



PLANNING COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 14TH AUGUST 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, G. Ead, J. Fussell, A. Hussey, M. Powell, S. Williams and K. Woodland.

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

Together with:

L. Lane (Head of Democratic Services and Deputy Monitoring Officer), R. Thomas (Planning Services Manager), C. Powell (Team Leader Development Management), E. Rowley (Principal Planner), A. Pyne (Principal Planner), H. Winsall (Principal Planner), J. Simmonds (Planning and Enforcement Officer), M. Tanner (Principal Engineer - Transport Strategy and Development Control), L. Cooper (Assistant Engineer), M. Godfrey (Team Leader - Pollution Control) and S. Hughes (Committee Services Officer).

Also present to speak on applications:

Agenda Item 4 – Councillor G. Ead (Local Ward Member) and A. Hawke (Agent).

Agenda Item 6 – P. Heathcote (Local Resident), Councillor B. Owen (Local Ward Member) and S. Berry (Agent).

Agenda Item 7 – R. Jones (Applicant).

Agenda Item 8 – H. Evans (Local Resident), Councillor A. Farina-Childs (Local Ward Member) and J. Ayoubkhani (Agent).

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 B. Miles, J. Simmonds, J. Taylor and A. Whitcombe.

2. DECLARATIONS OF INTEREST

Councillor G. Ead declared that he was predetermined in relation in Agenda Item 4 – Application No: 23/0264/FULL - Land Adjacent To Woodlands, 13A Golwg Y Coed, Caerphilly, CF83 2UA, due to speaking in objection as a Local Ward Member. He took no part in the debate or vote.

Councillor N. Dix declared a personal and prejudicial interest in Agenda Item 8 – Application No: 24/0308/FULL - Car Park At Grid Ref 317301 197037, Bus Station Road, Blackwood, as he is employed by a social housing landlord who may have some involvement in this application site. He left the meeting whilst the application was discussed.

3. PLANNING COMMITTEE HELD ON 10TH JULY 2024

It was moved and seconded that the minutes of the meeting held on 10th July 2024 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 7 For, 0 Against and 1 Abstention) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee meeting held on 10th July 2024 (minute nos. 1-5) be approved as a correct record.

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

4. APPLICATION NO: 23/0264/FULL - LAND ADJACENT TO WOODLANDS, 13A GOLWGW Y COED, CAERPHILLY, CF83 2UA

Councillor G. Ead declared that he was predetermined due to speaking in objection as a Local Ward Member. He took no part in the 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 12. Members were verbally updated on a previous planning permission (21/1114/RET) on the site and in matters related to the Green Infrastructure Statement.

Councillor G. Ead (Local Ward Member) spoke in objection to the application and A. Hawke (Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an amendment to Conditions (5), (6), (8), (9) and (11) and the Conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 9 For, 2 Against and 0 Abstentions) this was agreed by the majority present.

RESOLVED that: -

- (i) RESOLVED that subject to amended Conditions (5), (6), (8), (9) and (11) and the Conditions contained in the Officer's report, the application be GRANTED.

Amended Condition (5)

Prior to the importation of any further material to the site required for fill purposes related to the implementation of this permission a scheme shall be first 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 fully developed. The development shall be carried out in accordance with the approved scheme.

REASON: 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 (6)

Within 3 months of the date of permission (where any such materials meeting the description detailed in this condition wording have already been imported onto site as fill for the dwelling or access) or before any soils or hardcore that do not fall within the green category set out in Table 2 of the WPGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site (whichever is the later), a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

REASON: 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 (8)

Prior to any construction machinery being brought onto site (or if already in situ on site being put to active use) for the purposes of implementing this permission in respect of the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works. 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 (9)

Prior to any construction machinery being brought onto site (or if already in situ on site be put to active use) for the purposes of implementing this permission in respect of the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works. 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 (11)

Prior to the commencement of foundation works for the dwelling hereby permitted 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 occupation 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 of the comments of Dwr Cymru/Welsh Water and Natural Resources Wales that are brought to the applicant's attention.
- (iii) 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.

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

Please note from 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

6. APPLICATION NO: 24/0217/RET - DAN Y GRAIG WORKS, DAN Y GRAIG ROAD, RISCA

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 12.

