



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 9TH MARCH 2022 AT 5:00 PM

PRESENT:

Councillor R. Saralis – Chair
Councillor E.M. Aldworth – Vice-Chair

Councillors:

M. Adams, Mrs E.M. Aldworth (Vice-Chair), C. Andrews, M. Davies, N. Dix, J. Fussell, R.W. Gough, B. Miles, J. Ridgewell, R. Saralis (Chair), J. Simmonds, J. Taylor

Cabinet Member: Councillor A. Whitcombe (Sustainability, Planning and Fleet)

Together with:

R. Tranter (Head of Legal Services and Monitoring Officer), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Area Principal Planner), E. Rowley (Area Senior Planner), C. Campbell (Transportation Engineering Manager), M. Godfrey (Team Leader - Pollution Control and Emergency Planning & Resilience), M. Goodger (Senior Engineer – Drainage), J. Hobbs (Senior Engineer), C. Lamnea (Planning Enforcement and CIL Monitoring Officer), R. Barrett (Committee Services Officer), S. Hughes (Committee Services Officer)

RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#)
Members were advised that voting on decisions would be taken via Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, L. Harding, A. Higgs and A. Hussey.

2. DECLARATIONS OF INTEREST

Councillor R. Saralis declared a personal and prejudicial interest in [Agenda Item 4 \(Application No. 21/0899/FULL\)](#) on the basis that he has previously declared an interest in relation to this site (being a close friend of the family of one objector) and he left the

meeting when the application was discussed. Details are also minuted with the respective item.

3. MINUTES – 9TH FEBRUARY 2022

It was moved and seconded that the minutes of the meeting held on the 9th February 2022 be agreed as a correct record. By way of Microsoft Forms and verbal confirmation (and in noting there were 11 for, 0 against and 1 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee held on 9th February 2022 (minute nos. 1-5) be approved as a correct record.

Councillor R. Gough confirmed that he had abstained from voting on the minutes as he had not been present at the last meeting.

4. APPLICATION NO. 21/0899/FULL - LAND AT GELLI FARM, TREDEGAR ROAD, CWMGELLI, BLACKWOOD, NP12 1BZ

Councillor R. Saralis declared a personal and prejudicial interest in this item, having previously declared in relation to this site, and he left the meeting when the application was discussed. Councillor Mrs E.M. Aldworth took the Chair for this item.

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Mr C. Woolley and Councillor K. Etheridge spoke on behalf of local residents in objection to the application, and Mr M. Roberts (Applicant's Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that that the application be deferred pending further information in relation to the capacity of the proposed storage tanks at the site. It was then moved and seconded that subject to the conditions contained in the Officer's report, together with an amendment to condition 7 to remove part (a) of the wording in the interests of public safety, the recommendation in the Officer's report be approved.

The motion to defer the application pending further information was taken first and by way of Microsoft Forms and verbal confirmation (and in noting there were 2 for, 7 against and 0 abstentions) the motion was declared lost.

Voting then took place on the motion to grant as per the Officer's recommendation, and by way of Microsoft Forms and verbal confirmation (and in noting there were 7 for, 1 against and 0 abstentions) this was agreed by the majority present.

Councillor J. Ridgewell lost connection during the proceedings and was able to register his vote on the motion to defer but not on the subsequent motion to grant.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report and the following amended condition the application be GRANTED;

Amended Condition (7)

No development shall commence until;

a) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

In the interests of public safety.

- (ii) the applicant be advised that 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 at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former 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 new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. The applicant's attention is drawn to the Coal Authority Policy in relation to new development and mine entries available on the [Coal Authority Website – new development and 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, excavations for 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. If any coal mining features are unexpectedly 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](#);

- (iii) The applicant be referred to Public Access on the Council's website to view the comments of the statutory consultees that are brought to the applicant's attention.

5. APPLICATION NO. 21/0452/FULL - FORMER CAERPHILLY POLICE STATION, MOUNTAIN ROAD, CAERPHILLY

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Mr J. Grenfell and Councillor S. Kent spoke on behalf of local residents in objection to the application and Mr M. Southall (Applicant's Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation in the Officer's report be approved. A further motion was moved and seconded for the application to be deferred for a further report with draft reasons for refusal based on the overbearing nature of the development. The mover of the further motion subsequently agreed for the initial motion to grant to be put to the vote as the main motion, with a yes vote to signify the grant of the application and a no vote to signify deferral of the application for a further report with draft reasons for refusal.

Voting took place on the recommendation in the Officer's report for the application to be granted pending completion of a Section 106 obligation, and by way of Microsoft Forms and verbal confirmation (and in noting there were 7 for, 5 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report, the application be deferred to allow the applicants to enter into a Section 106 obligation which will secure 40% provision of Affordable Housing, and a £15,600 contribution towards enhancing transport for the residents of the development, in particular the provision of a demand responsive minibus service three days a week, and on completion of the Section 106 obligation the application be GRANTED.

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

- (ii) Notification of initiation of development and display of notice:

The application be advised of the need to comply with their duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
 - (b) legible and easily visible to the public without having to enter the site; and
 - (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it;
- (iii) The applicant/developer is advised to contact Dwr Cymru/Welsh Water in relation to the potential need for a scheme to reinforce the existing public water supply network. Dwr Cymru/Welsh Water can be contacted on 0800 917 2652 or via email at developer.services@dwrcymru.com

6. APPLICATION NO. 21/0477/RM - VIRGINIA PARK GOLF COURSE, VIRGINIA PARK, CAERPHILLY

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Councillor S. Cook spoke on behalf of local residents in objection to the application and Mr J. Wilks (Applicant's Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation in the Officer's report be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 11 for, 1 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that subject to the conditions contained in the Officer's report the application be GRANTED.

The meeting closed at 7.44 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 13th April 2022.

CHAIR