

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, 16 January 2014 at 5.00 p.m.

PRESENT

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

County Borough Councillors

L.M.Adams	(Mrs) E.Hanagan	G.Stacey
(Mrs) T.A.Bates	G.E.Hopkins	(Mrs) M.Tegg
J.Bonetto	J.S.James	G.P.Thomas
S.A.Bradwick	(Mrs) S.J.Jones	L.G.Walker
J.Bunnage	R.Lewis	(Mrs) J.S.Ward
P.Cannon,QPM	(Mrs) C.Leyshon	P.Wasley
S.L.Carter	C.J.Middle	M.J.Watts
(Mrs) J.Cass	A.Morgan	M.O.Weaver
A.Crimmings	M.A.Norris	M.Webber
W.J.David	I.Pearce	E.Webster
A.L.Davies,MBE	S.Powderhill	W.D.Weeks
C.Davies	K.A.Privett	C.J.Williams
G.R.Davies	S.Rees-Owen	T.Williams
(Mrs) M.E.Davies	(Mrs) A.Roberts	C.J.Willis
(Mrs) L.De Vet	J.Rosser	R.A.Yeo
M.Forey	G.Smith	
M.Griffiths	R.W.Smith	

Officers in Attendance

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

159 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors P.Baccara, D.R.Bevan, A.Calvert, A.Christopher, S.M.Evans-Fear, A.S.Fox, P.Griffiths, P.Jarman, W.L.Langford, S.Lloyd, B.Morgan, S.Pickering, S.Rees, B.Stephens, R.K.Turner and D.H.Williams.

160 DECLARATIONS OF INTERESTS

The following declarations of personal interests were received:

- (1) from County Borough Councillor M.Webber in respect of Application No.13/0988 – Single family detached dwelling, Ty Berw Cottage, Hafod Lane, Pantygraigwen, Pontypridd – “The owner of the land is a close friend, 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.13/1107 – Demolition of existing building and construction of 10 no.1 bedroom apartments 9amended plans received 4 December 2013) – Former Royal Hotel, 61 Brithweunydd Road, Tralaw, Tonyrefail – “Even though they are not the applicant, it is possible that a local Housing Association – of my husband is an employee – may be involved at a later date”.
- (3) from County Borough Councillor (Mrs) T.Bates in respect of Application No.13/0988 – Single family detached dwelling, Ty Berw Cottage, Hafod Lane, Pantygraigwen, Pontypridd – “The owner of the land is a friend, it is also a prejudicial interest and I will leave the meeting for this item”
- (4) from County Borough Councillor R.W.Smith in respect of Application No.13/0988 – Single family detached dwelling, Ty Berw Cottage, Hafod Lane, Pantygraigwen, Pontypridd – “The land owner is my Co-Member”.
- (5) from County Borough Councillor M.J.Watts in respect of Application No.12/1059 – Change of use from registered club to public house – Treorchy Conservative Club , 144 Bute Street, Treorchy – “I have a Relative with a licensed premises within the locality”

161 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.

162 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 5 December 2014.

163 CHANGE 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.

164 **SITE INSPECTION INVOLVING PUBLIC SPEAKER**

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

In accordance with adopted procedures, the Committee received Mr.T.Brooks (Applicant's Agent), who was afforded five minutes to address Members on the above-mentioned proposal.

Pursuant to Minute No.154 (Development Control Committee, 19 December 2013), Members were informed of the outcome of a site inspection undertaken on 6 January 2014 to consider the siting of the proposed development, the potential increase in air pollution and access and egress arrangements.

Members were also informed of an objection to the proposal received from Pontypridd Town Council for the reasons listed in the report.

The Development Control Manager reported orally on a "late" letter received from the Head Teacher at YGG Evan James raising concerns about the construction of a Lidl Food Store next door to his School.

The application was recommended for approval subject to the applicant entering into a Section 106 planning obligation to secure the payment of a transport tariff of £31,302 to improve the strategic highway network with the developer meeting the reasonable costs of the Council in preparing such Section 106 agreement.

Following lengthy consideration of the matter, it was **RESOLVED** that as Members were minded to refuse the application contrary to the Officer's recommendation because they considered the proposed development would create a detrimental impact on highway safety owing to additional traffic that would be generated in an area that already suffers from serious traffic congestion and hazards, 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 and Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

(Note: County Borough Councillor S.Powderhill declared a personal interest in the above-mentioned application – "I know the Head Teacher of YGG Evan James")

(Note: County Borough Councillor C.Leyshon declared a personal interest in the above-mentioned application – "My grandchildren go to YGG Evan James)

165 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No.13/0990 – 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 work (amended site plan received 26/11/13) – Blocks A and B Coed y Lan Comprehensive School, Tyfica Road, Graigwen, Pontypridd

In accordance with adopted procedures, the Committee received Mr.J.Hurley (Applicant's Agent), who was afforded five minutes to address Members on the application. Mrs.K.Couchman (Objector) had submitted a request to speak but was not present to do so.

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

166 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER

Application No.13/0988 – Single family detached dwelling – Ty Berw Cottage, Hafod Lane, Pantygraigwen, Pontypridd

(Note: County Borough Councillor C.Leyshon declared a personal and prejudicial in the above-mentioned application – “I am the owner of the land, it is also a prejudicial interest and I am leaving the meeting for this item”).

Note: Having previously declared personal and prejudicial interests (Minute Nos.160(1) & (3) refer, County Borough Councillors M.Webber and (Mrs) T.Bates also left the meeting for this item).

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 Members for Rhondda and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration.

(Note: County Borough Councillor R.Smith requested the above-mentioned site inspection for the substantial reason, to consider highways issues).

(Note: The Chairman informed the person present to address the Committee on the application that if he wished to speak at the meeting when the matter was next considered, he would have to submit a new request to do so).

