

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, 5 November 2015 at 5 p.m.

PRESENT

County Borough Councillor M.Griffiths – in the Chair

County Borough Councillors

J. Bonetto	S. Powderhill	G.P. Thomas
P. Jarman	S. Rees	(Mrs) J.S. Ward
(Mrs) S.J. Jones	(Mrs) A. Roberts	P. Wasley
R. Lewis	G. Smith	E. Webster

Non-Committee Members in Attendance:

County Borough Councillors J. Elliott, K. Morgan and 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

85 CHAIRMAN

In the absence of the Chairman, County Borough Councillor G. Stacey, the Vice-Chairman, County Borough Councillor M. Griffiths, occupied the Chair for the meeting.

86 APOLOGIES FOR ABSENCE

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

87 DECLARATIONS OF INTEREST

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

- (a) County Borough Councillor S. Powderhill in respect of Application No.15/0705 – Demolition of existing bungalow and detached garage

and construction of new student accommodation comprising 51 bedrooms with en-suite bathrooms and kitchen/dining facilities and associated work (amended plans submitted 22 September 2015 showing re-siting of building, amended parking and access arrangements and inclusion of concierge service) – Park Price, Brook Street, Treforest, Pontypridd – “I have worked on this application within my Ward and made public representations and views, it is also a prejudicial interest but in accordance with paragraph 14(2) of the Code of Conduct, I will speak on the item and then leave the meeting”.

(b) County Borough Councillor P. Wasley in respect of Application No.14/1584 – Outline consent for the demolition of the existing residential and commercial units and the construction of three dwellings (Amended Ownership Certificate 21/05/15) – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – “I have previous association with the land owner and developer and as such, it is also a prejudicial interest and I will leave the meeting for this item”.

88 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.

89 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 15 October 2015.

90 REQUESTS FOR SITE INSPECTIONS

RESOLVED to defer application no.15/0740 – Proposed change of use from Local Authority Offices to student accommodation – Office, Llwyncastan, Library Road, Pontypridd for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider issues concerning location and highways matters.

(Note: The Chairman informed the members of the public present to address Members on the proposal that if they wish to speak when the matter was next reported to the Committee, they would have to submit new requests to do so)

91 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.

92 APPLICATION NO. 14/0913 – ERECTION OF A SINGLE WIND TURBINE AND ASSOCIATED INFRASTRUCTURE ON LAND 440M TO THE WEST OF RHIWFELIN FACH FARM, NORTH OF THE ROYAL MINT, LLANTRISANT, PONTYCLUN

The Chairman informed the Committee that, at the request of the applicant, the above-mentioned application had been withdrawn.

RESOLVED to note the withdrawal of the application by the applicant.

93 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No.15/0705 – Demolition of existing bungalow and detached garage and construction of new student accommodation comprising 51 bedrooms with en-suite bathrooms and kitchen/dining facilities and associated work (amended plans submitted 22 September 2015 showing re-siting of building, amended parking and access arrangements and inclusion of concierge service) – Park Pride, Brook Street, Treforest, Pontypridd

In accordance with adopted procedures, the Committee received Mr. Lance Taylor (Applicant's Agent), who was afforded five minutes to address Members on the above-mentioned application.

In accordance with Paragraph 14(2) of the Code of Conduct, County Borough Councillor S. Powderhill, who had earlier declared a personal and prejudicial interest in this application, presented his concerns on the impact the proposed development would have on the locality and then left the meeting for the matter to be discussed (Minute No.87(a) refers).

The Development Control Manager reported orally on the contents of the following "late" letters received regarding the proposed development:

- from Pontypridd Town Council raising concerns about the lack of parking provision in the vicinity of the site and the excessive scale of the development which would have an intrusive effect on the locality.
- from Mrs L. Jones of Forest View, Brook Street, Treforest objecting to the proposed development

- from Mr P. Thomas of King Street, Treforest objecting to the proposal.

