

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee held at the County Borough Council Offices, The Pavilions, Clydach Vale on Thursday, 19th May 2016 at 5.00 p.m.

PRESENT

County Borough Councillor M. Griffiths – in the Chair

County Borough Councillors

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

Members in Attendance

County Borough Councillors D.R. Bevan, P. Griffiths, J.S.James and M.O.Weaver

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
Ms. H. Winsall – Senior Planner

198 CHAIRMAN

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

199 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, R.Lewis, S. Powderhill, G. Stacey and (Mrs) J.S. Ward.

200 DECLARATIONS OF INTERESTS

In accordance with the Code of Conduct, the following personal interests were declared in matters pertaining to the agenda:

- (1) County Borough Councillor E.Webster in relation to Application No.16/0082 – Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link, removal of temporary classroom and associated external works.

(Amended front boundary treatment, building elevations and inclusion of roof panels received 24.3/16) – Treorchy Comprehensive School, Station Road, Treorchy – “I am a member of the Governing Body”.

- (2) County Borough Councillor P.Wasley in relation to Application No. 16/0194 – Outline application for the development of the site for up to 85 dwellings – Land South of Llantrisant Road, Groes-Faen, Pontyclun – “I bought a property from the developer which I still live in, it is also a prejudicial interest and I will leave the meeting for this item”.
- (3) County Borough Councillor P. Wasley in relation to Application No.16/0082 – Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16) – Treorchy Comprehensive School, Station Road, Treorchy – “A close family member works in the 6th Form of Treorchy Comprehensive School, it is also a prejudicial interest and I will leave the meeting for this item.”
- (4) County Borough Councillor G.Smith in relation to Application No.16/0082 – Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link, removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16) – Treorchy Comprehensive School, Station Road, Treorchy – “I am a Governor at Porth School which is mentioned in the report”.
- (5) County Borough Councillor C.Middle in relation Application No.16/0082 – Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16) – Treorchy Comprehensive School, Station Road, Treorchy – “I am a Governor at Tonypandy Community College”.

201 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 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.

202 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 21st April 2016.

203 REQUESTS FOR SITE INSPECTIONS

At this point in the proceedings, the Chairman exercised her discretion to enquire whether the Committee wished to request site inspections in respect of any of the applications before them and it was **RESOLVED –**

- (1) To defer Application No. **16/0241** - Domestic Garage and vehicular cross-over – 81 Dinam Park, Ton Pentre, Pentre – for a site inspection to be undertaken by the Committee for the substantial reason, to consider the impact of the proposed development on neighbouring property.

(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) To defer Application No. **15/0112** – Outline consent for the demolition of two storey building known as Rhondda Bowl and the re-development of the site for residential development (Amended plans and additional details received 30th September and 7th October 2015) – Rhondda Bowl Skittle Alley, Waurhydd Road, Tonyrefail – for a site inspection to be undertaken by the Committee for the substantial reason, to consider the impact of the proposed development on the surrounding area and concerns regarding highways, public health and land drainage issues.
- (3) To defer Application No. 16/0084 – Proposed Construction of 9 no. residential dwellings – Land adjacent to No.10 Garwellt, Penywaun, Aberdare – for a site inspection to be undertaken by the Committee for the substantial reason, to consider concerns about the overdevelopment of the site, parking problems and drainage issues.

204 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.

205 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No.15/1541 – Construction of 4 dwellings, associated access and landscaping (amended application – red line boundary, amendments to plot 1 and additional section provided, received 28/01/16) – Craig View, Maelgwyn Terrace, Gadlys, Aberdare

In accordance with adopted procedures, Mr. P. McNeil (Applicant), Mr. S. Davies (Objector) and Mr. P.Morgan (Objector) were invited to come forward to address the Committee on the above-mentioned application in accordance with their requests to do so but none of them were present at the meeting.

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.

206 **APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS**

Application No.16/0194 – Outline application for the development of the site for up to 85 dwellings – Land South of Llantrisant Road, Groesfaen, Pontyclun

(**Note:** Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No.200(2) refers), County Borough Councillor P. Wasley left the meeting for this item).

