

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, 15 May 2014 at 5 p.m.

PRESENT

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

County Borough Councillors

(Mrs) T.A.Bates	M.Griffiths	R.W.Smith
D.R.Bevan	P.Griffiths	G.Stacey
H.W.Boggis	(Mrs) E.Hanagan	B.Stephens
J.Bonetto	G.Holmes	(Mrs) M.Tegg
S.A.Bradwick	J.S.James	R.K.Turner
J.Bunnage	P.Jarman	G.P.Thomas
A.Calvert	R.Lewis	L.G.Walker
S.L.Carter	(Mrs) C.Leyshon	(Mrs) J.S.Ward
(Mrs) J.Cass	C.J.Middle	P.Wasley
A.Crimmings	K.Montague	M.J.Watts
W.J.David	A.Morgan	M.O.Weaver
A.L.Davies, MBE	B.Morgan	M.Webber
J.Davies	M.A.Norris	W.D.Weeks
G.R.Davies	I.Pearce	C.J.Williams
(Mrs) M.E.Davies	M.J.Powell	D.H.Williams
(Mrs) L.De Vet	(Mrs) A.Roberts	T.Williams
M.Forey	J.Rosser	C.J.Willis
A.S.Fox	G.Smith	R.A.Yeo

Officers in Attendance

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

249 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors L.M.Adams, C.Davies, S.M.Evans-Fear, P.Howe, S.Lloyd, K.Morgan, S.Powderhill, S.Rees, S.Rees-Owen and E.Webster.

**250 BEREAVEMENT – COUNTY BOROUGH COUNCILLOR
A.CHRISTOPHER**

The Chairman referred to the recent bereavement of County Borough Councillor Anthony Christopher (Council Leader) and Members stood in silence as a mark of respect.

251 DECLARATION OF INTEREST

County Borough Councillor M.Webber declared a personal interest in relation to Application No.13/0974 – Construction of a Detached House – Vacant Land off Dynea Road, Rhydyfelin, Pontypridd – stating “I know the applicant”.

**252 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.

253 MINUTES

RESOLVED to approve accurate records, the minutes of the meetings of the Development Control Committee held on 17 April and 24 April 2014.

254 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.

**255 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING
PUBLIC SPEAKERS**

Application No.14/0187 – Change of use from Guest House (C1) to a house of multiple occupation for up to 6 people (in this instance veterans from the Armed Services) (amended application details received 14th & 18th March 2014) – The Mount, Lanpark Road, Pontypridd

RESOLVED to defer consideration of the above-mentioned application for a site inspection to be undertaken 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 Pontypridd Town and that a report thereon be submitted to the next appropriate meeting of the Development Control Committee.

(**Note:** County Borough Councillor S.L.Carter requested the above-mentioned site inspection for the substantial reason, to consider issues concerning the impact of the proposal on the surrounding area, highways and community safety).

(**Note:** The Chairman informed the persons 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).

256 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS

Application No.13/1198 – Change of Use to Horsiculture – Stables, exercise area and access track – Gwerna Fach, Land at Castellau Road, Beddau

In accordance with adopted procedures, the Committee received Mr.M.Gilheaney (Applicant), who was afforded five minutes to address the Committee on his application.

The Development Control Manager outlined the application and reported orally on the contents of a “late” letter received from the Drainage Section relating to the flood risk management issues associated with the development.

Following consideration of the proposal, it was **RESOLVED** that as Members were minded to approve the application contrary to Officer’s recommendation because they considered the proposed development would not be visually detrimental to the character of the area or harmful to its biodiversity, 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.

257 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 “late”

letters received:

- from Llantwit Fardre Community Council in respect of application no.14/0203 – Raise existing ridge height to create first floor accommodation and two storey rear extension – 94 Church Road, Tonteg – raising objection to the proposal because the ridge height of the proposed extension was considered to be too high and not in keeping;
- from Mr. & Mrs. Searle of Ash Grove, Trecynon in respect of application no.14/0204 – Extension and alterations to existing building for its use as a church hall to incorporate a new cafe, admin offices, meeting rooms, Sunday School and flexible spaces for community use (amended description, plans and further supporting information received 1st April 2014) – Hope Church, Hirwaun Road, Trecynon, Aberdare – raising concerns regarding the existing boundary fence between their property and the church;
- from Dwr Cymru/Welsh Water in respect of application no.14/0290 – Variation of Condition 3,5,16, 18, 19, 26, 27, 30, 31, 35 and 42 of planning approval 12/1313/10 to allow for a phased development of the site (residential development of 276 houses) (amended description 02/04/214 to accommodate additional conditions 3 (landscaping details), 30 (boundary treatment) and 31 (external materials) – Duffryn Bach Farm, Station Road, Church Village – raising no objection to the proposal subject to conditions and advisory note.

Following consideration of the applications before them, the Committee **RESOLVED** -

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

13/0639 – Change of use to include a cafe and redesign of church car park – St.Catherine’s Church and Church Hall, Upper Church Street, Pontypridd

14/0203 – Raise existing ridge height to create first floor accommodation and two storey rear extension – 94 Church Road, Tonteg

14/0204 – Extension and alterations to existing building for its use as a church hall to incorporate a new cafe, admin. Offices, meeting rooms, Sunday School and flexible spaces for community use (amended description, plans and further supporting information received 1st April 2014) – Hope Church, Hirwaun Road, Trecynon, Aberdare

14/0269 – Replacement conservatory (retrospective) – 66 Primrose Street, Tonypandy

(Note: County Borough Councillor M.J.Powell declared a personal interest in application no.13/0639 referred to above – “My Wife volunteers in St.Catherine’s Church”).

