

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, 3 December 2015 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	S.Powderhill	P.Wasley
M.Griffiths	S.Rees	M.J.Watts
R.Lewis	G.P.Thomas	E.Webster

Non-Committee Members in Attendance:

County Borough Councillors (Mrs) M.E.Davies, P.Griffiths and G.Holmes

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

114 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors J.Bonetto, P.Jarman, (Mrs) S.J.Jones, (Mrs) A.Roberts, G.Smith and (Mrs) J.S.Ward.

115 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. 15/0740 – Proposed Change of Use from Local Authority Offices to Student Accommodation – Office, Llwyn Castan, Library Road, Pontypridd – “I have spoken in public about this application and as a result 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 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”.

(c) County Borough Councillor E.Webster in respect of Application No.15/1124 – Change of use of first floor to field sports shop for temporary period of a year and provision of external staircase – Old Iron Works, Laundry Road, Pwllgwaun, Pontypridd – “I am opposed to any civilians owning fire arms so I have a pre-determined interest, I will leave the meeting for this item”.

116 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.

117 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 5 November 2015.

118 REQUESTS FOR SITE INSPECTIONS

RESOLVED to defer application no.15/0777 – Solar photovoltaic park, ancillary development ecological enhancements – Berthllwyd Farm, Maendy Road, Penycoedcae, Pontypridd - for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the concerns raised by Cadw regarding the proposed development.

(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)

119 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.

120 APPLICATION RECOMMENDED FOR APPROVAL

Application No.15/0985 – 4 no. pairs of semi-detached dwellings – Land to the east of Salisbury Road, Abercynon

In his report, the Service Director, Planning set out details of the above-mentioned application which was recommended for approval subject to conditions.

Following a lengthy discussion, it was **RESOLVED** to approve the application in accordance with the recommendation subject to:

(a) Condition No.8 being amended to read as follows:

8. Prior to the commencement of development, details of traffic management (including proposals for HGV construction/delivery vehicles) and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

(b) An Informative Note being added to the consent detailing measures that applicant/developer would need to undertake should Japanese Knotweed be found to be present at the site.

(Note: County Borough Councillor R.Lewis left the meeting at this point in the proceedings (5.27 p.m.)

121 SITE INSPECTION INVOLVING PUBLIC SPEAKERS

Application No.15/0740 – Proposed Change of Use from Local Authority Offices to Student Accommodation – Office, Llwyn Castan, Library Road, Pontypridd

In accordance with adopted procedures, the Committee received Mr. G. King (Agent), Mr. R. Thomas (Objector) and Mrs. L. Harman Goodland (Objector), each being afforded five minutes to address Members on the above-mentioned proposal. The Applicant Agent, Mr. King, exercised the right to respond to the objectors' comments.

Having previously declared and personal and prejudicial interest in this matter (Minute No. 115(a) refers) in accordance with paragraph 14(2) of the Code of Conduct, County Borough Councillor S.Powderhill presented his views on the proposal and left the meeting.

The Development Control Manager reported orally on the contents of a "late" letter received from County Borough Councillor S.Carter objecting to the proposed development; a "late" petition signed by residents of Gelliwastad Grove, Gelliwastad Court, users of the library, Minister of St.Catherine's Church, Spicketts Battrick Solicitors and the Co-operative Funeral Home objecting to the proposal and a "late" letter from Mr. R.Thomas of Gelliwastad Grove also objecting to 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 to be over intensive and detrimental to highway safety, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further 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.

122 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No.15/1072 – Change of use to hairdressers with related storage on first floor (amended description received 16 November 2015) – 47 Hannah Street, Porth

In accordance with adopted procedures, the Committee received Mr.R.Davies (Supporter), who was afforded five minutes to address Members on the above-mentioned application.

The Development Control Manager outlined the application and reported on the contents of three “late” letters received, all supporting the proposal.

Non-Committee/Local Member – County Borough Councillor (Mrs) M.E.Davies – then addressed the Committee outlining objections to the proposal.

Following a discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

123 DEFERRED APPLICATION INVOLVING PUBLIC SPEAKERS

Application No.13/0179 – Construction of a shared use Community Route between Talbot Green and Cross Inn together with access links to Llantrisant, Glamorgan Vale Retail Outlet, Talbot Green and Church Village, to include site clearance, boundary fencing, a new wooden bridge on the link to the Glamorgan Vale Retail Outlet, Structural Repairs to Railway Bridges, Drainage Works and associated works (amended plans received Mon 30 Sept which show the deletion of access links 9 and 12A, A Revised position of Link 5 and the K. Barrier to the rear of the Woodlands and additional land for drainage works and reptile mitigation) – Former Taff Vale Railway between Talbot Green and Cross Inn.

In accordance with adopted procedures, the Committee received from Tony Yule (Supporter), who was afforded five minutes to address Members on the above-mentioned application.

The Development Control Manager reported orally on a “late” letter received from Mr.Pembridge objecting to the proposal.

Non-Committee/Local Members then addressed the Committee. County Borough Councillor P.Griffiths spoke in support of the application and County Borough G.Holmes requested a deferral of the application.

The Development Control Manager reported orally on revisions to the wording of suggested Condition No.2 to include reference to plans and to Condition No.14 to include reference to a hydrological impact assessment. He also reported on a correction to the penultimate paragraph on Page 131 of the report in that it is considered that an additional condition is not imposed in order to ensure that lighting equipment is erected or installed along the route.