In accordance with adopted procedures, the Committee received Mr. M. Evans (Objector), Mr. J. Hopkins (Objector) and Mr. S. Weston (Objector), each being afforded five minutes to address Members on the above-mentioned application.

Non-Committee/Local Member – County Borough Councillor P. Griffiths then addressed the Committee speaking against the proposal.

The Development Control Manager outlined the application and reported orally that:

- insufficient information had been provided by the applicant on the ecology of the site and accordingly, if Members were minded to refuse the application, an additional reason for refusal in this regard should be imposed.
- earlier today a formal response had been received from the Welsh Government regarding the agricultural land classification of the site which concluded that the land use was classified '3b' as stated by the applicant.
- the report had been written prior to the introduction of the Wellbeing and Future Generations Act 2016 and accordingly the last sentence of the penultimate paragraph on page 108 should be ignored.

Following consideration of the proposal, it was **RESOLVED** to refuse the application in accordance with the recommendation of the Service Director, Planning for the reasons outlined in his report and for the following additional reason:

“Insufficient detail has been provided to indicate that the proposed development would prove acceptable in terms of its impact on the ecology of the site and it does not, therefore, satisfy the requirements of Policy AW8(2) of the Rhondda Cynon Taf Local Development Plan.”

(**Note:** County Borough Councillor P. Wasley returned to the meeting following the conclusion of the above-mentioned matter)

207 APPLICATIONS RECOMMENDED FOR APPROVAL

In his report, the Service Director, Planning set out details of applications recommended for approval and following consideration thereof, it was **RESOLVED** to approve the under-mentioned applications in accordance with the recommendations of the Service Director, Planning:

15/1619 – Retrospective planning permission for the formation of a porous surfaced hardstanding for two cars – 40 Parc Gellifaelog, Tonypany

16/0082 – Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link, removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16) – Treorchy Comprehensive School, Station Road, Treorchy

16/0318 – Proposed side extension and provision of rooms in roof area. Internal alterations. (revised plans received 20/4/16 with set back of new side elevation by a further 0.5m) – 9 Moorland Heights, Pontypridd

(**Note:** Having earlier declared a personal and prejudicial interest in Application No.16/0082 referred to above (Minute No.200(3) refers), County Borough Councillor P. Wasley left the meeting for the item)

(**Note:** In accordance with the Code of Conduct, County Borough Councillor C.Middle declared a personal interest in Application No.15/1619 referred to above, stating “The applicant is known to me”).

208 OBSERVATIONS REQUESTED FROM ADJACENT PLANNING AUTHORITY

Application Nos. 14/1337/03, 14/1698/03 & 16/0136/03

14/1337/03: The development of up to 290 residential dwellings (C3), open space (including children's play space), landscaping, sustainable urban drainage, vehicular access, pedestrian and cycle access and related infrastructure and engineering works - LAND SOUTH OF PENTREBANE ROAD, NORTH WEST CARDIFF

14/1698/03: Outline planning application with all matters reserved apart from strategic access junctions for residential-led mixed use development, to be developed in phases, including preparatory works as necessary including demolition and re-grading of site levels; up to 5,970 residential units (use Class C3, including affordable homes); 3 no. local centres providing residential units, convenience shops and facilities/services (including up to 7,900 sq m in use classes A1 - A3) and 1no. district centre providing residential units, up to 12,000 sq m in use classes A1 - A3 including a food store (up to 5,000 sq m gross) with associated parking, up to 15,500 sq m of use class B1(a), B1(b) and B1(c) and up to 2,865 sq m of community and healthcare facilities (use classes D1 and D2); provision for 3no. Primary Schools and 1 no.

Secondary School; open space including allotments; parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths/cycleways, a reserved strategic transport corridor; up to 1 no. Electricity primary-substation and landscaping works including suds) - NORTH WEST CARDIFF

16/0136/03: Outline planning application (all matters reserved apart from strategic vehicular, cycle and pedestrian access into the site) for the demolition of existing buildings and residential development of up to 300 dwellings on site to include open space (including children's play space), landscaping. Sustainable urban drainage, vehicular access, pedestrian and cycle accesses and related infrastructure and engineering works - GOITRE FACH FARM, LLANTRISANT ROAD, ST FAGANS

The Committee were requested to submit observations on the above-mentioned application which were to be determined by the City of Cardiff Council.

