

## **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, 19 December 2013 at 5.00 p.m.

#### **PRESENT**

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

#### **County Borough Councillors**

L. M. Adams	P. Jarman	R. W. Smith
(Mrs) T. A Bates	(Mrs) S. Jones	G. Thomas
D. R. Bevan	R. Lewis	L. Walker
S. A. Bradwick	(Mrs) C. Leyshon	(Mrs) J.S. Ward
J. Bunnage	C. J. Middle	P. Wasley
P. Cannon QPM	A. Morgan	M. J. Watts
S. Carter	B. Morgan	M. Weaver
A. Crimmings	K. Morgan	E. Webster
A. L. Davies MBE	M. A. Norris	W. D. Weeks
(Mrs) A. Davies	I. Pearce	C. J. Williams
G. R. Davies	S. Powderhill	T. Williams
A. S. Fox	K. A. Privett	C. J. Willis
G. Holmes	J. Rosser	

#### **Officers in Attendance**

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

#### **147 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors H. Boggis, A. Calvert, (Mrs) J. Cass, A.Christopher, W. J. David, C. Davies, (Mrs) M. E. Davies, S. M. Evans-Fear, M. Forey, W. L. Langford, S. Lloyd, S. Pickering, S. Rees, (Mrs) A. Roberts, G. Stacey, (Mrs) M. Tegg, R. K. Turner, (Mrs) M. Webber, D. H. Williams and R. Yeo.

#### **148 DECLARATIONS OF INTERESTS**

The following declarations of personal interests were received:

1. From County Borough Councillor T. Williams, in respect of Application No. 13/0642 - Outline planning permission to build three new detached dwellings in the grounds of the adjacent properties, Maesycoed and Y-Wern off Llwydcoed Road, Nr.Aberdare with the matters for appearance, landscaping, layout and scale reserved – Land in the grounds of adjacent properties – Maesycoed and Y-Wern off Llwydcoed Road, Llwydcoed, Aberdare – “I work for Mr. Sheppard of A. & J.M. Sheppards, who is the applicant, it is also a prejudicial interest and I will leave the meeting for this item”
2. From County Borough Councillor J. Rosser, in respect of Application No. 13/0929 - 1 no. Bungalow (re-plan of application 11/1423/10 allowed at appeal 2185616) and associated works, former School, Brithweunydd Road, Trealaw, Tonypandy – “My husband is an employee of the developers – Rhondda Housing Association”
3. County Borough Councillor S. A. Bradwick in respect of Application No. 13/0881 - Demolition of existing stables and erection of 1 x 5 bedroom detached house and 2 x 4 bedroom semi-detached houses, with access, garages, parking and landscaping, land at Moss Row, Abernant, Aberdare – “I believe the applicant is a member of the ward”
4. County Borough Councillor C. Williams in respect of Application No. 13/0945 - First Floor Extension to form a Bedroom, Shower Room and Toilet (re-submission) 5 St. John’s Street, Cymmer, Porth – “The development site is very close to my home and is visible from both inside and outside my home, it is also a prejudicial interest and I will leave the meeting for this item”
5. County Borough Councillor G. R. Davies in respect of Application No’s 11/0886 & 11/0872 – Application No.11/0886 - Demolition of former school building (Conservation Area Consent), Blaenrhondda Primary School, Brook Street, Blaenrhondda, Treherbert, Treorchy & Application No.11/0872 - Proposed residential development (Amended plans received 28 Nov 2012), The former Infants School, Cross Brook Street, Blaenrhondda – “I know two of the objectors”
6. County Borough Councillor I. Pearce in respect of of Application No’s 11/0886 & 11/0872 – Application No.11/0886 - Demolition of former school building (Conservation Area Consent), Blaenrhondda Primary School, Brook Street, Blaenrhondda, Treherbert, Treorchy & Application No.11/0872 - Proposed residential development (Amended

plans received 28 Nov 2012), The former Infants School, Cross Brook Street, Blaenrhondda – “I know two of the objectors”

7. County Borough Councillor K. Morgan in respect of Application No. 13/0466 - Variation of Conditions 19, 20, 21 & 22 of Planning Approval 10/0292 to extend working hours on Saturday to 1600 hours - Tower Surface Mine, Rhigos Road, Hirwaun, Aberdare – “Member of Tower Site Liaison Group”
8. County Borough Councillor G. P. Thomas in respect of Application No. 13/0466 - Variation of Conditions 19, 20, 21 & 22 of Planning Approval 10/0292 to extend working hours on Saturday to 1600 hours - Tower Surface Mine, Rhigos Road, Hirwaun, Aberdare – “Member of Tower Site Liaison Group”
9. County Borough Councillor A. Crimmings in respect of Application No. 13/0466 - Variation of Conditions 19, 20, 21 & 22 of Planning Approval 10/0292 to extend working hours on Saturday to 1600 hours - Tower Surface Mine, Rhigos Road, Hirwaun, Aberdare – “Member of Tower Site Liaison Group”

**149 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.

**150 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 21<sup>st</sup> November 2013.

**150 a) 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.

151 **APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS**

- (1) Application No.11/0886 - Demolition of former school building (Conservation Area Consent), Blaenrhondda Primary School, Brook Street, Blaenrhondda, Treherbert, Treorchy.

