



PLANNING COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 13TH NOVEMBER 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, J. Fussell, A. Hussey, B. Miles, M. Powell, J. Taylor, 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), A. Pyne (Principal Planner), H. Winsall (Principal Planner), L. Cooper (Assistant Engineer), M. Tanner (Principal Engineer - Transport Strategy and Development Control), M. Godfrey (Team Leader - Pollution Control and Emergency Planning and Resilience) and S. Hughes (Committee Services Officer).

Also present to speak on applications:

Agenda Item 5 – Chris Boardman (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 G. Ead, J. Simmonds and A. Whitcombe.

2. DECLARATIONS OF INTEREST

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

3. PLANNING COMMITTEE HELD ON 9TH OCTOBER 2024

It was moved and seconded that the minutes of the meeting held on 9th October 2024 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 13 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the minutes of the Planning Committee meeting held on 9th October 2024 (minute nos. 1-5) be approved as a correct record.

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

5. APPLICATION NO: 23/0508/FULL - LAND AT GRID REF 311051 194899, MAFON ROAD, NELSON

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.

C. Boardman (Agent) spoke in support of the application.

Following consideration of the application, it was moved and seconded that subject to an amendment to the recommendation, an amendment to conditions (2), (5), (14), (15), (16), (18) and (27) 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 2 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 the following:-

The provision of a Local Equipped Area of Play (LEAP) on site and public open space on the site and if these are to be adopted by the Council the necessary commuted sum for the long-term maintenance of same, in accordance with details to be submitted for approval; **and**

that the application be deferred for referral to the Welsh Ministers under the Town and Country Planning (Major Residential Development) (Notification) (Wales) Direction 2020 as major residential development that does not accord with the provisions of the development plan in force in the area where the application site is situated.

On completion of the Section 106 Obligation **and subject to the Welsh Ministers not issuing a direction to call the application in under Section 77 of the Town and Country Planning Act 1990** that (B) planning permission be GRANTED subject to the conditions contained in the Officer's report.

If the obligation is not completed within three months of the resolution to approve, that the Planning Services Manager be granted delegated powers to refuse the application for failure to comply with Policy CW10 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Amended Condition (2)

Correction of two of the revision versions:

