

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **DEVELOPMENT CONTROL COMMITTEE**

**Minutes** of the meeting of the Development Control Committee held at the County Borough Council Offices, The Pavilions, Clydach Vale on Thursday, 5 December 2013 at 5.00 p.m.

#### **PRESENT**

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

#### **County Borough Councillors**

D. R. Bevan	M. Forey	J. Rosser
J. Bonetto	A. S. Fox	G. Stacey
S. A. Bradwick	M. Griffiths	G. Thomas
J. Bunnage	P. Griffiths	L. Walker
P. Cannon QPM	G. Holmes	(Mrs) J. S. Ward
S. Carter	P. Jarman	P. Walsey
(Mrs) J. Cass	(Mrs) S. J. Jones	M. J. Watts
A. Crimmings	R. Lewis	(Mrs) M. Webber
A. L. Davies, MBE	C. J. Middle	W. D. Weeks
C. Davies	A. Morgan	T. Williams
G. R. Davies	M. A. Norris	C. J. Willis
J. Elliott	I. Pearce	R. Yeo
S. M. Evans-Fear	K. A. Privett	

#### **Officers in Attendance**

Mrs J.Cook – Director of Regeneration & Planning

Mr.S.Gale – Service Director, Planning

Mr.D.J.Bailey – Development Control Manager

Mr.C.Jones – Development Control Manager

Mrs L.Coughlan –Solicitor

Mr.S.Zeinalli – Highways Development & Adoption Manager

#### **135 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors L. M. Adams, P. Baccara, (Mrs) T. A. Bates, A. Calvert, A. Christopher, W. J. David, (Mrs) A. Davies, J. Davies, (Mrs) M. E. Davies, (Mrs) E. Hanagan, J. S. James, W. L. Langford, (Mrs) C. Leyshon, S. Lloyd, B. Morgan, S.

Pickering, S. Powderhill, S. Rees, S. Rees-Owen, G. Smith, R. W. Smith, B. Stephens, (Mrs) M. Tegg, R. K. Turner, M. Weaver, E. Webster and D. H. Williams.

## **136 DECLARATIONS OF INTERESTS**

The following declarations of personal interests were received:

- (1)** 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”.
- (2)** From County Borough Councillor A. S. Fox in respect of Application No. 13/0772 -Change of use from private members club to public house A3 use, Treherbert Community Club, Ty Draw, 55 Wyndham Street, Treherbert – “I am Chair of the Licensing Committee, this application may come before the Licensing Committee and I will leave the meeting for this item”
- (3)** From County Borough Councillor A. S. Fox in respect of Application No. 13/1037 - A non-penetrating communications antenna and support frame at the western end of the crematorium building. A single data cable installed within tiling and/ or flashing across the roof to the northern face of the building. A wall mounted equipment cabinet installed within the building, Llwydcoed Crematorium, Crematorium Road, Llwydcoed, Aberdare – “ I am a Member of the Llwydcoed Crematorium Joint Committee”
- (4)** 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”
- (5)** From County Borough Councillor A. Morgan in respect of Application No. 13/1023 - 5 fascia signs (corrugated steel background with illuminated clips) 1 free standing double sided totem, Sandpiper A T, Enterprise House, Cwmbach Industrial Estate, Cwmbach, Aberdare –“One of the speakers is known to me – he also emailed me to ask about planning – I therefore put him in touch with officers”
- (6)** From County Borough Councillor J. Watts in respect of Application No. 13/0093 - Retention of dwelling as constructed, amendment to planning

permission ref. 09/0615/10 dated 29/10/2009, Min Y Mynydd, Tyntyla Park, Tonypandy – “I personally know the applicant”

(**Note:** A declaration of personal interest was declared later in the meeting by County Borough Councillor (Mrs) A. Crimmings, County Borough Councillor J. S. Ward, County Borough Councillor L. Walker and County Borough Councillor C. J. Middle to which Minute No’s 142 (1), 145, and 142 (4) refer)

### **137 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 7 November 2013.

### **138 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.

### **138A 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.

### **139 SITE INSPECTION INVOLVING PUBLIC SPEAKERS**

- (1) Application No. 13/0409** - Change of use from former Public House and Part Residential to Full Residential use comprising of 6 no. flats with associated rear parking. Works to include demolition of existing side and rear extension (in part) and erection of new rear extension (amended plan received 30.09.2013) – Crown Hotel, Ynyswen Road, Ynyswen, Treorchy

Pursuant to Minute No.123(1) (Development Control Committee, 7 November 2013), the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 18 November 2013 to consider the impact of the proposal on highways and drainage problems in the area. The application was recommended for approval by the Service Director, Planning subject to conditions.

