



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 16TH SEPTEMBER 2020 AT 10:00 AM

PRESENT:

Councillor R. Saralis - Chair
Councillor A. Whitcombe - Vice-Chair

Councillors:

M. Adams, E.M. Aldworth, C. Andrews, J.E. Fussell, L. Harding (part of meeting), A.G. Higgs, B. Miles, J. Simmonds, J. Taylor, T.J. Williams

Together with:

R. Tranter (Solicitor) R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Boardman (Area Principal Planner), C. Powell (Area Principal Planner), A. Pyne (Principal Planner), C. Campbell (Transportation Engineering Manager), M. Godfrey (Team Leader, Pollution Control), A. Vick (Senior Engineer), R. Barrett (Committee Services Officer)

CHAIR ANNOUNCEMENT

Councillor R. Saralis opened the meeting and placed on record his thanks to Councillor M. Adams for his hard work and commitment during his term as Chair, and the fair and dignified manner in which he had conducted the meetings of Planning Committee.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A. Angel, J. Bevan, M. Davies, R.W. Gough, D. Hardacre, A. Hussey and G. Oliver.

2. DECLARATIONS OF INTEREST

During the course of the meeting, Councillor D.T. Davies (speaking on behalf of local residents) declared a personal and prejudicial interest in relation to Agenda Item No. 6 – Application Code No. 20/0469/NCC. Details are minuted with the respective item.

3. MINUTES – 12TH AUGUST 2020

It was moved and seconded that the minutes of the meeting held on the 12th August 2020 be agreed as a correct record and by a show of hands-up this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 12th August 2020 (minute nos. 1-5) be approved as a correct record.

REPORTS OF OFFICERS

With the permission of the Chair, Agenda Item 5 (Code No. 20/0277/FULL), Agenda Item 6 (Code No. 20/0469/NCC) and Agenda Item 8 (Code No. 20/0577/RET) were brought forward on the agenda.

4. **CODE NO. 20/0277/FULL - BEDWELLY COMPREHENSIVE SCHOOL (FORMER) - LAND AT PENGAM ROAD, ABERBARGOED.**

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, together with amended conditions relating to site layout, a construction environmental management plan and acoustic glazing, an additional condition in relation to a water main, and with it being noted that Planning Officers would be working with consultees to address the prior to commencement conditions relating to ecology, transport and landscaping, the recommendation contained in the Officers report be approved, and the vote was announced as 9 for the motion.

Councillor J. Simmonds and Councillor J. Taylor lost connection during the voting roll call and were unable to announce their vote but when their connections were re-established, on the advice of the Monitoring Officer, both Members agreed to have their vote recorded as abstaining. It was therefore noted that there were 9 For, 0 Against and 2 Abstentions and the motion was declared carried by the majority present.

RESOLVED that: -

- (i) the application be deferred to allow the applicant to enter into a Section 106 Agreement as set out in the Officer's report and on completion of the Agreement that planning permission be GRANTED subject to the conditions contained in the Officer's report and the following additional and amended conditions and with it being noted that Planning Officers would be working with consultees to address the prior to commencement conditions relating to ecology, transport and landscaping.

Additional Condition (26)

Prior to beneficial occupation of any of the approved dwellings, the watermain serving the site shall be extended to the boundary of the site with the adjacent Aberbargoed Special Area of Conservation

Reason

To provide enhancement opportunities to the Aberbargoed Grasslands SAC in accordance with the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009)"

Amended Condition (02)

The development shall be carried out in accordance with the following approved plans and documents:

AF-01 Affordable Housing Plan, received 07.04.2020;

EN01 - EN07 - Enclosure Details Sheets 1-5, received 07.04.2020; EW-01 - External works, received 07.04.2020;

Various house Type, received 07.04.2020;

G10-01 & G11-01 - Garage types, received 07.04.2020; HF-01 - House finishes layout, received 07.04.2020; SLP-01 - Site Location Plan, received 07.04.2020;
TP-01 Rev. G - Site Layout Plan, received 18.08.2020;
Dwg. No. 454.02 Rev. A- Planting Plan, received 22.06.2020; Tree Protection Plan, received 07.04.2020;
Tree Survey and Tree Constraints Plan, received 07.04.2020; Woodland Management Plan, received 15.06.2020;
CEMP, received 15.06.2020.

Reason

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

Amended Condition (09)

None of the buildings relating to plots 82 & 83, 96-101, shall be occupied until upgraded acoustic glazing has been installed in all habitable room windows on the façades of the premises facing Pengam Road in accordance with a scheme that shall have first been submitted to and agreed in writing by the Local Planning Authority.

Reason

To protect residential amenity and to accord with Policy CW2 of the Caerphilly Local Development Plan up to 2021 (Adopted November 2010).

5. DEFERMENT REQUEST - CODE NO. 20/0469/NCC - LAND AT CAE SHINGRIG, EASTVIEW TERRACE, BARGOED

The Chair advised the Committee that a request had been made for the application be deferred to the next Planning Committee to allow a member of the public, who had submitted a written statement in objection to the application, to remotely attend the meeting and address the Committee.

The Committee were advised of the current procedure in place, whereby applicants and objectors submit their representation by way of a written statement, and Members were asked to consider deferment of the application to the next Planning Committee. Following debate, each Member was asked to state if they were in favour of the deferment or against the deferment.

