

**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 December 2015 at 5 p.m.

**PRESENT**

County Borough Councillor G.Stacey – in the Chair

**County Borough Councillors**

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

**Non-Committee Members in Attendance**

**County Borough Councillors**

D.R. Bevan, S. Bradwick, C.Leyshon, S. Rees-Owen, R.W. Smith and B. Stephens

**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 & Adoption Manager

**128 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors M. Griffiths, R. Lewis and G.P. Thomas.

**129 DECLARATIONS OF INTERESTS**

The following personal interests were declared in matters pertaining to the agenda:

- (1) County Borough Councillor P. Jarman in respect of Application No.14/1467 Construction of 13 new detached dwellings – Land adjacent to 11 Derwen Aur, Porth – “An objector is a former member of the Plaid Cymru Group”.
- (2) County Borough Councillor P. Wasley in respect of Application No.14/1467 – Construction of 13 new detached dwellings – Land adjacent to 11 Derwen Aur, Porth – “I know one of the objectors”.

(3) County Borough Councillor P.Wasley in respect of Application No.15/1222 –

Single storey extension – The Cambrian Cafe Bar, Cambrian Industrial Estate, Blaenclydach – “I was on The Cambrian Committee before I was a Member of the Council, 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”.

(4) County Borough Councillor G.Smith in respect of Application No. 14/1467 Construction of 13 new detached dwellings – Land adjacent to 11 Derwen Aur, Porth – “My Niece lives in Derwen Aur”.

(5) County Borough Councillor M.J.Watts in respect of Application No.15/0795 – The demolition of existing buildings on site and the construction of 14 no. affordable residential dwellings (amended plans received 16/11/15) – Ty Gwyn Psychological Centre, Land to the West of Seaton Street, Pontypridd – “Member of the Board of Rhondda Housing Association, it is also a prejudicial interest and I will leave the meeting for this item”.

(6) County Borough Councillor J.Bonetto in respect of Application No.15/1322 – Proposed development of three plots of land along Wellington Street to comprise a new four storey college campus building, refurbishment and extension of existing disused railway station building as a function suite, associated car parking service yard and landscaping – Former Railway Goods Yard, Wellington Street, Robertstown, Aberdare – “I am a Governor at Coleg Cymoedd”.

**130 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

**RESOLVED** to note that when Committee 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 that they do not act in a manner that is incompatible with the Convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

**131 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 19 November 2015.

**132 REQUESTS FOR SITE INSPECTIONS IN RELATION TO APPLICATIONS LISTED ON THE AGENDA**

**RESOLVED –**

- (1) To defer application no.15/1057 – Erection of two residential blocks comprising eight affordable apartments, car parking, landscaping and associated works – Land at Forge Lane, Pentre - for a site inspection to be

undertaken by the Development Control Committee for the substantial reason, to consider matters concerning highways, the retaining wall and contaminated land.

(**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)

- (2) Not to accede to a request to defer Application No.15/1165 – Single storey building to accommodate site security office associated with a recently completed innovation centre adjacent. (Amended plan received 17/09/2015) (Amended Location address – 29/09/15) – Land adjacent to Ely Valley Business Park, Llantrisant, Pontyclun – to consider the impact of the proposed development on the surrounding area.

### **133 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.

### **134 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING A PUBLIC SPEAKER**

**Application No.15/1165 – Single storey building to accommodate site security office associated with a recently completed innovation centre adjacent. (Amended plan received 17/09/2015) (Amended Location address – 29/09/15) – Land adjacent to Ely Valley Business Park, Llantrisant, Pontyclun**

In accordance with adopted procedures, the Committee received Mr.G.Williams (Applicant), who was afforded five minutes to address Members on his application.

Non-Committee Member – County Borough Councillor B.Stephens – also spoke on the application outlining his objections to the proposed development.

The Development Control Manager reported orally on the contents of a “late” letter received from Local Member – County Borough Councillor P.Griffiths, who had been unable to attend the meeting, outlining his reasons for requesting the Committee to refuse the application contrary to the Officer’s recommendation.

