

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, 20 August 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

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

Non-Committee Members in Attendance:

County Borough Councillors (Mrs) M.E.Davies, J.Elliott and B.Stephens

Officers in Attendance

Mr.S.Gale – Service Director, Planning
Mr.C.Jones - Development Control Manager
Mr.S.Humphreys – Head of Legal - Planning & Environment
Mr.S.Zeinalli – Highways Development & Adoptions Manager

46 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, C.J.Middle, S.Powderhill, G.Smith, P.Wasley and E.Webster.

47 DECLARATIONS OF INTEREST

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

- (1) From County Borough Councillor M.Griffiths in respect of Application No.15/0411 – Construction of solar park to include the installation of solar panels to generate approximately up to 4 MW of electricity with substations, transformers, spare parts container, security fencing, landscaping, grid connection and other associated works together with the retention of existing grazing and measures to promote biodiversity -

Agricultural land at Trecastell, Four Fields Centred on Grid Ref 302180, 181585, Llanharry – “The applicant is a close friend, it is also a prejudicial interest and I will leave the meeting for this item”.

(2) From County Borough Councillor P.Jarman in respect of Application No.15/0667 – Remove existing 2 no. Ground floor level portacabin units at the rear of the surgery building and replace them with 12 no. Portacabins (6 no. at ground floor and 6 no. above) The 12 no. Portacabin units to be used as additional working floorspace for the Cynon Vale Medical Practice in conjunction with the existing surgery and retained for a temporary period of no more than 3 years (amended plans received 22 June and 15 July 2015) (revised description of development 28 July 02015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash – “I was invited to visit the Practice by the Practice Manager, I declined the invite as is my usual practice and made him aware of the Council’s informal planning advice service.”

(3) From County Borough Councillor (Mrs) J.S.Ward in respect of Application No.15/0667 – Remove existing 2 no. Ground floor level portacabin units at the rear of the surgery building and replace them with 12 no. portacabins (6 no. At ground floor and 6 no. Above) The 12 no. portacabin units to be used as additional working floorspace for the Cynon Vale Medical Practice in conjunction with the existing surgery and retained for a temporary period of no more than 3 years (amended plans received 22 June and 15 July 2015) (revised description of development 28 July 02015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash – “I am registered at the Practice”.

48 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.

49 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 6 August 2015.

50 REQUESTS FOR SITE INSPECTIONS

RESOLVED –

- (1) To defer Application No.**15/0667** – Remove existing 2 no. Ground floor level portacabin units at the rear of the surgery building and replace them with 12 no. portacabins (6 no. at ground floor and 6 no. above) The 12 no. portacabin units to be used as additional working floorspace for the Cynon Vale Medical Practice in conjunction with the existing surgery and retained for a temporary period of no more than 3 years (amended plans received 22 June and 15 July 2015) (revised description of development 28 July 02015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider planning, highways and ecology issues.
- (2) To defer Application No.**15/0087** – Two storey extension and rear dormer window to existing house (amended plan and description received 11/05/2015) – 115 Queen Street, Treforest, Pontypridd – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider highways and public health issues.
- (3) To defer Application No.**15/0258** – Single storey extension and rear dormer window to existing house – 1 Meadow Street, Treforest, Pontypridd - for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider highways and public health issues.

51 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.

52 SITE INSPECTION INVOLVING PUBLIC SPEAKERS

Application No.15/0576 – Engineering Operations to Construct a Surface Water Drainage Scheme to serve 21 no. Residential dwellings – Land at Pleasant Heights, Porth

In accordance with adopted procedures, the Committee received the following public speakers, each being afforded five minutes to address Members on the proposal:

- (1) Mr.R.Baker (Agent)
- (2) Mrs.Barroll (Objector)
- (3) Mr.R.Venting (Objector)
- (4) Mr.T.Davies (Objector)

and the Applicant's Agent, Mr. Baker, exercised his right to respond to the comments made by the objectors.

Non-Committee/Local Member – County Borough Councillor (Mrs) M.E. Davies also addressed the Committee expressing her concerns about the proposal.

The Development Control Manager reported orally as follows:

- (a) The need to amend the wording of suggested Condition No.3 to include reference to any flood risk;
- (b) The contents of a "late" letter from A.J. David of Turberville Road, Porth requesting a deferral of the application for Committee Members to view the site from the rear gardens of properties in Turberville Road to see how the proposed swale would impact upon them;
- (c) The contents of a "late" letter from County Borough Councillor P. Wasley giving his views on the proposed drainage scheme owing to the amount of surface water that cascades off the mountainside during inclement weather.

Following lengthy consideration of the matter, 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 swale would create a danger to public safety and the potential for flooding, the matter be deferred to the next appropriate meeting of the 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.