A site visit was held on Wednesday 14th August 2024.

P. Heathcote (Local Resident) and Councillor B. Owen (Local Ward Member) spoke in objection to the application and S. Berry (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 an additional Condition (16), the recommendation be approved. By way of Microsoft Forms (and in noting there were 8 For, 0 Against and 0 Abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the Conditions contained in the Officer's report and the additional Condition (16), the application be GRANTED.

Additional Condition (16)

No tyres, plant or machinery shall be stored outside any of the buildings.

REASON: In the interests of employee's safety, fire safety and the residential amenity of the area in accordance with Policy CW2 of the Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010.

- (ii) The applicant be advised that the proposed development will not directly affect the Public Rights of Way, but the applicant should be made aware of the existence of RISC/FP39/1, RISC/FP107/1, RISC/RBW108/1, and RISC/RBW109/1 and the need to maintain public access and safety at all times. If any Public Right of Way is to be utilised by construction traffic, appropriate signage must be erected advising the public (Chapter 8 of the Traffic Safety Measures and Signs for Road Works and Temporary Situations), and banksmen utilised during plant movement to ensure the safety of the public. The applicant is reminded that it is an offence to obstruct a Public Right of Way. There are several Public Rights of Way in the area of this application. The planning permission does not authorise the stopping up or diversion of the Public Rights of Way. The Public Rights of Way may be stopped up or diverted by Order under section 257 of the Town and Country Planning Act 1990, provided that the order is made before the development is carried out, but this process is independent of

the planning process and as such the applicant is advised to contact the Rights of Way Officer. If the Public Rights of Way are obstructed before the Order is made, the order cannot proceed until the obstruction is removed. Should the applicant require further information regarding their responsibilities to the Public Rights of Way, they are requested to contact the Rights of Way Officer.

7. APPLICATION NO: 24/0254/FULL - THE CO-OPERATIVE FOOD, MAFON ROAD, NELSON, TREHARRIS, CF46 6PE

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 12.

R. Jones (Applicant) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an amendment to Conditions (2) and (15), the removal of Condition (20) and 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 amendment of Conditions (2) and (15), the removal of Condition (20) and the Conditions contained in the Officer's report, the application be GRANTED.

Amended Condition (2)

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

200413-1000 Rev P02- Site Location Plan;
200413-1310 Rev P08- Proposed Site Plan;
200413-1320 Rev P04- Proposed Hard Landscaping;
200413-1330 Rev P05- Proposed Boundary Treatment;
200413-1350 **Rev P03**- Proposed Floor Plan;
200413-1360 **Rev P03**- Proposed Roof Plan;
200413-1410 Rev P03- Proposed Elevations;
200413-1450 Rev P04- Proposed Site Sections;
200413-1703 Rev P03- Proposed Boundary Treatment;
200413-AD5950 Rev P02- EVCP Parking Space Detail;

13571_P04 Rev C (Sheets 1, 2 and 3)- Soft Landscape Proposals: and 13571/R05a- Landscape Management Plan

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

Amended Condition (15)

The landscaping shall be carried out as shown on plans 13571_P04 Rev C (Sheets 1, 2 and 3) in the first planting and/or seeding season following the first beneficial use of the development.

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:
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.

- (iii) The applicant be advised:

WARNING:

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

Please note from 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

- (iv) The applicant be advised:
WARNING - SEPARATE APPROVAL UNDER THE LAND DRAINAGE ACT (1991) / CAERPHILLY COUNTY BOROUGH COUNCIL LAND DRAINAGE BYELAWS (2018) REQUIRED: Please note that Caerphilly County Borough Council operate Land Drainage Byelaws and that works on a near a watercourse may require Ordinary Watercourse Consent (OWC). The erection or construction of any Building or Structure within the Byelaws distance is only permitted following written consent from the Lead Local Flood Authority. Planning Permission granted here does not remove the requirement for approval from the Lead Local Flood Authority to be obtained. You are advised to contact the Lead Local Flood Authority. Their contact details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: <https://www.caerphilly.gov.uk/Services/Roadsand-pavements/Flood-riskmanagement/Consent-to-work-on-an-ordinarywatercourse>

