



## PLANNING COMMITTEE

### MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 12<sup>TH</sup> APRIL 2023 AT 5:00 PM

#### PRESENT:

Councillor R. Saralis – Chair  
Councillor Mrs E. M. Aldworth – Vice Chair

#### Councillors:

Councillors: M. A. Adams, A. Angel, R. Chapman, N. Dix, G. Ead, J. Fussell, A. Hussey, B. Miles, J. Taylor, S. Williams and A. Whitcombe.

Cabinet Member: Councillor P. Leonard (Planning and Public Protection).

#### Together with:

V. Julian (Senior Solicitor), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), E. Rowley (Principal Planner), A. Pyne (Principal Planner), C. Lamnea (Planning Officer), J. Simmons (Planning and Enforcement Officer), L. Cooper (Assistant Engineer), J. Hobbs (Principal Engineer), M. Godfrey (Team Leader - Pollution Control) and S. Hughes (Committee Services Officer).

Also present to speak on applications:

Agenda Item 4 – E. Gegeshidze (Applicant's Agent).

Agenda Item 6 – J. Colliver (Local Resident) and P. Williams (Applicant's Agent).

Agenda Item 9 – J. Janos (Local Resident) and S. Williams (Applicant).

### RECORDING, FILMING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being live-streamed and 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 via Microsoft Forms.

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D. Ingram-Jones, M. Powell and K. Woodland.

## 2. DECLARATIONS OF INTEREST

The following declarations of interest were received and are also minuted with the respective item.

Councillor E. M. Aldworth declared a personal and prejudicial interest in Agenda Item 4. Application No. 21/0005/OUT – Land Off Tir Y Wen, Bedwellty Road, Aberbargoed, as family members live in close proximity to the proposed development. She left the meeting whilst the application was discussed.

Councillor R. Chapman declared a personal and prejudicial interest in Agenda Item 8. Application No. 22/0997/NCC – Austin Grange, Maes Glas South UL, Caerphilly, CF83 1LN, as a family member works for the applicant. He left the meeting whilst the application was discussed.

Councillor J. Taylor declared a personal and prejudicial interest in Agenda Item 8. Application No. 22/0997/NCC – Austin Grange, Maes Glas South UL, Caerphilly, CF83 1LN, as he is a friend of the former owners of the site. He left the meeting whilst the application was discussed.

Councillor A. Hussey had predetermined Application No. 23/0097/RET – Rosalyn, 31 King Charles Road, Pentwyn-mawr, Newport, NP11 4HF, due to speaking in objection to the application as a local Ward Member. He did not take part in the subsequent debate or vote.

## 3. MINUTES – 8<sup>TH</sup> MARCH 2023

It was moved and seconded that the minutes of the Planning Committee meeting held on the 8<sup>th</sup> March 2023 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 11 for, 0 against and 2 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee meeting held on 8<sup>th</sup> March 2023 (minute nos. 1-7) be approved as a correct record.

The Planning Committee considered the applications in the order recorded below.

## 4. APPLICATION NO. 21/0005/OUT - LAND OFF TIR Y WEN, BEDWELTY ROAD, ABERBARGOED

Councillor E. M. Aldworth declared a personal and prejudicial interest as family members live in close proximity to the proposed development. She left the meeting whilst the application was discussed.

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

E. Gegeshidze (Applicant's Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendations in the Officer's report be approved. By way of Microsoft Forms (and in noting there were 9 for, 2 against and 1 abstention) this was agreed by the majority present.

RESOLVED that: -

- (i) (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

10% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the conditions contained in the Officers report.

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- (ii) The applicant be advised to refer to Public Access on the Council's website to view the comments of the consultees that are brought to the applicant's attention. Informative information is also provided.
- (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 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.
- (v) The applicant 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).
- (vi) The applicant be advised:  
WARNING:  
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7<sup>th</sup> 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)

- (vii) The applicant be advised:  
NOTIFICATION OF INITIATION OF DEVELOPMENT AND DISPLAY OF NOTICE:  
You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

**6. APPLICATION NO. 22/0718/OUT - TRINANT SPORTS AND SOCIAL CLUB (CIO), CONWAY ROAD, TRINANT, NEWPORT, NP11 3JP**

The Planning Case Officer presented the application, with it confirmed in the

accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

J. Colliver (Local Resident) spoke in objection to the application and P. Williams (Applicant's Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that the recommendations in the Officer's report be approved. By way of Microsoft Forms (and in noting there were 8 for, 4 against and 1 abstention) this was agreed by the majority present.

RESOLVED that: -

- (i) (A) the application be deferred to allow Welsh Ministers to be notified that the Local Planning Authority is minded to grant planning permission for this major residential development which is not in accordance with one or more provisions of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

On the expiry of the period of 21 days beginning with the date on which the Welsh Ministers receive the notification, or the date on which the Welsh Ministers confirm that they do not intend to call-in the application, whichever is the sooner, that (B) the applicants enter into a Section 106 Obligation to provide the following:

25% provision of Affordable Housing.

On completion of the Section 106 Obligation that (C) planning permission is granted subject to the conditions contained in the Officers report.