Application No.11/0872 - Proposed residential development (Amended plans received 28 Nov 2012), The former Infants School, Cross Brook Street, Blaenrhondda.

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

**RESOLVED** to defer consideration of the applications 11/0886 and 11/0872 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 Members for Treherbert and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration.

(**Note:** County Borough Councillor G. R. Davies requested the above-mentioned site inspection for the substantial reason to consider the condition of the existing building, the impact of the proposed development upon highway safety and residential amenity and to consider the risk of flooding).

(**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. 13/1099** - - Diversion of Watercourse and Extension of Garden, 1 Dan Y Twyn, Black Road, Upper Church Village, Pontypridd.

In accordance with adopted procedures, the Committee received Mr Rob Hathaway (Agent) and Mr Wayne Morris (Objector) who were afforded up to five minutes in which to address Members of the Committee. Mr Rob Hathaway responded to the objections made.

Following consideration of the application and a vote it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the amendment of condition 2 to ensure that the tree at the front of the site is included.

(**Note:** County Borough Councillor J. James wished to have it recorded that he voted to refuse the application contrary to the recommendation of the Service Director, Planning).

**152. APPLICATION RECOMMENDED FOR REFUSAL INCLUDING A PUBLIC SPEAKER**

**Application No. 13/0881-** Demolition of existing stables and erection of 1 x 5 bedroom detached house and 2 x 4 bedroom semi-detached houses, with access, garages, parking and landscaping, land at Moss Row, Abernant, Aberdare.

In accordance with adopted procedures, the Committee received Mrs Linda Sheldon (Applicant) who was afforded up to five minutes in which to address Members of the Committee.

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

(**Note:** County Borough Councillor S. Jones wished to have it recorded that she abstained from voting on this particular application).

**153 SITE INSPECTIONS**

- (1) **Application No. 13/0945** – First Floor Extension to form a Bedroom, Shower Room and Toilet (re-submission) 5 St. John’s Street, Cymmer, Porth

Pursuant to Minute No.132 (Development Control Committee, 21 November 2013) the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 3 December 2013 to consider the impact of the proposal on neighbouring property. 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 occupiers of 6 St John’s Street objecting to the application and requesting committee to consider further points as raised in the letter.

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

(**Note:** Having previously declared a personal and prejudicial interest in **Application 13/0945** above (Minute No. 148 (4) refers), County Borough Councillor C. Williams left the meeting)

- (2) **Application No. 13/0642** - Outline planning permission to build three new detached dwellings in the grounds of the adjacent properties, Maesycoed and Y-Wern off Llwydcoed Road, Nr.Aberdare with the matters for appearance, landscaping, layout and scale reserved – Land in the grounds of adjacent properties – Maesycoed and Y-Wern off Llwydcoed Road, Llwydcoed, Aberdare

Pursuant to Minute No. 133 (2) (Development Control Committee. 21 November 2013) the Director, Legal & Democratic Services reported on the outcome of a site inspection which was undertaken on the 3 December 2013 to consider the highways issues and the impact on neighbours. The application was recommended for approval by the Service Director, Planning subject to conditions.

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:** Having previously declared a personal and prejudicial interest in **Application 13/0642** above (Minute No. 148 (1) refers), County Borough Councillor T. Williams left the meeting)

## 154 **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:

**13/0624** - T8 Oak - trim back branches, T9 Alder trim back branches, T1 Alder reduce to crown and T2 - T7 thin out Alder/Hazel trees. Remove 2 and trim back others, 5 Rowan Gardens, Church Village, Pontypridd.

**13/0653** - Construction of one pair of semi detached houses, land opposite No's 6 To 8 Union Street, Trecynon, Aberdare.

**13/0929** - 1 no. Bungalow (re-plan of application 11/1423/10 allowed at appeal 2185616) and associated works, former School, Brithweunydd Road, Trealaw, Tonypany.

**13/1063** - Construction of 1 pair of semi detached dwellings (consisting of two, 3 bedroom properties), Land adjacent to 49 Gwernllwyn Terrace, Tylorstown, Ferndale.

