



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 14TH JUNE 2017 AT 5PM

PRESENT:

Councillor M. Adams - Chair
Councillor W. David - Vice-Chair

Councillors:

Mrs E.M. Aldworth, C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W Gough, A. Higgs, A. Hussey, B. Miles, Mrs G. D. Oliver, J. Ridgewell, J. Simmonds, J. Taylor, A. Whitcombe, R. Whiting, T.J. Williams

Cabinet Member for Environment and Public Protection - Councillor Mrs E. Stenner

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), C. Powell (Principal Planner), P. Den Brinker (Team Leader East), C. Boardman (Area Senior Planner), E. Rowley (Area Senior Planner), A. Pyne (Area Senior Planner), M. Davies (Team Leader South), 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.

2. DECLARATIONS OF INTEREST

Declarations of interest were received at the beginning and during the course of the meeting as follows - Councillors W David, Mrs L. Aldworth, C. Andrews and A. Higgs - Code No. 17/0298/FULL, A. Higgs - Code No. 17/0201/RM and Code No. 17/0202/NCC and J. Ridgewell - Code No. 17/0270/OUT. Officers Michelle Davies and Maria Godfrey declared an interest in Code No. 17/0015/FULL. Details are minuted with the respective items.

3. MINUTES - 5TH APRIL 2017

RESOLVED that the minutes of the Planning Committee held on 5th April 2017 be approved and signed as a correct record.

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

4. CODE NO. 17/0140/NCC - PEN-Y-FAN FARM GRAZING LAND, MANMOEL, BLACKWOOD

Following consideration of the application it was moved and seconded that subject to the removal of condition 7 attached to the original planning consent reference 15/0433/FULL, 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 removal of condition 7 attached to the original planning consent reference 15/0433/FULL and 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. And CW3;
- (iii) the applicant be advised of the comments of the Council's Landscape Architect.

5. CODE NO. 17/0270/OUT - LAND AT OAKDALE GOLF COURSE, OAKDALE, BLACKWOOD

It was noted that the application had been subject to a site visit on Monday 12th June 2017. A briefing note on the issues raised was tabled at the meeting, summarised by the Officer and is appended to these minutes.

Councillor R. Saralis and Mr Powe spoke in objection to the application and Mr J. Price, the applicant's agent, spoke in support of the application.

Councillor J. Ridgewell declared an interest in that the objector to the application is known to him and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the application be deferred until the outcome of the appeal against refusal of Code No. 15/0567/OUT - Land at Oakdale Golf Course is received from the Planning Inspector for Wales. By a show of hands this was unanimously agreed.

RESOLVED that the application be deferred until the outcome of the appeal against refusal of Code No. 15/0567/OUT - Land at Oakdale Golf Course is received from the Planning Inspector for Wales.

6. CODE NO. 17/0184/COU - 16 BRYNVIEW AVENUE, TREDOMEN, HENGOED

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

Councillor M. James and Mr D. Thomas spoke in objection to the application and Mrs N. John, the applicant, 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 (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 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 and CW3;
- (iii) the applicant be advised of the comments of the Council's Health and Safety Team.

7. CODE NO. 17/0306/FULL - SEDA UK LTD, 1 HAWTIN PARK, GELLI-HAF, PONTLLANFRAITH, BLACKWOOD

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.

8. CODE NO. 17/0287/FULL - LAND AT NINE MILE POINT INDUSTRIAL ESTATE, CWMFELINFACH

It was noted that this application had been withdrawn

9. CODE NO. 17/0015/FULL - BREWERS LODGE, GORDON ROAD, BLACKWOOD

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

Officers Michelle Davies and Maria Godfrey declared an interest (as the applicant is known to her and the objector is known to her respectively) and left the Chamber when the application was discussed.

Councillor N. Dix spoke in objection to the application and Mrs C Brewer, the applicant, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to amendments to condition 06 and 07 and an additional condition, 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, amendments to conditions 06 and 07 and the following additional condition, this application be granted;

Amended Condition (06)

All openable glazing units on the front elevation of the property shall be closed to achieve maximum sound reduction when any live or recorded music, including amplified entertainment or when a speech is taking place.

Reason: In the interests of nearby residential amenity

Amended Condition (07)

The roof of the extension hereby approved shall only be used as a means of fire escape and for maintenance purposes in connection with the building only and for no other purpose whatsoever.

Reason: To control the use of the building in the interests of residential amenity.

Additional Condition (09)

The extension hereby approved shall not be occupied until the proposed parking area has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of

Reason: In the interests of highway safety.

- (ii) 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;
- (iii) 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);
- (iv) the applicant be advised of the comments of Glamorgan-Gwent Archeological Trust. The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for an Archaeological Watching Brief" (www.archaeologists.net/codes/ifa) and it is recommended that

it is carried out either by a CfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member;

- (v) 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 and CW3.

