

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, 5 February 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	(Mrs) S.J.Jones	(Mrs) A.Roberts
J.Bonetto	R.Lewis	G.P.Thomas
M.Griffiths	C.J.Middle	(Mrs) J.S.Ward
P.Jarman	S.Rees	E.Webster

Non-Committee Member in Attendance:

County Borough Councillor R.K.Turner

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

128 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, S.Powderhill, G.Smith, (Mrs) M.Tegg and P.Wasley.

129 DECLARATION OF INTEREST

In accordance with the Code of Conduct, County Borough Councillor R.Lewis declared the following personal and prejudicial interest in relation to Application No.14/1472/03 – Installation of 6 wind turbines with a maximum tip height of 145m to generate up to 18 MW together with ancillary development including substation and control building, on site underground electrical cables, access tracks, meteorological mast, crane hard standings, temporary construction compound, Palisade fencing, on site pond and site access – Land to the East of Melin Court, Resolven, Heath Port Talbot – “The application site borders the Pen Y Cymoedd Wind Energy Site at which I am currently employed. There is potential for conflict and competition with my employer and as such, I deem this a prejudicial interest and I will leave the meeting for this item”.

130 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.

131 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 15 January 2015.

132 REQUEST FOR SITE INSPECTIONS

There were no requests for site inspections in relation to the applications before the Committee.

133 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.

134 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No.14/1655 – Residential development, new local centre, car parking and access (resubmission) – Bryncae Industrial Estate, Bridgend Road, Llanharan

In his report, the Service Director, Planning set out details of the above-mentioned application which was recommended for approval subject to conditions, a Section 106 agreement and Community Infrastructure Levy requirements.

In accordance with adopted procedures, the Committee received Mrs.P.Uppal (Objector) and Mr.Arfon (Applicant's Agent), each being afforded five minutes to address Members on the proposal.

Non-Committee/Local Member – County Borough Councillor R.K.Turner – also addressed the Committee giving his views on the proposal.

The Development Control Manager reported orally on the contents of a “late” letter received from Llanharan Community Council objecting to the proposed development.

Following lengthy consideration of the report, it was **RESOLVED** that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning because they considered the proposed development, with the combined housing and retail elements, would significantly increase traffic movements to the detriment of highway safety for both motorists and pedestrians and the proposed development, in particular the retail element, was contrary to the Local Development Plan adopted in 2011 as it would have a detrimental effect on the viability of the new Village Centre planned for the area, 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.

(Note: County Borough Councillor C.J.Middle wished to have recorded that he did not vote on the above-mentioned application as he was not present for the whole debate).

135 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER

Application No.13/1084 – Mixed Use development comprising employment (B1 & B2), Nursery (D1), Care Home (C2) and Residential (C3) – Former Chubb Security Ltd Site, Maerdy Industrial Estate, Ferndale

In accordance with adopted procedures, the Committee received Mr.I.Carter (For the Applicant), who was afforded five minutes to address Members on the application.

Following a discussion on the proposal, it was **RESOLVED** to refuse the application in accordance with the recommendation of the Service Director, Planning.

136 SITE INSPECTION

Enforcement of Planning Control – Application No.13/00297 – 2 Orchard Drive, Robertstown, Aberdare

In his report, the Director, Legal & Democratic Services reported on the outcome of a site inspection held on 16 January 2015 to consider the

impact of the unauthorised works that had taken place and to seek clarification of the affects of a retrospective planning application.

Following consideration of the matter, it was **RESOLVED**

- (1) To defer initiating enforcement action for a period of two months to allow a retrospective application to be submitted and if and when an application is submitted, it be considered and determined by the Development Control Committee and not dealt with under Officer Delegated Powers.
- (2) If no application is submitted within the two month period, enforcement action be taken in accordance with the recommendation of the Service Director, Planning.