- (2) **Application No. 13/0547** - Demolition of existing buildings and redevelopment to provide a Lidl food store with associated car parking, access and servicing (revised site boundary received 20/11/2013), Rhondda Cynon Taf CBC, Millfield Depot, Rhondda Road, Pontypridd

It was **RESOLVED** to defer consideration of the 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 Members within the Pontypridd area and that a report thereon be reported back to the Development Control Committee for consideration.

(**Note:** County Borough Councillor R. W. Smith requested the above-mentioned site inspection for the substantial reason to consider the siting of the proposal, the potential increase in air pollution and the access and egress to and from the proposal).

- (3) **Application No. 13/0922** - Demolition of existing derelict working mens club and re-landscaping site to accommodate residential development, Clydach Vale Working mens Club, Howard Street, Clydach, Tonypanyd.

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 delegated powers being granted to officers to discuss the requirement of the Section 106 Agreement with the applicant, the terms of the agreement and the commuted sums required as follows:-

1. Provision of 10% affordable housing units
2. That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

- (4) **Application No. 13/0991** - Change of Use and conversion of Block A and Block B, and part of Block D, into 17 Self Contained Units comprising internal and external alterations, and associated works (Listed Building Consent), Blocks A & B Coed Y Lan Comprehensive Upper School, Tyfica Road, Graigwen, Pontypridd.

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 application being referred to CADW.

- (5) **Application No. 13/1005** - Two storey rear extension and replace existing garage, 78 Cardiff Road, Hawthorn, Pontypridd.

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 Condition 5 being amended to allow a top-opening window.

- (6) **Application No. 13/1024** - Detached dormer bungalow and granny annex with off road parking, land to the rear of Gwendoline Terrace, Abercynon, Mountain Ash.

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 deletion of condition number 20 within the report which repeats condition number 1.

### **DEFERRED APPLICATIONS**

155 **APPLICATION NO. 13/0466 - VARIATION OF CONDITIONS 19, 20, 21 & 22 OF PLANNING APPROVAL 10/0292 TO EXTEND WORKING HOURS ON SATURDAY TO 1600 HOURS - TOWER SURFACE MINE, RHIGOS ROAD, HIRWAUN, ABERDARE**

Pursuant to Minute No. 123(3) (Development Control Committee 7<sup>th</sup> November 2013) when Members were minded to refuse the application contrary to the recommendation because they considered the proposal not to be in compliance with Policy AW10 of the Local Development Plan as it would have a detrimental on local residential amenity the Service Director, Planning outlined his views on Members' taking a decision contrary to his recommendation.

The Service Director, Planning concluded that should Members still be minded to refuse the application, the suggested wording within the updated report is suggested which would reflect their concerns.

The Development Control Manager reported orally on a late letter received from Tower Regeneration Ltd to further justify the application.

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 updated report as follows:-

'It is considered that the proposed Saturday afternoon working on the site would have a detrimental impact on local residential amenity, contrary to

Policy AW10 of the Rhondda Cynon Taf Local Development Plan in terms of the additional noise, dust and general disturbance’.

**156. APPLICATION NO.13/0665 – NEW LIFE COMMUNITY CHURCH, MILL STREET, TONYREFAIL. INTERNAL ALTERATIONS AND TWO STOREY EXTENSION AT REAR OF CHURCH. DEMOLISH EXISTING REAR EXTENSION (AMENDED PLANS RECEIVED 04/05/2013)**

Pursuant to Minute No.96 (2) (Development Control Committee, 3 October 2013) when Members were minded to defer determination of the application in order that officers go back to the applicant to discuss the potential for revisions to the scheme, the Service Director, Planning in his report, informed Committee that the applicant has now submitted a formal, significantly revised plans for the proposal and presented a further updated report in respect of the revisions.

Following consideration of the updated report it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning and subject to the conditions set out in the updated report.

**157. APPLICATION NO. 13/0841 - ERECTION OF A SINGLE STOREY EXTENSION TO THE REAR, 16 JEFFREY STREET, CAEGARW, MOUNTAIN ASH**

Pursuant to Minute No. 131 (Development Control Committee, 21 November 2013) when Members were minded to approve the application subject to the applicant revising the plans to reduce the width of the rear extension to ensure the extension is 600 mm away from the boundary with the neighbouring property. The Service Director, Planning, in his report, confirmed that the applicant does not wish to reduce the size of the extension in any way and presented his comments in respect of the impact of the proposal upon the amenity and privacy of the neighbouring properties.

It was **RESOLVED** contrary to the recommendation of the Service Director, Planning to refuse the application because Members considered the application to have a significant overshadowing and overbearing impact upon the neighbouring properties, 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.

**158 INFORMATION REPORT**

In his report, the Service Director, Planning set out information relating to Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement cases and Enforcement Delegated Decisions for the period 25 November -6 December 2013 and it was **RESOLVED** to note the report.

**R.B.McDONALD  
CHAIRMAN**

The meeting terminated at 6.35 p.m.