

**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, 2 April 2015 at 5 p.m.

**PRESENT**

County Borough Councillor G.Stacey – in the Chair

**County Borough Councillors**

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

**Officers in Attendance**

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

**176 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors L.M.Adams, (Mrs) M.Tegg and P.Wasley.

**177 DECLARATION OF INTEREST**

There were no declarations of personal interests in matters pertaining to the agenda.

**178 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 the Human Rights Act 1998.

**179 REQUESTS FOR SITE INSPECTION**

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

**180 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.

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

**Application No.14/1178 – Construction of 2 no. Bungalows together with widening of road Cwm Isaac and forming turning head (amended plans received 31/12/14 and 28/01/15 due to an alteration to the parking arrangement and the deletion of a retaining wall from the scheme) – Land adjacent to 3 Cwm Isaac, Rhigos, Aberdare**

In accordance with adopted procedures, the Committee received Ms.Rhian Williams (Supporter) and Mrs.Gaynor Morris (Objector), both being afforded five minutes to address Members on the above-mentioned proposal.

The Development Control Manager outlined the application and following a discussion, it was **RESOLVED** that as Members were minded to refuse the application contrary to the Officer's recommendation because they considered:

- the proposed turning head and car parking spaces to serve the new dwellings would have a harmful effect on the character and appearance of the surrounding area;
- the proposed development would have a detrimental impact on the rural character of the lane

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.

**182 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER**

**Application No.14/1687 – Erection of Bungalow (resubmission)  
(revised ownership certificate received 27/02/15) – Land adjacent to  
14 Caemawr Terrace, Penrhiwfer, Tonypandy**

In accordance with adopted procedures, the Committee received Mr. Rob Hathaway (Applicant's Agent), who was afforded five minutes to address Members on the above-mentioned proposal.

The Development Control Manager outlined the application and following a discussion, it was **RESOLVED** to refuse the application in accordance with the recommendation of the Service Director, Planning.

**183 APPLICATION RECOMMENDED FOR APPROVAL**

**Application No.15/0183 – Change of use to open air market – Henry Street (South) Car Park, Mountain Ash**

The Committee considered the above-mentioned proposal and **RESOLVED** –

- (1) To approve the application in accordance with the Service Director, Planning.
- (2) That representations be made to the Corporate Estates and the Regeneration Departments with regard to the need for greater provision of disabled parking spaces on market days and the potential for income generated from market stall rentals being re-directed back into the community to support the town centre and that the Local Members be kept informed of the situation.

**184 DEFERRED APPLICATION**

**Application No.12/0183 – Erection of a Class A1 Retail Store, Car Parking, New Site Access and Associated Infrastructure Works – Land South of Hirwaun, Aberdare**

With reference to Minute No.90(2) (Development Control Committee, 26 September 2013) when the Committee resolved to approve the above-mentioned application subject to the applicant entering into a Section 106 Agreement to make a transport tariff contribution towards improving the strategic highway network and an ecological enhancement plan with financial support as mitigation for the displaced Marsh Fritillary Butterfly habitat, the Service Director, Planning reported that negotiation of the Section 106 had been protracted largely as a result of the need to secure appropriate habitat for the protected March Fritillary Butterfly and this remained the case.

Members were advised that as the Community Infrastructure Levy (CIL) was introduced by the Council on 31<sup>st</sup> December 2014, it was now the means by which the Council secures contributions for infrastructure improvements and a Section 106 agreement could no longer constitute a reason for granting planning permission to the extent that the obligations provided funding for infrastructure which would be funded by CIL. It was therefore no longer appropriate to pursue the transport tariff contribution as originally agreed in respect of this application.

Following consideration of the report, it was **RESOLVED** in accordance with the recommendation of the Service Director, Planning, to approve the application with a Section 106 agreement that retains the ecological requirements as outlined in the original report but without the requirement for the transport tariff contribution.

**185 INFORMATION REPORT**

In his report, the Service Director, Planning set out details of Planning and Enforcement Appeals Decisions Received and Delegated Decisions (Approvals and Refusals with reasons) for the period 6-20 March 2015 and it was **RESOLVED** to note the information.

**G.STACEY  
CHAIRMAN**

The meeting terminated at 5.50 p.m.