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

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

**Application No.14/1467 – Construction of 13 new detached dwellings – Land adjacent to 11 Derwen Aur, Porth**

In accordance with adopted procedures, the Committee received Mrs J.Williams (Objector) and Mr.D.Rees (Objector), each being afforded five minutes to address Members on the above-mentioned application.

The Development Control Manager reported orally on the contents of a “late” letter from Non-Committee Member, County Borough Councillor M.E.Davies objecting to the proposal.

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

**136 DEFERRED APPLICATION INVOLVING PUBLIC SPEAKERS**

**Application No.15/0795 – The demolition of existing buildings on site and the construction of 14 no. affordable residential dwellings (amended plans received 16/11/16) – Ty Gwyn Psychological Centre, Land to the West of Seaton Street, Pontypridd**

**(Note:** Having previously declared a personal and prejudicial interest in the above-mentioned application (Minute No.129(5) refers), County Borough Councillor M.J.Watts left the meeting for the item).

In accordance with adopted procedures, the Committee received Ms.L.Hughson-Smith (Agent), Ms.A.Johns (Objector), Mr. A.Whittaker (Objector) and Mr. J. Sullivan (Objector), each being afforded five minutes to address Members on the above-mentioned application, as amended. The Applicant’s Agent, Ms L.Hughson-Smith exercised the right to respond to the objectors’ comments.

Non-Committee Members - County Borough Councillors C.Leyshon and R.W.Smith spoke on the revised plans and both raised objections to the proposal.

The Development Control Manager outlined the background to the application and the discussions that had taken place with the developer as requested by Minute No.77 (Development Control Committee, 15 October 2015) which resulted in the developer submitting the amended plans now before the Committee and recommended for approval.

A lengthy discussion ensued and following consideration of the report, it was **RESOLVED** that as Members were minded to refuse the revised application contrary to the recommendation of the Service Director, Planning because they considered the proposed development would be out of keeping with the character of the area and be overbearing on the properties closest to the proposed three storey buildings, 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 of Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

### **137 SITE INSPECTION**

**Application No.15/1322 – Proposed development of three plots of land along Wellington Street to comprise a new four storey college campus building, refurbishment and extension of existing disused railway station building as a function suite, associated car parking service yard and landscaping – Former Railway Goods Yard, Wellington Street, Robertstown, Aberdare**

The Committee considered the joint report of the Director, Legal & Democratic Services and the Service Director, Planning outlining the outcome of a site inspection held on 30 November 2015 in respect of the above-mentioned application which was outlined in Appendix 1 and recommended for approval subject to conditions.

The Development Control Manager reported orally on the contents of a “late” letter received from Natural Resources Wales providing their views on the proposed development. An objection was raised regarding the use of Plot ‘C’ as an overflow car park owing to the risk of flooding during a ‘1 in 100 year’ plus climate change flood event when it was predicted the car park would flood to a depth of 700mm with a maximum velocity of 0.88m/s. If the Committee was minded to approve the application, Natural Resources Wales recommended a number of conditions be imposed.

As a result, the Development Control Manager reported orally on a number of recommended changes/additions to the conditions listed in the report. He also reported on a minor correction to page 21 of the report in relation to the ‘risk of flooding’ in that the report states that the application site lies entirely within Zone C2 whereas the site lies partially in Zone C2.

Non-Committee Member – County Borough Councillor S.Bradwick then addressed the Committee in support of the application but in doing so, raised some concerns regarding highways issues in the locality.