- (v) The applicant be advised that Natural Resources Wales advise that infiltration of surface water drainage into the ground should only be permitted for parts of the site where it has been demonstrated there is no resultant unacceptable risk to controlled waters. This should be informed by the applicant's existing ground investigations and/or remediation strategy. If this is not properly controlled, the development may create pathways for pollution to controlled waters.
- (vi) The applicant be advised that Dwr Cymru/Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. It is recommended that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e., a drain which extends beyond the connecting property boundary) or via a new sewer (i.e., serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and private Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The planning permission hereby granted does not extend any rights to carry out any works permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be

separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru/Welsh Water. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

The applicant will need to apply to Dwr Cymru/Welsh Water for a connection to the potable water supply system under Section 45 of the Water industry Act 1991. The applicant attention is drawn to the new water connection application guidance notes available on their website.

- (vii) The applicant be advised that a registered Asbestos contractor should remove any asbestos within the boundary of the development.

8. APPLICATION NO: 24/0308/FULL - CAR PARK AT GRID REF 317301 197037, BUS STATION ROAD, BLACKWOOD

Councillor N. Dix declared a personal and prejudicial interest as he is employed by a social housing landlord who may have some involvement in this application 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 12.

H. Evans (Local Resident) and Councillor A. Farina-Childs (Local Ward Member) spoke in objection to the application and J. Ayoubkhani (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 additional Conditions (15) and (16), the recommendation be approved. By way of Microsoft Forms (and in noting there were 5 For, 2 Against and 4 Abstentions) 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 25% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission be GRANTED subject to the Conditions contained in the Officers report and additional Conditions (15) and (16).

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.

Additional Condition (15)

Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed on site. The treatment of Japanese Knotweed shall be carried out in accordance with the approved details. REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act". Japanese Knotweed (*Fallopia japonica* / *Polygonum cuspidatum*) is included within this schedule. All Japanese knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

Additional Condition (16)

Prior to the commencement of the development, details of a scheme shall be submitted to and approved in writing by the local planning authority to include upgraded glazing systems in all habitable rooms within the southern and eastern elevations of Blocks A and B. The glazing shall be capable of achieving an internal L_{max} level of 45 dB(A). The development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved. REASON: In the interests of residential amenity in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (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:
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.

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

Please note from 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 Page 107
Email: drainage@caerphilly.gov.uk
Website: www.caerphilly.gov.uk/sab

5. APPLICATION NO: 23/0891/FULL - LAND AT GRID REF 315476 196261, AND INCLUDING 40 VICTORIA ROAD, FLEUR-DE-LIS, BLACKWOOD, NP12 3UG

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 12.

Following consideration of the application it was moved and seconded that subject to the Conditions contained in the Officer's report and an additional Condition (23), 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) (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide 25% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission be GRANTED subject to the Conditions contained in the Officers report and the additional Condition (23).

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.

Additional Condition (23)

Prior to the commencement of the development, details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include upgraded glazing systems in all habitable rooms within the rear elevations of Plots 1-5 of the development. The glazing shall be capable of achieving an internal L_{max} level of 45 dB(A). The development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.

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

- (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 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.
- (iv) 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](#).

- (v) The applicant be advised:

NOTE:

Before any vehicle crosses the public footway, a properly formed vehicular crossover must be provided, the constructional details of which must be agreed with the Highway Authority. The applicant should ring (01443) 866511 in this regard. Should the applicant wish to undertake the work themselves, or employ a private contractor, a Licence to Excavate the Highway will be required. This licence will not be required if the work is undertaken by the Council's Network Contracting Services. It should be noted that any unlicensed work in, or disturbance of, the highway is an offence under the Highways Act 1980 and in such circumstances legal action may be undertaken in order to rectify matters.

- (vi) The applicant be advised that they will need to liaise with the Council's Street Lighting Team in terms of relocating the street lighting column to facilitate the proposed new access. The applicant should ring (01443) 866511 in this regard.

- (vii) The applicant be advised:

WARNING:

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

Please note from 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 7.41 pm.

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 2024, they were signed by the Chair.

CHAIR