Following a discussion, it was **RESOLVED** to defer determination of the above-mentioned application to require detailed drainage arrangements

for the development as sought by the Council's Land Reclamation and Engineering Division.

**(Note:** The Chairman informed the person present to address the Committee in relation to the application that if they wished to speak at the meeting when the matter was next considered, they would have to submit new requests to do so)

- (2) Application No. 13/0179** - Construction of a shared use community route between Talbot Green and Cross Inn together with access links to Llantrisant, Glamorgan Vale Retail Outlet, Talbot Green and Church Village, to include site clearance, boundary fencing, a new wooden bridge on the link to the Glamorgan Vale Retail Outlet, Structural Repairs to railway bridges, drainage works and associated works. (Amended Plans received Mon 30 Sept which show the deletion of access links 9 and 12a, a revised position of link 5 and the K barrier to the rear of the woodlands and additional land for drainage works and reptile mitigation) – Former Taff Vale Railway Line between Talbot Green and Cross Inn.

Pursuant to Minute No. 121 (2) (Development Control Committee, 7 November 2013) the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 19 November 2013 to consider the impact of the proposal on surrounding areas. The application was recommended for approval by the Service Director, Planning subject to conditions.

Following consideration of the report it was **RESOLVED** to defer determination of the above-mentioned application in order that a Liaison Committee is set up to consider the concerns raised by those affected residents that back onto the railway.

**(Note:** The Chairman informed the person present to address the Committee in relation to the application that if they wished to speak at the meeting when the matter was next considered, they would have to submit new requests to do so)

#### **140 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS**

- (1) Application No.13/0093** - Retention of dwelling as constructed, amendment to planning permission ref. 09/0615/10 dated 29/10/2009, Min Y Mynydd, Tyntyla Park, Tonypandy.

In accordance with adopted procedures, the Committee received Mr Andrew Bevan (Agent) who was afforded up to five minutes in which to address Members.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning

- (2) **Application No. 13/0360** - Change of use from use class C3 (dwelling house) to class C2 (residential care facility) of the existing Ty Brynteg property and the refurbishment and extension of an existing out building for C2 use (Additional Information Received 2 September 2013 about proposed use of premises), Ty Brynteg, St Luke's Road, Porth.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning.

(**Note:** Mr Powys Jones (Agent) who had previously made an application to speak declined the opportunity to address Committee)

- (3) **Application No. 13/0827** - Erection of a 2.5 metre high fence, Am Nawr, 4 Rhigos Road, Hirwaun, Aberdare.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning.

(**Note:** Miss A. Varney (Applicant) who had previously made an application to speak declined the opportunity to address Committee)

- (4) **Application No. 13/0953** - Variation of condition 2 (planning approval 06/1844) to provide revised car parking layout, Specialist Cars, Enterprise House, Canal Road, Cwmbach, Aberdare.

**Application No. 13/1023** - 5 fascia signs (corrugated steel background with illuminated clips) 1 free standing double sided totem, Sandpiper A T, Enterprise House, Cwmbach Industrial Estate, Cwmbach, Aberdare.

With the approval of the Chairman, Members considered the above-mentioned applications together.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned applications in accordance with the recommendation of the Service Director, Planning.

- (1) **Application No. 13/0458** - Construction of a two storey building to form two self contained flats – Land adjacent to 13 Old Park Terrace, Treforest, Pontypridd

Pursuant to Minute No.123 (2) (Development Control Committee, 7 November 2013) the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 18 November 2013 to consider the impact of the proposal on the area and highways issues. The application was recommended for approval by the Service Director, Planning subject to conditions.

The Development Control Manager reported orally on a late letter received from the Treforest Residents Association objecting to the application.

Following consideration of the matter it was **RESOLVED** that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning as they considered that the proposal would have a detrimental impact upon highway safety and upon the amenity of the area, 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.