The Development Control Manager then outlined the application which was recommended for approval subject to conditions and to the applicant first entering into a planning obligation to prevent occupation of the development by no more than six car-owning students at the accommodation.

A lengthy discussion ensued and 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 scale of the proposed development would be excessive and create overdevelopment on the site contrary to Policy AW5; and there was lack of car parking provision for the development which would result in an adverse effect on the amenity of the area contrary to Policy CS2, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further report on the strengths and weaknesses of taking a decision contrary to the Director's recommendation, prior to determining the matter.

(Note: County Borough Councillor (Mrs) S.J. Jones declared a personal interest in the above-mentioned matter stating "I am a member of the South Wales Fire & Rescue Authority and as there is a fire station located in the vicinity of the application site, I will not take any part in the proceedings or vote on the application).

(2) Application No.15/0976 – Reserved Matters Application in respect of details of appearance, landscaping, layout and scale – South Wales Fire and Rescue, Lanelay Lane, Talbot Green

(Note: County Borough Councillor (Mrs) S.J. Jones declared a personal interest in the above-mentioned application stating "I am a member of the South Wales Fire & Rescue Authority and I will not take part or vote on the matter")

In accordance with adopted procedures, the Committee received Mr Peter Waldren (Applicant's Agent) and Mr Huw Evans (Objector), each being afforded five minutes to address Members of the above-mentioned proposal. The Applicant's Agent, Mr Waldren, declined the invitation to respond to the Objector's comments.

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

94 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER

Application No.15/1049 – Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans (resubmission of 15/0604/10) - Ffynon Y Gog Farm, Cefnpennar Road, Cefnpennar, Mountain Ash

In accordance with adopted procedures, the Committee received Mr Rob Hathaway (Applicant's Agent), who was afforded five minutes to address Members on the above-mentioned application.

Non-Committee/Local Member – County Borough Councillor J. Elliott – also addressed the Committee supporting the application.

The Development Control Manager presented the application with the aid of slides and following a discussion, it was **RESOLVED** that as Members were minded to approve the application contrary to the recommendation of the Service Director, Planning because they considered there was no significant impact upon the surrounding area or neighbouring properties, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further report on the strengths and weaknesses of taking a decision contrary to the Director's recommendation, prior to determining the matter.

95 ENFORCEMENT OF PLANNING CONTROL MATTER INVOLVING A PUBLIC SPEAKER

ENFORCEMENT OF PLANNING CONTROL – APPLICATION NOS.10/0292/10 AS AMENDED BY 13/0466/10 TOWER SURFACE COAL MINE SITE, RHIGOS ROAD, HIRWAUN

In accordance with adopted procedures, the Committee received Mr Gordon Sheldon (Objector), who was afforded five minutes to address Members on the above-mentioned enforcement matter.

Non-Committee/Local Member for Hirwaun – County Borough Councillor K. Morgan – then addressed the Committee giving her views on the matter and on the concerns of the locality regarding the height of the overburden mound on the site and its potential to cause harm through collapse.

The Development Control Manager outlined the facts of the matter, as outlined in the report of the Service Director, Planning and reported orally that the developer had indicated that at the request of a complainant, an inspection of the mound was undertaken yesterday by the Health & Safety Executive which had established that no further works were required. This

information was noted but no official feedback on the inspection had been received from the Health & Safety Executive itself.

During the ensuing discussion, reference was made to the public being aware that the developer was submitting further planning applications on the site. Following a discussion on the current situation, it was **RESOLVED** to defer consideration of the matter to enable Officers to enter into discussions with the developer to secure a Section 106 agreement to fund the appointment of an independent enforcement officer on site and that a further report be submitted to the next appropriate meeting of the Development Control Committee to include formal feedback from the Health & Safety Executive regarding the safety of the overburden mound.

REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES

97 SITE VISIT **APPLICATION NO.15/0946 – CHANGE OF USE FROM POLICE STATION TO A SUPPORTED LIVING HOME OFFERING BOTH A SHARED 3 BEDROOM BUNGALOW AND 2 SELF CONTAINED FLATS CONNECTED VIA A STAFF ROOM – CYNON VALLEY CRIME REDUCTION SERVICES, WINDSOR STREET, TRECYNON, ABERDARE**

Pursuant to Minute No.74 (Development Control Committee, 15 October 2015) the Director, Legal & Democratic Services reported on the outcome of a site inspection undertaken on 27 October 2015 to consider highways concerns regarding the above-mentioned proposal and following consideration of his report, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

REPORTS OF THE SERVICE DIRECTOR, PLANNING

98 APPLICATIONS RECOMMENDED FOR APPROVAL

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

In respect of Application No.14/1584 – Outline consent for the demolition of the existing residential and commercial units and the construction of three dwellings (amended Ownership Certificate 21/05/15) – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – the Development Control Manager reported orally on the following corrections required to the report of the Service Director, Planning:-

- The report suggested that Plot 1 of the proposed development was directly accessed from Cowbridge Road whereas Plots 1, 2 & 3 were all to be accessed off a private lane.
- Condition 1 – Bullet Point 2 – needed to be amended to delete reference to the layout, scale and appearance of any building to be erected and the means of access to the site as these were being considered at the outline application stage
- That if Members were minded to approve the application then an Informative should be added to the Decision Notice advising the applicant to have regard to the proximity of the property known as “Woodcote” when submitting details of appearance of the building(s).

In respect of Application No.15/0377 – Variation of Condition 2 of Planning Approval 12/0987/10 to allow the premises to operate as a take-away in addition to the existing provision – Unit 1, The Pantry, The Precinct, Main Road, Church Village – the Development Control Manager reported orally on the contents of a “late” communication received from Public Health & Protection requesting that, if Members were minded to approve the application, an additional condition should be imposed regarding the installation of equipment to suppress and disperse fumes and smells produced by the preparation and cooking of food and to reduce the emission of sound from the exhaust ventilation system.

In respect of Application Nos.15/0711 and 15/0751 – Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 class C3 units, car parking, landscape and associated works - Former Coed Y Lan School, Tyfica/Lanpark Road, Pontypridd – consideration was given to a proposal to convene a site inspection to consider parking issues but after receiving full details of the proposal, with the aid of slides, the Committee decided a site inspection was not necessary.

In accordance with adopted procedures, Non-Committee/Local Member for Cwmbach – County Borough Councillor J.Elliott addressed the Committee on Application No.15/1208 – Construction of 2 no. retail units (Class A3) with modifications to the car parking layout – Riverside Retail Park, Ffordd Tirwaun, Cwmbach, Aberdare.

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

- (1) To approve Application No. **14/1584** – Outline consent for the demolition of the existing residential and commercial units and the construction of three dwellings (amended Ownership Certificate 21/05/15) – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – in

accordance with the recommendation of the Service Director, Planning subject to Condition 2 being amended to read as follows:

1. (a) Approval of the details of the appearance of the building(s) and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the appearance of any building to be erected and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

and the following Informative Note being attached to the Decision Notice.

The applicant is advised that the proposed design of the house on Plot 1 of the development should have regard careful to its relationship with the adjacent property 'Woodcote' and the fenestration within the side elevation of that property.

(Note: Having previously declared an personal and prejudicial interest in the above-mentioned application (Minute No.87(b) above refers), County Borough Councillor P.Wasley left the meeting for this item).

- (2) To approve Application No.15/0355 – Convert existing residential property into 2 no. maisonette/apartments. Each property to have own entry and be independent – Old Parish Offices, George Street, Llantrisant – in accordance with the recommendation of the Service Director, Planning.

- (3) To approve Application No.**15/0377** – Variation of Condition 2 of Planning Approval 12/0897/10 to allow the premises to operate as a take-away in addition to the existing provision – Unit 1, The Pantry, The Precinct, Main Road, Church Village – in accordance with the recommendation of the Service Director, Planning subject to the following additional conditions being imposed:

“The hours of operation for the business hereby approved shall be as follows:

Monday – Saturday	08.30am to 17.30pm
Sundays and Bank Holidays	Not at all”

Reason – To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.”

