



PLANNING COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 17TH MAY 2023 AT 5:00 PM

PRESENT:

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

Councillors:

M. A. Adams, A. Angel, R. Chapman, G. Ead, A. Hussey, D. Ingram-Jones, B. Miles,
M. Powell, J. Taylor, S. Williams and A. Whitcombe.

Cabinet Member: Councillor P. Leonard (Planning and Public Protection).

Together with:

V. Julian (Senior Lawyer), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Team Leader Development Management), E. Rowley (Principal Planner), L. Cooper (Assistant Engineer), M. Godfrey (Team Leader - Pollution Control) and S. Hughes (Committee Services Officer).

RECORDING, FILMING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being live-streamed and 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 were received from N. Dix, J. E. Fussell and K. Woodland.

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 12TH APRIL 2023

It was moved and seconded that the minutes of the Planning Committee meeting held on the 12th April 2023 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 11 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee meeting held on 12th April 2023 (minute nos. 1-10) be approved as a correct record.

4. APPLICATION NO. 23/0059/OUT - LAND AT FORMER ALDI STORES LTD, TRE-EDWARDS, RHYMNEY

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.

Following consideration of the application it was moved and seconded that subject to the amendment of Condition 13 and the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 13 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the amendment of Condition 13 and the conditions contained in the Officer's report, the application be GRANTED.

Amended Condition 13

Details submitted in relation to Condition 1 of this permission shall include details to take into account the need to provide appropriate leisure facilities to meet the needs of the residents of the proposed development. Those facilities shall include areas of well-designed open space that benefit from good access and surveillance together with a suitably sized **Local Area of Play (LAP)** and shall be designed in accordance with the standards set out in Fields in Trust guidance. The development shall be carried out in accordance with the approved details and provided in accordance prior to occupation of the development.

REASON: To ensure the adequate provision of public open space in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) The applicant be advised to refer to Public Access on the Council's website to view the comments of the consultees that are brought to the applicant's attention that inform any future details reserved by condition and subsequent reserved matters application. Informative information is also provided.
- (iii) The applicant be advised that the developments access/off site proposals will require highway licences/agreement and no work shall be undertaken on or adjacent to the adopted highway until such have been agreed in writing and therefore it is advised that the applicant discuss requirements as soon as possible after planning permission is granted.

- (iv) The applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

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. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [Coal Authority Policy](#).

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 available on the [Coal Authority Website](#).

- (v) The applicant be advised that 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.
- (vi) The applicant 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).
- (vii) The applicant be advised:
WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area 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

- (viii) The applicant be advised:
NOTIFICATION OF INITIATION OF DEVELOPMENT AND DISPLAY OF NOTICE:

You must comply with your 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.

The meeting closed at 5.20 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 14th June 2023, they were signed by the Chair.

CHAIR