137 APPLICATION RECOMMENDED FOR APPROVAL

Application No.14/1430 – High head micro-hydro scheme with associated buildings and works – Hydro Intake located on The Cwm Ogwr Fach, North of the B4564 Public Highway, Gilfach Goch

In his report, the Service Director, Planning set out details of the application mentioned application and following consideration thereof, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

138 DEFERRED APPLICATION

Application No.14/0620 – Proposed Residential Development of 70 no. dwellings and associated work – Land off Cardiff Road, Hawthorn, Pontypridd

With reference to Minute No.138 (Development Control Committee, 18 December 2015) the Service Director, Planning, in his report, advised the Committee that the applicant had since submitted another revision to the layout (Revision N) that made further substantial alterations to the proposal in that what on previous iterations of the layout plan had been the emergency access only was now proposed to be made up as a full second access that was capable of serving the wider development as well as those houses proposed for this phase. This represented a substantial concession on the part of the applicant that required the further consideration of Members before they made a final decision in this matter as the proposal now fully addressed the concerns both they and local residents had voiced with regard to the proposed development.

Members were further informed that the revised layout plan had been subject to consultation and had not generated any opposition though two residents had submitted further comments. The Development Control Manager confirmed that suggested Condition No.18 would need to be updated to reflect the revised (Revision “N”) site plan drawing.

In addition, the Highways and Transportation Section had indicated that the upgrading of the proposed emergency access to a full access would require the original Condition No.10 to be reworded as outlined in the report.

Members also noted that since the application was first considered, the Community Infrastructure Levy (CIL) had been introduced in Rhondda Cynon Taf and the application was for development of a kind that was liable for a charge under the CIL Regulations which was expected to be £237,353.87, however, the requirement for a transport tariff payment and education contribution would now be removed from the Section 106 requirements. The requirements for the provision of public open space and affordable housing would still be required to be secured through the Section 106.

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

- (1) The recommended 19 conditions to include the revised wording of Condition Nos.10 and 18 as outlined at the meeting and detailed above.
- (2) A CIL charge.
- (3) The applicant first entering into a Section 106 agreement to secure the following:
 - A contribution of £90,475 towards play/recreational facilities in the local area based on the need for a complete local equipped area for play (LEAP) and a commuted sum of £15,000 for future maintenance payable on completion of 50% of the dwellings
 - Provision of 14 no. affordable housing units on the site
 - The applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

139 OBSERVATIONS REQUESTED BY ADJACENT AUTHORITIES

- (1) **Application No.14/1472(03) – Installation of 6 wind turbines with a maximum tip height of 145m to generate up to 18 MW together with ancillary development including substation and control building, on-site underground electrical cables, access tracks, meteorological mast, crane hard standings, temporary construction compound, Palisade fencing, on-site pond and site access – Land to the East of Melin Court, Resolven, Neath Port Talbot**

(Note: Having previously declared a personal and prejudicial interest in the above-mentioned application (Minute No.129 above refers), County Borough Councillor R.Lewis left the meeting for this item).

In his report, the Service Director, Planning reported that observations were requested on the above-mentioned proposal which was to be determined by Neath Port Talbot County Borough Council.

The Service Director, Planning provided Members with his recommended observations.

Following a discussion, it was **RESOLVED** in accordance with the recommendation of the Service Director, Planning to raise no objection to the proposal because:

- (a) Whilst the access to the site will be via Rhondda Cynon Taf County Borough (the Pen y Cymoedd access track) the highway impacts are considered to be acceptable;
- (b) The proposal would not have a significant landscape and visual impact on Rhondda Cynon Taf.

but subject to the imposition of the conditions details in the report and Rhondda Cynon Taf County Borough Council being consulted for their views prior to the discharge of all highway conditions which impact on the highway network within Rhondda Cynon Taf.

- (2) **Application No.14/1506 – High Mead Micro-Hydro Scheme with associated buildings and works – Land East of Abercerdin Road adjacent to Ogwr Fach River, Evanstown**

In his report, the Service Director, Planning reported that observations were requested on the above-mentioned proposal which was to be determined by Bridgend County Borough Council.

The Service Director, Planning provided Members with his recommended observations.

Following a discussion, it was **RESOLVED** in accordance with the recommendation of the Service Director, Planning, to raise no objection to the proposal subject to the recommended conditions as impacts on Rhondda Cynon Taf in respect of highway safety and the landscape and visual impacts are considered to be acceptable.

140 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Planning and Enforcement Appeals Decisions Received, Delegated Decisions (Approvals and Refusals with reasons), Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 5 January 2015 – 23 January 2015 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 6.15 p.m.