167 SITE VISIT

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

Pursuant to Minute No.143 (Development Control Committee, 5 December 2013, the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 16 December 2013 to consider the impact of the development on the amenity of residents in the surrounding locality and following consideration of the matter, it was **RESOLVED** to refuse the application in accordance with the recommendation of the Service Director, Planning.

168 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 in respect of Application No.13/0930 – Outline planning permission for residential development for 3 no. 2 bedroom link houses – Old Salvation Army Hall, Woodland Street, Mountain Ash – that “late” observations had been received from the Transportation Section requesting that three additional conditions be considered should Members be minded to approve the application. These relate to dealing with a restriction of surface water run-off, no deliveries on HGV deliveries on weekends and Bank Holidays and a requirement to provide a traffic management scheme and wheel-washing facilities.

The Development Control Manager also confirmed orally in respect of Application No. 13/1107 – Demolition of existing building and construction of 10 no.1 bedroom apartments (amended plans received 4 December 2013) – Former Royal Hotel, 61 Brithweunydd Road, Trealaw, Tonypany – that the applicant had now agreed to the terms of the proposed Section 106 agreement to provide 10% affordable housing, as outlined in the report.

Following consideration of the applications before them, Members **RESOLVED** –

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

12/1059 – Change of use from registered club to public house – Treorchy Conservative Club, 144 Bute Street, Treorchy

13/0906 – Construction of detached residential dwellings – Plots 2 & 3 – Land at Salisbury Road, Abercynon

(**Note:** County Borough Councillor M.J.Watts wished to have recorded that he did not vote on application no.12/1059 referred to above).

- (2) The approve application no.**13/0930** - Outline planning permission for residential development for 3 no. 2 bedroom link houses – Old

Salvation Army Hall, Woodland Street, Mountain Ash –in accordance with the recommendation of the Service Director, Planning but subject to the imposition of the three additional conditions requested by the Transportation Section and referred to above.

- (3) To defer application no.**13/1077** – Change of use from office to A3 cafe (amended plans received 4 December 2013) – the Coach Station, Llantrisant Road, Llantwit Fardre – 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 Llantwit Fardre and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration.

(**Note:** County Borough Councillor J.Bunnage requested the above-mentioned site inspection for the substantial reason, to consider highways concerns regarding the proposal).

- (4) To approve application no.**13/1107** – Demolition of existing building and construction of 10 no.1 bedroom apartments (amended plans received 4 December 2013) – Former Royal Hotel, 61 Brithweunydd Road, Trealaw, Tonypany – in accordance with the recommendation of the Service Director, Planning subject to the applicant entering into a Section 106 agreement to secure the following:

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.

- (5) To approve application no.**13/1114** – Change of Use to A3 (amended description 12/12/13) – 19a Commercial Street, Aberdare – in accordance with the recommendation of the Service Director, Planning subject to the imposition of an additional condition requiring the submission of a scheme for the storage of refuse at the site.

169 APPLICATION RECOMMENDED FOR REFUSAL

Application No.13/0719 – Listed Building – Consent for full demolition of Former Bingo Hall, Porth – Former Bingo Hall, Hannah Street, Porth

RESOLVED to note that the above-mentioned application had been withdrawn by the applicant.

DEFERRED APPLICATIONS

- 170 APPLICATION NO.13/0674 – RETENTION OF SINGLE STOREY TIMBER GARAGE, OUT BUILDINGS AND CHANGE OF USE OF AND TO VINTAGE VEHICLE HIRE AT REAR OF Y NODDFA, COWBRIDGE ROAD, TALYGARN, PONTYCLUN**

Pursuant to Minute No.134 (Development Control Committee, 17 October 2013) when Members were minded to approve the above-mentioned application contrary to Officer's recommendation 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 Service Director, Planning had reported back to the Committee on 21 November 2013 on the matter but at that time, the applicant had requested a deferral of the application to discuss the proposed conditions.

The Service Director, Planning now provided the Committee with details of the discussions that had taken place with the applicant since November 2013 together with his comments thereon.

The Service Director, Planning advised Members that if they were still minded to approve the application the nine conditions listed in the report should be imposed.

Following consideration thereof, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to approve the application subject to:

- (1) Proposed Condition No.1 being amended to incorporate Mrs.Padfield;
- (2) Proposed Conditions 2 and 3 being imposed;
- (3) Proposed Condition No.4 being amended to read:

"Within three months of the date of permission, details of the restoration of the site shall be submitted to and approved in writing by the Local Planning Authority. When the persons named in Condition 1 cease the use hereby permitted, the land shall be restored in accordance with the approved details within"
- (4) Proposed Conditions 5,6,7 & 8 being imposed;
- (5) Proposed Condition No.9 being deleted.

171 APPLICATION NO.12/0458 – 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.141 (Development Control Committee, 5 December 2013) when Members were minded to refuse the above-mentioned application contrary to the Officer's recommendation because they considered the proposal would have a detrimental impact upon highway safety and upon the amenity of the area, the Service Director, Planning, in his report, presented

his views on the reasons put forward for refusing the application contrary to his recommendation.

Following consideration of the report, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to refuse the application for the following reason:

“The proposal would result in additional on-street parking on sub-standance local highway network in an area where there is already substantial demand, to the detriment of highway pedestrian safety and free flow of traffic. As such the proposed would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan”.

172 INFORMATION REPORT

In his report, the Service Director, Planning set out information relating to Planning and Enforcement Appeals Decisions Received, Delegated Decisions (Approvals and Refusals) with reasons and an overview of Enforcement Cases for the period 7 December 2013 – 3 January 2014 and it was **RESOLVED** to note the information.

R.B.McDONALD
CHAIRMAN

The meeting terminated at 6.12 p.m.