



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 19TH JUNE 2019 AT 5:00PM

PRESENT:

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

Councillors:

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

Together with:

T. Stephens (Planning Services Manager), R. Kyte (Head of Planning and Regeneration), R. Crane (Solicitor), L. Cooper (Engineer, Highway Planning), G. Mumford (Senior Environmental Health Officer), C. Boardman (Principal Planner), C. Powell (Principal Planner), A. Pyne (Senior Planner) and E. Sullivan (Committee Services Officer).

And:

Councillor E. Stenner – Cabinet Member for Environment and Public Protection

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan, R.W. Gough, D. Hardacre, Mrs G.D. Oliver and T.J. Williams

2. DECLARATIONS OF INTEREST

A declaration of interest was received from Councillor B. Miles in relation to Agenda Item No. 6, Code No. 19//0365/COU details are minuted with the respective item.

3. MINUTES – 22ND MAY 2019

It was moved and seconded that the minutes of the meeting held on the 22nd May 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 22nd May 2019 be approved and signed as a correct record.

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

4. ITEM CODE NO. 18/0964/FULL – LAND ADJACENT TO TINYDDFA LODGE, MILLBROOK ROAD, SPRINGFIELD, PONTLLANFRAITH, BLACKWOOD, NP12 2AL.

Following consideration of the application it was moved and seconded that the recommendation contained within 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 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 an 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 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 circumstances where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed the regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. The applicant's 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-influencing-distance-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 similar service provider.

It 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.

5. CODE NO. 19/0244/OUT – LAND AT GRID REF 320814198150, FFLORENS ROAD, TROWEN.

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.

Councillor J. Taylor wished it noted that as he had not been present for the whole of the debate he had not taken part in the vote.

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 Dwr Cymru/Welsh Water, the Council Ecologist, the Senior Arboricultural Officer;
- (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 7626848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority .

6. CODE NO. 19/0365/COU – JOHN DAVIES AND SONS, SALEM CHAPEL, HIGH STREET, NELSON, TRESHARRIS, CF46 6EU.

Councillor B. Miles declared a personal prejudicial interest in that having been asked to represent objectors to the application she had a closed mind, but would address the committee as Local Ward Member.

Councillor B. Miles spoke on behalf of residents in objection to the application and left the Chamber immediately following her statement and was not present for the debate or decision. Mr John Davies the applicant spoke in support.

It was noted that the above application had been subject to a site visit which was held on 18th June 2019.

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 Head of Public Protection;
- (iii) the applicant be advised that the 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 .

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

7. CODE NO. 19/0049/RM – LAND NORTH OF HENDREDENNY DRIVE, HENDREDENNY, CAERPHILLY.

Councillor L. Whittle spoke in objection to the application and Mr E. Davies, the Applicant's Agent spoke in support of the application.

The Planning Services Manager confirmed that since the production of the report further letter of objection had been received from Assembly Member Hefin David, the comments contained therein referred to matters already addressed at the outline stage and cannot be revisited.

Following consideration of the application it was moved and seconded that the recommendation contained within the Officer's report be approved and by a show of hands and in noting there were 6 against this was agreed by the majority present.

RESOLVED that subject to the conditions contained in the Officer's report and the following additional conditions this application be granted.

Additional Condition (10)

Notwithstanding the submitted plans, no works on the estate road construction shall commence on site until after full engineering details of the road layout with sections, street-lighting and surface water drainage etc have been submitted to and approved in writing with the Local Planning Authority. The engineering design details shall include for the shared cycleway link located in the north eastern corner of the development and include its connection onto the existing cycleway infrastructure.

Reason

In the interests of highway safety and in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition 11

Notwithstanding the submitted plans, no works shall commence on any retaining structures which affects the support of the proposed highway (estate road) until full engineering details and structural calculations, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose have been submitted to and approved by the Local Planning Authority. Following construction of the approved retaining structure, additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied prior to beneficial occupation of the approved development.

Reason

In the interests of highway safety and in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition 12

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

Reason

To ensure that adequate parking is available at all times in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Additional Condition 13

Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order or any Order revoking or re-enacting that order with or without modification no gates, fences, walls or other means of enclosure shall be erected across or adjoining any driveways at the properties hereby approved.

Reason

To ensure that adequate parking is available at all times in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Condition 14

Rainwater run-off shall not discharge onto the proposed estate road or into the highway surface-water drainage system.

Reason

In the interests of highway safety and in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

8. CODE NO. 19/0287/FULL – FIRBECK, ROYAL OAK, MACHEN, CAERPHILLY, CF83 8SN.

The Planning Case Officer confirmed that since the production of the report a further consultation on revised plans had concluded. An additional letter of objection had been received in relation to that consultation which raised privacy concerns and matters previously raised and addressed in the Officer's report.

Following consideration of the application it was moved and seconded that the recommendation contained within 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 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 7626848.

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 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 roost are protected even 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/ECC 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 be advised of the Council's Land Drainage Officer.

9. CODE NO. 19/0322/RET – LAND AT GRID REF 320304186681, R/O HAVEN HILL, MAENLLWYD TO YEW TREE COTTAGE, RUDRY

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 subject to the conditions contained in the Officer's report this application be granted.

10-13. 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 18.45pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th July 2019, they were signed by the Chair.

CHAIR