



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 21ST MARCH 2018 AT 5:00PM

PRESENT:

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

Councillors:

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

Together with:

T. Stephens (Interim Head of Planning), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), E. Rowley (Senior Planner), A. Pyne (Senior Planner) and C. Forbes-Thompson (Interim Head of Democratic Services).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A. Angel, A.G. Higgs and J. Ridgewell.

2. DECLARATIONS OF INTEREST

Declaration of interest were received at the start of the meeting as follows: Councillors M. Adams and C. Andrews (Agenda Item No. 4 – 17/1072/COU) details are minuted with the respective item.

3. MINUTES – 21ST FEBRUARY 2018

Councillor C. Andrews as a point of clarification wished it noted that she had declared an interest on Agenda item No 8 – 17/1072/COU, that was not recorded under minute number 2 (Declarations of Interest) but was noted under minute number 8 on page 6.

It was moved and seconded that subject to the aforementioned correction the minutes of the meeting held on the 21st February 2018 be agreed as a correct record and by a show of hands this was unanimously agreed:

RESOLVED that the minutes of the Planning Committee held on 21st February 2018 (minute nos. 1-15) be approved and signed as a correct record.

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

4. PREFACE ITEM CODE NO. 17/1072/COU – PARK VILLAS, PARK ROAD, BARGOED, CF81 8SP.

Councillor M. Adams declared an interest in that he had previous contact the contact with the provider organisation (LLamau) and left the Chamber when the application was discussed. Councillor C. Andrews declared an interest in that having been asked to represent residents in objection to the application she had a closed mind and left the Chamber when the application was discussed.

Following consideration of the Preface Report and the Officer's Original Report it was moved and seconded that the recommendation contained therein be approved and by a show of hands and in noting there were none against and 5 abstentions this was agreed by the majority present.

RESOLVED that: -

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

Additional Condition (9)

The building shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans to the written satisfaction of the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason

In the interests of highway safety

- (ii) 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;

- (iii) the applicant be advised that the following policies of Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 are relevant to the conditions of this permission: CW2 and CW3;
- (iv) 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.

Please also 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).

5. CODE NO. 17/1056/LA – LAND AT GRID REF 317543 196321, BLACKWOOD ROAD, PONTLLANFRAITH, BLACKWOOD.

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 policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW5 and CW6;
- (iii) the applicant be advised of the comments of Natural Resources below:

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.
- (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;
- (v) 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, 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);
- (vi) 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. 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 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>.

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.

6. CODE NO. 18/0036/COU – 15 WOODBINE ROAD, BLACKWOOD, NP12 1QF

Following consideration of amendments to parking and access arrangements and the possible impact on a neighbouring property it was moved and seconded that the application be deferred to allow further consultation, and by a show of hands this was unanimously agreed.

RESOLVED that the application be deferred to allow further consultation to take place.

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

7. CODE NO. 17/0644/NCC – STONERITE LTD, UNIT A 6 GREENWAY, BEDWAS HOUSE INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY, CF83 8DW.

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

RESOLVED that: -

- (i) subject to the conditions contained within the Officer's Report this application be approved;
- (ii) 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.

- (iii) the applicant be advised that the following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2 and SP6.

8. 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 17.45pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 18th April 2018, they were signed by the Chair.

CHAIR