

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, 7 August 2014 at 5 p.m.

PRESENT

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

County Borough Councillors

| | | |
|-------------|-----------------|------------|
| L.M.Adams | R.Lewis | G.Stacey |
| J.Bonetto | C.J.Middle | G.P.Thomas |
| M.Griffiths | (Mrs) A.Roberts | E.Webster |
| P.Jarman | G.Smith | W.D.Weeks |

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

38 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L.De Vet, S.Rees, (Mrs) M.Tegg, (Mrs) J.S.Ward and P.Wasley.

39 DECLARATION OF INTERESTS

There were no interests declared in matters pertaining to the agenda.

40 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.

41 MINUTES

RESOLVED –

(1) To approve as an accurate record the minutes of the meeting of the Development Control Committee held on 3 July 2014.

(2) To approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 17 July 2014 subject to the decision recorded in Minute No.35(2) being corrected to read as follows:

“35(2) To approve Application No.14/0349 – Residential Development of 14 Dwellings (Outline) – St. John’s Church Yard, Llantrisant Road, Tonyrefail - in accordance with the recommendation of the Service Director, Planning subject to an additional condition being imposed requiring the Developer to provide a memorial stone at the site and the Developer entering into a Section 106 Agreement to ensure that 11 of the units are secured as Social Rented Tenure and 3 units are provided as Low Cost Home Ownership to be sold at 70% of market value to first time buyers from the Homestep Register.”

42 REQUESTS FOR SITE INSPECTIONS

There were no requests from Committee Members to convene site inspections in relation to applications listed on the agenda at this point in the proceedings.

43 CHANGE TO 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.

44 APPLICATION NO.14/0610 – EXTENSION OF THE EXISTING PANT-Y-WAL WIND FARM WITH AN INSTALLED CAPACITY OF UP TO 36 MW, COMPRISING 12 WIND TURBINES, ANEMOMETER MAST, SUBSTATION AND CONTROL BUILDING, ACCESS TRACKS AND ALL ASSOCIATED BUILDING AND ENGINEERING OPERATIONS AND LANDSCAPING FOR AN OPERATIONAL PERIOD OF 25 YEARS. OBSERVATIONS REQUESTED BY BRIDGEND COUNTY BOROUGH COUNCIL

In his report, the Service Director, Planning informed Committee Members that their observations were requested on the above-mentioned proposal which would be determined by Bridgend County Borough Council.

The Development Control Manager outlined the proposal and recommended that no objection be raised subject to the three Conditions and the Note listed in the report.

A lengthy discussion ensued and it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to raise objection to the proposal owing to the highway impact and disruption that the transportation of the abnormal loads would have on the free flow of traffic in particular on the residents of Gilfach Goch and the visual impact of the turbines on the area but should Bridgend County Borough Council be minded to approve the application then it be requested to consider imposing the three conditions and a Section 106 agreement to secure the mitigation and enhancement measures as detailed in the Note listed in the Service Director's report, to any planning permission granted.

45 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 a "late" communication received from County Borough Councillor P.Griffiths objecting to the proposals outlined in Application Nos.14/0707 and 14/0708 - Tesco Stores Ltd., New Park District Shopping Centre, Talbot Green.

Non-Committee Members, County Borough Councillors P.Baccara and P.Griffiths, addressed the Committee on Application No.14/0707 – Siting of Timpson retail pod to provide dry cleaning, key cutting, shoe and watch repairs and engraving services. Retail pod has a floor area of 18 square metres with portacabin style appearance (resiting of retail pod approved under planning ref: 14/0129/10) (Amended description 08/07/2014) – Tesco Stores Ltd., New Park District Shopping Centre, Talbot Green.

The Committee **RESOLVED** to approve the under-mentioned applications in accordance with the recommendations of the Service Director, Planning:

14/0707 – Siting of Timpson retail pod to provide dry cleaning, key cutting, shoe and watch repairs and engraving services. Retail pod has a floor area of 18 square metres with portacabin style appearance (resiting of retail pod approved under planning ref: 14/0129/10) (Amended description

08/07/2014) – Tesco Stores Ltd., New Park District Shopping Centre, Talbot Green

14/0708 – Advert Consent (to promote the brand and services of the proposed Timpson retail pod approved under planning ref: 14/0130/01) (Amended description 08/07/2014) – Tesco Stores Ltd., New Park District Shopping Centre, Talbot Green