Having determined there were 0 for the deferment with 9 against and 1 abstention, it was RESOLVED that the request for deferment to the next Planning Committee be refused and consideration of the application proceed as scheduled.

6. CODE NO. 20/0469/NCC - LAND AT CAE SHINGRIG, EASTVIEW TERRACE, BARGOED

A statement was read on behalf of residents in objection to the application.

Councillor D.T. Davies, Local Ward Member, spoke on behalf of residents in objection to the application. Whilst speaking on the matter, and following advice from the Monitoring Officer, Councillor D.T. Davies declared a personal and prejudicial interest in the item as he lives in close proximity to the site, and left the meeting immediately following his representation.

A statement from the Applicant in support of the application was read to the Committee.

Councillor Mrs D. Price, Local Ward Member, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained within the Officer's report and amended conditions in relation to acoustic glazing, tree protection, lighting and a garden boundary fence (so that they no longer require the submission of information prior to works commencing on site), the recommendation contained in the Officer's report be approved and in noting there were 7 For, 3 Against and 1 Abstention this was agreed by the majority present.

RESOLVED that:-

- (i) Subject to the conditions contained in the Officers report and the following amended conditions this application be GRANTED;

Amended Condition (02)

The development hereby approved shall be carried out in accordance with the Acoustic Glazing System to be Fitted To All Windows Facing the Railway Line in accordance with Measurement of Sound Transmission Loss (EN ISO 140 & EN ISO 717) document approved by the Council on 15th July 2019 in respect of application 19/0413/COND.

Reason

To protect the residential amenity from noise from the railway line in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition (03)

Tree protection on the development shall be carried out in accordance with drawing numbers (SK)002U Proposed Site Layout - Ground Floor, (SK)003J Proposed Site Layout - First Floor approved by the Council on 26th February 2020 in respect of application 19/0894/NMA and shall be retained on site at all times during the construction process.

Reason

To safeguard the vegetation that is considered to be worthy of retention in the interests of visual amenity of the area.

Amended Condition (05)

The lighting on the development shall be carried out in accordance with Drawing (SK)002U approved by the Council on 15th July 2019 in respect of application 19/0413/COND before the new dwellings hereby approved are first occupied.

Reason

To ensure adequate protection to protected species 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 (06)

A garden boundary fence shall be erected along the inside of the existing hedgerows on the eastern and southern boundaries of the site in order to exclude the hedgerows from within the garden boundaries, in accordance with Detail No. (92)101 approved by the Council on 15th July 2019 in respect of application 19/0413/COND, before the new dwellings hereby approved are first occupied.

Reason

In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy

contained in Welsh Assembly Government's Planning Policy Wales (2016) Tan 5 Nature Conservation and Planning (2009).

7. CODE NO. 20/0577/RET - 1 KINGSWOOD CLOSE, HENGOED, CF82 7LU

A statement was read on behalf of a local resident in objection to the application.

Councillor M. James spoke in objection to the application.

A statement from the Applicant's Agent on behalf of the Applicant in support of the application was read to the Committee.

Following consideration of the application it was moved and seconded that subject to an additional condition requiring that a 1.8m privacy screen be erected, the recommendation contained in the Officer's report be approved and planning permission be granted, and in noting there were 4 For, 7 Against and 1 Abstention, the motion was declared lost.

As the motion was lost, the application would be deferred for a further report to a future meeting with draft reasons for refusal based on the structure having an overbearing impact and the perception of overlooking for members to consider.

RESOLVED that the application be deferred for a further report with draft reasons for refusal based on the structure having an overbearing impact and perception of overlooking.

Councillor L. Harding abstained from voting on this item as he had not been present for the whole debate.

8. CODE NO. 19/0920/FULL - LAND AT GRID REF 321955 187224 YEW TREE COTTAGE TO THE ROW, DRAETHEN

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and in noting there were 12 For, 0 Against and 0 Abstentions this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officers 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 reports 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 of the comments of Natural Resources Wales, the Land Drainage Officer, Western Power Distribution and the Public Rights of Way Officer;
- (iv) The applicant be advised that SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT

From 7th January 2019, Schedule 3 of the Flood and Water Management Act

2010 commenced in Wales requiring that all new developments of more than one house or where the construction areas is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

9. CODE NO. 20/0526/FULL - 10 PENDARREN STREET, PENPEDAIRHEOL, HENGOED, CF82 8BZ

Councillor A. Whitcombe took the Chair for this item as Councillor R. Saralis lost connection to the meeting.

Following consideration of the application it was moved and seconded that subject to an amended condition in relation to the type of construction materials used and completion prior to beneficial use of the extension, the recommendation contained in the Officer's report be approved, and in noting there were 11 For, 0 Against and 1 Abstentions this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officers report and the following amended condition this application be GRANTED.

Amended Condition (03)

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building, and shall be completed prior to beneficial use of the extension hereby approved.

Reason

In the interests of the visual amenities of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (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.
- (iii) 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 reports 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.

- (iv) 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).

- (v) The applicant be advised of the comments of Dwr Cymru/Welsh Water and the Council's Ecologist.

Councillor R. Saralis would be recorded as abstaining on this item as he had not been present for the whole debate, and resumed the position of Chair following this item.

The meeting closed at 1.25pm

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 2020.

CHAIR