

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, 6 August 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

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

Non-Committee Members in Attendance:

County Borough Councillors D.R.Bevan, S.Bradwick, M.Forey and G.Hopkins

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

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors L.M.Adams, (Mrs) L. De Vet, G.P.Thomas and M.J.Watts.

36 DECLARATIONS OF INTEREST

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

37 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.

38 MINUTES

RESOLVED to approve as accurate records, the minutes of the meetings of the Development Control Committee held on 2 July, 9 July and 16 July 2015.

39 REQUESTS FOR SITE INSPECTIONS

RESOLVED to defer Application No.15/0692 – Raising of roof to provide first floor accommodation and 2 no. Single storey extensions to the side and front of the bungalow – 9 Tanybryn, Penrhiwceiber, Mountain Ash – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the overbearing impact of the proposal on the neighbouring properties.

40 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.

41 DEFERRED APPLICATION 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

In accordance with adopted procedures, the Committee received Mr.C.Patten (Agent), Ms.A.Evans (Objector) and Ms.C.Scanlon (Objector), each being afforded five minutes to address Members on the above-mentioned application. Mr.Patten also exercised his right to respond to the comments of the Objectors.

Non-Committee/Local Member – County Borough Councillor G.Hopkins – also addressed the Committee on his objections to the proposal.

Pursuant to Minute No.18 (Development Control Committee, 2 July 2015) the Service Director, Planning reported that owing to the early draft status of the DEFRA paper, he considered it premature and potentially misleading for inferences and implications to be drawn from it in relation to the the application currently before the Committee.

The Service Director, Planning also reported that the Council's Ecologist had confirmed that it was not considered necessary for additional (Summer) ecological survey work to be undertaken in relation to the planning application. However, in accordance with the Ecologist's advice an additional condition was recommended regarding a "Wildlife Protection Plan for Construction".

It was also recommended that recommended Condition 3 should be amended to permit testing and monitoring of the borehole in addition to site restoration once drilling operations were completed.

The Development Control Manager then reported orally on the following:

- 50 "late" letters objecting to the proposal
- A "late" letter jointly signed by two local MPs suggesting that if the Committee was minded to grant permission the matter should be referred to Welsh Government for determination
- Correspondence from Welsh Government indicating that there was no intention to Call-In the application and it was for the Committee to determine the application and confirmation had also been received that the application did not require an Environmental Impact Assessment under the Environmental Impact Assessment Regulations

Following lengthy consideration of the proposal, 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 application site lies outside of the settlement limits of Llanharan and Pontyclun as defined in the LDP Policy SSA 13 and is located within a green wedge between Llanharan, Pontyclun and Llanharry (Policy SSA 22.4) and the development will have a significant adverse visual impact on the Grade 2 Historic Park and Garden and the Grade 2 Listed Building Llanharan House as a consequence it is out of accord with Policy SAW5, AW8 and AW12 insofar as there is an unacceptable effect upon the interest of residential amenity, cultural heritage and landscape importance, 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.

42 SITE INSPECTION INVOLVING PUBLIC SPEAKERS

Application No.14/1621 – Change of Use from Car Sales Forecourt to Car Wash and Valet Facility and associated external works including

**erection of car wash canopy (amended plans received 24/03/15) –
Land adjacent to 12 Cardiff Road, Aberaman, Aberdare**

In accordance with adopted procedures, the Committee received Ms.D.Langmead (Applicant) and Mr.D.Thickett (Supporter), each being afforded five minutes to address Members on the above-mentioned application.

Non-Committee/Local Members – County Borough Councillors S.Bradwick and M.Forey also addressed the Committee, each speaking in support of the proposal.

In his report, the Director, Legal & Democratic Services outlined the outcome of a site inspection held on 13 July 2015 in respect of the application when Members considered noise nuisance and highways issues.

The application was recommended for refusal by the Service Director, Planning for the reasons outlined in Appendix 1 to the report.

Following a discussion, it was **RESOLVED** that as Members were minded to approve the application subject to a temporary consent for three years subject to conditions contrary to the recommendation of the Service Director, Planning because they considered there would be no noise nuisance or general disturbance arising from the proposed business and that the situation could be monitored during period of the temporary consent, 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.

43 APPLICATIONS RECOMMENDED FOR APPROVAL

In his report, the Service Director, Planning set out details of applications recommended for approval subject to conditions.

The Development Control Manager reported orally on the following:

- “late” correspondence from a neighbour in respect of application no.15/0453 – Widening of existing vehicular/pedestrian access including alterations to existing boundary wall with addition of pedestrian gate. Additional parking within the site and associated works – Chapel House, Llantrisant Road, Groesfaen – indicating the presence of Adders at the site and as a result, the Council’s

Ecologist suggested the application be deferred to allow him to investigate as a precautionary measure and report back

- A “late” letter from Non-Committee/Local Member – County Borough Councillor S.Pickering – raising no objection in relation to Application No.15/0715 – Erection of 2 domestic garages – Land rear of 67 Crawshay Street, Ynysybwl

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:

- 14/1533** – Phase 1 of regeneration scheme to include a co-housing scheme for 10 units and a shared community house facility – Land to East of Heol Y Waun but within Heol Pendyrus, Penrhys
- 15/0473** – Industrial development of 9272m2 GIA along with associated service yards and parking. Reserved matters of access, appearance, landscaping, layout and scale sought as part of this submission – Land at Parc Eirin, Wilfried Way, Tonyrefail
- 15/0715** – Erection of 2 domestic garages – Land rear of 67 Crawshay Street, Ynysybwl
- 15/0731** – Single storey rear kitchen/w.c. extension with flat roof – 44 James Street, Maerdy

(2) To defer Application No.**15/0453** – Widening of existing vehicular/pedestrian access including alterations to existing boundary wall with addition of pedestrian gate. Additional parking within the site with associated works – Chapel House, Llantrisant Road, Groes Faen, Pontyclun – at the request of the Council’s Ecologist to undertake an inspection of the site to establish whether Adders are present.

44 APPLICATION RECOMMENDED FOR REFUSAL

Application No.14/1593 – Construction of 8 self contained flats, 2 houses and associated works (additional information received 06/02/15 and 09/02/15, amended plans received 30/06/15) – Vacant Land between 117 and 119 Trehafod Road, Trehafod, Pontypridd

In his report, the Service Director, Planning set out details of the above-mentioned application which was recommended for refusal for the reasons outlined.

The Development Control Manager reported orally that the applicant was now requesting the Committee to defer the application to enable a revised scheme to be submitted which would overcome the highway objections.

Following consideration of the matter, it was **RESOLVED** to accede to the request of the applicant and defer the application to receive a revised scheme and that in the meantime, the Housing Strategy Team be requested to comment on the size of the units proposed as to their adequacy.

45 **INFORMATION REPORT**

In this report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons) for the period 6 July – 24 July 2015 and it was **RESOLVED** to note the report.

**G.STACEY
CHAIRMAN**

The meeting terminated at 6.50 p.m.