14/0730 – 2 storey extension to side elevation, move existing conservatory to rear elevation. New driveway and retaining wall to front elevation. – 12 Mynydd Y Seren, Tonyrefail

14/0756 – Construction and operation of a small embedded Short Term Operating Reserve (STOR) natural gas-fired generating plant and auxiliary equipment – amendment to approved application 13/0277/10 – Site adjacent to C1 Trade Park, Aberaman Industrial Estate, Aberdare

46 APPLICATIONS RECOMMENDED FOR REFUSAL

In his report, the Service Director, Planning set out details of applications recommended for refusal and following consideration thereof, the Committee **RESOLVED** –

- (1) To refuse Application No. **14/0373** – Change of use to provide hot food takeaway (A3) on the ground floor with internal extraction facilities and provide a flat at first floor level with associated elevational alterations including additional windows in side elevation – 89 Court Street, Tonypany – in accordance with the recommendation of the Service Director, Planning.
- (2) To defer Application No. **14/0376** – Erection of a bungalow (amended plans received 04/07/2014) – Land adjacent to No.14 Caemawr Terrace, Penrhiwfer, Tonyrefail – for a site inspection to be undertaken by the Committee to consider the site of the proposed dwelling in relation to the settlement boundary and that a report thereon be submitted to the next appropriate meeting of the Committee for consideration prior to determining the matter.

DEFERRED APPLICATIONS

47 APPLICATION NO.13/0922 – DEMOLITION OF DERELICT FORMER WORKINGMEN’S CLUB AND RESIDENTIAL DEVELOPMENT AT CLYDACH VALE WORKINGMEN’S CLUB, HOWARD STREET, CLYDACH VALE

With reference to Minute No.14 (Development Control Committee, 19 June 2014) when the Committee resolved to defer the above-mentioned application for further negotiation to take place between Officers and the Applicant in respect of the possibility of achieving alternative benefits

through a Section 106 agreement, the Service Director, Planning advised Members that the applicant, after careful consideration of the Council's request, had arrived at the conclusion that in light of the viability issue the site should not be fettered by any Section 106 requirements and took the view that the scheme should be granted consent with only the conditions recommended by Officers in the original report.

The Development Control Manager reported orally on the contents of a "late" letter received from the applicant in which she seeks to justify her position to the Committee.

The Service Director, Planning gave his views on this matter and following a lengthy discussion, it was **RESOLVED** to refuse the application, contrary to the recommendation of the Service Director, Planning, as Members considered the development was unacceptable in planning terms without the provision of a Section 106 agreement to mitigate the impact of the development on the community.

48 APPLICATION NO.12/1215 – DEVELOPMENT OF 6 TERRACED HOUSES – LAND BETWEEN 138 DYFFRYN STREET AND OUR LADY PENRHYS R.C. CHURCH, FERNDALE

With reference to Minute No.180(2) (Development Control Committee, 20 February 2014) when the Committee resolved to approve the above-mentioned application subject to delegated powers being granted to the Service Director, Planning to negotiate a Section 106 Agreement to secure the payment of a Transport Tariff, a financial contribution towards improving and upgrading the nearby bus stop and its future maintenance and the applicant paying all reasonable costs associated with the preparation of the legal agreement, the Service Director, Planning advised Members that following an independent assessment of the Financial Viability Appraisal for the proposed development, as submitted by the applicant, it had been confirmed that the contribution requested would make the proposal financially unviable.

It was, therefore, recommended that Members approve the application without both elements of the highways contribution but subject to the same planning conditions as originally recommended with the exception of conditions, 6,7 & 8 which should be removed given recent revisions to TAN 22 and the transfer of responsibility of the code for sustainable homes to Part L of the Building Regulations.

The Development Control Manager reported orally on the contents of a "late" letter received from County Borough Councillor P.Wasley, who was unable to be present at the meeting today, outlining his views on the matter.

Following lengthy deliberation, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning but subject to the imposition of an additional Grampian condition requiring that no development shall commence on site until such time as the bus stop upgrading works have been undertaken in accordance with a scheme that should be first submitted to and agreed in writing by the Authority in order to retain the requirement for the bus shelter improvement and upgrade to offset the detrimental impact upon local facilities.

49 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals, with reasons) for the period 4 – 25 July 2014 and it was **RESOLVED** to note the information.

**R.B.McDonald
Chairman**

The meeting terminated at 6.15 p.m.