(2) To approve application no.**13/0165** – Erection of a three storey B1 (Offices) class use development with roof-top plant and associated single storey garage/workshop adjacent gatehouse and security fencing – Unit 2, Pencoed Technology Park, Pencoed subject to the applicant entering into a Section 106 agreement with the following Heads of Terms:

- To pay £200,000 Transport Tariff prior to the first beneficial occupation of the building
- To provide an Ecological Management Plan to include details of 25 year management, restoration, creation and monitoring programme for key species and habitat
- To pay the Council's reasonable legal costs in providing the agreement.

(3) To approve application no.**14/0290** – Variation of Conditions 3,5,16, 18, 19, 26, 27, 30, 31, 35 and 42 of planning approval 12/1313/10 to allow for a phased development of the site (residential Development of 276 houses) (amended description 02/04/2014 to accommodate additional conditions 3 (landscaping details), 30 (boundary treatment) and 31 (external materials) – Duffryn Bach Fach, Station Road, Church Village – in accordance with the recommendation of the Service Director, Planning subject to the additional conditions requested by Dwr Cymru/Welsh Water and advisory notes and to the applicant entering into a Section 106 Agreement to secure the following:

- The provision of £1,017,331 for the provision of additional school places at local primary schools.
- The payment of a transport tariff of £658,752 towards improving the strategic highway network.
- The provision of an ecological management plan to ensure appropriate long term management of the Tonteg Marsh Site of Importance for Nature Conservation and the provision of compensatory habitat, the details of which shall be submitted to and approved in writing by the Local Planning Authority.
- The provision of 56 affordable houses on-site in accordance with the agreed schedule.
- The provision and management of a Locally Equipped Area of Play to be open to the public at all times, at the location shown on the submitted layout plan.

DEFERRED APPLICATIONS

258 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

Pursuant to Minute No.142(4) (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 there was insufficient evidence to indicate that on the balance of probability the use had been ongoing for a minimum period of ten years, the Service Director, Planning reported that further evidence had now been submitted by the applicant, as outlined in his report, and the Council's Legal Officer had taken the view that there was sufficient evidence for the Council to be satisfied that at the time of the application, the use was lawful.

The Service Director, Planning informed the Committee that the further information and legal advice received backed up his initial recommendation to approve the application.

Following consideration of the report, it was **RESOLVED** to grant a Lawful Development Certificate for an existing use to provide a total of 5 bedrooms of emergency accommodation for vulnerable young people, in accordance with the recommendation of the Service Director, Planning.

259 APPLICATION NO.13/0974 – CONSTRUCTION OF A DETACHED HOUSE – VACANT LAND OFF DYNEA ROAD, RHYDYFELIN

Pursuant to Minute No.299 (Development Control Committee, 17 April 2014) when Members were minded to refuse the above-mentioned application contrary to the Officer's recommendation because they considered the proposal would constitute an overbearing and incongruous format of development, have a detrimental effect on neighbouring residents and further exacerbate existing flooding and drainage problems in the area, the Service Director, Planning provided his views on the reasons put forward for refusing the application.

The Development Control Manager reported orally on the contents of a "late" letter received from Asbriplanning, Planning Consultants acting on behalf of the Applicant supporting the application.

The Service Director, Planning advised Members that if they still wished to refuse the application, the reasons set out in his report reflected their concerns.

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

1. In the opinion of the Council the development will exacerbate existing water run-off and localised flooding problems in the area. As such the proposal is considered contrary to Policies AW2, AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed dwelling by reason of its siting and design would constitute an incongruous form of development which would result in an adverse visual impact on the character and appearance of the area. As such the proposal is considered contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.
3. The proposed dwelling by reason of its siting would result in a detrimental impact on the amenity of nearby residents, by reason of being overbearing. As such the proposal is considered contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

260 APPLICATION NO.14/0111 – 4 NO. GARAGES AND ASSOCIATED WORKS – LAND AT HURST GROVE, ABERNANT, ABERDARE

Pursuant to Minute No.232(1) (Development Control Committee, 17 April 2014) when Members were minded to refuse the above-mentioned application because they considered the proposal would have an adverse effect on highway safety as a result of the additional traffic on Hurst Grove, a narrow residential street, the manoeuvrability problems for vehicles accessing the proposed garages and there would be a visual impact on the surrounding properties, the Service Director, Planning gave his views on the proposal and stated that if Members were still minded to refuse the application, the reasons outlined in his report, reflected their concerns.

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

1. The use of the proposed garages would generate increased traffic in the surrounding residential area to the detriment of residential amenity, the free flow of traffic and highway safety. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

2. The proposed garages by reason of their appearance and unrelated to any residential curtilage would result in an adverse impact on the character and appearance of the area. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

OBSERVATIONS REQUESTED BY AN ADJACENT PLANNING AUTHORITY

261 APPLICATION NO.14/0253 – ERECTION OF SINGLE 225 KW WIND TURBINE (UP TO 65.3M BLADE TIP HEIGHT) WITH ASSOCIATED HARD STANDING AREA, SUBSTATION/TRANSFORMER AND BOUNDARY FENCING – LAND ADJOINING UNIT 3, PENGARNDDU INDUSTRIAL ESTATE, DOWLAIS TOP, MERTHYR TYDFIL

In his report, the Service Director, Planning outlined the above-mentioned application to be determined by Merthyr Tydfil County Borough Council. The Committee was asked for their observations on the proposal and following a discussion, it was **RESOLVED** to raise no objection.

263 INFORMATION REPORT

In his report, the Service Director, Planning set out an overview of Enforcement Cases and details of Enforcement Delegated Decisions for the period 2 April - 30 April 2014 and it was **RESOLVED** to note the information.

**R.B.McDONALD
CHAIRMAN**

The meeting terminated at 5.45 p.m.