- (4) To approve Application No.**15/0711** – Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (amended plans/documents received 23/09/15) – Former Coed Y Lan School, Tyfica/Lanpark Road, Pontypridd – in accordance with the recommendation of the Service Director, Planning subject to the developer first entering into a Section 106 agreement covering the following heads of terms:

- A legal agreement to ensure that the development approved remains affordable housing in perpetuity; and
- The developer meeting the Council’s reasonable costs in preparing the legal agreement.

- (5) Subject to Cadw raising no objection to the proposal, to approve Application No.**15/0751** (Listed Building Consent) – Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (amended plans/documents received 23/09/15) – Former Coed Y Lan School, Tyfica/Lanpark Road, Pontypridd – in accordance with the recommendation of the Service Director, Planning.

- (6) To approve Application No.**15/1208** – Construction of 2 no. retail units (Class A3) with modifications to the car parking layout – Riverside Retail Park, Ffordd Tirwaun, Cwmbach, Aberdare – in accordance with the recommendation of the Service Director, Planning.

DEFERRED APPLICATIONS

99 APPLICATION NO.15/0581 – OUTLINE PLANNING FOR 1 NO. DETACHED BUNGALOW AND 16 NO. SEMI DETACHED BUNGALOWS (8 NO. PAIRS), OFF ROAD PARKING AND ASSOCIATED ACCESS WORKS AT THE FORMER CWMBACH INFANTS SCHOOL, BRIDGE ROAD, CWMBACH, ABERDARE

In accordance with adopted procedures, Non-Committee/Local Member – County Borough Councillor J. Elliott – addressed the Committee on the above-mentioned application expressing concerns about highway safety owing to the proposed access arrangements to the site off Bridge Road.

Pursuant to Minute No.54 (Development Control Committee, 20 August 2015) the Service Director, Planning, in his report, outlined the background to this matter and advised Members that following a series of meetings and an exchange of information with Dwr Cymru/Welsh Water relating to issues of network capacity and capacity within the receiving treatment plan, they now advise that they are lifting their holding objection to the proposal. According, there was no longer any bar to the determination of the application which was recommended for approval subject to conditions.

Following a discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning as set out in his original report to the Committee meeting on 16 July 2015 and to the additional condition included in his report to the Committee on 20 August 2015.

100 APPLICATION NO.15/0692/10 – RAISING OF ROOF TO PROVIDE FIRST FLOOR ACCOMMODATION AND 2 NO. SINGLE STOREY EXTENSIONS TO THE SIDE & FRONT OF THE BUNGALOW – 9 TANYBRYN, PENRHIWCEIBER, MOUNTAIN ASH

Pursuant to Minute No.63(1) (Development Control Committee, 17 September 2015) when Members were minded to refuse the above-mentioned application contrary to the recommendation of the Service Director, Planning because they considered the proposed works to effectively convert the existing bungalow to a two storey dwelling would have a detrimental impact upon both the character and appearance of the locality and the amenity and privacy of the surrounding neighbours, the Service Director, in his report, gave his views on the reasons put forward to refuse the proposal contrary to his recommendation.

Following consideration of the matter, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning to refuse the application for the following reason:

“The proposed development, arising from its scale, design and siting would result in an unsympathetic addition that would have a detrimental impact upon character and appearance of the locality and the amenity and privacy of the surrounding neighbouring properties. As such the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.”

101 APPLICATION NO.15/0814 – CHANGE OF USE TO A MIXED USE RESIDENTIAL AND CHILD MINDING FACILITY FOR UP TO 12 CHILDREN UP TO THE AGE OF 8 AT 2 LLEWELLYN TERRACE, YNYSYBWL

Pursuant to Minute No.54 (Development Control Committee, 17 September 2015) when Members were minded to approve the above-mentioned application contrary to the recommendation 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 and there would be no occasion when 12 children would be at the premises at any given time, the Service Director gave his views on the matter and stated that whilst the introduction of a new business in the community was welcome, it was considered that the type of use within such a confined terraced street would not be acceptable in terms of its potential impact upon highway safety and the amenity of the surrounding neighbours. However, if Members were still minded to approve the application, the conditions listed in the report were recommended.