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

20092 (05) 001 Rev C Location Plan;
20092 (05) 100 Rev KK Site Development Layout;
20092 (05) 101 Rev C Site Materials Layout;
20092 (05) 102 Rev E Overall Site Layout;
20092 (05) 103 Rev C Site Layout- Refuse Strategy;
20092 (05) 104 Rev C Proposed Street Elevations;
20092 (05) 110 Boundary Type A - 1800mm Close Boarded;
20092 (05) 111 Rev A Boundary Type B – 1800mm Brick Walling;
20092 (05) 112 Boundary Type C - 1200mm Close Boarded Fence;
20092 (05) 113 Boundary Type D – 1200mm Brick Walling;
20092 (05) 114 Boundary Type E – 1100mm Low Brick & Metal Railings;
20092 (05) 115 Garden Shed – Garden Shed Details;
20092 (05) 200 Rev E HT 07/2 -1B2P Walk Up Flat – Affordable;
20092 (05) 201 Rev D HT 07/2 V1 -1B2P Walk Up Flat – Affordable;
20092 (05) 210 Rev G HT 08 – 2B4P – Affordable;
20092 (05) 220 Rev G HT 09 – 3B5P – Affordable;
20092 (05) 224 Rev F HT 09 – 3B5P with Side Entrance – Affordable;
20092 (05) 230 Rev G HT 10 – 4B6P – Affordable;
20092 (05) 300 Rev G HT 01 – 2B4P – Private;
20092 (05) 310 Rev F HT 02 – 3B5P – Private;
20092 (05) 312 Rev F HT 02 with Side Entrance – 3B5P – Private;
20092 (05) 320 Rev E HT 03 V1 – 3B5P – Private;
20092 (05) 322 Rev D HT 03 V3 – 3B5P – Private Carport Side Garden (Lounge);
20092 (05) 340 Rev E HT 05 – 4B7P with Carport – Private – Brick;
20092 (05) 341 Rev D HT 05 – 4B7P with Drive Through Carport – Private;
20092 (05) 400 Rev B Older Persons Apartment Block – Floor Plans;
20092 (05) 401 Older Persons Apartment Block – Elevations;
20092 (05) 410 Rev D Affordable Apartment Block- Plans & Elevations;
22196-JUB-ZZ-XX-DR-C-0100 Rev P13 Proposed General Arrangement Sheet 1 of 4;
22196-JUB-ZZ-XX-DR-C-0101 Rev P12 Proposed General Arrangement Sheet 2 of 4;
22196-JUB-ZZ-XX-DR-C-0102 Rev P12 Proposed General Arrangement Sheet 3 of 4;
22196-JUB-ZZ-XX-DR-C-0103 Rev P12 Proposed General Arrangement Sheet 4 of 4;
22196-JUB-ZZ-XX-DR-C-0110 Rev P12 Proposed General Arrangement Site Overview;
22196-JUB-ZZ-XX-DR-C-0120 Rev P3 Proposed Road Long Sections;
22196-JUB-ZZ-XX-DR-C-0121 Rev P3 Proposed Long Sections;
22196-JUB-ZZ-XX-DR-C-0122 Rev P3 Proposed Long Sections;
22196-JUB-ZZ-XX-DR-C-0130 Rev P4 Proposed Site Sections Sheet 1 of 3;
22196-JUB-ZZ-XX-DR-C-0131 Rev P3 Proposed Site Sections Sheet 2 of 3;
22196-JUB-ZZ-XX-DR-C-0132 Rev P3 Proposed Site Sections Sheet 3 of 3;
22196-JUB-ZZ-XX-DR-C-0500 Rev P7 Proposed Drainage Layout Sheet 1 of 4;

22196-JUB-ZZ-XX-DR-C-0501 Rev P7 Proposed Drainage Layout Sheet 2 of 4;
22196-JUB-ZZ-XX-DR-C-0502 Rev P7 Proposed Drainage Layout Sheet 3 of 4;
22196-JUB-ZZ-XX-DR-C-0503 Rev P7 Proposed Drainage Layout Sheet 4 of 4;
22196-JUB-ZZ-XX-DR-C-0520 Rev P6 Proposed Drainage Strategy;
21-058b Rev 2 Ty Du Tree Removal, Retention & Protection Plan;
2181401-SBC-00-XX-Dr-L-001 Rev PL12 Green Infrastructure Masterplan;
2181401-SBC-00-XX-DR-L-002 Rev PL07 Dark Corridors Plan;
2181401-SBC-00-XX-DR-L-004 Rev PL13 Strategic Soft Landscape Plan;
Ecological Appraisal, dated June 2023 by Soltys Brewster;
Great Crested Newt eDNA Survey 2023, by Soltys Brewster.
REASON: To ensure that the development is carried out only as approved
by the Local Planning Authority.

Amended Condition (05)

Amend to allow the contamination verification to be undertaken by area:

No building approved by this permission shall be occupied or approved
uses commence until a report has been submitted to and approved in
writing by the Local Planning Authority which verifies that the required
works have been undertaken in accordance with the remediation strategy
**within the area of the site in which that building is sited as numbered
on Overall Site Layout Plan 20092 (05) 102 Rev. E.**

REASON: To protect public health and in accordance with Policy CW2 of
the Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition (14)

Combine with condition 15 and amend to allow boundary treatment to be
submitted and approved prior to building works above finished floor level:

**Notwithstanding the submitted plans, prior to the construction of any
building above finished floor level a scheme shall be submitted to
and agreed in writing by the Local Planning Authority indicating the
positions, design, materials and type of boundary treatment to be
erected, provision for access for hedgehog and a timetable for its
implementation. The boundary treatment shall be completed in
accordance with the approved details and timetable.**