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- (ii) The applicant be advised:

**WARNING:**

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

Please note from the 7<sup>th</sup> 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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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 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/developer be advised that the water supply system in the immediate vicinity of the application site has insufficient capacity to serve the proposed housing development. Dwr Cymru/Welsh Water therefore requires a hydraulic modelling assessment to establish the scope of any reinforcement works to be completed at the same time as the provision of new water mains to serve the new development under Sections 41 and 51 of the Welsh Industry Act (1991). Further information relating to the hydraulic modelling assessment is available at [www.dwrcymru.com](http://www.dwrcymru.com).
- (v) The applicant/developer be advised that the habitat management plan required under condition shall include, but not be exclusively limited to, details of the management, duration, monitoring and any remedial works considered necessary following monitoring.
- (vi) The applicant/developer be advised that the biodiversity strategy to be submitted in accordance with condition 16 should include, but not be exclusively limited to, the following:
  - Clearance methodologies for vegetation, including timing/phasing for birds and reptiles;
  - The use of native species in the planting scheme;
  - Details of proposed bird nesting boxes; and
  - Details of hedgehog passes under fences (i.e., 100mm gaps).
- (vii) The applicant be advised:  
NOTIFICATION OF INITIATION OF DEVELOPMENT AND DISPLAY OF NOTICE:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:  
(a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;  
(b) legible and easily visible to the public without having to enter the site; and  
(c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

**9. APPLICATION NO: 23/0097/RET - ROSALYN, 31 KING CHARLES ROAD, PENTWYN-MAWR, NEWPORT, NP11 4HF**

Councillor A. Hussey had predetermined the application, due to speaking in objection to the application as a local Ward Member. He did not take part in the subsequent debate or vote.

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

It was noted that a site visit was held on Wednesday 12<sup>th</sup> April 2023.

J. Janos (Local Resident) and Councillor A. Hussey (Local Ward Member) spoke in objection to the application and S. Williams (Applicant) 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, the recommendation be approved. By way of Microsoft Forms (and in noting there were 8 for, 4 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report, the application be GRANTED.

**5. APPLICATION NO. 22/0370/COU - GWAUN GLEDYR ISAF FARM, OLD NANTGARW ROAD, GROESWEN, CARDIFF, CF15 7UN**

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 13 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report, the application be GRANTED.
- (ii) The applicant be advised:

Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or on the [Natural Resources Wales Website](#).

- (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 at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former 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 new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is 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 land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://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, excavations for 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.

If any 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](#).

- (iv) The applicant 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).

**7. APPLICATION NO. 22/0961/COU - LAND AT SOUTH WALES MOTORS, ST CENYDD ROAD EAST, TRECENYDD, CAERPHILLY**

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 9 for, 4 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report, the application be GRANTED.
- (ii) The applicant be advised of the comments of the Council's Senior Engineer (Drainage).
- (iii) The applicant be advised of the comments of Dwr Cymru/Welsh Water.
- (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](#).

- (v) The applicant be advised:  
WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED  
PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7<sup>th</sup> 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.

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are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

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

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

- (vi) The applicant be advised:  
PLANNING PERMISSION: ADVERTS AND SIGNS

In line with the guidance within Technical advice note (TAN) 7: outdoor advertisement control (1996) and legislation within the Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1994 (accompanied by Welsh government circular 70/94) advertisement consent may be required for any signage displayed at this site.

**8. APPLICATION NO. 22/0997/NCC - AUSTIN GRANGE, MAES GLAS SOUTH UL, CAERPHILLY, CF83 1LN**

Councillor R. Chapman declared a personal and prejudicial interest as a family member works for the applicant. He left the meeting whilst the application was discussed.

Councillor J. Taylor declared a personal and prejudicial interest as a friend of the former owners of the site. He left the meeting whilst the application was discussed.

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 11 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report, the application be GRANTED.
- (ii) The applicant be advised:  
Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require a EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at [Natural Resources Wales Website](http://NaturalResourcesWalesWebsite).

- (iii) The applicant be advised:  
WARNING:

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

Please note from the 7<sup>th</sup> 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.

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

- (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](#).

- (v) The applicant/developer be advised that the biodiversity strategy should include, but not be exclusively limited to, working methodologies including timing/phasing for clearance works, wildlife friendly drainage, provision of bird nesting boxes, buffer to water courses, 100mm gaps under all fences and site protection measures for wildlife such as preventing entrapment in trenches etc.

**10. APPLICATION NO. 23/0114/FULL - 28 PANTGLAS INDUSTRIAL ESTATE, BEDWAS, CAERPHILLY, CF83 8DR**

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the amendment of conditions 4 and 16, the recommendation be approved. By way of Microsoft Forms (and in noting there were 12 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the amendment of the following conditions and the conditions contained in the Officer's report, the application be GRANTED.

Amended condition 4:

Prior to the commencement of the development (other than works to demolish the existing building down to ground level) a scheme shall be

submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme. REASON: In the interests of public health.

Amended condition 16:

Prior to the commencement of the development (other than works to demolish the existing building down to ground level) a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the building being brought into beneficial use of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (ii) The applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://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, excavations for 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.

If any 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](#).

- (iii) The applicant be advised:  
WARNING:  
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO  
COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7<sup>th</sup> 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.

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

- (iv) The applicant be advised of the comments of Western Power Distribution, Dwr Cymru/Welsh Water and Fire Authority.
- (v) The applicant/developer be reminded that the submitted Wildwood Ecology report has indicated that nesting birds have been found in the existing building and has made recommendations on timescales for demolition of the building which should be referred to prior to any demolition works commencing.

Please 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).

- (vi) The applicant be advised:  
NOTIFICATION OF INITIATION OF DEVELOPMENT AND DISPLAY OF NOTICE:  
You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to

the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

The meeting closed at 7.20 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17<sup>th</sup> May 2023, they were signed by the Chair.

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CHAIR