Non-Committee/Local Member – County Borough Councillor S.Pickering addressed the Committee supporting the proposal.

Following consideration of the matter, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning to approve the application subject to the conditions listed in the report with the deletion of suggested Condition No.3 regarding operating hours.

102 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

Pursuant to Minute No.43 (Development Control Committee, 6 August 2015) when Members resolved to defer determination of the above-mentioned application to allow the Council's Ecologist to investigate a late issue raised by a local resident regarding the potential for reptiles to be present at the application site, the Service Director, Planning reported on the outcome of the site investigation by the Ecologist and a site visit by the Council's Landscape Officer in respect of the present of Japanese Knotweed at the site.

The Development Control Manager reported orally on the contents of a "late" letter received from Mr. P. Brunt regarding the proposed development.

Following consideration of the report, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the eight conditions listed in his original report (Appendix A) and to the following additional condition:

- "9. Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse decraene*, *Polygonum cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site. The approved scheme shall be implemented prior to the occupation of any dwelling/building.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981."

OBSERVATIONS REQUESTED BY ADJACENT PLANNING AUTHORITY

- 103 APPLICATION NO.14/1310/03 – THE DEVELOPMENT OF UP TO 630 RESIDENTIAL DWELLINGS (USE CLASS C3 INCLUDING AFFORDABLE HOMES) , PRIMARY SCHOOL (USE CLASS D1), VISITOR CENTRE/COMMUNITY CENTRE (USE CLASS D1), OPEN SPACE (INCLUDING CHILDREN'S PLAY SPACES), LANDSCAPING, SUSTAINABLE URBAN DRAINAGE, VEHICULAR ACCESSES, BUS LANES, PEDESTRIAN AND CYCLE ACCESSES AND RELATED INFRASTRUCTURE AND INSTRASCTURE AND ENGINEERING WORKS – LAND NORTH AND SOUTH OF LLANTRISANT ROAD, NORTH WEST CARDIFF**

In his report, the Service Director, Planning informed the Committee Members that their observations were requested in respect of the above-mentioned application which was to be determined by the City of Cardiff Council.

Following consideration of the report, it was **RESOLVED** –

- (1) That the following observations are forwarded to the City of Cardiff Council:

“Rhondda Cynon Taf County Borough Council accepts the need to provide additional housing within Cardiff.

However, in respect of this site, Rhondda Cynon Taf County Borough Council is concerned that the measures outlined at 5.11 of the applicant’s Planning Statement Addendum do not include a proportionate financial contribution for improving linkages into Rhondda Cynon Taf, in compliance with draft Policy KP2(C) (MAC5 version, October 2015), of the emerging Cardiff Local Development Plan.

In the absence of such a contribution, Rhondda Cynon Taf County Borough Council **objects** to this planning application in its current form and requests that the City of Cardiff Council negotiates the provision of a proportionate financial contribution or physical works within Rhondda Cynon Taf to protect public transport journey time reliability, prior to the determination of this application, in order to remove this objection. It is also requested that Officers of the City of Cardiff Council consult with Officers of Rhondda Cynon Taf County Borough Council prior to recommending a level of contribution for this purpose to their Planning Committee.”

- (2) That the Service Director Planning be authorised to withdraw the objection, following consultation with the Chair of the Development Control Committee and Cabinet Member for Economic Development and Planning, if it is considered appropriate transport mitigation measures to reduce the impact from traffic on the highway network in Rhondda Cynon Taf have been negotiated between the City of Cardiff Council and the applicant.

104 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons) during the period 2 – 21 October 2015 and it was **RESOLVED** to note the information.

**M.GRIFFITHS
CHAIR**

The meeting terminated at 7.45 p.m.