

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **DEVELOPMENT CONTROL COMMITTEE**

**Minutes** of the meeting of the Development Control Committee held at The Pavilions, Cambrian Park, Clydach Vale on Thursday, 17<sup>th</sup> September, 2015 at 5 p.m.

#### **PRESENT**

County Borough Councillor G.Stacey – in the Chair

#### **County Borough Councillors**

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

#### **Non-Committee Members in Attendance**

County Borough Councillors S.Bradwick, G.R.Davies, G.Hopkins, C.Leyshon and S.Pickering

#### **Officers in Attendance**

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

#### **57 APOLOGY FOR ABSENCE**

An apology for absence was received from County Borough Councillor J.Bonetto.

#### **58 DECLARATIONS OF INTEREST**

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

- (1) From County Borough Councillor L.M.Adams in respect of Application No.15/0813 – Extension of existing car park (amended red line received 16/07/15), St John Baptist High School, Glan Road, Cwmdare – “My children attended St.John Baptist High School”.

- (2) From County Borough Councillor L.M.Adams in respect of Application No.15/0884 – to install 3 No. temporary buildings to be used as additional classroom facilities. To be reviewed after 3 years, St John Baptist High School, Glan Road, Cwmdare, Aberdare – “My children attended St.John Baptist High School”.
- (3) 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. portacabins 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 2015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash – “I declined the offer of meetings with the Practice Manager of Cynon Vale Medical Practice pre application”.
- (4) From County Borough Councillor R.Lewis in respect of Application No. 15/0695 – Planning application or erection of a 90 m temporary anemometer mast comprised of a singular tubular guyed mast, supported by guy wires with the actual footprint not exceeding 0.1 ha in area. Planning approval is sought for a period of 36 months after which the mast will be dismantled and the ground conditions fully reinstated, land within the construction of Pen y Cymoedd Wind Farm, Easting 294330 Northing 200320 – “I work for for the applicant. It is also a prejudicial interest and I will leave the meeting for this item”.
- (5) 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. portacabins 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 2015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash – “I am a patient of Cynon Vale Medical Practice”.

## **59 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 of Human Rights as incorporated into legislation the Human Rights Act, 1998.

**60 MINUTES**

**RESOLVED** – to approve as an accurate record the minutes of the meeting of the Development Control Committee held on the 20<sup>th</sup> August, 2015.

**61 REQUEST FOR SITE VISITS**

**RESOLVED** – to defer Application No.15/0795 – The demolition of existing buildings on site and the construction of 14 No. affordable residential dwellings, Ty Gwyn Psychological Centre, land to the west of Seaton Street, Pontypridd – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider highways and environmental impact issues.

(**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).

**62 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.

**63 SITE INSPECTIONS INVOLVING PUBLIC SPEAKERS**

**(1) 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**

In accordance with adopted procedures, the Committee received Ms.T.Paine (Applicant) (public speaker) who was afforded five minutes to address Members on the proposal.

Following 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 proposed development would effectively convert the existing single storey bungalow into a two storey dwelling and this would have a visible impact on the surrounding area as well as being `out of character` with the current layout of the street,

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 the recommendations, prior to determining the matter.

(**Note:** County Borough Councillor M.J.Watts declared a personal interest on the above-mentioned application – “I have a personal friend who lives in the area. I will not be voting on this matter”.)

- (2) **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, 2015) – Cynon Vale Medical Practice, 8 Cardiff Road, Mountain Ash**

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.J.Palmer (Supporter)
- (2) Ms.C.Thomas (Objector)

and Mr.J.Palmer exercised his right to respond to the comments made by the objector.

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 proposal as an unsuitable facility in view of its design and due to the lack of parking spaces which would cause congestion and potential highway problems, 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 the recommendation, prior to determining the matter.

**64     APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS**

- (1)     **Application No.15/0703 – Construction of two wind turbines of up to 67.5m tip height and associated new access track and infrastructure, on land at Mynachdy Farm, Mynachdy Road, Ynysybwl, Pontypridd**

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.Isaac (Supporter)  
(2) Mr.S.Hack (Applicant)

The Development Control Manager reported orally on the contents of two “late” letters from the Head of Airfield Operations of Cardiff Airport and from the Clerk of Ynysybwl & Coed y Cwm Community Council both respondents raising no objections to the proposal.

**RESOLVED** – to approve the application in accordance with the recommendation of the Service Director, Planning.

- (2)     **Application No.15/0813 – Extension of existing car park (amended red line received 16/07/15), St.John Baptist High School, Glan Road, Cwmdare, Aberdare**

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

Non-Committee Member – County Borough Councillor S.Bradwick also addressed the Committee in support of the application.

**RESOLVED** - to approve the application in accordance with the recommendations of the Service Director, Planning.

- (3)     **Application No.15/0884 – To install 3 No. temporary buildings to be used as additional classroom facilities. To be reviewed after 3 years, St.John Baptist High School, Glan Road, Cwmdare, Aberdare**

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

Non-Committee Member – County Borough Councillor S.Bradwick also addressed the Committee in support of the application.

Following consideration of the proposal, it was **RESOLVED** – to approve the application in accordance with the recommendation of the Service Director, Planning subject to Condition 4 being amended to read as follows:-

“Vehicular access to and from the site during and after construction shall be restricted to Glan Road with emergency access only off Oxford Street unless otherwise agreed in writing by the Local Planning Authority.”

## **65 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS**

**Application No.15/0814 – Change of use to a mixed use of residential and child minding facility for up to 12 children up to the age of 8 – 2 Llewellyn Terrace, Ynysybwl, Pontypridd**

In accordance with adopted procedures, the Committee received Ms.L.Cadwallader (Applicant), who was afforded five minutes to address Members on the above proposal.

