

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, 16th February 2017 at 5.00 p.m.

PRESENT

County Borough Councillor M. Griffiths – in the Chair

County Borough Councillors

J. Bonetto	(Mrs) A. Roberts	G.P. Thomas
P. Jarman	G. Smith	(Mrs) J.S. Ward
(Mrs) S. J. Jones	G. Stacey	E. Webster

Non Committee Members in Attendance

County Borough Councillors J. Elliott, J. James and K. Morgan

Officers in Attendance

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

126 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors L. M. Adams, L. Walker, S. Rees, P. Wasley and M. J. Watts.

127 DECLARATIONS OF INTERESTS

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

- (1) In accordance with the Code of Conduct County Borough Councillor G. Stacey declared a personal interest which was also a prejudicial interest in respect of Application No. 16/1194 – Change of use of existing squash courts to children day care nursery (Flying Start) including new enclosed external play area southern side of the centre and external alterations to the building, Llantwit Fadre Leisure Centre, Central Park, Church Village, Pontypridd – “I knew all the speakers at the meeting, it is also a prejudicial interest and I will leave the meeting for this item”.
- (2) In accordance with the Code of Conduct, County Borough Councillor J. Bonetto declared a personal interest in respect of Application No. 16/1194 – Change of use of existing squash courts to children day care

nursery (Flying Start) including new enclosed external play area southern side of the centre and external alterations to the building, Llantwit Fadre Leisure Centre, Central Park, Church Village, Pontypridd – “Know some of the speakers”.

- (3) In accordance with the Code of Conduct, County Borough Councillor (Mrs) J.S. Ward declared a personal interest in respect of Application No. 16/1194 – Change of use of existing squash courts to children day care nursery (Flying Start) including new enclosed external play area southern side of the centre and external alterations to the building, Llantwit Fadre Leisure Centre, Central Park, Church Village, Pontypridd – “Known to one objector”.

128 HUMAN RIGHTS ACT 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.

129 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.

130 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 19th January 2017.

131 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.

132 REQUESTS FOR SITE INSPECTION

RESOLVED -

- (1) To defer Application No. 16/0771 – Proposed residential development with new local convenience store, car parking and access (Revised Plans and Reports Received). Revised Plans (site plans, walk up flats, site sections, letter regarding pedestrian access link and boundary treatment statement received 26/01/2017, former Hirwaun Nursery, Hirwaun Aberdare – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider

the impact of the proposed development on the highway network and surrounding area.

- (2) To defer Application No. 16/1125 – Construction of two storey detached dwelling (re-submission of application ref. 16/0074/13), land to rear of Tirfounder Road, Cwmbach, Aberdare - for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the impact of the proposed development on the highway network.

133 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No: 16/1194 – Change of use of existing squash courts to children day care nursery (Flying Start) including new enclosed external play area southern side of the centre and external alterations to the building, Llantwit Fadre Leisure Centre, Central Park, Church Village, Pontypridd

In Accordance with adopted procedures, the Committee received the following public speakers, each being afforded five minutes to present their views on the above application:

Lisa Thomas (Agent)
Cllr Jools Jones (Supporter)
Michelle Rowley (Supporter)
Mr Dave Snook (Objector)
Mr Ray Skene (Objector)
Mr Neil Watkins (Objector)
Cllr R Butler (Objector)
Cllr A Handley (Objector)
Cllr Jean Hutchinson (Objector)

Lisa Thomas (Agent) exercised the right to respond to the objectors comments.

Local Member County Borough Councillor G. Stacey who had previously declared a personal and prejudicial interest in the matter (Minute 127) addressed the Committee in accordance with Section 14(2) of the Code of Conduct and put forward objections to the proposed development and then left the meeting for the consideration of the matter.

County Borough Councillor J. James addressed the Committee in objection to the application.

The Development Services Manager reported orally on the contents of “late” correspondence received from Claire Watts, 16 Maes Yr Egwlys, Church Village in support of the application.

The Development Services Manager outlined the proposed application for approval.

Following consideration of the matter, it was **RESOLVED** that as Members were minded to refuse the application contrary to the Officer's recommendation because they considered the design was not appropriate for the proposed use and they had concerns over the location in respect safety and security, 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.

(Note: Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No. 127(1) refers), County Borough Councillor G. Stacey left the meeting for this item)

(NOTE: Prior to addressing the Committee in respect of this application County Borough Councillor J. James declared the following personal interest—“Know several of the objectors and supporters involved with the management of a mail that might have a financial impact depending on the decision”.

(Note: County Borough Councillor G. Stacey returned to the meeting following the conclusion of the above-mentioned matter)

The Chair adjourned the meeting for a short break at 6.10 p.m. and reconvened at 6.15 p.m.

134 **APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS**

Application No. 16/1240 – 2 No Dwellings, land adjacent to Ginger Bread House Nursery, Maes Hyfryd, Cwmbach, Aberdare

In accordance with adopted procedures, the Committee received the following public speaker, who was afforded five minutes to address the Committee on the above application:

Mrs Sue Morgan (on Behalf of the Applicant)

Non-Committee/Local Member – County Borough Councillor J. Elliott – addressed the Committee in support of the application.

RESOLVED – to approve the application in accordance with the recommendation of the Service Director, Planning.

(Note: County Borough Councillor P. Jarman wished to have recorded that she did not vote on the above-mentioned application as she was not present for the whole debate).

135 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS

Application No16/1351 – Lockup Garage to front and double storey extension to rear 18 Howard Street, Clydach, Tonypany.

In accordance with adopted procedures, the Committee received the following public speakers, each being afforded five minutes to address Members on the proposal:-

Mr Antony Jones (Applicant)
Ms Norma Howells (Supporter)

The Development Services Manager outlined the application and reported on the contents of “late” letters received from Mr Paul Smith from Highways objecting to the proposal, Mr Antony Jones the applicant and nine local residents all in support of the application.

Following consideration of the matter, it was **RESOLVED** – that as Members were minded to approve the application contrary to the recommendations of the Service Director, Planning because there were similar garages in the street and they did not support the view of officers that there would lead to an increase in on street parking of would be a detriment to the safety of highway users or the free flow of traffic in the area, the matter be deferred to the next appropriate meeting of the 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 the recommendation, prior to determining the matter.

136 APPLICATIONS RECOMMENDED FOR APPROVAL

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

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:

- (1) **16/0711** - 16/0711 – Two detached houses off a private lane drive together with upgrading of Parish Road (Re-submission of 15/1336/13) (Coal Mining Risk Assessment received 09/01/17 (amended site layout and access plans received 30/11/16), land rear of Oakland’s Bungalow, Werfa Lane Aber-Nant , Aberdare.
- (2) **16/0808** - Construction of 19 dwellings on the site, together with the infrastructure associated with the development (revised plans received 10/10/16), land adjacent to Rhigos Post Office, Heol Pendarren, Rhigos, Hirwaun subject to a Section 106 Agreement for one of the 3 bedroom houses on the site to be provided as a low cost housing unit or that an off site

contribution be made to the equivalent of 30% of an open market dwelling on the site.

137 INFORMATION REPORT

In his report, the Service Director, Planning set of details in relation to Planning and Enforcement Appeals Decisions Received, Delegated Decisions Approvals and Refusals with Reasons, overview of enforcement cases for the period of 23/01/17 and 03/02/17, and following consideration thereof, it was **RESOLVED** to note the information.

**M. GRIFFITHS
CHAIRMAN**

The meeting terminated at 7.00 p.m.