- (2) **Application No. 13/0488** - Change of use of existing stables and offices to residential use including a two storey extension. Retention and relocation of existing stable block 2 within existing residential curtilage – The Old Barn, Heol Ddu, Castellau, Llantrisant

Pursuant to Minute No. 124 (Development Control Committee, 7 November 2013) the Director, Legal & Democratic Services reported on the outcome of a site inspection held on the 18 November 2013 to consider the impact of the proposal on the surrounding area. The application was recommended for refusal by the Service Director, Planning.

Following consideration of the report it was **RESOLVED** to refuse the above-mentioned application in accordance with the recommendation of the Service Director, Planning.

## 142 **APPLICATIONS RECOMMENDED FOR APPROVAL**

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

Following consideration of the report, it was **RESOLVED** –

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

**13/0241** - Extension to the Ystrad Barwig Waste Transfer Station to facilitate a revised alignment of the access road and mitigation landscaping, provision of perimeter bunding, revised position of the site office and drainage works (partly retrospective), Ystrad Barwig Farm, Llantwit Fardre, Pontypridd.

**13/0443** - Residential development of two new dwellings (semi detached pair) (Amended plans received 9/10/13 and 22/08/2013), Land Off Howard Street, Clydach Vale, Tonypany.

**13/0678** - Construction of 1 (one) residential dwelling with garage, 1 Parc-Y-Nant, Nantgarw, Taffs Well, Cardiff.

**13/0772** - Change of use from private members club to public house A3 use, Treherbert Community Club, Ty Draw, 55 Wyndham Street, Treherbert.

**13/0782** - Construction of 1 no. detached split level residential dwelling, Plot 3, The Former St John The Baptist Church, Clarence Street, Miskin, Mountain Ash.

**13/0970** - Retaining garden walls and steps (Retrospective), 66 Pinecroft Avenue, Cwmbach, Aberdare

**13/1015** - Formation of three residential apartments from redundant office space at ground floor, U S M Ltd, 1-2 Cwrt Brenin, Mill Street, Pontypridd.

**13/1037** - A non-penetrating communications antenna and support frame at the western end of the crematorium building. A single data cable installed within tiling and/ or flashing across the roof to the northern face of the building. A wall mounted equipment cabinet installed within the building, Llwydcoed Crematorium, Crematorium Road, Llwydcoed, Aberdare.

**(Note:** In accordance with the Code of Conduct the following Members County declared a personal interest in respect of **Application No.**

**13/1037:-**

- (i) County Borough Councillor (Mrs) A. Crimmings – “Member of Llwydcoed Crematorium Joint Committee”
- (ii) County Borough Councillor (Mrs) J. S. Ward – “Member of Llwydcoed Crematorium Joint Committee”

**(Note:** County Borough Councillor A. S. Fox wished to have it recorded that he abstained from voting on **Application No. 13/1037**).

(**Note:** In accordance with the Code of Conduct County Borough Councillor L. Walker declared a personal interest in **Application 13/0772** above – “The applicant Mr R. Pryse is a close personal friend of mine and has been for 20 years”

(**Note:** Having previously declared a personal interest in **Application 13/0772** above (Minute No. 136 (2) refers), County Borough Councillor A. S. Fox left the meeting)

(2) **Application No. 13/0447** - Residential development to create 23 No. houses (Amended Plans Received 08.07.13), Former Williamstown Primary School, Arthur Street, Williamstown, Tonypanydy.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning subject to the applicant entering into a Section 106 agreement, containing the following terms:-

1. Transport - a contribution of £34,592 as a Transport Tariff in accordance with the Supplementary Planning Guidance.
2. Countryside & Leisure (Parks) - a commuted sum of £30,000 for future maintenance of the play area should it be adopted.
3. Provision of 2 affordable housing units on the site made available for sale as Low Cost Home Ownership.
4. That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

(3) **Application No. 13/0633** - 7 No. two bedroom self contained apartments together with external works, Former Police Station Between 9 And 13 Cardiff Road, Taffs Well, Cardiff.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning subject to the applicant entering into a Section 106 agreement, containing the following terms:-

1. Transport - a contribution of £15,792 as a Transport Tariff in accordance with the Supplementary Planning Guidance.
2. Provision of 1 affordable housing unit on the site made available for sale as Low Cost Home Ownership.
3. That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

(4) **Application No. 13/0867** - Lawful Development Certificate for an existing use providing a total of 5 bedrooms of emergency accommodation for vulnerable young people, YMCA, Duffryn Road, Mountain Ash.