Non-Committee/Local Member – County Borough Councillor S.Pickering also addressed Members in support of the application.

Following consideration of the matter, it was **RESOLVED** – that as Members were minded to approve the application contrary to the recommendations of the Service Director, Planning because the property had been approved fit for purpose by CSSIW, there was a lack of child care provision in Ynysybwl, in addition to there would be no occasion whereby 12 children would be at the premises at any given time, it was also the view of the Members that there was sufficient parking spaces within the vicinity; 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 the recommendation, prior to determining the matter.

## **66 SITE INSPECTIONS**

- (1) **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**

Pursuant to Minute No.50(2) (Development Control Committee, 20<sup>th</sup> August, 2015) the outcome of a site inspection undertaken on the 28<sup>th</sup> August, 2015 to consider the highways and public health issues of the above mentioned proposal on the area, which were set out in the report of the Director, Legal & Democratic Services.

At the meeting the Development Control Manager reported orally on the contents of a “late” letter received from DTB Design attached to which was a revised site layout, clarifying the position in respect of the rooms (proposal for no more than 6 bedrooms).

Following consideration of the matter, it was **RESOLVED** – that as Members were minded to refuse the application contrary to the recommendations of the Service Director, Planning because they considered there to be insufficient parking spaces available near the property and the noise generated would have a detrimental impact on amenity, the matter be deferred to the next appropriate meeting of the Committee for a report from the Service Director, Planning, in 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.

(2) **Application No.15/0258 – Single storey extension and rear dormer window to existing house – 1 Meadow Street, Treforest, Pontypridd**

Pursuant to Minute No.50(3) (Development Control Committee, 20<sup>th</sup> August, 2015) the outcome of a site inspection undertaken on the 28<sup>th</sup> August, 2015 to consider the highways and public health issues of the above mentioned proposal on the area, which were set out in the report of the Director, Legal & Democratic Services.

At the meeting the Development Control Manager reported orally on the contents of a “late” letter received from Ms.J.Jones of Treforest Court, Treforest objecting to the proposal and expressing concern that the streets in the surrounding area of the proposal were `permits only parking` resulting in the car park at Treforest Court being used by non residents

Following consideration of the matter, it was **RESOLVED** – that as Members were minded to refuse the application contrary to the recommendations of the Service Director, Planning because they considered there to be insufficient parking spaces available near the property and the noise generated would have a detrimental impact on amenity, the matter be deferred to the next appropriate meeting of the Committee for a report from the Service Director, Planning, in 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.

**67 APPLICATIONS RECOMMENDED FOR APPROVAL**

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

Following consideration of the applications before them, Members **RESOLVED** – To approve the under-mentioned applications in accordance with the recommendations of the Service Director, Planning:

- (1) **15/0695** – Planning application for erection of a 90m temporary anemometer mast comprised of a singular tubular guyed mast, supported by guy wires with the actual footprint not exceeding 0.1 ha in area. Planning approval is sought for a period of 36 months after which the mast will be dismantled and the ground conditions fully reinstated, land within the construction site of Pen y Cymoedd Wind Farm, Easting 294330 and Northing 200320

**(Note:** County Borough Councillor G.R.Davies who is a non-Committee Member spoke on this item raising no objection to the proposal and outlining concerns to any similar proposals in the future within the locality that he represents).

**(Further Noted:** Having previously declared a prejudicial interest in the above-mentioned application (Minute No.58(4) above refers), County Borough Councillor R.Lewis left the meeting for this item).

- (2) **15/0945** – Repair and cleaning of the memorial to Evan James and James James, at Ynysangharad Park, Pontypridd – Ynysangharad Park, Bridge Street, Pontypridd.

## **68 DEFERRED APPLICATIONS**

- (1) **Application No.14/1621/10 – 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 24/0315) at land adjacent to 12 Cardiff Road, Aberaman, Aberdare**

Pursuant to Minute No.42 (Development Control Committee, 6<sup>th</sup> August, 2015) where Members were minded to approve the above-mentioned application contrary to the Officer recommendation because they considered the proposed change of use to be acceptable for a temporary period of three years.

Following consideration of the further report of the Service Director, Planning highlighting the potential strengths and weaknesses of taking a decision contrary to the recommendation, it was **RESOLVED** – that contrary to the recommendation of the Service Director, Planning to approve the application subject to the conditions as set out in the report.

- (2) **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**



Pursuant to Minute No.41 (Development Control Committee, 6<sup>th</sup> August, 2015) where Members were minded to refuse the above-mentioned application contrary to the Officer recommendation because they considered *the application lies outside of the settlement limits of Llanharan and Pontyclun as defined in the LDP Policy SSA13 and is located in 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 the proposal is out of accord with LDP Policies AW5, AW8 and AW12 insofar as there is an unacceptable effect on the interest of residential amenity, cultural heritage and landscape importance.*

Following lengthy consideration of the proposal and the further report of the Service Director, Planning outlining the strengths and weakness of taking a decision contrary to the recommendation, it was **RESOLVED** – that contrary to the recommendation of the Service Director, Planning to refuse the application for the reason as set out above (in italics) thus reflecting Members concerns.

#### **69     INFORMATION REPORT**

In his report, the Service Director, Planning set out details of Planning & Enforcement Appeals Decisions Received; Delegated Decisions (approvals with reasons), Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 6<sup>th</sup> August – 5<sup>th</sup> September, 2015 and it was **RESOVLED** – to note the information.

**G.STACEY  
CHAIRMAN**

**The meeting closed at 7.35 p.m.**