Non-Committee Member – County Borough Councillor P. Griffiths addressed the Committee and expressed his concerns regarding the impact of the proposals.

Following lengthy discussion, it was **RESOLVED** that the following observations are forwarded to the City of Cardiff Council in respect of applications 14/1337/03, 14/1698/03 and 16/0136/03 (Cardiff reference numbers used below):

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

However, in respect of Strategic Site C, Rhondda Cynon Taf County Borough Council is concerned that applications 14/02188/MJR/ 14/02733/MJR and 16/00106/MJR do not appear to be proposing any specific measures or contributions for improving links to Rhondda Cynon Taf, required to accord with Policy KP2 (c) of the adopted Cardiff Local Development Plan.

In the absence of such proposals, 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 these applications, in order to remove these objections.

It is suggested that it would be appropriate for the developments subject of the four applications 14/0852/DCO, 14/02188/MJR, 14/02733/MJR and 16/00106/MJR to provide between them for improvements in the area of the

Castell Mynach Junction in order to mitigate the impacts of these developments and provide measures to improve linkages into Rhondda Cynon Taf in compliance with Policy KP2 (d and e). These works would include:

- A new bus-only southbound carriageway between the A4119/ School Road Junction and Llantrisant Road;
- A new signalised junction at the A4119/ School Road Junction;
- Improvements to the Llantrisant Road and School Road Junctions, including the provision of bus lanes and increasing the size of right hand turn lanes;
- Active travel works.

The costs for this are estimated to be £3,536,584, and it is recommended that Section 106 Agreements are used to ensure that the developers either enter into a Section 278 Agreement under the Highways Act 1980 with Rhondda Cynon Taf to carry out these works or contribute the above sum of money to allow Rhondda Cynon Taf to carry out the works. It is considered a matter between the City of Cardiff Council and the applicants in respect of how this provision is divided between the development proposals, but it is recommended that officers from the City of Cardiff Council contact the Highways and Streetcare Service at Rhondda Cynon Taf to discuss details of the scheme.

The works requested are considered to meet Section 122 of the Community Infrastructure Levy Regulations 2010 as follows:

a. They must be necessary to make the development acceptable in planning terms: It is considered that traffic generated cumulatively by the four proposals would have a significant impact on the A4119 corridor, and these proposed improvements would ease congestion caused by them. Therefore these improvement works are considered necessary to make the development acceptable in planning terms;

b. They must be directly related to the development: It is expected that a considerable amount of traffic generated cumulatively by the four proposals will travel through the Castell Mynach Junction, and therefore the works are considered directly related to the development;

c. They must be fairly and reasonably related in scale and kind to the development: As these four applications propose up to 8060 houses in total, and a further 630 houses on Strategic Site C have been resolved to be approved, with no proposals to mitigate the traffic impacts on Rhondda Cynon Taf, these improvements are considered to be fairly and reasonably related in scale and kind to the development.

In addition, it is considered that any public bus services (apart from the Park and Ride at Junction 33 of the M4) that will be provided as a result of this development should not be limited to running between the site and Cardiff City Centre. It is considered that in order to comply with Policy KP2 (c) of the City

of Cardiff LDP, investment should be made in extending such services as part of a regional route to Talbot Green Bus Station, which is a key transport interchange for Rhondda Cynon Taf. This would also support public transport use to and from the development site. It is requested that the City of Cardiff Council negotiate this provision with the developers.

(ii) That the Service Director Planning be authorised to withdraw the objections, 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.

209 OBSERVATIONS REQUESTED BY ADJACENT PLANNING AUTHORITY

Application No.14/0814/03 - Comprehensive development of land to create a new community containing: a range of new homes, including houses, apartments and some sheltered accommodation for the elderly (Use Classes C2 and C3); a park and ride facility and transport interchange or hub community facilities including a new primary school and community centre (Use Class D1); a local centre including shops (Use Class A1), financial and professional (Use Class A2), food and drink (Use Class A3) and a clinic or surgery (Use Class D1); New offices, workshops, factories and warehouses (Use Class B1, B2, B8); A network of open spaces including parkland, footpaths, sports pitches and areas for informal recreation, new roads, parking areas, accesses and paths, other ancillary uses and activities and requiring: site preparation, the installation or improvements of service and infrastructure; the creation of drainage channels; improvements/works to the highway network and other ancillary works and activities - LAND TO THE NORTH OF M4, JUNCTION 33, CREIGIAU

The Committee was requested to submit observations on the above-mentioned proposal which was to be determined by the City of Cardiff Council.

