

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee held at The Pavilions, Clydach Vale on Thursday, 17 October 2013 at 5 p.m.

PRESENT

County Borough Councillor R.B.McDonald – in the Chair

County Borough Councillors

D.R.Bevan	P.Jarman	G.Smith
J.Bonetto	(Mrs) S.J.Jones	R.W.Smith
S.A.Bradwick	R.Lewis	G.Stacey
J.Bunnage	(Mrs) C.Leyshon	R.K.Turner
A.Calvert	S.Lloyd	G.P.Thomas
P.Cannon,QPM	A.Morgan	L.Walker
(Mrs) J.Cass	B.Morgan	(Mrs) J.S.Ward
A.Crimmings	K.Morgan	P.Wasley
W.J.David	I.Pearce	M.J.Watts
A.L.Davies,MBE	S.Pickering	M.O.Weaver
G.R.Davies	S.Powderhill	E.Webster
M.Forey	M.J.Powell	W.D.Weeks
M.Griffiths	K.A.Privett	D.H.Williams
P.Griffiths	S.Rees	T.Williams
(Mrs) E.Hanagan	S.Rees-Owen	C.J.Willis
G.Holmes	(Mrs) A.Roberts	R.A.Yeo
P.Howe	J.Rosser	

Officers in Attendance

Mrs.J.Cook – Director, Regeneration & Planning
Mr.S.Gale – Service Director, Planning
Mr.D.J.Bailey – Development Control Manager
Mr.C.Jones – Development Control Manager
Mr.S.Humphreys – Principal Solicitor
Mr.S.Zeinalli – Highways Development & Adoption Manager

106 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors L.M.Adams, P.Baccara, (Mrs) T.A.Bates, H.Boggis, S.Carter, A.Christopher, (Mrs) A.Davies, C.Davies, J.Davies, (Mrs) M.E.Davies, S.M.Evans-Fear, A.S.Fox, J.S.James, W.L.Langford, C.J.Middle, M.A.Norris, B.Stephens, (Mrs) M.Tegg, (Mrs) M.Webber and C.J.Williams.

107 DECLARATIONS OF INTERESTS

The following personal interests were declared in matters pertaining to the agenda:

- (1) from County Borough Councillor W.J.David in respect of Application No.13/0822 – Detached garage and store room facility at rear of car park – Hawthorn Inn, Cardiff Road, Hawthorn, Pontypridd – “Applicant is a family member, it is also a prejudicial interest and I will leave the meeting for this item.”
- (2) from County Borough S.Powderhill in respect of Application No.13/0413 – Two storey rear extension and conversion to form 4 no. bed sit accommodation at first floor and replacement shop front (additional information received 13/09.13) – 123 Broadway, Treforest, Pontypridd – “The property neighbours my shop, it is also a prejudicial interest and I will leave the meeting for this item”;
- (3) from County Borough Councillor P.Cannon,QPM in respect of Application No.13/0674 – Retention of single storey timber garage, outbuildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Road, Talygarn – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – “The applicant is known to me”.
- (4) from County Borough Councillor S.Bradwick in respect of Application No.13/0652 – Timber Outbuildings, Trellis Fencing, Extension to shed/aviary (retrospective) – Proposed new aviary (amended existing and proposed block plan received 07/08/013) – 7 Bryncoed, Penywaun, Aberdare – “I have aviaries and breed British Birds and Gloster Canaries”.
- (5) from County Borough Councillor C.Middle in respect of Application No.13/0646 – Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements – 1 Martins Close, Abercynon, Mountain Ash – “I am the Cabinet Member for Housing and have been briefed on this application”.
- (6) from County Borough Councillor A.L.Davies,MBE in respect of Application No. 13/0646 – Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements – 1 Martins Close, Abercynon, Mountain Ash – “I attended a public meeting and gave views on the way I would vote so it is also a prejudicial interest but I will, under paragraph 14(2) of the Code of Conduct speak on the item and then leave the meeting”.

