



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 11TH OCTOBER 2017 AT 5PM

PRESENT:

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

Councillors:

Mrs E.M. Aldworth, C. Andrews, A. Angel, J.E. Fussell, R.W Gough, A. Hussey, B. Miles, J. Simmonds, A. Whitcombe, R. Whiting, T.J. Williams

Together with:

T. Stephens (Development Control Manager), R. Crane (Solicitor), C. Boardman (Area Senior Planner), E. Rowley (Area Senior Planner), A. Pyne (Area Senior Planner), 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, M. Davies, A. Higgs, Mrs G. D. Oliver, J. Ridgewell, J. Taylor and Mrs E. Stenner (Cabinet Member for Environment and Public Protection).

2. DECLARATIONS OF INTEREST

Declarations of interest were received as follows - Councillor Mrs E. M. Aldworth - 17/0343/NCC, Councillor A. Angel and Mr C. Boardman - 17/0278/OUT. Details are minuted with the respective items.

3. MINUTES - 13TH SEPTEMBER 2017

RESOLVED that the minutes of the Planning Committee held on 13th September 2017 (minute nos. 1 - 7 on page nos. 1 - 4) be approved and signed as a correct record.

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

4. CODE NO. 17/0710/FULL - 1 FAIRFIELD COTTAGES, ASHFIELD ROAD, NEWBRIDGE

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;
- (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 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.

5. CODE NO. 17/0521/FULL - CRUGLWYN, MANMOEL ROAD, MANMOEL, BLACKWOOD

It was noted that the application had been subject to a site visit on Monday 9th October 2017. It was also noted that since the preparation of the report a letter of objection had been received from Argoed Community Council.

Councillor W. Williams and Mr V. Warren spoke in objection to the application. The applicant's agent, Mr K. Bellis, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an amendment to condition (03), the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there were 4 against, this was agreed by the majority present.

RESOLVED that: -

- (i) subject to an amendment to condition (03) and to the conditions contained in the Officer's report this application be granted;

Amended Condition (03)

The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties (excluding Maes-yr-Onn Fach) shall not exceed 35dB(A) (LA90, 10mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.

Reason

In the interest of the amenity of noise sensitive properties.

- (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 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

- (iv) 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.

6. CODE NO. 17/0489/FULL - FORMER GARDD Y CRAIG, 106 COMMERCIAL STREET, PONTYMISTER, RISCA

Mr S. Green spoke in objection to the application and Mr R. Williams, the applicant's agent, who was present, chose not to speak.

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, and in noting there were 3 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.

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.

7. CODE NO. 17/0423/COU - LAND AT GRID REF 316409 201491 COMMUN ROAD, MARKHAM

It was noted that the application had been subject to a site visit on Monday 9th October 2017.

Councillor W. Williams spoke in objection to the application. Mr Jones, the applicant, had been advised but was not present.

Following consideration of the application it was moved and seconded that subject to the replacement of condition (02), additional conditions and 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 replacement of condition (02), the following additional conditions and the conditions contained in the Officer's report this application be granted;

Replacement Condition (02)

Any proposed gates shall be set back a minimum of 10m from the boundary with the public highway, to ensure that vehicles entering the site can stand clear of the highway.

Reason

In the interests of highway safety.

Additional Condition (03)

The first 10m of the proposed access shall be completed in materials to be agreed with the LPA, to ensure loose stones or mud etc. is not carried on to the public highway.

Reason

In the interests of highway safety.

Additional Condition (04)

Rainwater run-off shall not discharge into the highway surface-water drainage system.

Reason: In the interests of highway safety.

Additional Condition (05)

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

Site Location Plan received 29.06.2017;
Proposed Block Plan, received 29.06.2017;
Proposed Elevations, received 29.06.2017.

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 policy of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions of the permission: CW3;
- (iii) the applicant be advised of the comments of the Head of Public Protection.

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

8. CODE NO. 17/0665/FULL - 11 BRYN CLOSE, TRETTHOMAS

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: SP6 and CW2.

9. CODE NO. 17/0565/FULL ROBERT PRICE (BUILDERS MERCHANTS) LTD, 145 PONTYGWINDY ROAD, CAERPHILLY

This application was deferred to the next meeting.

