



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 14TH AUGUST 2019 AT 5:00PM

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#### PRESENT:

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

#### Councillors:

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

#### Together with:

T. Stephens (Planning Services Manager), R. Crane (Senior Solicitor), R. Kyte (Head of Planning and Regeneration), C. Campbell (Transportation Engineering Manager), L. Cooper (Engineer, Highway Planning), G. Mumford (Acting Team Leader – General Team), M. Godfrey (Team Leader - Pollution Control and Emergency Planning & Resilience), C. Boardman (Principal Planner), E. Rowley (Senior Planner), and C. Evans (Committee Services Officer).

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor A.G. Higgs.

#### 2. DECLARATIONS OF INTEREST

Declarations of interest were received at the start and during the course of the meeting as follows: Councillor C. Andrews – Agenda Item No. 6 (19/0327/OUT), Councillor D. Hardacre – Agenda Item No. 9 (19/0487/OUT) and Councillor A. Whitcombe – Agenda Item No. 7 (19/0348/FULL) details are minuted with the respective item.

#### 3. MINUTES – 17TH JULY 2019

It was moved and seconded that the minutes of the meeting held on the 17th July 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 17th July 2019 (minute nos. 1-19) be approved and signed as a correct record.

## **PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT**

### **4. CODE NO. 17/0411/OUT – LAND AT GWERN Y DOMEN (GRID RED. 317536), GWERN-Y-DOMEN FARM LANE, CAERPHILLY.**

Mr. L. Wood and Councillor E. Forehead spoke in objection to the application and Mr R. Mann, United West Housing Association spoke in support of the application, on behalf of the applicant.

It was noted that the application had been subject to a site visit, which was held on Monday 12th August 2019.

Following consideration of the application it was moved and seconded that the application be deferred for a further report for reasons for refusal based on: the detrimental impact to the countryside; significant development outside of the settlement boundary, impact on natural meadows and historic features; and the departure from the Local Development Plan (LDP), by a show of hands and in noting there was 1 abstention this was agreed by the majority present.

RESOLVED that the application be deferred for a further report for reasons of refusal based on the detrimental impact to the countryside, significant development outside of the settlement boundary, impact on natural meadows and historic features and the departure from the Local Development Plan (LDP), and other matters noted by Mr Stephens, and contained in the note submitted by Cllr Aldworth.

### **5. CODE NO. 19/0262/FULL – 2 THE MEADOWS, MACHEN**

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 a Sustainable Drainage Approval is required prior to commencement of this development.

From the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: [drainage@caerphilly.gov.uk](mailto:drainage@caerphilly.gov.uk)

Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

- (iii) the applicant be advised of the information from the Council's Ecologist and Senior Engineer Land Drainage, Dwr Cymru/Welsh Water and Natural

**6. CODE NO. 19/0327/OUT – LAND WITHIN THE CURTILAGE OF 45 SANNON STREET, ABERBARGOED, BARGOED, CF81 9BH**

Councillor C. Andrews declared a prejudicial interest in this item as the objectors are friends of her parents, and left the Chamber during its consideration.

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

RESOLVED that the application be refused.

**7. CODE NO. 19/0348/FULL – GLJ RECYCLING LTD, CHAPEL BRIDGE YARD, CHAPEL FARM INDUSTRIAL ESTATE, CWMCARN, NEWPORT, NP11 7NL**

Councillor A. Whitcombe declared a prejudicial interest in this item as he knows the applicant, and left the Chamber during its consideration.

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved by a show of hands it 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 condition contained in the Officer's report and the following additional condition this application be granted;

**Additional Condition (09)**

Prior to first use of the approved shredder, 10.8m high enclosure shown on Danieli drawing 6.4729238.E Rev00 dated 25 Feb 2019, shall be completed in accordance with the submitted noise report. This acoustic screen shall remain in place for the lifetime of the development.

**Reason**

In the interests of residential amenity.

- (ii) the applicant be advised that a Sustainable Drainage Approval is required prior to commencement of this development.

From the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

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Website: [www.caerphilly.gov.uk/sab](http://www.caerphilly.gov.uk/sab)

- (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](http://www.gov.uk/government/organisations/the-coal-authority).

## **8. CODE NO. 19/0378/OUT – LAND AT THE OLD FARMHOUSE, PENTREF-Y-GROES FARM LANE EAST, CROESPENMAEN**

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 this application be granted.
- (ii) 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 a Sustainable Drainage Approval is required prior to commencement of this development.

From the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m<sup>2</sup> or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

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- (iv) 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](http://www.gov.uk/government/organisations/the-coal-authority).

**9. CODE NO. 19/0487/OUT – LAND ADJACENT TO MOUNT PLEASANT INN, MOUNT PLEASANT ROW, PENTWYN, BARGOED, CF81 9NJ**

Councillor D. Hardacre declared a personal and prejudicial interest in that having been asked to represent the applicant he had a closed mind, but would address the committee as Local Ward Member.

Councillor D. Hardacre spoke in support to the application and left the Chamber immediately following his statement and was not present for the debate or decision..

It was noted that the application had been subject to a site visit, which was held on Monday 12th August 2019.

Following consideration of the application it was moved and seconded that the application be deferred until further information and investigation has been undertaken at the site to mitigate the concerns outlined in the Officers report. If satisfactory information is submitted, that the application be returned to Committee with conditions recommended should members grant planning permission for the proposal. By a show of hands and in noting that there were 5 against and 1 abstention, this was agreed by the majority present.

RESOLVED that the application be deferred to allow the actions set out above to be carried out.

**10. CODE NO. 19/0572/RM – LAND AT GRID REF. 311051 194899, MAFON ROAD, NELSON**

Following consideration of the application it was moved and seconded that the application be granted, subject to engagement being undertaken with local members around design and colour scheme and design be approved under delegated powers. By a show of hands this was unanimously agreed.

RESOLVED that the application be granted subject to engagement with local members and design approval under delegated powers.

**11. CODE NO. 19/0635/FULL – 16 HIGH STREET, PENTWYN-MAWR, NEWPORT, NP11 4HG**

Following consideration of the application it was moved and seconded that the recommendation contained in the Officer's report be approved by a show of hands it 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 2019 is relevant to the conditions of this permission: CW2
- (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](http://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](http://www.gov.uk/government/organisations/the-coal-authority)

## 12-15. 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 7.32pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th September 2019, they were signed by the Chair.

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CHAIR