Following a lengthy discussion on the proposal, it was **RESOLVED** that as Members were minded to refuse the above-mentioned application contrary to the recommendation of the Services Director, Planning because they considered that there was insufficient evidence to indicate that on the balance of probability the use has been ongoing for a minimum period of ten years, 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.

(**Note:** The following lost motion was moved by County Borough Councillor M. Forey and seconded by County Borough Councillor D. Weeks in respect of Application No.13/0867 referred to above:

“To approve the application in accordance with the recommendation of the Service Director, Planning”)

(**Note:** In accordance with the Code of Conduct, County Borough Councillor C. J. Middle declared the following personal interest: - “Cabinet Member for Supporting People and will be looking at the situation further as to matters raised by Members”

(**Note:** County Borough Councillor C. J. Middle also wished to have it recorded that he abstained from voting on this application).

(5) **Application No.13/0966** - Proposed two storey extension to rear of property, in addition to internal remodelling at ground and first floor level. Proposed construction of first floor habitable bedroom above existing ground floor garage, 11 St Annes Court, Talygarn, Pontyclun.

The Development Control Manager reported orally on two late letters, one received from the applicants and one received from a neighbouring resident requesting that obscure glass is fitted to the en-suite first floor window.

Following consideration of the report it was **RESOLVED** to approve the above-mentioned application in accordance with the recommendation of the Service Director, Planning subject to the imposition of an additional condition requiring obscure glazing to the en suite/bathroom first floor window, the detailed wording of this condition to be delegated to the Service Director, Planning.

#### **143. APPLICATION RECOMMENDED FOR REFUSAL**

Application No. 13/1031 – Raised patio (Retrospective), 16 Bassett Street, Abercynon, Mountain Ash

Following consideration of the report it was **RESOLVED** to defer consideration of the above-mentioned application for a site inspection to consider the planning issues. The site visit 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 Members for Abercynon and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration.

(**Note:** County Borough Councillor A. L. Davies MBE requested the above-mentioned site inspection for the substantial reason, to consider the impact of the proposal upon the amenity of residents in the surrounding locality).

## **DEFERRED APPLICATIONS**

**144 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, Pontyclun

Pursuant to Minute No.112 (1) (Development Control Committee 17<sup>th</sup> October 2013) when Members were minded to refuse the application because they considered the proposed development would exacerbate the existing highway congestion problems in the area to the detriment of highway safety, 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 should Members still be minded to refuse the application, the suggested wording within the report is suggested which would reflect their concerns.

Following discussion on the proposal, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to refuse the application for the reason set out in the report and for the additional reason as follows:-

1. The proposed development conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan as, in the opinion of the Council, it would exacerbate the existing highway congestion

problems in the area to the detriment of highway safety especially during the construction phases because of the scale and timescale of the proposed landfill operations to create the landforms and playing surfaces for use as a golf course

2. The proposed development will be detrimental to the Talygarn Surrounds Special Landscape Area as designated under Policy SSA 23 of the LDP

- 145. 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:** County Borough Councillor C. J. Middle declared and personal interest in the above-mentioned application stating “Cabinet Member for supporting people, I have been briefed on the scheme”).

(**Note:** Having previously declared and personal and prejudicial interest in the above-mentioned application (Minute No’s.136 (1) and (4) refers) County Borough Councillors A. L. Davies, MBE and R. Lewis left the meeting for the item).

Pursuant to Minute No.112 (2) (Development Control Committee 17 October 2013) when Members were minded to refuse the application on the basis that the proposal created fear within the locality to the detriment of residential amenity and it was considered that a more appropriate use could be made of the type of accommodation available at the property, in his report, the Service Director, Planning outlined his views on Members’ taking a decision contrary to his recommendation.

Following a lengthy discussion it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the imposition of an additional condition that the proposal is permanently managed by a specialist support provider, the detailed wording of this condition to be delegated to the Service Director, Planning.

**146 INFORMATION REPORT**

In his report, the Service Director, Planning set out information relating to Delegated Decisions Approvals and Refusals with reasons, for the period 11-22 November 2013 and it was **RESOLVED** to note the report.

**R.B.McDONALD  
CHAIRMAN**

The meeting terminated at 6.20 p.m.