Following a discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the following amended conditions:

2. The development hereby approved shall be carried out in accordance with the following approved plans and documents:-
- i) P/1/1 (Rev C), P/1/2 (Rev A), P/2/1 (Rev B), P/2/3 (Rev B), P/2/4 (Rev B), P/2/5 (Rev B) P/2/6, P/3/1 (Rev A), P/3/2 (Rev B), P/4/1/, P/5/1/, P5/2, P/5/3, P/5/4.
 - ii) Design and Access Statement Document Revision B dated August 2013
 - iii) Planning Statement dated February 2013

Unless otherwise to be approved and superseded by details required by any other condition attached to this consent or unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

14. The development hereby permitted shall be implemented in accordance with the submitted Hydrological Impact Assessment dated August 2013 regarding mitigation, design details and development with respect to:
- Protection of open and culverted sections of the existing watercourse during the after construction;
 - Protection of properties downstream of the development from increased flood risk during and after construction owing to the development;
 - Protection of properties within the development from flood risk; and
 - No surface water to discharge onto the public highway/or highway drainage system, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect of drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

124 APPLICATIONS RECOMMENDED FOR APPROVAL

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

In respect of Application No.15/0885 – Change of use from D1 non residential institution to D2 Ladies only fitness suite – Tabor Congregational Chapel, side of car park to rear of 68 Tylacelyn Road, Penygraig – the Development Control Manager reported orally on a correction to the report in that it stated that the development was liable for a charge under the CIL Regulations 2010 but this was not the case.

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

15/0885 – Change of use from D1 non residential institution to D2 Ladies only fitness suite – Tabor Congregational Chapel, side of car park to rear of 68 Tylacelyn Road, Penygraig

15/1124 – Change of use of first floor to field sports shop for temporary period of a year and provision of external staircase – Old Iron Works, Laundry Road, Pwllgwaun, Pontypridd

15/1253 – Construction of a detached dwelling with garage – Land adjoining Heulwen Deg, Rock Cottages, Graigwen, Pontypridd

(**Note:** Having previously declared a personal and prejudicial interest in the application no.15/1124 above (Minute No.115(c) refers), County Borough Councillor E.Webster left the meeting for the item.

County Borough Councillor S.Powderhill also declared a personal interest in application no.15/1124 above stating “As the applicant is a friend it is also a prejudicial interest and I will leave the meeting for this item)

DEFERRED APPLICATIONS

- 125 **APPLICATION NO.15/0705 – DEMOLITION OF EXISTING BUNGALOW AND DETACHED GARAGE AND CONSTRUCTION OF NEW STUDENT ACCOMMODATION COMPRISING 51 BEDROOMS WITH ENSUITE BATHROOMS AND KITCHEN/DINING FACILITIES AND ASSOCIATED WORKS (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**

(**Note:** Having previously declared and personal and prejudicial interest in the above-mentioned application (Minute No.115(b) refers), County Borough Councillor S.Powderhill left the meeting for the item)

Pursuant to Minute No.93(1) (Development Control Committee, 5 November 2015) when Members were minded to refuse the above-

mentioned application contrary to the recommendation of the Service Director, Planning because they considered the scale of the proposed development would be excessive and create over development on the site contrary to Local Development Plan Policy AW5 and there was a lack of car parking provision for the development which results in an adverse effect on the amenity of the area contrary to Policy CS2, the Service Director, Planning gave his views on the proposal and on the reasons put forward by Members to refuse the application.

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

“The proposed development is contrary to Policies AW5 and CS2 of the Rhondda Cynon Taf Local Development Plan because it is considered excessive in terms of its design, scale and height, lacks adequate car parking provision, amounts to over-development of the site and therefore will result in an adverse effect on the character, appearance and amenity of the area.”

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

Pursuant to Minute No.95 (Development Control Committee, 5 November 2015) when Members deferred consideration of the above-mentioned 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 office on site and to receive formal feedback from the Health & Safety Executive regarding the safety of the overburden mound, the Service Director, Planning provided up to date information on the matter.

Members were informed that the safety and stability of the overburden mound was adequately secured by the Quarry Regulations and their residual concerns would be adequately addressed by the securing of an independent enforcement officer to oversee the security and integrity of the overburden mound which the applicant had agreed to fund. In addition, the proposal to extend the frequency of existing inspections to once a month by the independent planning enforcement officer would oversee the other operations at the site.

Following consideration of the update, it was **RESOLVED** in accordance with the recommendation of the Service Director, Planning:

- (1) To take no further action in respect of the footprint and height of the overburden mound at the Tower Surface Coal Mine site and approve the amended plans submitted as an additional plan to the originally approved scheme 10/0292/10 as amended by 13/0466/10.
- (2) To secure a legal agreement under Section 106 of the Town and Country Planning Act 1990 to fund an independent enforcement officer to oversee the regime regarding the geotechnical reports and inspection regime regarding the safety and stability of the site.
- (3) To extend the services of the existing independent planning enforcement officer in order to oversee the operations at the site on a monthly basis.
- (4) To note the response received from the Health & Safety Executive regarding their role under the Quarries Regulations to secure the safety of the overburden mound and their conclusions arising from their latest inspection undertaken on 4 November 2015.

127 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Delegated Decisions (Approvals and Refusals with reasons) for the period 9-20 November 2015 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 6.55 p.m.