



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 10TH OCTOBER 2018 AT 5:00PM

PRESENT:

Councillor M. Adams - Chair

Councillors:

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

Together with:

Councillor E. Stenner (Cabinet Member for Environment and Public Protection), R. Kyte (Head of Regeneration and Planning), R. Tranter (Head of Legal Services and Monitoring Officer), T. Stephens (Development Control Manager), M. Davies (Team Leader South), C. Boardman (Principal Planner), C. Powell (Principal Planner), E. Rowley (Senior Planner), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), L. Cooper (Assistant Engineer), M. Godfrey (Senior Environmental Health Officer) and K. Houghton (Committee Services Officer).

1. **APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors A. Angel, J. Bevan and Mrs G.D. Oliver.

2. **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received at the commencement or during the course of the meeting.

3. **MINUTES – 12TH SEPTEMBER 2018**

It was moved and seconded that the minutes of the meeting held on the 12th September 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 12th September 2018 (minute nos. 1-13) be approved and signed as a correct record.

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

4. CODE NO. 17/0681/OUT – LAND AT GRID REF: 316731 198680, BEAUMARIS WAY, CEFN FFOREST.

Councillors K. Etheridge, N. Dix, A. Farina-Childs and Mr R. Williams spoke in objection and Mr J. Price (the applicant's agent) spoke in support of the application.

It was noted that a site visit took place on Monday 8th October 2018.

Following consideration of the application it was moved and seconded that the application be deferred for reasons for refusal based on highways congestion, use of a green space, pressures on public services particularly local schools and the application being outside the settlement boundary. By a show of hands and in noting, there were 3 against and 0 abstentions, this was agreed by the majority present.

RESOLVED that the application be deferred for a further report for reasons for refusal based on highways congestion, use of a green space, pressures on public services particularly local schools and the application being outside the settlement boundary.

5. CODE NO. 18/0793/RM – PLOT 1, LAND ADJACENT TO ISLWYN INDOOR BOWLS CENTRE, GELLI LANE, PONTLLANFRAITH.

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 within the Officer's report, this application be granted.
- (ii) The applicant be advised of 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 and CW3.
- (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 of the comments attached to the Officer's report, from Dwr Cymru/Welsh Water..

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

6. CODE NO. 18/0362/FULL – LAND AT GRID REF: 313945 195746, WINDING WHEEL LANE, PENALLTA, HENGOED.

The Principal Planning Officer informed the Committee that Conditions 20 and 26 in the Officer's report had been removed and that an additional condition had been added regarding the submission of a residential travel plan.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved subject to the aforementioned additional condition. By a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the conditions contained within the Officer's report with the exception of conditions 20 and 26 and the additional condition, this application be granted.

Additional Condition 25

Prior to the commencement of work on site a residential travel plan shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.

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 this permission: CW2, CW3, CW4 and CW6.
- (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. 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.

- (iv) The applicant be advised of the following;

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.

- (v) The applicant be advised of the attached (to the agenda report) comments from Dwr Cymru/Welsh Water, Wales and West Utilities, Senior Engineer (Land Drainage) and the Council's Ecologist.

7. CODE NO. 18/0478/FULL – TEXACO, MABON FILLING STATION, HEOL MAFON, NELSON, CF46 6PE.

Mr B. Wyeth (the applicant's agent) spoke in support of the application.

It was noted that a site visit took place on Monday 8th October 2018.

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 and in noting, there were 1 against and 1 abstention, this was agreed by the majority present.

RESOLVED that for the reason contained in the Officer's report, this application be refused.

8-11. 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 18.52pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 7th November 2018, they were signed by the Chair.

CHAIR