53 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKER

Application No.15/0411 – Construction of solar park to include the installation of solar panels to generate approximately up to 4 MW of electricity, with substations, transformers, spare parts container, security fencing, landscaping, grid connection and other associated works, together with the retention of existing grazing and measures to promote biodiversity – Agricultural land at Trecastell, Four Fields centred on Grid Ref 302180, 181585, Llanharry

(Note: Having previously declared a prejudicial interest in the above-mentioned application (Minute No.47(1) above refers), County Borough Councillor M.Griffiths left the meeting for this item)

In accordance with adopted procedures, the Committee received Mr.John McIntyre (Agent), who was afforded five minutes to address Members on the above proposal.

Non-Committee/Local Member – County Borough Councillor B.Stephens – also addressed the Committee in support of the application.

The Development Control Manager reported orally that if the Committee was minded to approve the application it would be necessary to amend the wording of suggested conditions 6, 7, 11 and 19 and he reported on the required amendments.

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

(1) The applicant (and other party/parties with an interest in the land) first entering into an agreement of Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that in general terms would secure the following measures for the 30 year life of the development:-

- The provision and compliance with a Management and Aftercare Statement of all the land to include hedgerow and tree enhancement and management measures
- The provision and compliance with a Wildlife Corridor Management Statement
- The provision and compliance with a Sustainable Drainage Management Strategy
- The agricultural use, management and drainage of the land during the operational use of the solar farm to include restriction on the use of fertiliser application
- Means of consultation and agreement between the solar farm operator and the Council regarding the implementation measures
- The development of a working programme, reporting and an annual site management meeting

(2) The recommended conditions set out in the report subject to Conditions 6,7,11 and 19 being amended to read as follows:

Condition 6

All new landscape planting shall be undertaken in accordance with the new “British Standard BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations”. This document shall be emphasised to and followed by all interested parties including contractors and developers.

Condition 7

No external artificial lighting shall be provided during the construction phase or installed during the operation of the site as a solar farm, unless otherwise agreed in writing with the Local Planning Authority.

Condition 11

Prior to the commencement of development, a detailed site investigations report for the area where the mine shaft is located shall be submitted to and approved in writing by the Local Planning Authority.

Condition 19

If the solar farm ceases to operated for a continuous period of 12 months at any time during its lifetime and in any event at least 6 months prior to the final decommissioning of the solar farm at the end of the planning permission, a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include a programme of works to demonstrate that the solar panels, transformer and substation buildings, tracks, associated infrastructure, fencing and any other ancillary equipment will be removed from site and how the site shall be restored back to its former agricultural use and a timescale for these works and site restoration. The Decommissioning Method Statement and its programme of works shall be fully implemented in accordance with the approved details and timing within 12 months of date of its agreement by the Local Planning Authority.

- (3) That the Service Director, Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.

54 SITE INSPECTION

Application No.15/0581 – Outline Planning for 1 no. detached bungalow and 16 no. semi-detached bungalows (8 no. Pairs), off road parking, access road and associated works – Former Cwmbach Infants School, Bridge Road, Cwmbach, Aberdare

Pursuant to Minute No.28(2) (Development Control Committee, 16 July 2015) the outcome of a site inspection undertaken on 31 July 2015 to consider the impact of the above-mentioned proposal on the area, access arrangements and highways issues was set out in the report of the Director, Legal & Democratic Services together with an update report from the Service Director, Planning recommending the Committee to defer the application pending the outcome of further discussions with Dwr Cwmru/Welsh Water regarding the drainage infrastructure in the Cynon Valley.

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

55 APPLICATIONS RECOMMENDED FOR APPROVAL

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

In respect of Application No.15/0432 – Construction of commercial units for B1, B2 & B8 usage together with car parking – Unit 5 Navigation Park, Abercynon – the Development Control Manager reported orally that 22 and not 24 off-street parking spaces were proposed to be provided to the front of the site with access being gained via the existing entrance off the main highway through the estate.

In respect of Application No.15/0474 – Residential development of 225 new homes with associated parking and open space. Reserved matters of access, appearance, landscaping, layout and scale sought as part of this submission – Land at Parc Eirin, Wilfried Way, Tonyrefail – the Development Control Manager reported orally on the contents of a “late” letter received from County Borough Councillor P.Wasley expressing his concern as to the lack of connectivity to the main shopping centre of Tonyrefail, the need for the development and the three swales/open reservoirs proposed on the site.

A discussion ensued and it was **RESOLVED** –

- (1) To approve application no. **15/0432** – Construction of commercial unit for B1, B2 & B8 usage together with car parking – Unit 5,

Navigation Park Abercynon – in accordance with the recommendation of the Service Director, Planning

- (2) To defer consideration of application no. **15/0474** – Residential development of 225 new homes with associated parking and open space. Reserved matters of access, appearance, landscaping, layout and scale sought as part of this submission – Land at Parc Eirin, Wilfried Way, Tonyrefail - for further information relating to the need for three storey dwellings, the ecological value of the site, the depth and safety implications of the swale method of drainage and the consultation response from the Police Authority.
- (3) To approve application no. **15/0857** – Erection of 77 no. 2, 3 & 4 bedroom properties and all associated works – Land at Elms Farm off Stryd Silurian, Llanharry – in accordance with the recommendation of the Service Director, Planning.

56 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons), an Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 27 July – 5 August 2015 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 6.20 p.m.