

**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, 17 April 2014 at 5 p.m.

**PRESENT**

County Borough Councillor R.B.McDonald – in the Chair

**County Borough Councillors**

L.M.Adams	(Mrs) S.J.Jones	B.Stephens
D.R.Bevan	W.L.Langford	(Mrs) M.Tegg
H.W.Boggis	R.Lewis	R.KTurner
J.Bonetto	(Mrs) C.Leyshon	G.P.Thomas
S.A.Bradwick	K.Montague	L.G.Walker
S.Carter	A.Morgan	(Mrs) J.S.Ward
(Mrs) J.Cass	B.Morgan	P.Wasley
W.J.David	I.Pearce	M.J.Watts
A.L.Davies,MBE	S.Pickering	M.Webber
G.R.Davies	S.Powderhill	E.Webster
(Mrs) M.E.Davies	K.A.Privett	W.D.Weeks
M.Forey	S.Rees-Owen	C.J.Williams
M.Griffiths	(Mrs) A.Roberts	T.Williams
P.Howe	G.Smith	C.J.Willis
J.S.James	R.W.Smith	R.A.Yeo
P.Jarman	G.Stacey	

**Officers in Attendance**

Mrs.J.Cook – Director, Regeneration & Planning

Mr.D.J.Bailey – Development Control Manager

Mr.S.Humphreys – Principal Solicitor

Mr.S.Zeinali – Highways Development & Adoption Manager

**224 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors (Mrs) T.A.Bates, J.Bunnage, A.Calvert, P.Cannon,QPM, A.Christopher, A.Crimmings, C.Davies, S.M.Evans-Fear, P.Griffiths, (Mrs) E.Hanagan, S.Lloyd, C.J.Middle, K.Morgan, S.Rees, J.Rosser, M.Weaver and D.H.Williams.

**225 DECLARATIONS OF INTERESTS**

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

- (1) from County Borough Councillor M.Webber in respect of Application No.13/0974 – Construction of a Detached House – Vacant Land off Dynea Road, Rhydyfelin, Pontypridd – “I know the applicant”.
- (2) from County Borough Councillor J.S.James in respect of Application No.13/0916 – Creation of Equestrian Track from Inert Materials – Tynewydd Farm, Efail Isaf, Pontypridd – “At the applicant’s request, I met with him to discuss the application, mainly to hear his intentions”.

## **226 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

**RESOLVED** to note, that when 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 consideration 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.

## **227 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 20 March 2014.

## **228 CHANGES 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.

## **229 SITE VISIT INVOLVING PUBLIC SPEAKERS**

### **Application No.13/0974 – Construction of a Detached House – Vacant Land off Dynea Road, Rhydyfelin, Pontypridd**

In accordance with adopted procedures, the Committee received Mrs.C.Morgan (Objector), who was afforded five minutes to address Members on the above-mentioned application.

Pursuant to Minute No.206(2) (Development Control Committee, 20 March 2014), the Director, Legal & Democratic Services reported on the outcome of a site inspection undertaken on 31 March 2014 to consider highways and land drainage issues concerning the proposed development.

The application was recommended for approval subject to conditions by the Service Director, Planning.

Following consideration of the proposal, it was **RESOLVED** that as Members were minded to refuse the application contrary to the Officer’s recommendation because they considered the proposed development would have an overbearing, incongruous and detrimental affect on neighbouring residents and further exacerbate existing flooding and drainage problems in

the area, 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.

**230 APPLICATION RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKER**

**Application No.13/1337 – 10 no. 1 bedroom flats, 1 no.4 bedroom house, 1 no. 2 bedroom bungalow and new access onto Cardiff Road into a mews court – Former Aberdare School, Cardiff Road, Aberaman, Aberdare**

In accordance with adopted procedures, the Committee received J.Williams (Objector), who was afforded five minutes to address Members on the above-mentioned application.

The application was recommended for approval subject to conditions by the Service Director, Planning.

The Development Control Manager reported orally on the contents of a “late” letter received from Mr.N.Lake of Cardiff Road, Aberaman objecting to the proposal.

Following lengthy consideration of the matter, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to a Section 106 Agreement to ensure that the development is utilised for affordable housing only and two additional conditions being imposed to ensure the relocation of the bus stop prior to the site being brought into beneficial use and requiring the developer to submit details of finished floor levels prior to any works commencing on site.

**231 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKER**

**Application No.14/0125 – Construction of Retail Pod – Tesco Stores, Depot Road, Gadlys, Aberdare**

Members noted that whilst Mr.J.Bradley (Objector) had requested to address them on the above-mentioned application, he was not present to do so.

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

## **232 SITE VISITS**

### **(1) Application No.14/0111 – 4 no. Garages and associated works – Land at Hurst Grove (North of 1b Forge Place), Abernant, Aberdare**

Pursuant to Minute No.206(3) (Development Control Committee, 20 March 2014), the Committee was informed of the outcome of a site inspection undertaken on 31 March 2014 to consider planning and highways issues concerning the proposed development.

The application was recommended for approval subject to conditions set out in Appendix 1 to the report and the additional condition recommended in the update report from the Service Director, Planning.

