

**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, 18 February 2016 at 5.00 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
(Mrs) L. De Vet	S.G. Powderhill	P. Wasley
M.Griffiths	(Mrs) A. Roberts	M.J.Watts
P.Jarman	G. Smith	E.Webster

**Non-Committee Members:**

County Borough Councillors D.R.Bevan, S. Radwick, G.R.Davies, A.Morgan and I.Pearce

**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

**163 APOLOGY FOR ABSENCE**

An apology for absence was received from County Borough Councillor S.Rees.

**164 DECLARATION OF INTEREST**

County Borough Councillor P.Wasley declared a personal interest in Application No. 12/0929 – Development of up to 600 residential dwellings and ancillary development including retail/community facilities (maximum gross internal floor space 464 square metres) together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats and demolition of existing buildings and structures at Trane Farm (Outline Application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus ES addendum and Transport Assessment received 6 November 2015 (amended plans and description of 6 November 2015) – Land at Trane Farm, Tonyrefail – “I know some of the land owners”.

## **165 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 materials 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 by the Human Rights Act 1998.

## **166 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 21<sup>st</sup> January 2016.

## **167 REQUESTS FOR SITE INSPECTIONS**

There were no requests from Committee Members to convene site inspections in relation to applications listed on the agenda.

## **REPORTS OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES**

### **168 SITE INSPECTIONS**

- (1) Application No.14/1408 – Rear garden boundary wall consisting of concrete block construction with a fined down render finish and topped off with a coping stone (retrospective application) (amended plans received 10/11/2015 showing reduction in scope of wall `A' and render finish to internal wall faces only) – 73 Greenways, Abernant, Aberdare**

Pursuant to Minute No.145 (Development Control Committee, 21<sup>st</sup> January 2016), the Director, Legal & Democratic Services, in his report, outlined the outcome of a site inspection held on 1<sup>st</sup> February 2016 to consider the impact of the above-mentioned boundary wall on residential amenity.

The Development Control Manager reported orally on the contents of a “late” letter received from Non-Committee/Local Member - County Borough Councillor M.Forey – outlining his concerns about the application. The Development Control Officer pointed out that most of the issues raised by Councillor Forey related to matters of a private nature for the applicant and his neighbours and were outside of the planning application process.

The Development Control Manager then outlined the application for Members’ consideration prior to them receiving the public speakers.

In accordance with adopted procedures, the Committee received Mr.C.Jones (Applicant), Mr.Richards (Objector) and Mrs.Richards (Objector), each being afforded five minutes to address Members on the application. The Applicant declined the invitation to respond to the Objector’s comments.

Non-Committee/Local Member – County Borough Councillor S. Bradwick then addressed the Committee opposing the application.

Following lengthy consideration of the matter before them, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

**(2) Application No.15/1259 – Construction of Three, 3 Bedroomed Terraced Houses – Bryn Henllan, Blaenrhondda, Treorchy**

Pursuant to Minute No.145(2) (Development Control Committee, 21<sup>st</sup> January 2016) the Director, Legal & Democratic Services, in his report, outlined the outcome of a site inspection held on 3<sup>rd</sup> February 2016 to consider highway and planning concerns regarding the proposed development.

In accordance with adopted procedures, the Committee received Mr.S.Waldron (Agent) and Mr.P.Davies (Objector), each being afforded five minutes to address Members on the application. Mr.Waldron exercised the right to respond to the Objector's comments.

Non-Committee/Local Member – County Borough Councillor G.R.Davies then addressed the Committee speaking against the proposed development. His views were supported by Non-Committee/Local Member – County Borough Councillor I. Pearce.

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

**(3) Application No.12/0929 - Development of up to 600 residential dwellings and ancillary development including retail/community facilities (maximum gross internal floor space 464 square metres) together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats and demolition of existing buildings and structures at Trane Farm (Outline Application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus ES addendum and Transport Assessment received 6 November 2015 (amended plans and description of 6 November 2015) – Land at Trane Farm, Tonyrefail**

Pursuant to Minute No.145(3) (Development Control Committee, 21<sup>st</sup> January 2016) the Director, Legal & Democratic Services, in his report, outlined the outcome of a site inspection held on 3<sup>rd</sup> February 201 to consider the impact of the proposed access arrangements to the above-mentioned site.

