

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 July 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	R.Lewis	G.Smith
J.Bonetto	C.J.Middle	(Mrs) J.S.Ward
(Mrs) L. De Vet	S.Rees	P.Wasley
M.Griffiths	(Mrs) A.Roberts	M.J.Watts
(Mrs) S.Jones		

Non-Committee Members in Attendance:

County Borough Councillor D.R.Bevan

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
Mr.D.Hart – Senior Environmental Health Officer

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors P.Jarman, S.Powderhill, G.P.Thomas and E.Webster.

12 DECLARATIONS OF INTEREST

There were no declarations of interests in matters pertaining to the agenda at this point in the meeting.

13 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.

14 REQUEST FOR A SITE INSPECTION

RESOLVED to defer Application No.14/1621 – Change of use from car sales forecourt to car wash and valet facility with associated external works including erection of car wash canopy (amended plans received 24.03.15) – Land adjacent to 12 Cardiff Road, Aberaman, Aberdare – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider noise nuisance and highways issues.

(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 she wished to speak when the matter was next reported to the Committee, she would have to submit a fresh request to do so).

15 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.

16 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 the contents of a “late” letter received from an objector in relation to application no.15/0426 – Detached 3 bedroom bungalow with parking for three cars – Bodwenarth Farm, Heol Mynydd, Cilfynydd, Pontypridd.

Following consideration of the applications before them, Committee Members **RESOLVED** -

(1) In accordance with the recommendation of the Service Director, Planning, to approve application no.13/1100 – Outline Permission for a New college building at the old goods yard site, Aberdare including the refurbishment and extension of an existing disused station building, new car park and associated servicing and landscape spaces – Former Railway Good Yard, Robertstown, Aberdare – subject to:

- (i) The recommended conditions set out in the report.
- (ii) The Service Director, Planning being authorised to add, amend or

vary any condition before the issuing of the planning permission, providing such changes to not affect the nature of the development or permission;

- (iii) The submission of an amended Flood Mitigation Strategy.
- (iv) No objection being received from Natural Resources Wales
- (v) The applicant and any other interested parties entering into a legal agreement to make a financial contribution of £73,432 in lieu of mitigation measures for nil detriment of the development on the local highway network.

and that the Committee undertakes a site inspection to consider highways issues, in advance of any 'detailed' application being submitted to the Committee for consideration and determination.

It was noted that the application did not need to be referred to Welsh Government as only part of the site and not the whole was within the C2 flood zone.

(Note: County Borough Councillor J.Bonetto declared a personal interest in the above-mentioned application stating "I am a co-opted governor of Coleg Cymoedd").

- (2) To approve application no.14/1078 – Variation of condition 14 of appeal decision 2147385 of application 06/1842/10 relating to Noise Limits – Fforch Next Wind Farm, Glyn Ogwr, Bridgend – in accordance with the recommendation of the Service Director, Planning subject to the conditions listed in the report and to:
 - (i) The completion of the Section 106 Agreements in respect of the planning applications submitted to Bridgend County Borough Council reference numbers P/14/540/RLX and P/541/RLX for the relaxation of condition 29 of P/06/0417/FUL and condition 29 of P/06/0180 relating to noise limits at Pant-y-Wal Wind Farm and Fforch Next Wind Farm respectively.
 - (ii) The applicant (and any other party/parties with an interest in the land) entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 in order to agree:
 - a) that the tables of noise limits set out as Table 5.15 (Set 4) Proposed Planning Condition Limits for the Existing Fforch Nest Wind Farm – RCT CBC Turbines 15-21 ('Other times') and Table 5.16 (Set 4) Proposed Planning Condition Limits for the Existing Fforch Nest Wind Farm – RCT CBC Turbines 15-21 ('Night-time') in the White Young Green Noise Assessment January 2015 shall

be implemented and observed by the Developer from the date that the planning permission is issued.

b) that the escrow account secures the restoration of the Site pursuant to the current application.

(3) To approve application no.15/0426 – Detached 3 bedroom bungalow with parking for three cars – Bodwenarth Farm, Heol Mynydd, Cilfynydd, Pontypridd – in accordance with the recommendation of the Service Director, Planning.

17 DEFERRED APPLICATION

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

Pursuant to Minute No.204 (Development Control Committee, 15 May 2015) when Members were minded to approve temporary planning consent for a period of five years subject to conditions contrary to Officer recommendation because they considered 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 Service Director, Planning, in his report, set out his views on the matter and recommended the application be refused for the reasons specified.

However, the Director informed Members that if they were still minded to grant temporary planning permission contrary to his recommendation then it was suggested that the conditions listed in his report should be imposed.

The Development Control Manager reported orally on the need to amend the wording of suggested Condition No.4 to ensure the passing bays would be maintained in perpetuity.

Following consideration of the report, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to approve temporary planning consent for a period of five years subject to the five conditions listed in the report with the amendment to No.4 to ensure passing bays are maintained in perpetuity, for the reasons listed above.

18 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No.15/0147 – Drill an exploratory borehole to test for unconventional gas reserves in the Westphalian and Namurian strata – Land next to farm access track at Hendre Owen Farm, Llanharan

With reference to Minute No.16 above, the Committee received Mr.C.Patten (Applicant's Agent) and Ms.E.Thomas (Objector), each being afforded five minutes to address Members on the above-mentioned proposal. Mr.C.Patten exercised the right to respond to the Objectors' comments.

The Committee noted that due to unforeseeable circumstances, an apology for absence had been received from Non-Committee/Local Member for Llanharan – County Borough Councillor G.Hopkins.

Following a discussion on the proposal, it was **RESOLVED** to defer the application to consider whether there were any implications for the proposal contained within the DEFRA Report which was released yesterday and that in the meantime, the Council's Ecologist be asked to provide further detailed comments on the Ecological Survey submitted by the Applicant owing to concerns about the time of year the study was carried out.

19 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons) for the period 8 June – 19 June 2015 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 5.40 p.m.