**REASON: In the interests of the visual amenity of the area amenity
and the conservation and enhancement of biodiversity in accordance
with policies CW2 and SP10 of the adopted Caerphilly County
Borough Local Development Plan up to 2021.**

Amended Condition (15)

New condition re. broadband provision:

**The development hereby approved shall make provision for gigabit
capable broadband infrastructure to serve the approved
development. The necessary infrastructure required shall be installed
prior to the first beneficial occupation of the site.**

**REASON: To provide the necessary infrastructure to serve the
development in accordance with Policy 13 of Future Wales: The
National Plan 2040.**

Amended Condition (16)

Amend to allow landscaping to be completed in accordance with a
timetable:

Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority **including a timetable for its implementation**. The agreed details shall be carried **out in accordance with the agreed timetable**. 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.

Amended Condition (18)

Amend to allow submission and approval of travel plan prior to first beneficial occupation:

Prior to the first beneficial occupation of the site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.

REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Amended Condition (27)

Amend to clarify that individual dwellings may not be occupied until parking and turning has been provided for that dwelling:

The **individual dwellings hereby approved** shall not be brought into beneficial use until space has been laid out within the site in accordance with the approved plan for **their** cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The spaces shall not thereafter be used for any purpose other than parking.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

(ii) 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: [Sustainable Drainage Approval Body \(SAB\)](#)

- (iii) 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: [Consent to work on an ordinary watercourse](#)

- (iv) The applicant be advised that the proposed development site is crossed by sewers that are subject to an adoption agreement. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times. No part of any building or sustainable drainage feature will be permitted within 3 metres either side of the centreline of the public sewers that are less than 600mm in diameter and 3.5 metres either side of the centreline of the 675mm surface water sewer.
- (v) The applicant be advised that the proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru/Welsh Water as Statutory Undertaker has statutory powers to access their apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru/Welsh Water before any development commences on site. No operational development is to commence without the mains being located via trial holes to locate and mark the location of mains within this proposed site.
- (vi) The applicant be advised that this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, 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.
- (vii) The applicant be advised that 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 Local Authority Building Control department to discuss their water efficiency requirements.

- (viii) The applicant be advised that they 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 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.
- (ix) The applicant be advised that 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 Dwr Cymru/Welsh Water's new connections team on 0800 917 2652 for further information on water and sewerage connections.
- (x) The applicant also be advised that some public sewers and lateral drains may not be recorded on their 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 them 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.
- (xi) The applicant be advised that capacity is currently available in the water supply system to accommodate the development. Dwr Cymru/Welsh Water reserve the right however to reassess their position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon water systems change continually.
- (xii) The applicant be advised that the treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.
- (xiii) The applicant be advised that excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

- (xiv) The applicant be advised that developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.
- (xv) The applicant be advised that if they require a new connection or a service alteration, they will need to make a separate application to National Grid.

4. APPLICATION NO: 23/0110/FULL - LAND AT ISLWYN WORKSHOPS, PONTYMISTER INDUSTRIAL ESTATE, PONTYMISTER, 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.

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, 1 against and 1 abstention) 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:
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: [Consent to work on an ordinary watercourse](#)

- (iii) The applicant be advised that the developments access/off site proposals will require highway licences/agreement and no work shall be undertaken on or adjacent to the adopted highway until such have been agreed in writing and therefore it is advised that the applicant discuss requirements

with the Highway Authority as soon as possible after planning permission is granted.

- (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](#).

6. APPLICATION NO: 24/0670/NCC - VEOLIA (ES) UK LTD, THE OLD QUARRY, CEMETERY ROAD, ABERCARN, NEWPORT

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, 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: -

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

7. APPLICATION NO: 24/0676/NCC - COLLIERS FARM PARK, CAERPHILLY ROAD, NELSON, TREHARRIS, CF46 6PR

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, 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: -

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

The meeting closed at 6.34 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 December 2024, they were signed by the Chair.

CHAIR