Non-Committee Member – County Borough Councillor P. Griffiths addressed the Committee and expressed his concerns regarding the impact of the proposal.

Following lengthy consideration of the report, it was **RESOLVED** that the following observations are forwarded to the City of Cardiff Council in respect of 14/0814/03 (Cardiff reference numbers used below):

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

However, in respect of Strategic Site D, Rhondda Cynon Taf County Borough Council is concerned that application 14/00852/DCO does not appear to be proposing any specific measures or contributions for improving links to

Rhondda Cynon Taf, required to accord with Policy KP2 (d and e) of the adopted Cardiff Local Development Plan.

In the absence of such proposals, 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 these applications, in order to remove this objection.

It is suggested that it would be appropriate for the developments subject of the four applications 14/0852/DCO, 14/02188/MJR, 14/02733/MJR and 16/00106/MJR to provide between them for improvements in the area of the Castell Mynach Junction in order to mitigate the impacts of these developments and provide measures to improve linkages into Rhondda Cynon Taf in compliance with Policy KP2 (d and e). These works would include:

- A new bus-only southbound carriageway between the A4119/ School Road Junction and Llantrisant Road;
- A new signalised junction at the A4119/ School Road Junction;
- Improvements to the Llantrisant Road and School Road Junctions, including the provision of bus lanes and increasing the size of right hand turn lanes;
- Active travel works.

The costs for this are estimated to be £3,536,584, and it is recommended that Section 106 Agreements are used to ensure that the developers either enter into a Section 278 Agreement under the Highways Act 1980 with Rhondda Cynon Taf to carry out these works or contribute the above sum of money to allow Rhondda Cynon Taf to carry out the works. It is considered a matter between the City of Cardiff Council and the applicants in respect of how this provision is divided between the development proposals, but it is recommended that officers from the City of Cardiff Council contact the Highways and Streetcare Service at Rhondda Cynon Taf to discuss details of the scheme.

The works requested are considered to meet Section 122 of the Community Infrastructure Levy Regulations 2010 as follows:

a. They must be necessary to make the development acceptable in planning terms: It is considered that traffic generated cumulatively by the four proposals would have a significant impact on the A4119 corridor, and these proposed improvements would ease congestion caused by them. Therefore these improvement works are considered necessary to make the development acceptable in planning terms;

b. They must be directly related to the development: It is expected that a considerable amount of traffic generated cumulatively by the four proposals

will travel through the Castell Mynach Junction, and therefore the works are considered directly related to the development;

c. They must be fairly and reasonably related in scale and kind to the development: As these four applications propose up to 8060 houses in total, and a further 630 houses on Strategic Site C have been resolved to be approved, with no proposals to mitigate the traffic impacts on Rhondda Cynon Taf, these improvements are considered to be fairly and reasonably related in scale and kind to the development.

In addition, it is considered that any public bus services (apart from the Park and Ride at Junction 33 of the M4) that will be provided as a result of this development should not be limited to running between the site and Cardiff City Centre. It is considered that in order to comply with Policy KP2 (d and e) of the City of Cardiff LDP, investment should be made in extending such services as part of a regional route to Talbot Green Bus Station, which is a key transport interchange for Rhondda Cynon Taf. This would also support public transport use to and from the development site. It is requested that the City of Cardiff Council negotiate this provision with the developers.

(ii) That the Service Director Planning be authorised to withdraw the objections, 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.

210 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 4th April – 29th April 2016 and it was **RESOLVED** to note the information.

**M.GRIFFITHS
CHAIR**

The meeting terminated at 6.15 p.m.

These minutes are subject to approval as an accurate record at the next meeting of the Development Control Committee