10. CODE NO. 16/0930/OUT - LAND OPPOSITE HIGHCREST GARAGE, JAMES STREET, MARKHAM

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 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.

11. CODE NO. 16/0931/OUT - LAND OPPOSITE HIGHCREST GARAGE, JAMES STREET, MARKHAM

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 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.

12. CODE NO. 16/0932/OUT - LAND OPPOSITE HIGHCREST GARAGE, JAMES STREET, MARKHAM

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 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.

13. CODE NO. 16/0933/OUT - LAND OPPOSITE HIGHCREST GARAGE, JAMES STREET, MARKHAM

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 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.

14. CODE NO. 17/0165/FULL - T G HOWELL AND SONS LIMITED, CLIFTON STREET, ROGERSTONE, RISCA

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

Councillor A. Passmore spoke in objection to the application and Mr D. Poole, the applicant's agent, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an amendment to conditions 02 and 03 and an additional condition, the recommendations contained in the Officer's report be approved. By a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) subject to an amendment to condition 05, the following additional condition, and the conditions contained in the Officer's report this application be granted;

Amended Condition (02)

Within 2 calendar months of the date of this consent, details of the provision of nesting sites for bird species (House sparrow, house martin or Swift) on the new office extension at T G Howells and Sons Limited, Rogerstone, Risca shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented within 1 calendar month of the agreement of the details.

Reason: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Amended Condition (03)

The doors facing no: 8 Clifton Street shall be glazed with obscure glass within 1 calendar month of the date of this consent and shall be maintained as obscurely glazed at all times.

Reason: In the interest of residential amenity.

Additional Condition (04)

The development shall be carried out in accordance with the following approved plans and documents:
Drawing No. 949/P.03, Rev. B, Proposed Plan and Elevations of New Office, received 02.06.2017; Drawing No. 949/P.02, Proposed Site Plan, received 07.03.2017; Site Location Plan, received 07.03.2017.

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

- (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, the Senior Engineer (Land Drainage), the Transportation Engineering Manager and the Council's Ecologist.

15. CODE NO. 17/0201/RM - LAND ADJACENT TO 135 JUBILEE ROAD, ELLIOT'S TOWN, NEW TREDEGAR

Councillor A. Higgs declared a prejudicial interest as he has family living in proximity to the site and left the Chamber when the application was discussed.

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

Following consideration of the application it was moved and seconded that subject to an additional condition, 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 and the following additional condition, this application be granted;

Additional Condition (08)

Notwithstanding the submitted plans no works shall commence on site until after a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide details of the contractors parking provision, details of the HGV delivery movements in terms of size, and the duration and number of vehicles, for approval. The works thereafter shall be carried out in accordance with the approved plan.

Reason: In the interests 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 the permission: CW2 and CW3;
- (iii) the applicant be advised of the comments of the Senior Engineers (Land Drainage).

16. CODE NO. 17/0202/NCC - LAND ADJACENT TO 135 JUBILEE ROAD, ELLIOT'S TOWN, NEW TREDEGAR

Councillor A. Higgs declared a prejudicial interest as he has family living in proximity to the site and left the Chamber when the application was discussed.

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

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 policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions of the permission: CW2 and CW3;
- (iii) the applicant be advised of the comments of the Senior Engineers (Land Drainage).

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

17. CODE NO. 17/0298/FULL - 105 ST MARTIN'S ROAD, CAERPHILLY

It was noted that the application had been subject to a site visit on Monday 12th June 2017.

Councillors Mrs L. Aldworth, C. Andrews, W. David and A. Higgs declared a prejudicial interest in that the objector to the application is known to them and left the Chamber when the application was discussed.

Ms Cath Lewis spoke in objection to the application and Mr Jewell, the applicant, 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 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;
- (iii) 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 Regulations approval (if

relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Attention be 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-influencingdistance-of-mine-entries>

- (iv) 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;
- (v) Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider. If any of the 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 at: www.gov.uk/government/organisations/the-coal-authority;
- (vi) 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;
- (vii) 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);
- (iix) 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;

- (ix) the applicant be advised of the comments of the Council's Ecologist.

18. CODE NO. 17/0226/FULL - 6/6A COMMERCIAL STREET, YSTRAD MYNACH, HENGOED

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's attention be drawn to the comments of the Senior Engineer (Land Drainage) who advises that the proposed development could adversely affect an existing culvert which crosses the application site. It is noted that correspondence received from the agent (emails from Stuart Thomas received 15.05.17 and 30.05.17) acknowledges you are aware of the presence of the culvert but you are strongly advised to ensure you are aware of your rights and responsibilities as a riparian landowner prior to commencing development. Further information is available in the document "A guide to your rights and responsibilities of riverside ownership in Wales" published by Natural Resources Wales and available on their website <https://naturalresources.wales>;
- (iii) the applicant be advised to note that works to/near an ordinary watercourse (including a culvert) may require consent under the Land Drainage Act 1991, as such advised to contact the Land Drainage Department on 01495 235794 for further information;
- (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
- (v) 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;
- (vi) the applicant be advised of the comments of the Head of Public Protection.

