

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, 14 May 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	S.Powderhill	G.P.Thomas
J.Bonetto	S.Rees	(Mrs) J.S.Ward
M.Griffiths	(Mrs) A.Roberts	P.Wasley
P.Jarman	G.Smith	E.Webster
(Mrs) S.J.Jones	(Mrs) M.Tegg	

Non-Committee Member in Attendance:

County Borough Councillor S.Pickering

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 – Head of Legal Planning & Environment
Mr.S.Zeinalli – Highways Development & Adoptions Manager

196 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, R.Lewis and C.J.Middle.

197 DECLARATIONS OF INTERESTS

The following declarations of personal interests in matters pertaining to the agenda were received from:

- (1) County Borough Councillor S.Powderhill in respect of Application No.13/0890/10 – New Mobile Home – Land North of Gellifendigaid Transmitter, Coed Y Cwm – “I know the daughter of the applicant”.
- (2) County Borough Councillor P.Wasley in respect of Application No.12/0929 - Application No. 12/0929 - Development of up to 600

residential dwellings and ancillary development, including commercial/retail facilities within Use Class A1 (maximum gross internal floorspace of 464 square metres), together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats, and demolition of existing buildings and structures at Trane farm (outline application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus Transport Chapter ES Addendum and Transport Assessment received 25 November 2013 (amended description 18 February 2014)(amended plans received 17 December 2014 showing revised highway alignment and sections, including retention of bat roost at Trane Lane and indicative proposals for green corridors, dark corridors and associated highway crossing points within the development site) – Land at Trane Farm, Tonyrefail – “I know some of the land owners and people living locally, I also have a close family member living in the locality”.

(3) County Borough Councillor (Mrs) M.Tegg in respect of Application No.15/0213 – Residential Development (8 no. Units), new access and associated works – Former Garth Hall, Catherine Crescent, Cymmer, Porth – “I have relatives living in this area, it is also a prejudicial interest and I will leave the meeting for this item.”

(4) County Borough Councillor L.M.Adams in respect of Application No.15/0347 – Domestic garage and hard-stand to rear – Ynys House, Maindy Crescent, Ton Pentre – “Objector is known to me”.

198 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.

199 MINUTES

To approve as accurate records, the minutes of the meetings of the Development Control Committee held on 2nd April and 16th April 2015.

200 REQUESTS FOR SITE INSPECTIONS

RESOLVED –

- (1) To defer Application No.15/0213 - Residential Development (8 no. Units), new access and associated works – Former Garth Hall, Catherine Crescent, Cymmer, Porth – for a site inspection to be undertaken by the Committee for the substantial reason, to consider the highway implications of the proposed development.
- (2) To defer Application No.15/0125 – Erection of three garages – Land adjacent to James Street and David Street, Cwmdare, Aberdare – for a site inspection to be undertaken by the Committee for the substantial reason, to consider the highway impact on the surrounding area.

(**Note:** In view of the decision to defer the above-mentioned application, the Chairman informed the person present to address Members on the application that if he wished to speak when the matter was next reported to the Committee, he would have to submit a fresh request to do so.)

201 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.

202 SITE INSPECTION INVOLVING PUBLIC SPEAKERS

Application No. 12/0929 - Development of up to 600 residential dwellings and ancillary development, including commercial/retail facilities within Use Class A1 (maximum gross internal floorspace of 464 square metres), together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats, and demolition of existing buildings and structures at Trane farm (outline application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus Transport Chapter ES Addendum and Transport Assessment received 25 November 2013 (amended description 18 February 2014)(amended plans received 17 December 2014 showing revised highway alignment and sections, including retention of bat roost at Trane Lane and indicative proposals for green corridors, dark corridors and associated highway crossing points within the development site) – Land at Trane Farm, Tonyrefail

The Committee was informed by the Development Control Manager that at the site inspection held on 28 April 2015, it was evident from the comments and concerns raised by Members that they wished the possibility of an alternative access point to be investigated and accordingly, Officers were currently in discussions with the applicant. As

these discussions were ongoing, it was recommended that consideration of the application be deferred to receive a report back on the outcome.

A discussion ensued and it was **RESOLVED** in accordance with the oral recommendation of the Officer, to defer the application to receive the outcome of the further discussions taking place with the applicant regarding alternative access arrangements.

(**Note:** In view of the above decision, the Chairman informed the persons present to address the Committee on the application that if they wished to speak when the matter was next reported to the Committee, they would have to submit fresh requests to do so).

203 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING A PUBLIC SPEAKER

Application No.15/0347 – Domestic garage and hard-stand to rear – Ynys House, Maindy Crescent, Ton Pentre

In accordance with adopted procedures, the Committee received Mrs.H.Paul (Objector), who was afforded five minutes to address Members on the above-mentioned application.

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

204 DEFERRED APPLICATION INVOLVING PUBLIC SPEAKERS

Application No.13/0890/10 – New Mobile Home – Land North of Gellifendigaid Transmitter, Coed y Cwm

In accordance with adopted procedures, the Committee received Mr.R.Hathaway (Agent) and Mrs.L.Carr (Applicant), each being afforded five minutes to address Members on the above-mentioned application.

Non-Committee/Local Member – County Borough Councillor S.Pickering – also presented her views on the application.

The Committee considered the application, as outlined in the report of the Service Director, Planning and following a lengthy discussion, it was **RESOLVED** that as Members were minded to approve temporary planning consent for a period of five years subject to conditions, contrary to the recommendation of the Service Director, Planning because they considered that the new enterprise satisfied the functional need test and that a temporary consent of five years would afford the applicant the

opportunity to demonstrate the financial viability of the new business enterprise as a going concern, the matter be deferred for a further 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.

