the application.

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.
- (iii) the applicant be advised of the comments of the Council's Ecologist Dwr Cymru/Welsh Water;
- (iv) the applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

9. CODE NO 17/0039/COU - 24 CHURCH STREET, BEDWAS

It was noted that the application had been subject to a site visit on Monday 6th March 2017 and that since the preparation of the report a further 66 letters and petition of objection (with 83 signatures) had been received.

Councillor D. Havard and Ms L. Davies spoke in objection to the application. The applicant who had been advised had declined the offer to speak.

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, and in noting that there were 6 for, 6 against and 2 abstentions, in accordance with Rule of Procedure 15.3, the Chair used his casting vote and as such the application was declared approved.

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;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water;
- (iv) the applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

10. PLANNING APPEAL DECISION REGARDING ERECTION OF RESIDENTIAL DEVELOPMENT AT LAND NORTH OF PANDY ROAD, BEDWAS

Consideration was given to the report which advised of the recent appeal decision in respect of housing development at Pandy Road, Bedwas.

Members were advised that planning permission was refused in November 2015 (Code No. 15/0038/OUT) for residential development on land north of Pandy Road, Bedwas because the site was outside the settlement boundary defined in the LDP, and it would be detrimental to a special landscape area (SLA). The site has an area of over 8 hectares, and supporting information indicated that it could be developed for up to 300 houses.

An appeal was made against the decision, and the inquiry was held in mid-April 2016. Due to the size of the development, the appeal was called in by the Welsh Minister, who issued her decision based on the Inspector's report of 31st January 2017 that, subject to conditions, planning permission, be granted.

Member noted the conclusions in the report and, notwithstanding the views expressed by the Cabinet Secretary for Environment and Rural Affairs (as appended to the report), noted that whilst the adopted LDP remains the appropriate development plan for the determination of planning applications, in considering whether development is contrary to the policies in the plan, careful consideration needs to be given to the objectives of those policies, and whether the proposal is contrary to those objectives, not least because significant weight should be given to the lack of a five year housing supply in determining planning applications.

Concerns were expressed that developers appear to be interested in developing on sites in the south of the borough and Members were reminded that it was not possible to direct them to build in specific areas, although there are sites allocated in the north of the borough for development purpose. However, colleagues in other authorities are undertaking work on how they can be incentivised to do so and this will be considered further in due course.

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 6.55pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th April 2017, they were signed by the Chair.

CHAIR