

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, 4 December 2014 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	C.J.Middle	(Mrs) M.Tegg
J.Bonetto	S.Powderhill	G.P.Thomas
(Mrs) L. De Vet	S.Rees	(Mrs) J.S.Ward
P.Jarman	(Mrs) A.Roberts	E.Webster
R.Lewis	G.Smith	

In attendance:

County Borough Councillors S.Evans-Fear and L.G.Walker

Officers in Attendance

Mr.S.Gale – Service Director, Planning
Mr.D.J.Bailey – Development Control Manager
Mr.S.Humphreys – Head of Legal Planning & Environment
Mr.S.Zeinalli – Highways Development & Adoptions Manager

120 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors M.Griffiths and P.Wasley.

121 DECLARATION OF INTERESTS

In accordance with the Code of Conduct, the Committee received the following declarations of personal interests:

- (1) from Non-Committee Member - County Borough Councillor L.G.Walker in respect of Application No.14/1014 – Installation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm – Maes Bach, Willowford Road, Tonteg, Pontypridd – “The applicant is known to me”.

(2) from County Borough Councillor G.Stacey in respect of Application No.14/1014 – Installation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm – Maes Bach, Willowford Road, Tonteg, Pontypridd – “I am a member of Llantwit Fardre Community Council but I have not taken part in any discussions within the Community Council regarding this application.”

122 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.

123 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 6 November 2014.

124 REQUESTS FOR SITE INSPECTIONS

There were no requests for site inspections in respect of applications listed on the agenda.

125 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.

126 SITE INSPECTION

Application No.14/1145 – Retrospective consent for Domestic Garage – Land Opposite 16-17 Arfryn Terrace, Tylorstown

Pursuant to Minute No.105 (Development Control Committee, 6 November 2014), the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 19 November 2014 to consider the size of the garage, its impact on the surrounding area and highways issues.

Details of the application were set out in Appendix 1 to the report and it was recommended for approval by the Service Director, Planning.

Following consideration of the matter, it was **RESOLVED** to defer consideration of the application to enable the Service Director, Planning to consult with the Applicant on a reduction of the height and width of the garage to bring it more in line with the original plans previously approved and that a further report be submitted thereon.

127 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No.14/1014 – Installation of a solar farm and associated infrastructure including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm – Maes Bach, Willowford Road, Tonteg, Pontypridd

In accordance with adopted procedures, the Committee received Mr.Patrick McKeown (Applicant's Agent), who was afforded five minutes to address Members on the application.

Non-Committee Member/Local Member – County Borough Councillor L.G.Walker then addressed the Committee on the application.

The Development Control Manager reported orally on the contents of a "late" letter received from Natural Resources Wales confirming no objection to the proposal but suggesting that the Biodiversity Management Plan should include an undertaking to stop any further use of fertiliser on the site. Members noted that this point was already included in the recommended provisions of the Section 106 Agreement.

Following consideration of the proposal, it was **RESOLVED** to approve the application subject to:

- The applicant (and any other party/parties with an interest in the land) first entering into an Agreement or Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that in general terms would secure the following measures:
 1. Compliance with the Hedgerow and Tree Protection and Management Statement of all the land to include hedgerow and tree enhancement and management measures for the period of 30 years.

2. The agricultural use, management and drainage of the land during the operational use of the solar farm for a period of 30 years to include restriction on the use of fertiliser application.
- The recommended conditions as set out in the report.
 - The Service Director, Planning being authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.

(2) Application No.14/1177 – Change of use from library to children’s soft play centre, The Library, Church Street, Penrhiwceiber, Mountain Ash

In accordance with adopted procedures, the Committee received Ms.Joanne Cox (Applicant), who was afforded five minutes to address Members on her application.

The Development Control Manager then read out the contents of a “late” letter received from Non-Committee/Local Member – County Borough Councillor A.S.Fox – outlining his views on the proposal.

The application was outlined and Members questioned the need for the recommended Section 106 Agreement to secure a contribution of £5,000 from the applicant towards the cost of the implementation of a Traffic Regulation Order in the vicinity of the site owing to the fact that the provision of double yellow lines were not necessary and would exacerbate existing on-street parking problems experienced in the area. Members also questioned the recommended hours of operation owing to the nature of the facilities to be provided at the premises.

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

- the requirement for the applicant to enter into a Section 106 Agreement being removed; and
- the amendment of Condition No.4 relating to the opening hours of the children’s play centre to require the applicant to submit details of the required opening hours to the Service Director, Planning for approval.

128 DEFERRED APPLICATION INVOLVING PUBLIC SPEAKER

Application No.13/0409/10 – Crown Hotel, Ynyswen Road, Ynyswen – 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 and additional drainage information received 26/09/2014)

In accordance with adopted procedures, the Committee received Mr.R.Rogers (Applicant's Agent), who was afforded five minutes to address Members on the application.

The Committee then received the views of Non-Committee/Local Member – County Borough Councillor S.M.Evans-Fear on the proposal.

The Development Control Manager outlined the background to the application and informed the Committee of the up to date position regarding the drainage report submitted by the applicant that was considered to be satisfactory by the Council's Land Reclamation and Engineering Division. Dwr Cymru/Welsh Water was also satisfied with the scheme subject to a condition being imposed to ensure foul water and surface water discharges were drained separately from the site and to ensure no net increase in surface water or land drainage run-off was allowed to connect to the public sewerage.

Members noted that following the submission of the additional drainage information, local residents were consulted and had again raised objections to the scheme. However, their concerns did not materially differ from those originally submitted and had been addressed in the reports.

A lengthy discussion ensued on the proposal and the concerns that had been raised by local residents regarding access and egress to the parking area at the rear of the premises.

It was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the conditions listed in Appendix A to the report and the following additional condition as advised by Dwr Cymru/Welsh Water:

“No development whatsoever shall be allowed to commence until drainage arrangements have been submitted to and approved in writing by the local planning authority and the development shall not be

brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate drainage of the development in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.”

as well as an additional condition being imposed to ensure that vehicles entering the parking area to the rear of the premises do so via the Eastern site boundary and exit only from the Western site boundary in the interests of highway safety.

129 APPLICATION RECOMMENDED FOR APPROVAL

Application No.14/0999 – Erection of timber decking and fencing to accommodate external seating area (amended plans received 09/10/2014) – La Luna Restaurant, 79-81 Talbot Road, Talbot Green

The Committee considered the above-mentioned proposal and following a discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to an informative note being added to the consent to remind the applicant of the requirements of licensing and public health legislation in relation to the proposed use of the area.

130 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons) for the period 10 November – 21 November 2014 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 6 p.m.