- (7) from County Borough Councillor A.Crimmings in respect of Application No.13/0652 - Timber Outbuildings, Trellis Fencing, Extension to shed/aviary (retrospective) – Proposed new aviary (amended existing and proposed block plan received 07/08/013) – 7 Bryncoed, Penywaun, Aberdare – “Known to the applicant”.
- (8) from County Borough Councillor R.Lewis in respect of Application No. 13/0646 – Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements – 1 Martins Close, Abercynon, Mountain Ash – “I made my view on the application know in a public meeting so it is also a prejudicial interest but I will, under paragraph 14(2) of the Code of Conduct speak on the item and then leave the meeting”.
- (9) from County Borough Councillor G.R.Davies in respect of Application No.12/1282 – Outline planning application for residential development and associated works – Land at former Treherbert Hospital, Treherbert – “I own a property adjacent to the development site, it is also a prejudicial interest and I will leave the meeting for the item”.
- (10) from County Borough Councillor P.Wasley in respect of Application No.13/0674 - Retention of single storey timber garage, outbuildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Road, Talygarn – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – I am known to the applicant”.
- (11) from Mr.S.Gale in respect of Application No.12/1282 – Outline planning application for residential development and associated works – Land at former Treherbert Hospital, Treherbert – “I live adjacent to the site, I have not taken part in the application, it is a prejudicial interest and I will leave the meeting for the item”.
- (12) from County Borough Councillor G.Smith in respect of Application No.13/0646 - Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements – 1 Martins Close, Abercynon, Mountain Ash – “Objector is known to me”.
- (13) from County Borough Councillor P.Griffiths in respect of Application No.11/1314 – Change of use to form 9 hole `Academy' Golf Course and 9 hole Pitch-and-Putt Course together with works to form holes, access, car parking and ancillary landscaping (amended plans received 30 August 2013 substituting previously proposed flood-lit driving range with pitch and

- putt course) – Land at Rhydhalog Farm, Cowbridge Road, Talygarn – “The objector is known to me”.
- (14) from County Borough Councillor P. Griffiths Griffiths in respect of Application No.13/0674 - Retention of single storey timber garage, outbuildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Road, Talygarn – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – “The supporter is known to me”.
- (15) from County Borough Councillor R.W.Smith in respect of Application No.13/0758 – Residential development, construction of 3 no. 3 bedroom linked housing units (amended plans received) – Land adjacent to 15 Grover Street, Graig, Pontypridd – “The objector is known to me”.
- (16) from County Borough Councillor M.Griffiths in respect of Application No.11/1314 - Change of use to form 9 hole `Academy' Golf Course and 9 hole Pitch-and-Putt Course together with works to form holes, access, car parking and ancillary landscaping (amended plans received 30 August 2013 substituting previously proposed flood-lit driving range with pitch and putt course) – Land at Rhydhalog Farm, Cowbridge Road, Talygarn – “I know the objector speaking on the application”.
- (17) from County Borough Councillor M.Griffiths in respect of Application No.13/0674 - Retention of single storey timber garage, outbuildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Road, Talygarn – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – “I know the person speaking in support of the application”.

108 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

RESOLVED to note, that when Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

109 MINUTES

RESOLVED to approve as accurate records, the minutes of the meetings of the Development Control Committee held on 19 September 2013 and 26 September 2013 subject to it being noted that County Borough Councillor T.Williams was present at the meeting on 26 September but this had inadvertently been omitted from the minutes.

110 CHANGES TO THE ORDER OF THE AGENDA

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

111 SITE INSPECTION INVOLVING PUBLIC SPEAKER

Application No.13/0652 – Timber Outbuildings, Trellis Fencing, Extension to shed/aviary (retrospective) – Proposed new aviary (amended existing and proposed block plan received 07/08/13) – 7 Bryncoed, Penywaun, Aberdare

In accordance with adopted procedures, the Committee received Mr.Bratcher (Objector), who was afforded five minutes to speak on the above proposal.