19. CODE NO. 17/0323/FULL – HAZELWOOD, WATERLOO LANE, MACHEN, CAERPHILLY

Following consideration of the application it was moved and seconded that subject to the following additional conditions, 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 and the following additional conditions, this application be granted;

Additional condition (04)

Prior to the commencement of development, a scheme indicating an area(s) for the storage of excavated and construction materials associated with the development and details of tree protection fencing shall be submitted for the written approval of the Local Planning Authority. The agreed area(s) for storage and the tree protection fencing shall be erected prior to any site excavation and/or construction materials for the development being brought onto site and thereafter be retained until completion of the development. No construction or excavated materials shall be stored outside of the agreed storage area(s).

Reason: To ensure suitable protection for trees during the development.

Additional condition (05)

No development or site vegetation clearance shall take place until a detailed Dormouse Method/Mitigation Statement has been prepared by a competent ecologist, to include the proposed development area and any work/storage areas and shall be submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.

Reason: To ensure adequate protection for protected species.

Additional condition (06)

Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats on the new extension at Hazelwood, Waterloo, Machen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.

Reason: To provide additional roosting for bats as a biodiversity 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) and Tan 5 Nature Conservation and Planning (2009).

Additional condition (07)

Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling or Swift) on the new extension at Hazelwood, Waterloo, Machen, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.

Reason: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

- 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. 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;
- (iii) 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 Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. 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-influencingdistance-of-mine-entries>

- (iv) 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. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider. If any of the 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 at: www.gov.uk/government/organisations/the-coal-authority;
- (v) 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;
- (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 that the following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of the permission: SP6 and CW2.

20. CODE NO. 17/0019/FULL – GREENACRES, RUDRY ROAD, PORSET, CAERPHILLY

It was noted that 5 letters of objection from 3 different parties had been received.

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 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;
- (iii) 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);
- (iv) 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;
- (v) 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 Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be

avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water;

- (vi) the applicants attention be 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-influencingdistance-of-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, 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. Property specific information on past, current or future activity can be obtained from: www.groundstability.com or a similar service provider. If any of the 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 at: www.gov.uk/government/organisations/the-coal-authority
- (vii) 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;
- (iix) the applicant be advised of the comments of the Council's Ecologist

21. 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 8.30pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 12th July 2017, they were signed by the Chair.

CHAIR

MEMBERS SITE VISIT - 12TH JUNE 2017

PLANNING APPLICATION REFERENCE: 17/0270/OUT

PROPOSED DEVELOPMENT: Erect residential development of up to 175 units including open space provision, access and parking arrangements and to approve the matters of access and scale - land at Oakdale Golf Course

LOCATION: Oakdale Golf Course Lane, Oakdale

1. The case officer explained the purpose of the site visit and that the main concern is the additional traffic generated as a result of the development and the impact that it will have on the conservation itself. The chairman stated that there were no concerns about the layout therefore the meeting moved to inspect the highway situation at the school.
2. At the site entrance Cllr Roy Saralis questioned the limited visibility at the bend caused by the existing hedgerow leading towards the site entrance.
3. The Highway Engineer agreed that there was limited forward visibility at the bend, however it meets national visibility guidance (33 metres at 30 mph). He also confirmed that traffic moves at considerably low speeds because of the traffic calming effect of the bend and this was noted by the observations of those present. It was also explained that no accidents have been reported along this stretch of road.
4. Cllr Saralis questioned the impact of the additional traffic at school peak times. The Highway Engineer explained that the peak times for the development should not occur at the same time as those for the school. Peak times for the development are estimated to be:
8 am - 9am 5:30 - 6:30pm
5. Cllr Saralis questioned how construction traffic could be managed comprehensively. It was explained that a Traffic Management Plan could limit the size of vehicles and delivery times and this would be enforced by the planning department.
6. The Chair asked the Agent if the applicant would accept a requirement for a traffic management plan. The Agent confirmed that it would be acceptable and that the Housebuilder would not want to jeopardise any future developments within the borough or create any local animosity.
7. The meeting then moved on to the school entrance to observe the traffic movements at the time the children were being collected (3.00pm).
8. Cllr Brenda Miles asked whether the increase in children to the area will affect existing pressures on the school. The case officer advised that the school is currently at capacity, however, not all the school children live locally and the parents have chosen to send their children to the school where places have been available. However, any additional children in the community should have priority to attend the school before places are offered outside the community.