



PLANNING COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY, 4TH DECEMBER 2019 AT 5:00PM

PRESENT:

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

Councillors:

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

Together with:

T. Stephens (Planning Services Manager), R. Kyte (Head of Regeneration and Planning), R. Crane (Solicitor), M. Noakes (Senior Engineer, Highway Planning), L. Cooper (Engineer, Highways), M. Godfrey (Senior Environmental Health Officer), C. Boardman (Principal Planner), M. Davies (Principal Planner), C. Powell (Principal Planner), A. Pyne (Senior Planner) and C. Evans (Committee Services Officer).

And:

Councillor E. Stenner – Cabinet Member for Planning and Regeneration

1. **APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors A.G. Higgs, J. Taylor, R. Whiting and T. Williams.

2. **DECLARATIONS OF INTEREST**

A declaration of interest was received at the start of the meeting from Councillor D. Hardacre in relation to Agenda Item No.9 – Code No. 19/0487/OUT. Details are minuted with the respective item.

3. **MINUTES – 6TH NOVEMBER 2019**

It was moved and seconded that the minutes of the meeting held on the 6th November 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 6th November 2019 (minute nos. 1-15) be approved and signed as a correct record.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT

4. CODE NO. 19/0624/FULL – SPARE MOMENTS, 21 OLD PARISH ROAD, HENGOED.

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 from Dwr Cymru/ Welsh Water and the Council's Ecologist.
- (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 the development, this should be reported immediately to the Coal Authority on 0945 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 following: -

WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note 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 100m² 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
Website: www.caerphilly.gov.uk/sab

5. CODE NO. 19/0495/COU – FORMER BAKERY, BRYN TERRACE, HENGOED.

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 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 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

6. CODE NO. 19/0536/RET – LAND AT FORMER STATION HOUSE, MERTHYR ROAD, RHYMNEY BRIDGE

It was noted that the application had been subject to a Planning Committee Site Visit which had been held on Monday 2nd December 2019.

Councillor Carl Cuss, Local Ward Member spoke in objection of the application.

The Applicant was advised of their right to speak on the application, but withdrew from speaking prior to the Committee and was not in attendance.

Following consideration of the application it was moved and seconded that subject to an amendment, in that enforcement action be taken as expediently as possible, the recommendation contained within the Officers report be approved and by show of hands, and in noting there was 1 abstention, this was agreed by the majority present.

RESOLVED that this application be refused.

7. CODE NO. 19/0823/NCC – LAND AT GRID REF. 313169 TO 206548, WAUNTYSSWG FARM, ABERTYSSWG

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 this permissions relates solely to that part of the solar farm development within the boundaries of Caerphilly County Borough.
- (iii) the applicant be advised of the following: -

WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note 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 100m² 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

Website: www.caerphilly.gov.uk/sab

8. CODE NO. 19/0559/FULL – GARNLLWYD, WATFORD ROAD, THORNHILL, CAERPHILLY.

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;
- (iii) the applicant be advised 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.

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

Councillor D. Hardacre declared a personal and prejudicial interest as the applicant is known to him and he has previously spoken in support of this item, and left the Chamber when the application was discussed.

Following consideration of the application it was moved and seconded that the Officer's recommendation be approved, and by show of hands and in noting there were 7 against and 6 for, the motion was declared lost.

It was then moved and seconded that that subject to the conditions contained within the Officers Preface report, this application be granted, and by a show of hands and in noting there were 6 against and 7 for, this was approved by the majority present.

RESOLVED that: -

- (i) subject to the conditions contained in the Officer's Preface 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 and CW3
- (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>

The applicant be advised that 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:

**WARNING:
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO
COMMENCEMENT OF THIS DEVELOPMENT.**

Please note 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 100m² 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

10. CODE NO. 19/0448/NCC – ASDA, CLIFF ROAD, BLACKWOOD.

Mr S. Roberts the Applicant's Agent spoke in support of the application.

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 Rights of Way Officer, as attached to the report.

11. CODE NO. 19/0010/FULL – FORMER PONTYMISTER SERVICE STATION, NEWPORT ROAD, PONTYMISTER.

It was noted that the application had been subject to a Planning Committee Site Visit which had been held on Monday 4th November 2019.

Mr D. Brown, Local Resident spoke in objection of the application.

Mr R. Chichester the Applicant's Agent spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's Report and the amended and additional conditions contained in the Officer's Preface Report, the recommendation contained therein be approved and by a show of hands and in noting there were 3 against and 3 abstentions, this was agreed by the majority present.

RESOLVED that: -

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

Amended Condition 03:

The development shall be carried out in accordance with the following approved plans and documents:

Dwg. No. AL(01)10 - Proposed Elevations, received 04.01.2019;

Dwg. No. AL(01)04 Rev. B - Proposed 2nd Floor Plans, received 21.11.2019;

Dwg. No. AL(01)03 Rev. B - Proposed 1st Floor Plans, received 21.11.2019;

Dwg. No. AL(01)02 Rev. D - Proposed Ground Floor Plan, received 04.12.2019;

Dwg. No. AL(90)01 Rev. B - Site Location Plan, received 04.12.2019;

Dwg. No. AL(01)01 Rev. G - Proposed Site Plan (excluding bin store location and turning head dimensions), received 04.12.2019;

Flood Consequences Assessment, received 30.04.2019.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- (ii) the applicant be advised of the following: -

**WARNING:
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO
COMMENCEMENT OF THIS DEVELOPMENT.**

Please note 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 100m² 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
Website: www.caerphilly.gov.uk/sab

- (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.

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.

CHAIRMANS ANNOUNCEMENTS

Before concluding the meeting, the Chair wished it noted that this was the last meeting of Mr T. Stephens (Planning Services Manager) and Mr R. Crane (Senior Solicitor).

The Planning Committee expressed their gratitude to Mr Stephens for the many years of support and advice on planning matters and wished him all the best for a long and happy retirement.

The Planning Committee thanked Mr Crane for his support and advice over previous meetings and wished him all the best in his new role.

The Chair wished everyone a very Merry Christmas and Happy New Year.

The meeting closed at 7.27pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 22nd January 2020, they were signed by the Chair.

CHAIR