A lengthy discussion ensued on the proposal and it was **RESOLVED** that as Members were minded to refuse the application contrary to the Officer's recommendation because they considered the proposed development would have an adverse effect on highway safety as a result of the additional traffic on Hurst Grove, a narrow residential street, the manoeuvrability problems for vehicles accessing the proposed garages and there would be a visual impact on surrounding properties, the matter be deferred to the next appropriate meeting of the Development Control Committee or 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) Application No.13/0916 – Creation of Equestrian Track from Inert Materials – Tynewydd Farm, Efail Isaf, Pontypridd**

Pursuant to Minute No.207(Development Control Committee, 20 March 2014), the Committee was informed of the outcome of a site inspection undertaken on 31 March 2014 to consider highways, ecology, land drainage and environmental health issues concerning the proposed development.

The Committee was informed that further detailed information regarding the proposal had still not been received from the applicant and, in the circumstances, it was **RESOLVED** to defer the application to receive the outstanding information from the applicant, prior to determining the matter.

## **233 APPLICATIONS RECOMMENDED FOR APPROVAL**

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

The Development Control Manager reported orally on "late" letters received in respect of the following applications:

- (i) 14/0095 – Extension to front, to create larger kitchen to existing property (re-submission of 13/1210) (amended plans received

11/02/2014 and 24/02/14) – 71 Windsor Drive, Miskin, Pontyclun – from Mrs.G.Booth of Edwardian Way, Miskin objecting to the proposal.

- (ii) 144/0163 – Detached single garage rear of Lloyd Street, Gelli, Pentre – from Natural Resources Wales raising no objection to the proposal subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

It was **RESOLVED** –

- (1) To approve Application No.**12/1167** – Residential Development – Land adjacent to Cwm Nant Yr Hwch, Penywaun, Aberdare – in accordance with the recommendation of the Service Director, Planning and the applicant entering into a legal agreement, the Heads of Terms being as detailed below:

- (i) The developer will be required to enter into a Section 106 agreement to ensure 10% affordable housing is provided as part of a detailed scheme.

- (ii) The developer will also be required to enter into a Section 106 agreement to pay a transport tariff contribution towards improving the strategic highway network. The transport tariff rates applicable for the proposed development are as follows:

Residential 1/2 bedrooms £1,692 per unit	(£2,256/unit x 75% Level 2 tariff)
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Residential 3/4/5 + bedrooms £2,256 per unit	(£3,008/unit x 75% Level 2)
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- (iii) The developer will also be required to enter into a Section 106 Agreement to make an off-site contribution of £73,975 for the upgrading of existing equipped play facilities in the area.

- (iv) That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

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

**14/0073** – Retention of log building, pheasant enclosure and boundary fence (amended description 24/03/14) – 1 Heol Coroniad, Tynant, Beddau

**14/0083** – Two storey rear extension – 50 William Street, Cilfynydd

**14/0095** – Extension to front to create larger kitchen to existing property (re-submission of 13/1210) (amended plans received 11/02/2014 and 24/02/14) – 71 Windsor Drive, Miskin, Pontyclun

**14/0127** – Change of use from A1 retail to D1 use for a chiropractic clinic (retrospective) – Rear Ground Floor Office, 15 Llantrisant Road, Pontyclun

**14/0214** – Alterations to and subdivision of existing Class A1 retail unit to provide up to five Class A1, A3 and mixed A1/A3 units, car park alterations and ancillary works – Comet Plc, Talbot Green Retail Park, Talbot Green

- (3) To approve application No.**14/0152** – Conversion of former music shop to ground floor shop with self contained flats over – 6 Church Road, Ton Pentre – in accordance with the recommendation of the Service Director, Planning subject to an appropriately worded additional condition being imposed restricting the number of hours allowed for the construction works.
- (4) To approve application no.**14/0163** – Detached single garage – Rear of Lloyd Street, Gelli, Pentre – in accordance with the recommendation of the Service Director, Planning subject to an Informative being attached to the consent notice advising the applicant of the potential flood risks and attaching the letter received from Natural Resources Wales in this regard.

### **DEFERRED APPLICATION**

#### **234 APPLICATION NO.13/0548 – 5 DETACHED HOUSES (AMENDED SITE PLAN RECEIVED 31/07/13) – LAND OFF QUEENSWAY, NANTGARW**

With reference to Minute No.68(4) (Development Control Committee, 5 September 2013) when the above-mentioned application was approved subject to conditions and the applicant entering into a Section 106 agreement, the Service Director, Planning advised the Committee that his department was advised on 3 March 2014 that the Developer had commenced development on the site and at that time, the Section 106 had not been completed and the planning permission had not been issued. The works had, therefore, commenced without the benefit of planning permission.

In view of the change of circumstances that have occurred since the decision taken on 5 December 2013, the matter was now before Members for further consideration and following consideration of the comments of the Service Director, Planning on the way forward in this matter, it was **RESOLVED** to grant planning permission in accordance with the recommendation of the Service Director, Planning subject to the 20 amended conditions listed in the report and the developer entering into a Section 106 Agreement to secure a minimum package of planning obligation contributions comprising:

- (a) Transport Tariff contribution using SPG calculations;  
(b) Leisure/Recreation contribution using SPG calculations;

- (c) Affordable Housing provision across the whole site at a minimum level of 20% (1 unit on the basis of the site being developed for 5 dwellings).

**235 INFORMATION REPORT**

In his report, the Service Director, Planning set out details of Planning and Enforcement appeals and Delegated Decisions (approvals and refusals) for the period 24 March – 4 April 2014 and it was **RESOLVED** to note the information.

**R.B.McDONALD  
CHAIRMAN**

The meeting terminated at 6.15 p.m.