Pursuant to Minute No.79(1) (Development Control Committee, 19 September 2013), the Committee was advised of the outcome of a site inspection held on 30 September 2013 in respect of the application which was recommended for approval by the Service Director, Planning for the reasons outlined in Appendix 1 to the report.

Following consideration of the matter, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to an additional condition being imposed to restrict future conversion of the storeroom into additional aviary space.

112 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

- (1) **Application No. 11/1314 - Change of use to form 9 hole 'Academy' Golf Course and 9 hole Pitch-and-Putt Course, together with works to form holes, access, car parking, and ancillary landscaping (Amended plans received 30th August 2013 substituting previously proposed food-lit driving range with pitch-and-putt course), land at Rhydhalog Farm, Cowbridge Road, Talygarn.**

In accordance with adopted procedures, the Committee received Mr.M.Kendrick (Agent) and Mr.Hebden (Objector), each being afforded five minutes to address Members on the application. The Agent did not wish to respond to the comments made by the Objector.

Following consideration of the proposal, it was **RESOLVED** that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning because they considered the proposed development would exacerbate existing highway

congestion problems in the area to the detriment of highway safety, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further report from the Service Director, Planning, if necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

(2) Application No. 13/0646 - Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements, 1 Martins Close, Abercynon, Mountain Ash.

(Note: Having previously declared personal and prejudicial interests in the above-mentioned matter (Minute Nos.107(6) & (8) refer), County Borough Councillors A.L.Davies,MBE and R.Lewis spoke on the item, under paragraph 14(2) of the Code of Conduct and then both left the meeting).

(Note: In accordance with the Code of Conduct, County Borough Councillor P.Jarman declared a personal interest in this matter – “Dr.Lloyd-Nesling is know to me as a Magistrate and Governor”)

In accordance with adopted procedures, the Committee received:

- (1) Dr.Lloyd-Nesling (Objector)
- (2) Mr.L.Price (Objector)
- (3) Mrs.P.Ashcroft (Objector)
- (4) Mr.H.Llwellyn (Objector)
- (5) Mr.M.Goodley (Objector)
- (6) Mr.D.Jewitt (Objector)

Following lengthy consideration of the proposal, it was **RESOLVED** that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning because they considered the proposal created fear within the locality to the detriment of residential amenity and more appropriate use could be made of the type of accommodation available at property, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further report from the Service Director, Planning, if necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

(3) Application No. 13/0758 - Residential development, construction of 3 no. 3 bedroom linked housing units (Amended Plans Received), land adjacent to 15 Grover Street, Graig, Pontypridd.

(Note: In accordance with the Code of Conduct, the following declarations of personal interests were received:

- from County Borough Councillor B.Morgan - "The objector is known to me".
- from County Borough Councillor (Mrs) J.Cass - "I know the objector"
- from County Borough Councillor (Mrs) C.Leyshon – "I know the speaker")
- from County Borough Councillor M.J.Powell – "Objector known to me"

In accordance with adopted procedures, the Committee received Mr.R.Cockram (Objector), who was afforded five minutes to address Members on the proposal.

The Development Control Manager reported orally on four "late" letters received raising highway safety issues and referring to a footpath.

Following consideration of the matter, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to an additional condition or the applicant entering into a Section 106 Agreement to ensure the provision of double yellow lines on the turning head area at the expense of the developer.

(4) Application No.13/0841 – Erection of a single storey extension to the rear – 16 Jeffrey Street, Caegarw, Mountain Ash

RESOLVED to defer consideration of the above-mentioned application for a site inspection to be attended by the Chairman and Vice-Chairman of the Development control Committee and a Member of the largest Opposition Group in consultation with the Local Member for Mountain Ash East and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration.

(Note: County Borough Councillor P.Jarman requested the above-mentioned site inspection for the substantial reason, to consider the impact of the proposal on residential amenity).

(Note: The Chairman informed the persons present to address the Committee in relation to the application that if they wish to speak at the

meeting when the matter was next considered, they would have to submit a new request to do so).