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

The Development Control Manager reported orally on a “late” letter received from Non-Committee/Local Member – County Borough Councillor (Mrs) E.Hanagan outlining her support for the application, as amended.

During consideration of the proposal, a Committee Member queried whether the Coal Authority had been consulted on the application. On reviewing the documentation available to Officers at the meeting, the Service Director, Planning could not confirm that the Coal Authority had been consulted and suggested that if Members were minded to approve the application, they could do so subject to confirmation that the Coal Authority did not object to the proposal.

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

- No objection being received from the Coal Authority.
- The recommended **conditions** set out in the report.
- The applicant (and any other party/parties with an interest in the land) first entering into a legal agreement under section 106 of the Town and Country Planning Act 1990 in order to secure a minimum package of Planning Obligation/s contributions, comprising the following:
  - (a) Provision of a minimum of 10% Affordable Housing across the whole site.
  - (b) Provision of on-site public open space comprising of 1 x NEAP and 4 x LEAPs
  - (c) A Leisure / Recreation contribution to upgrade, re-grade and improve off-site sport pitches (in lieu of on-site provision of sport and recreation facilities), and initial maintenance after above works
  - (d) Future management of the public open space to be provided by a management company.
  - (e) Delivery of a Vision Statement (a written plan prepared by the South and West Wales Wildlife Trust in relation to the future management of the Habitat Areas) and transfer of control of the Habitat Areas to the Wildlife Trust prior to commencement of development.
- 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 development or permission;
- Dependant on Members’ resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussion with the applicant (and/or their agents/representatives) in order to negotiate further the delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the required mitigation

provision (or financial contribution) and timing thereof identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations.

(**Note:** County Borough Councillors P.Jarman and P.Wasley wished to have recorded that they voted to refuse the above-mentioned application contrary to the recommendation of the Service Director, Planning)

## **169 APPLICATIONS RECOMMENDED FOR APPROVAL**

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

Non-Committee/Local Member – County Borough Councillor A.Morgan addressed the Committee on Application No.15/1441 – Change of use from sandwich shop (A1) to takeaway restaurant (A3) – 32 Oxford Street, Mountain Ash – outlining his concerns about the proposal.

### **RESOLVED -**

(1) That as Members were minded to refuse Application No.**15/1441** – Change of use from sandwich shop (A1) to takeaway restaurant (A3) – 32 Oxford Street, Mountain Ash – contrary to the recommendation of the Service Director, Planning because they considered the proposed change of use of the premises owing to its location would further exacerbate traffic and parking problems in the area to the detriment of highway safety, 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, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

(2) To approve Application No.**15/1519** – Demolition of southern tower – Cwm Works, Windsor Gardens, Beddau – in accordance with the original recommendation of the Service Director, Planning.

## **170 DEFERRED APPLICATION**

**Application No.15/1057 – Erection of two residential blocks comprising eight affordable apartments, car parking, landscaping and associated works – Land at Forge Lane, Pentre**

Pursuant to Minute No.148(2) (Development Control Committee, 21<sup>st</sup> January 2016) when Members were minded to refuse the above-mentioned application contrary to the Officer's recommendation because they considered the proposal would result in overdevelopment of the site, there was insufficient parking available to serve the development, there was poor access arrangements to the site and the development would result in a loss of privacy

for residents, the Service Director, Planning set out his views on the reasons put forward by Members for taking a decision contrary to his recommendation.

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

**171 INFORMATION REPORT**

In his report, the Service Director, Planning set out details of Planning and Enforcement Appeals Decisions received, Delegated Decisions (Approvals and Refusals, with reasons) an Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 21<sup>st</sup> January – 5<sup>th</sup> February 2016 and it was **RESOLVED** to note the information.

**G.STACEY  
CHAIRMAN**

The meeting terminated at 6.45 p.m.