



PLANNING COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 10TH JANUARY 2024 AT 5:00 PM

PRESENT:

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

Councillors:

M. A. Adams, A. Angel, R. Chapman, N. Dix, A. Hussey, B. Miles, M. Powell, J. Simmonds, J. Taylor, A. Whitcombe and K. Woodland.

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

Together with:

V. Julian (Senior Lawyer), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Team Leader Development Management), A. Pyne (Principal Planner), L. Cooper (Assistant Engineer), C. Campbell (Transport Engineering Manager) and E. Sullivan (Senior Committee Services Officer).

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 G. Ead, J. Fussell and S. Williams.

2. DECLARATIONS OF INTEREST

Councillor A. Whitcombe declared a personal interest only in relation to Agenda Item No. 4 – Application 23/0555/FULL – Stately-Albion Ltd, Unit 14, Darren Drive, Prince of Wales Industrial Estate, Abercarn, as Local Ward Member he lives close the proposed development and knows several people who work for the organisation. However he felt that the connection was not strong enough to be prejudicial and retained an open mind in relation to the application, as such he took part in the debate and vote.

Councillor K. Woodland declared a personal interest in relation to Agenda Item No. 4 - Application 23/0555/FULL – Stately-Albion Ltd, Unit 14, Darren Drive, Prince of Wales Industrial Estate, Abercarn, in that his fellow Crumlin Ward Councillor works at the application site. As this was a personal interest only, he took part in the debate and vote.

Details are also minuted with the respective item.

3. PLANNING COMMITTEE HELD ON 13TH DECEMBER 2023

It was moved and seconded that the minutes of the Planning Committee meeting held on the 13th December 2023 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 9 for, 0 against and 2 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee meeting held on 13th December 2023 (minute nos. 1-4) be approved as a correct record.

4. APPLICATION NO. 23/0555/FULL - STATELY-ALBION LTD, UNIT 14, DARREN DRIVE, PRINCE OF WALES INDUSTRIAL ESTATE, ABERCARN, NEWPORT, NP11 5AR

Councillor A. Whitcombe declared a personal interest only, as Local Ward Member he lives close the proposed development and knows several people who work for the organisation. However he felt that the connection was not strong enough to be prejudicial and retained an open mind in relation to the application, as such he took part in the debate and vote.

Councillor K. Woodland declared a personal interest in that his fellow Crumlin Ward Councillor works at the application site. As this was a personal interest only, he took part in the debate and 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.

Following consideration of the application it was moved and seconded that subject to amended conditions 3, 10, 12, 13 and 16 and 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 13 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) RESOLVED that subject to the amended conditions and conditions contained in the Officer's report, the application be GRANTED.

Amended Condition 3

Within 3 months of the date of this decision a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development site shall be submitted for the written approval of the Local Planning Authority. Thereafter no unit hereby approved shall be brought into beneficial use until the approved surface water removal strategy has been implemented in accordance with the approved details

and written confirmation of this must be received by the Local Planning Authority.

REASON: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition 10

Within 3 months of the date of this decision, details of all external and roof mounted plant/machinery associated with the application shall be submitted for the written approval of the Local Planning Authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter these agreed details shall be fully installed prior to the use of each of the units commencing.

REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition 12

Within 1 month of the date of this decision a Working Method Statement to control the environmental effects of the construction work shall be submitted for the written approval of the Local Planning Authority. The scheme shall include:

- (i) control of noise,
 - (ii) control of dust, smell and other effluvia,
 - (iii) control of surface water run off,
 - (iv) site security arrangements including hoardings,
 - (v) proposed method of piling for foundations,
 - (vi) construction working hours,
 - (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.
- The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition 13

Within 3 months of the date of this decision or prior to commencement of construction of the building (whichever is the earlier) the following components of a scheme to deal with the risks associated with contamination at the site, shall be submitted for the written approval of the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses,
 - potential contaminants associated with those uses,
 - a conceptual model of the site indicating sources, pathways and receptors,
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

REASON: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination in the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition 16

Within 1 month of the date of this decision a site wide Construction Environmental Management Plan (CEMP) shall be submitted for the written approval of the Local Planning Authority. The CEMP should include:

General Site Management: details of the construction programme including timetable, details of any further site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.

Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The development shall be carried out in accordance with the approved CEMP.

REASON: A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction in the interests of public health and in accordance with Policy CW2 of the 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.

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 of the comments of the Environmental Health Manager, Senior Engineer (Drainage), Placemaking Officer, Chief Fire Officer, Dwr Cymru/Welsh Water and Natural Resources Wales that are brought to the applicant's attention.
- (iv) The applicant be advised:
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

The meeting closed at 5.20 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 7th February 2024, they were signed by the Chair.

CHAIR