113 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS

Application No. 13/0674 - Retention of single storey timber garage, out buildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Rd, Talygarn, Y Noddfa, Cowbridge Road, Talygarn, Pontyclun.

(**Note:** In accordance with the Code of Conduct, the following declarations of personal interests were received:

- from County Borough Councillor S.Rees-Owen – “I know the applicant”
- from County Borough Councillor P.Howe – “I know the applicant”
- from County Borough Councillor G.R.Davies – “I know the applicant”
- from County Borough Councillor S.Powderhill – “I know the applicant, it is also a prejudicial interest and I will leave the meeting for the item”
- from County Borough Councillor M.O.Weaver – “I know the applicant, it is also a prejudicial interest and I will leave the meeting for the item”
- from County Borough Councillor G.Stacey – “I know the Supporter”
- from County Borough Councillor R.K.Turner – “I know the Supporter”
- from County Borough Councillor L.Walker – “I know the Supporter”)

In accordance with adopted procedures, the Committee received Mr.N.Padfield (Applicant), Mr.R.Hathaway (Agent) and Mr.C.Bolton (Supporter), each being afforded five minutes to address Members on the application.

Following consideration of the proposal, it was **RESOLVED** that as Members were minded to approve the application contrary to the recommendation of the Service Director, Planning because they considered that, provided no maintenance to vehicles was undertaken and there was a limit put on the number of vehicles stored, there would be no impact on highway safety or residential amenity, the matter be deferred to the next appropriate meeting of the Development Control Committee for a report from the Service Director, Planning, if necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

114 APPLICATIONS RECOMMENDED FOR APPROVAL

In his report, the Service Director, Planning set out details of applications recommended for approval.

The Development Control Manager reported orally on the following applications:

- (i) in respect of Application No.13/0720 - Part demolition of existing school building, the conversion of the retained building to 10 no. residential apartments together with the construction of 15 no. apartments, 3 no. bungalows and associated works, Graig Y Wion Primary School, Albert Road, Graig, Pontypridd – amendments were required to the wording of Condition Nos.23 -25 in relation to providing sustainable buildings and an additional condition was recommended requiring the plinths of the new building to be constructed from the stone removed from the existing building;
- (ii) in respect of Application No.13/0764 – Conversion of former public house and residential accommodation to six apartments including rear first floor extension – The Anchor, 17 Cardiff Road, Taffs Well – it was necessary to re-word suggestion Condition No.4 to clarify the requirements to the applicant;
- (iii) in respect of Application No.13/0784 – Construction of 7 no. 1 bed and 2 no. 2 bed affordable apartments – Land at Seymour Street, Seymour Street/Whitcombe Street, Aberdare – the applicant proposed to submit a unilateral undertaking indicating the need for the Section 106 agreement and the application should be amended to take this fact into account.

Following a discussion, it was **RESOLVED** –

- (1) To approve the under-mentioned applications in accordance with the recommendations of the Service Director, Planning:

13/0413 - Two storey rear extension and conversion to form 4 No. bed sit accommodation at first floor and replacement shop front (Additional information received 13/09/13) - 123 Broadway, Treforest, Pontypridd.

13/0538 - Retrospective consent for access track and proposed stables (Amended plans received 29/08/2013) - Land off Rhyd Y Castell, Llanharry Road.

13/0794 - Demolition of single storey annexe, external works and alterations to existing building, together with reconfiguration and extension of existing car park and other external areas including

hard and soft landscaping - Focus, Upper Boat Trading Estate, Pontypridd.

13/0822 - Detached garage and store room facility sited at rear of car park - Hawthorn Inn, Cardiff Road, Hawthorn, Pontypridd.

13/0825 - Erection of asphalt plant within Class B, Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - Craig Yr Hesg Quarry, Berw Road, Pontypridd.

(Note: Having previously declared a personal and prejudicial interest in Application No.13/0822 above (Minute No.107(1) refers) County Borough Councillor W.J.David left the meeting for this item).

