



## PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 2ND DECEMBER 2020 AT 5:00 PM

#### PRESENT:

Councillor R. Saralis - Chair

#### Councillors:

Councillors: M. Adams, E.M. Aldworth, C. Andrews, A. Angel, J. Bevan, M. Davies, R.W. Gough, L. Harding, A.G. Higgs, A. Hussey, B. Miles, J. Simmonds, A. Whitcombe, T.J. Williams

Councillor S. Morgan (Deputy Leader and Cabinet Member for Economy and Enterprise)

#### Together with:

M. Woodland (Senior Solicitor), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Boardman (Area Principal Planner), A. Pyne (Principal Planner), V. Morgan (Principal Planner/Statistician), L. Cooper (Assistant Engineer), J. Hobbs (Senior Engineer), M. Godfrey (Team Leader - Pollution Control), R. Barrett (Committee Services Officer)

#### CHAIR'S ANNOUNCEMENT

On behalf of the Planning Committee, the Chair expressed his deepest condolences to Councillor Gaynor Oliver on the sad loss of her husband Roy.

#### RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would be taken by way of roll call.

- 1. TO NOTE THE APPOINTMENT OF COUNCILLOR E.M. ALDWORTH AS VICE-CHAIR OF PLANNING COMMITTEE UNTIL THE ANNUAL GENERAL MEETING OF COUNCIL IN 2021.**

The Planning Committee noted the appointment and the Chair welcomed Councillor Aldworth to her new role.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors J.E. Fussell, D.T. Hardacre, G. Oliver and J. Taylor.

## **3. DECLARATIONS OF INTEREST**

Councillor A. Whitcombe sought advice in relation to Agenda Item 8 (as Chair of the Housing & Regeneration Scrutiny Committee) and Councillor J. Bevan sought advice in relation to Agenda Item 5 (as the application is in his ward). Both Members were advised there was no requirement to declare an interest on this occasion.

There were no declarations of interest received at the commencement or during the course of the meeting.

## **4. MINUTES – 4TH NOVEMBER 2020**

It was moved and seconded that the minutes of the meeting held on the 4th November 2020 be agreed as a correct record and by a show of hands-up this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee held on 4th November 2020 (minute nos. 1-5) be approved as a correct record.

## **5. CODE NO. 20/0636/COU - 17 HIGH STREET, RHYMNEY, TREDEGAR, NP22 5NB**

Councillor C. Cuss spoke on behalf of local residents in objection to the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained within the Officer's report, the recommendation contained in the Officer's report be approved and in noting there were 11 For, 3 Against and 1 Abstention this was agreed by the majority present.

RESOLVED that:-

- (i) Subject to the conditions contained in the Officers 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 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. The applicant's attention is drawn to the Coal Authority Policy in relation to new development and mine entries available through the following link: [Coal Authority Policy](#)

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 the [Coal Authority website \(Ground Stability\)](#) 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](#).

**6. CODE NO. 20/0830/COU - ICONIC, LLANARTH CORNER, LLANARTH ROAD, SPRINGFIELD, PONTLLANFRAITH, NP12 2LG**

Councillor G. Kirby spoke in objection to the application on behalf of local residents and a written statement was read out on behalf of Mr A. Mitha (the applicant) in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained within the Officer's report, the recommendation contained in the Officer's report be approved and in noting there were 12 For, 2 Against and 0 Abstentions this was agreed by the majority present. Councillor L. Harding lost connection and did not participate in the vote for this item.

RESOLVED that:-

- (i) Subject to the conditions contained in the Officers report this application be GRANTED.
- (ii) The applicant be advised of the comments of the Environmental Health Officer that are brought to the applicant's attention.
- (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](#).
- (iv) 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). The applicant is 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.

**7. CODE NO. 20/0806/NCC - LAND AT GRID REF 319235 191320, NINE MILE POINT INDUSTRIAL ESTATE, CWMFELINFACH**

It was noted that the application had been withdrawn prior to the meeting.

**8. CAERPHILLY COUNTY BOROUGH COUNCIL LOCAL DEVELOPMENT PLAN - HOUSING DELIVERY STATEMENT**

Consideration was given to the report, which provided an update to Members on recent changes to planning policy in respect of housing supply and housing delivery. The report asked Planning Committee to consider the Housing Delivery Statement and endorse the Statement and its recommendations for consideration by Council.

Members received a presentation which provided an overview of the Housing Delivery Statement. This Statement explains the housing trajectory and sets out what pro-active actions the Council is taking to address the shortfall in housing. Subject to approval by Council, the Housing Delivery Statement will be a consideration for the Local Planning Authority (LPA) in the determination of future planning applications.

It was noted that although there is no requirement to submit an Annual Monitoring Report (AMR) to Welsh Government (WG) in 2020 in light of the Covid-19 pandemic and the need to focus on plan preparation, the Council has prepared a Housing Delivery Statement to address the matter of housing delivery and housing supply that is normally addressed in the AMR. This is particularly pertinent as there have been significant changes in national planning policy to the way that the amount of land available for housing is considered.

Members debated the report and Officers provided clarification in response to queries received around the remit and composition of the Housing Stakeholder Group. Particular concerns were expressed as to the limited Elected Member involvement in the Group, which Members were concerned would cease once a development plan is adopted. It was suggested that there should be an ongoing Member presence on the Group to allow for continued scrutiny.

Individual Members requested that the Cabinet Member for Economy and Enterprise give consideration to these issues, who in turn confirmed that he would take these concerns into account as far as possible and would explore the matter outside of the meeting with the Members who had raised these points. However, it was emphasised to the Committee that Members will have the opportunity to scrutinise the housing trajectory agreed by the Housing Stakeholder Group as part of the Annual Monitoring Report, which will be reported to Council on an annual basis, and also through the LDP Focus Group in respect of the trajectory to be included in the 2<sup>nd</sup> Replacement LDP. The Council are limited in what actions they can take regarding membership of the Housing Stakeholder Group, as this has been established in accordance with the requirements of Welsh Government planning guidance (i.e. the Development Plans Manual).

Having considered the report, it was moved and seconded that subject to the comments received in respect of membership of the Housing Stakeholder Group being considered by

the Cabinet Member for Economy and Enterprise, the recommendations in the Officer's report be agreed and forwarded to Council for approval. In noting there were 13 For, 0 Against and 1 Abstention, this was agreed by the majority present.

The Planning Committee therefore

- (i) RESOLVED that subject to the Cabinet Member taking into consideration the comments received in respect of membership of the Housing Stakeholder Group, the Housing Delivery Statement and its recommendations be endorsed;
- (ii) RECOMMENDED to Council that the Housing Delivery Statement and its recommendations be approved as the basis for informing future planning decisions by the Local Planning Authority.

The meeting closed at 6.37 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 20th January 2020.

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CHAIR