

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, 18th August 2016 at 5 p.m.

PRESENT

County Borough Councillor G. Stacey – in the Chair

County Borough Councillors

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

Officers in Attendance

Mr. S. Gale - Service Director, Planning
Mr. D.J. Bailey – Development Services Manager
Mr. S. Humphreys – Head of Legal, Planning & Environment
Mr. S. Zeinalli – Highways Development & Adoptions Manager

32 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, M. Griffiths, R. Lewis and (Mrs) A. Roberts.

33 DECLARATIONS OF INTERESTS

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

- (1) County Borough Councillor M.J. Watts in respect of Application No.16/0226 – Variation of Conditions 2 & 4 of 06/1600 to allow a restaurant to operate from the property with opening hours 8.30 a.m. to 11 p.m. (amended description received 09/06/16) – 119 Bute Street, Treorchy – “My Daughter owns as restaurant in the area”.
- (2) County Borough Councillor S.L. Rees in respect of Application No.16/0493 – 4 no. detached houses with associated garages together with private access works (re-submission of 15/1594/10) (amended site layout plans received 21/06/16) – Land opposite Nos. 12, 12a and 13 Bryn Moreia, Llwydcoed, Aberdare – “The Objector, Mrs. M. Bracey, is a close family friend and has consulted me on a planning matter, it is also a prejudicial interest and I will leave the meeting for this item”.

- (3) County Borough Councillor L.M. Adams in respect of Application No.16/0493 – 4 no. detached houses with associated garages together with private access works (re-submission of 15/1594/10) (amended site layout plans received 21/06/16) – Land opposite Nos. 12, 12a and 13 Bryn Moreia, Llwydcoed, Aberdare – “One of the objectors is a friend and client of mine, it is also a prejudicial interest and I will leave the meeting for this item”.
- (4) County Borough Councillor P. Wasley in respect of Application No.16/0555 – Erection of 3 executive houses with associated works – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – “I know some of the applicants, it is also a prejudicial interest and I will leave the meeting for this item.”
- (5) County Borough Councillor P. Jarman in respect of Application No.16/0493 – 4 no. detached houses with associated garages together with private access works (re-submission of 15/1594/10) (amended site layout plans received 21/06/16) – Land opposite Nos. 12, 12a and 13 Bryn Moreia, Llwydcoed, Aberdare – “The Objector, Mrs. M. Bracey, used to be a neighbour of mine, it is also a prejudicial interest and I will leave the meeting for this item.”

34 HUMAN RIGHTS ACT AND DEVELOPMENT CONTROL MATTERS

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.

35 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

RESOLVED to note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

36 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 4th August 2016.

37 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.

38 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No.16/0087 – Demolition of existing structures and the comprehensive mixed-use redevelopment of the former Chubb Factory site comprising up to 172 residential dwellings (Class C3) and up to 20,750 sq ft of mixed-use commercial, retain and employment floorspace (Class A1, A2, A3, B1 and D1), landscaping, public realm access and ancillary work. All matters reserved other than primary access (amended plans received 16/05/16 description of development amended 03/06/16) – Chubb Fire Security Ltd., Maerdy Industrial Estate, Ferndale

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

The Development Services Manager outlined the proposal and informed Members that a request had been made by the applicant to amend Condition No.17 to 50% rather than 30% which would allow a critical mass of residential development to be delivered which in turn would assist with the marketability of the proposed employment units. The Development Services Manager supported this request and advised Members that if they were minded to approve the application, it was now recommended that the wording of Condition No.17 be amended to state that “no more than 50% of the dwellings approved shall be occupied until such time as all of the industrial units are build and available for occupation” and not “no more than 30%” as originally recommended in the report.

The Development Services Manager also informed Members that suggested Conditions No.13 & 15 replicated each other and, therefore, Condition No.15 should be deleted. This would result in Conditions 16 and 17 being re-numbered accordingly.

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

(1) Condition No.17 being amended to read as follows:

“17. The residential and industrial development at the site shall be developed concurrently and no more than 50% of the dwellings approved shall be occupied until such time as all of the industrial units are built and available for occupation.

Reason: In order to comply with the requirements of policies CS1 and AW11 of the Rhondda Cynon Taf Local Development Plan.”

(2) Condition No.15 being deleted and Conditions 16 and 17 re-numbered accordingly.

(3) The applicant first entering into a Section 106 Agreement to secure:

- The provision of 10% affordable housing
- The provision of play areas and public open space in compliance with the Council's Supplementary Planning Guidance
- The agreement of an employment skills training programme.

(2) Application No.16/0493 – 4 no. detached houses with associated garages together with private access works (re-submission of 15/1594/10) (amended site layout plans received 21/06/16) – Land opposite Nos. 12, 12a and 13 Bryn Moreia, Llwydcoed, Aberdare

(**Note:** Having previously declared personal and prejudicial interests in the above-mentioned application (Minute Nos. 33(2), (3) and (5) refer), County Borough Councillors L.M. Adams, P.Jarman and S.L. Rees left the meeting for this item).

In accordance with adopted procedures, the Committee received Mr. Chris Cousins (Applicant), Mrs. M. Bracey (Objector) and Mr. N. Darch (Objector), each being afforded five minutes to address Members on the proposal. The Applicant declined the invitation to respond to the comments put forward by the Objectors.

The Development Services Manager outlined the proposal and following a discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to Condition No.15 being amended to restrict construction vehicles after 3 p.m. when children will be returning from School and Condition 15 be re-worded to read as follows:

- “15. HGV's used as part of the construction shall be restricted to 09:30 a.m. to 15:00 p.m. weekdays, 09:00 a.m. to 13:00 p.m. Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.”

39 APPLICATIONS RECOMMENDED FOR APPROVAL

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

The Development Services Manager reported orally on a minor correction required to the report (Page 47) in relation to Application No.16/0555 – Erection of 3 executive houses with associated works – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun – in that, Plot 1 of the proposed development would not be accessed directly off Cowbridge Road but via a private lane.

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

16/0226 – Variation of Conditions 2 & 4 of 06/1600 to allow a restaurant to operate from the property with opening hours 8.30 a.m. to 11.00 p.m. (amended description received 09/06/16) – 119 Bute Street, Treorchy

16/0555 – Erection 3 executive houses with associated works – Y Noddfa, Cowbridge Road, Talygarn, Pontyclun

(**Note:** Having previously declared a personal and prejudicial interest in Application No.16/0555 referred to above (Minute No.33(4) refers), County Borough Councillor P. Wasley left the meeting for this item).

40 **INFORMATION REPORT**

In his report, the Service Director, planning provided Members with details of Planning and Enforcement Appeals Decisions received, Delegated Decisions (Approvals and Refusals with reasons) and an Overview of Enforcement Cases for the period 25 July – 5 August 2016 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 5.55 p.m.