205 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 amendments required to proposed Conditions 18 & 24, as outlined in the report, relating to Application No.13/1221 – Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and Paragraph 6 of Schedule 14) Hendy Quarry, School Lane, Miskin, Pontyclun.

Following consideration of the applications before them, Members **RESOLVED** –

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

14/1598 – Demolition of existing Baptist Church and erection of a three bedroom detached house (amended plans received 23/03/2015) – Former Baptist Church, Ton Coch Terrace, Cefnpennar, Mountain Ash

14/1682 – Soil Remediation Works – Clariant UK Ltd, Llantrisant Road, Llantwit Fardre

15/0044 – Proposed storage facility – Country Timbers and The Potting Shed, Ynysmaerdy Industrial Estate, Ynysmaerdy, Llantrisant

- (2) In accordance with the recommendation of the Service Director, Planning, to approve application no.**13/1221** – Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and Paragraph 6 of Schedule 14) – Hendy Quarry, School Lane, Miskin, Pontyclun (Letter and attachments received on 15.10.2014 and a dormouse survey report dated November 2014 received on 08.01.15) - Hendy Quarry, School Road, Miskin, Pontyclun – subject to Conditions 18 & 24 being amended to read as follows:

Condition 18

All individual blasts shall be designed, managed and implemented to minimise the extent of air over pressure resulting from blasts. If air over pressure exceeds 120dB at any residential property the

Local Planning Authority shall be informed within 7 days and the design, management and implementation of the blasts must be reviewed and revised in accordance with the findings of such review prior to any further blasting being undertaken at the site.

Reason: To limit air overpressure from blasting operations so as to protect the amenities of local residents and the structure of buildings in accordance with policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Condition 24

Within 6 months of the date of this consent, a dust management plan scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to minimise dust emissions from quarrying operations, to include the following matters:-

- (i) Soils and overburden shall not be handled during dry conditions unless the working areas are first dampened down;
- (ii) Drilling of shot holes shall be undertaken using drilling rigs fitted with a suitable dust collection system;
- (iii) Site roads within the quarry shall be dampened down as appropriate, in accordance with the requirement of Conditions 22 and 23;
- (iv) The site entrance road shall be maintained by use of a road sweeper which shall operate as required to maintain the surface of the road free of mud and other detritus.
- (v) All lorries, once loaded, shall be sheeted prior to leaving the site, with the exception of any load carrying plus 75mm size stone.
- (vi) The speed of haulage vehicles at the site will be restricted to 10mph.
- (vii) All site vehicles will be fitted with upswept exhausts and radiator fan shields.
- (viii) Lorries will be loaded so as to avoid spillages.
- (ix) All site traffic will be kept to the designated haul routes
- (x) Any product or waste spillages will be cleared to avoid accumulations.
- (xi) Drop heights will be minimised at loading and discharge points.

- (xii) Regular compaction, grading and maintenance of all on site non metalled roads used as a consequence of the quarrying operations.
- (xiii) All product and waste stockpiles shall be watered as and when necessary to minimise the suspension of dust.

The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- (3) To defer application no.14/1702 – Change of use to an 8 bedroom student house in multiple occupation (amended plans received 17 March 2015) – 29 Llantwit Road, Treforest, Pontypridd – to enable further discussions to take place with the applicant regarding the number of bedrooms proposed and parking issues.

206 DEFERRED APPLICATIONS

(1) Application No.11/0410/15 – Renewal of Outline Planning Permission (05/1878) – Proposed residential development – Land between Manchester Place/Langland Close (Nidum Factory Site), Hirwaun

With reference to Minute No.9(7) (Development Control Committee, 23 June 2011) when Members resolved to approve the above-mentioned application subject to conditions and the applicant entering into a Section 106 Agreement to secure (i) a transport tariff contribution towards improving the strategic highway network (ii) 10% of the total number of units being made available for social rent and (iii) a contribution towards the improvement of existing outdoor play facilities in the area at a rate of £1000 per unit, the Service Director, Planning reported that for the reasons outlined in his report, the Section 106 Agreement had not been concluded.

The Committee was advised that as the Community Infrastructure Levy (CIL) was introduced by the Council on 31 December 2014, the Section 106 Agreement referred to above could no longer constitute a reason for granting planning permission to the extent that the obligation provided funding for infrastructure which would now be funded by CIL.

Following consideration of the report, it was **RESOLVED** in accordance with the recommendation of the Service Director, Planning, to approve the application subject to the conditions as originally agreed but without the

Transport Tariff contribution element of the Section 106 agreement, however, the following requirements of the Section 106 will remain:

- 10% of the total number of units being made available for social rent.
- A contribution towards the improvement of existing outdoor play facilities in the area at a rate of £1000 per unit.

(2) Application No.14/1178/10 – Construction of 2 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 arrangements and the deletion of a retaining wall from the scheme – Land adjacent top 3 Cwm Isaac, Rhigos, Aberdare

Pursuant to Minute No.181 (Development control Committee, 2 April 2015) when Members were minded to refuse the above-mentioned 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 and the proposed development would have a detrimental impact on the rural character of the lane, the Service Director, Planning gave his views on matter and reported that if Members were still minded to refuse permission, the reason set out in his report reflected their views.

It was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to refuse the application for the following reason:

1. The proposed development, by virtue of the impact of the proposed turning head and car parking spaces to serve the new dwellings, would have a detrimental impact on the rural character of the lane known as Cwm Isaac and would thus have a harmful effect on the character and appearance of the surrounding area. This is considered contrary to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

207 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) and an Overview of Enforcement Cases for the period 6 April -1 May 2015 and it was **RESOLVED** to note the report.

These minutes are subject to approval as an accurate record at the next meeting of the Development Control Committee

**G.STACEY
CHAIRMAN**

The meeting terminated at 6.05 p.m.