(Note: The following lost amendment to the motion was moved by County Borough Councillor M.J.Powell and seconded by County Borough Councillor L.Walker in respect of Application No.13/0413 referred to above:

“To defer consideration of the application for a site inspection”)

- (2) To approve Application No. **13/0720** - Part demolition of existing school building, the conversion of the retained building to 10 no. residential apartments together with the construction of 15 no. apartments, 3 no. bungalows and associated works - Graig Y Wion Primary School, Albert Road, Graig, Pontypridd – in accordance with the recommendation of the Service Director, Planning subject to required amendments to the wording of Condition Nos.23 – 25, an additional condition regarding the construction of the plinths of the new building and to the applicant entering into a legal agreement which secures the following:

‘The applicant’s agreement to ensure that the development is utilized for affordable housing only’.

- (3) To approve Application No. 13/0764 - Conversion of former public house and residential accommodation to six apartments including rear first floor extension - The Anchor, 17 Cardiff Road, Taffs Well, Cardiff – in accordance with the recommendation of the Service Director, Planning subject to the re-wording of Condition No.4 to clarify the requirements and to the developer making a contribution of a sum equivalent to 30% of the market value of a 2 bedroom apartment on the site to be secured by a Section 106 agreement.
- (4) To approve Application No. 13/0784 - Construction of 7 no. 1 bed and 2 no. 2 bed affordable apartments - Land At Seymour Street, Seymour Street/Whitcombe Street, Aberdare – in accordance with

the recommendation of the Service Director, Planning subject to a satisfactory Unilateral Undertaking from the Applicant and to the developer entering into a Section 106 agreement to ensure that the development would be secure for affordable housing.

DEFERRED APPLICATION

115 APPLICATION NO.12/1282 – OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS – LAND AT FORMER TREHERBERT HOSPITAL, TREHERBERT

(**Note:** Having previously declared personal and prejudicial interests in the above matter (Minute Nos.107(9) & (11) refer), County Borough Councillor G.R.Davies and Mr.S.Gale, Service Director, Planning, left the meeting for this item).

Pursuant to Minute No.78 (Development Control Committee, 19 September 2013) when Members were minded to refuse the above-mentioned application because they considered the proposed development would be detrimental to highway safety because the main access was considered unacceptable due to the substandard nature of the carriageway for two-way vehicular movements and shared pedestrian usage, the Service Director, Planning gave his views on the proposal and key points relating to the highway considerations in the matter.

The Service Director, Planning concluded that the application was acceptable in land use planning terms and was, therefore, recommended for approval. However, should Members still be minded to refuse the application, the suggested conditions listed in the report reflected their concerns.

The Development Control Manager reported orally on a “late” letter received from the applicant’s Planning Consultants commenting on the suggested reasons for refusal put forward by Members. Members noted that a second “late” letter had been received from the applicant but it did not include any planning considerations.

Following lengthy discussion on the proposal, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to an additional condition being imposed to provide traffic calming measures on the access road and to the applicant (and any other interested parties) first entering into a legal agreement under Section 106 of the town and Country Planning Act 1990 to secure a minimum package of Planning Obligations contributions comprising:

1. a Transport Tariff financial contribution of £58,656 towards improving the strategic highway network;
 2. a Leisure/Recreation contribution in accordance with LDP requirements;
 3. Affordable housing provision across the whole site at a minimum level of 10% in accordance with LDP requirements (the means of delivery and on-site/off site splits of these units to be the subject of further discussions and negotiations)
- That the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the development or permission;
 - Dependant on Members' resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussion with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations

(**Note:** County Borough Councillors P.Jarman, K.Morgan, I.Pearce, S.Rees-Owen and M.O.Weaver wished to have recorded that they voted to refuse the application contrary to the recommendation of the Service Director, Planning).

116 INFORMATION REPORT

In his report, the Service Director, Planning provided Members with information relating to Planning and Enforcement Appeals Decisions Received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 18/09/2013 and 04/10/2013 and it was **RESOLVED** to note the information.

**R.B.McDONALD
CHAIRMAN**

The meeting terminated at 7.25 p.m.