



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (CHAMBER) ON WEDNESDAY, 4TH MAY 2016 AT 5:00PM

PRESENT:

Councillor D.G. Carter - Chair

Councillors:

M. Adams, J. Bevan, D. Bolter, J.E. Fussell, Ms. J. Gale, R.W. Gough, C. Hawker, A.G. Higgs, A. Lewis, D. Rees, J. Simmonds and Mrs E. Stenner.

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), C. Powell (Principal Planner), P. Den Brinker (Principal Planner), A. Pyne (Senior Planner) and E. Sullivan (Democratic Services Officer).

APOLOGIES

Apologies for absence had been received from Councillors Mrs P. Cook, W. David, L. Gardiner, K. Lloyd, Mrs G.D. Oliver, Mrs J. Summers and J. Taylor.

1. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: Councillor J.E. Fussell – 16/0293/OUT and 16/0120/COU details are minuted with the respective item.

2. MINUTES – 6TH APRIL 2016

RESOLVED that the minutes of the Planning Committee held on 6th April 2016 (minute nos. 1-15) be approved and signed as a correct record.

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

3. CODE NO. 16/0046/COU – HOREB BAPTIST CHAPEL, CASTLE HILL, GELLIGAER, HENGOED

The Development Control Manager provided a verbal update on the discussions that had taken place with Bereavement Services and confirmed that an agreement had been reached with regard to access and the position of the cemetery gates subject to additional conditions and requested that Officers be given powers to determine the application under delegated powers subject to the conditions contained in the Officer's report and additional conditions to be agreed with Bereavement Services.

Following consideration of the application it was moved and seconded that the recommendation of the Development Control Manager be approved and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) based on the comments of the Development Control Manager, Officers be given powers to determine the application under delegated powers, subject to conditions.
- (ii) the applicant be advised that the following policies of the Caerphilly County Borough Council Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2, CW4 and SP10.

4. CODE NO. 16/0204/COU – CONVERT PROPERTY TO FORM A PAIR OF SEMI-DETACHED DWELLINGS, 63 HIGH STREET, PENTYWYN-MAWR, NEWPORT, NP11 4HN

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved and 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 this permission: CW2, CW3 and SP5;
- (iii) 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. 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;
- (iv) the applicant be advised that 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 Regulation 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-influencing-distance-of-mine-entries>;

- (v) the applicant be advised that 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;
- (vi) the applicant be advised that property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com;
- (vii) the applicant be advised that if any coal mining features are unexpectedly 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;
- (viii) the applicant be advised that this informative note is valid from 1st January 2015 until 31st December 2016;
- (viii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

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

5. CODE NO. 15/0705/FULL – LAND ADJOINING BIRCHWOOD, CAERPHILLY ROAD, LLANBRADACH, CAERPHILLY, CF83 3HZ

Following consideration the application it was moved and seconded that the recommendation contained in the Officer's report be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

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

Amended Condition (10)

The driveway to serve the proposed development shall be not less than 4.1 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.

Reason

In the interest of highway safety.

Additional Condition (14)

Prior to the occupation of the development hereby approved the proposed meads of access shall be laid-out, constructed and maintained thereafter, with vision splay of 2.4 metres x 120 metres. No obstruction or planting when mature exceeding 0.9 meters in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.

Reason

In the interest 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 CW4;
- (iii) 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;
- (iv) the applicant also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting 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 ecologist (01495 235253) or Natural Resources Wales (NRW) (02920 772400).

6. CODE NO. 16/0120/COU – UNITS A-E, CLIVE CHAMBERS, 2A CLIVE STREET AND 2 CLIVE STREET, CAERPHILLY, CF83 1GE

Councillor J.E. Fussell declared a prejudicial interest in that the applicant is known to him and left the meeting when the application was discussed.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands and in noting there was 1 against this was agreed by the majority present.

RESOLVED that: -

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

Additional Condition (03)

Prior to the erection of any plant or equipment for ventilation or odour control associated with the existing use of the ground floor of the building, details shall be submitted to and approved in writing by the Local Planning Authority for the control of noise arising from that plant and equipment. The measures included in the approved scheme shall be implemented prior to the first use of the plant and equipment.

Reason

In the interest of the amenities of flats hereby approved.

- (ii) the application 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 of the comments of Dwr Cymru/Welsh Water.

7. CODE NO. 16/0225/FULL – COLINTON, ST MARTIN’S CRESCENT, CAERPHILLY, CF83 1ER

Councillor J.E. Fussell declared a prejudicial interest in that the applicant is known to him and left the meeting when the application was discussed.

Mrs L. Matthews and Councillor C. Elsbury spoke in objection to the application; the applicant who had been advised and was presented decided not to speak.

It was noted that this application had been subject to a site visit on Tuesday 3rd May 2016.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer’s report be approved and by show of hands and in noting there was 1 against and 5 abstentions) this was agreed by the majority present.

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 this permission: CW2, CW3 and LDP7.
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water.

8. CODE NO. 16/0286/OUT – SCHOOL HOUSE, TABOR ROAD, MAESYCWMMER, HENGOED, CF82 7PU

It was report that the application had been deferred.

9. CODE NO. 16/0293/OUT – LAND AT COLLIERY ROAD, LLANBRADACH, CAERPHILLY

Mr B. Davies, the applicant’s agent spoke in support of the application.

It was noted that this application had been subject to a site visit on Tuesday 3rd May 2016.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer’s report be approved and by show of hands and in noting there were 3 abstentions this was agreed by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer’s report this application be granted;
- (ii) the applicant be advised of the comments of Rights of Way Officer, Countryside and Landscape Services, Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water;
- (iii) 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: CW3;
- (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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining;

- (v) the applicant be advised that property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com;
- (vi) the applicant be advised that further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority;
- (vii) the applicant be advised that this standing advice note is valid from 1st January 2015 until 31st December 2016.

10. 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 18.00pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 8th June 2016, they were signed by the Chair.

CHAIR