A discussion ensued when highways concerns were considered and it was **RESOLVED –**

- (1) To approve the application in accordance with the recommendation of the Service Director, Planning subject to:
  - (a) Condition 18 being deleted;
  - (b) Condition 19 being re-numbered as the new Condition 18

- (c) The addition of the 7 conditions outlined in the “late” letter received from Natural Resources Wales dated 16 December 2015 to be numbered 19-25:
  - (d) The highway mitigation contribution of £73,432 being secured either via a Section 106 Agreement or via a contractual obligation attached to the sale/transfer of the land by the Council.
  - (e) A Liaison Committee being set up for this development involving appropriate local members.
  - (f) The Service Director Planning be authorised to add, amend or vary any condition before issuing the planning permission, providing such changes do not affect the nature of the development or permission.
- (2) To request the Service Director, Highways & Streetcare to take on board the views expressed by the Committee in relation to need to introduce traffic calming measures in Robertstown and for improvements at the ‘Ynys’ roundabout and current box-junction.

### **138 APPLICATIONS RECOMMENDED FOR APPROVAL**

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

In respect of Application No.15/0554 – Variation of Condition 1(c) of permission 10/0309/15 to extend the period for the submission of reserved matters for a further 3 years – Land at River Level Tips, Abernant, Aberdare – the Head of Legal Planning & Environment informed the Committee with regard to the terms of the proposed Section 106 agreement that the requirement for 25% of the dwellings to be wheelchair accessible was no longer necessary and that the need for an Employment and Training Plan to improve skills and learning in the local workforce should be added to the requirements.

Non-Committee Member – County Borough Councillor S.Bradwick spoke on Application No.15/0554 referred to above and raised objections to the proposed development.

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

- (1) To approve application no. **15/0554** – Variation of Condition 1(c) of permission 10/0309/15 to extend the period for the submission of reserved matters for a further 3 years – Land at River Level Tips, Abernant, Aberdare in accordance with the recommendation of the Service Director, Planning subject to the developer first entering into a Section 106 agreement to secure:

- The developer entering into a highway agreement prior to the commencement of works
- The developer paying a highway works payment of £17,942
- The developer agreement to build no more than 61 dwellings
- The developer making a recreational facilities payment of £26,912
- The developer making an educational contribution of £125,589
- The developer providing an Employment and Training Plan to improve skills and learning in the local workforce.

(2) To approve the under-mentioned applications in accordance with the recommendations of the Service Director, Planning:

**15/1070** – Conversion of 4 bedroom flats into two self contained two bedroom flats – Tylorstown Newsagents, 249 East Road, Tylorstown

**15/1222** – Single storey extension – The Cambrian Cafe Bar, Cambrian Industrial Estate, Blaenclydach

**(Note:** Having previously declared a personal and prejudicial interest in Application No.15/1222 referred to above (Minute No.129(3) refers), County Borough Councillor P.Wasley spoke on the item before leaving the meeting in accordance with paragraph 14(2) of the Code of Conduct)

#### **139 DEFERRED APPLICATION**

**Application No.15/0902 – Proposed demolition of former barns/workshops to form site for the erection of two detached dwellings using the existing access with small modifications to entrance – Cwm Hyfryd, Hill Street, Gilfach Goch**

Pursuant to Minute No.110 (Development Control Committee, 19 November 2015) when Members were minded to approve the above-mentioned application contrary to the Officer's recommendation because they considered the proposed development would not be detrimental to highway and pedestrian safety, the current use of the site as a timber fabricators and storage area generated more traffic movements than the proposed development and the removal of the former barns/workshop, which were an eye-sore, would be beneficial to the residents of the adjoining street, the Service Director, Planning outlined his views on the matter. He stated that if after considering his comments, Members still wished to approve the application then the conditions listed in his report should be imposed.

Following a discussion, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning for the reasons outlined above, to approve the application subject to the conditions listed in the report with the exception of Condition No.15 which would be deleted.

#### **140 INFORMATION REPORT**

In his report, the Service Director, Planning provided details of Planning and Enforcement Appeals Decisions received, Delegated Decisions (Approvals

These minutes are subject to approval at the next appropriate meeting of the Development Control Committee

and Refusals with reasons), an overview of Enforcement cases and Enforcement delegated decisions for the period 23 November – 4 December 2015.

**G.STACEY  
CHAIRMAN**

The meeting terminated at 7 p.m.