10. CODE NO. 17/0146/FULL - TY ISAF FARM, ABERTRIDWR ROAD, PENYRHEOL, CAERPHILLY

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

The driveway to serve the proposed development shall include turning facilities in a manner to be agreed in writing with the Local Planning Authority. The agreed drive and turning facilities shall be provided before the development hereby approved is first occupied, and shall thereafter be maintained free of obstruction so that vehicles can enter and leave the site in a forward gear at all times;

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, CW3 and CW4;
- (iii) the applicant be advised of the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and the Council's Ecologist;
- (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) 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>;

- (vi) 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.

11. CODE NO. 17/0343/NCC - 1 OAK LANE, ROYAL OAK, MACHEN

Councillor Mrs E. M. Aldworth declared an interest (in that she had a closed mind) and moved to the public gallery in order to speak as a local ward member.

It was noted that the application had been subject to a site visit on Monday 9th October 2017.

Councillor Mrs J. Gale, Councillor Mrs E. M. Aldworth and Mrs Gethins spoke in objection to the application. Mrs Loftus, the applicant, spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to additional conditions, the recommendations contained in the Officer's report be approved. By a show of hands, and in noting there was 1 against and 1 abstention, this was agreed by the majority present.

RESOLVED that: -

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

Additional Condition

Within two months of the date of this decision notice a scheme of acoustic insulation for the garage party wall with Oak Cottage shall be submitted for the written approval of the Local Planning Authority. The acoustic insulation

measures detailed within the agreed scheme shall be implemented within three months of the applicant having received written notification of the agreement of the scheme from the Local Planning Authority and those agreed acoustic insulation measures shall be maintained in place at all times thereafter.

Reason

In the interests of neighbour amenity.

Additional Condition

Within two months of the date of this decision notice details to amend the boundary enclosure on the north-east side of the application property adjacent to the shared access with Oak Cottage shall be submitted for the written approval of the Local Planning Authority. The details shall include measures to improve access to ensure the existing parking space to the north-west of the garage is made available for the parking of a residential vehicle. The agreed boundary enclosure amendments shall be implemented within three months of the applicant having received written notification of the agreement of the details from the Local Planning Authority and the enclosure amendments shall be maintained thereafter and the parking space kept available for parking purposes associated with the residential use of 1 Oak Lane at all times.

Reason

In the interests of highway safety.

Additional Condition

Within two months of the date of this decision notice a scheme for waste water disposal from the dog grooming operation shall be submitted for the written approval of the Local Planning Authority. The waste water disposal measures detailed within the agreed scheme shall be implemented within 1 month of the applicant having received written notification of the written agreement of the waste water disposal scheme from the Local Planning Authority. The agreed waste water disposal measures for the dog grooming operation shall be adhered to at all times thereafter.

Reason

In the interest of the amenity of the area.

- (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.

12. CODE NO. 17/0278/OUT - LAND AT GRID REFERENCE 314117 1193622, TROEDYRHIW, YSTRAD MYNACH

Councillor A. Angel declared an interest (in that he lives in proximity to the site) and left the meeting when the application was considered. Mr C. Boardman also declared an interest as his brother is one of the objectors to the application.

It was noted that the application had been subject to a site visit on Monday 9th October 2017 and a verbal update was received in relation to flood risk and the consultation responses of the Land Drainage Officer

Councillor M. James spoke in objection to the application on behalf of the local residents. The applicant's agent, Mr R. Williams, spoke in support of the application.

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, and in noting there was 3 against, this was agreed by the majority present.

RESOLVED that:

- (i) the application be deferred to enable the completion of a Section 106 Agreement, which requires 25% affordable housing provision comprising 2 x 2 bed 4 person houses to be transferred to United Welsh and built to DQR at a transfer price of £57,876.00;
- (ii) on completion of the Section 106 Agreement, subject to the conditions contained in the Officer's report and the following additional condition, this application be granted;

Additional Condition

Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.

Reason

To ensure the development is served by an appropriate means of drainage.

- (iii) 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 SP6;
- (iv) the applicant be advised of the comments of the Council's Ecologist, Transportation Engineering Manager, Dwr Cymru/Welsh Water and Police Architectural Liaison Officer;
- (v) 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.

13. 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 7.40pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 8th November 2017, they were signed by the Chair.

CHAIR