



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 17TH APRIL 2019 AT 5:00PM

---

---

#### PRESENT:

Councillor M. Adams - Chair  
Councillor A. Whitcombe - Vice-Chair

#### Councillors:

C. Andrews, A. Angel, M. Davies, J.E. Fussell, R.W. Gough, A. Hussey, B. Miles, J. Ridgewell, J. Taylor, R. Whiting and T.J. Williams.

#### 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), L. Cooper (Highways Engineer), R. Kyte (Head of Regeneration and Planning).

#### And:

Councillor E. Stenner (Cabinet Member for Planning and Regeneration)

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs E.M. Aldworth, J. Bevan, D. Hardacre, A.G. Higgs, Mrs G.D. Oliver and J. Simmonds.

#### 2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start of the meeting as follows: Councillor Mrs C. Andrews, Agenda Item No. 4 – 18/1061/FULL and Councillor J.E. Fussell Agenda Item No. 6 – 18/0620/FULL and Agenda Item No. 7 – 19/0119/FULL. Details are minuted with the respective item.

#### 3. MINUTES – 20TH MARCH 2019

It was moved and seconded that the minutes of the meeting held on the 20th March 2019 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 20th March 2019 (minute nos. 1-11) be approved and signed as a correct record.

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

**4. CODE NO. 18/1061/FULL – LAND AT GRID REF 314499200312, ADJACENT TO 128-134 LLANCAYO STREET, BARGOED**

Councillor C. Andrews declared a personal and prejudicial interest in that she has family members who are close friends with one of the objectors and the Mother-in-Law of another objector is a patient on the hospital ward where she works and left the Chamber when the application was discussed.

It was noted that this application had been subject to a site visit, which was held on Monday 15th April 2019.

Mr Poole spoke on behalf of local residents in objection to the application and the Applicant's Agent who had been advised was not present.

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 2 against and 2 abstentions this was agreed by the majority present.

RESOLVED that: -

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

Amended Condition (15)

Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a mitigation scheme for the control of dust, mud, surface water run off and debris shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust, mud, surface water run off and debris arising from constructions works.

Reason

In the interest of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition: (18)

No construction works associated with the development hereby approved shall take place outside the following hours: Monday to Friday 8.00 hours to 17.00 hours, Saturday 9.00 hours to 13.00 hours, with no working on Sundays and Bank Holidays.

Reason

In the interest of residential amenity in accordance with policy CW2 of the Adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) the applicant be advised of the comments of DWR Cymru/Welsh Water, the Council's Ecologist, and the Senior Engineer (Land 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 this permission: Policy SP6, CW2, CW3, CW4, CW5;

- (iv) the applicant be advised that the proposed development lies within a coal mining area which may contain, unrecorded coal mining 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](http://www.gov.uk/government/organisations/the-coal-authority).

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

### **5. PREFACE ITEM CODE NO. P/06/0037 – WATERLOO WORKS, MACHEN**

The Development Control Manager confirmed that email correspondence had been received from the Applicant's Agent and this was read out for Members information. It was noted that the Agent requested that a further deferral until the end of May 2019 be granted in order to allow the Applicant more time to consider the withdrawal of the planning application.

Members considered the correspondence and the Officer's advice and it was moved and seconded that the matter be deferred until the 31st May 2019, should the application not be withdrawn by this date then Officers be given delegated powers to refuse the application and by a show of hands this was unanimously agreed.

RESOLVED that the matter be deferred until the 31st May 2019, should the application not be withdrawn by this date then Officers be given delegated powers to refuse the application.

### **6. CODE NO. 18/0620/FULL – YEARSLEYS DISCOUNT, 1 LON-Y-TWYN, CAERPHILLY, CF83 1NW**

Councillor J.E. Fussell declared a personal and prejudicial interest in that he has known the applicant's family from school years and left the Chamber when the application was discussed.

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 of the comments of the Council's Head of Public Protection, Police Architectural Liaison Officer, The Council's Ecologist and Dwr Cymru/Welsh Water;
- (iii) 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;

- (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, 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);
- (v) the applicant is reminded that a registered Asbestos contractor should undertake any required asbestos removal works;
- (vi) The developer is reminded that a registered Asbestos contractor should undertake any required asbestos removal works. 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](http://www.gov.uk/government/organisations/the-coal-authority).

**7. CODE NO. 19/0119/FULL – TY CANOL FARM, MOUNTAIN ROAD, ABERTRIDWR TO HENDREDENNY PARK, HENDREDENNY, CAERPHILLY, CF82 2RL**

Councillor J.E. Fussell declared a personal and prejudicial interest in that he had worked for applicants in his capacity of Mortgage Adviser and left the Chamber when the application was discussed.

It was noted that this application had been subject to a site visit, which was held on Monday 15th April 2019, a briefing noted on the visit was circulated at the meeting and are appended to these minutes.

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 was 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 and amended conditions this application be granted;

**Amended Condition (3)**

The lagoon hereby approved shall only be used for the storage of chicken effluent from the egg production facility at Ty Canol Farm and no other effluent or other organic matter shall be permitted to be stored or disposed of in the lagoon without the prior written approval of the Local Planning Authority.

Reason

In order to retain control over the operation of the lagoon in the interest of Public Health and in order to ensure compliance with policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition: (07)

No works whatsoever shall commence on the construction of the lagoon hereby approved until such time as the Local Planning Authority has received written confirmation from the applicant, including any certification from DEFRA or any other regulating body, that egg production has re-commenced at the egg production facility at Ty Canol Farm.

Reason

In order to ensure that the lagoon is only constructed if necessary in the interest of the visual amenity of the area.

- (ii) the applicant be advised of the advice from Natural Resources Wales;
- (iii) the application 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 would 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](http://www.gov.uk/government/organisations/the-coal-authority).

## 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 6.00pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 22nd May 2019, they were signed by the Chair.

---

CHAIR