

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **DEVELOPMENT CONTROL COMMITTEE**

**Minutes** of the meeting of the Development Control Committee held at The Pavilions, Cambrian Park, Clydach Vale on Thursday, 18<sup>th</sup> December, 2014 at 5 p.m.

#### **PRESENT**

County Borough Councillor G.Stacey – in the Chair

#### **County Borough Councillors**

(Mrs.)L.De Vet	S.Powderhill	G.P.Thomas
R.Lewis	S.Rees	(Mrs.)J.S.Ward
C.J.Middle	(Mrs.)A.Roberts	P.Wasley
S.Powderhill	G.Smith	E.Webster

#### **In Attendance:**

County Borough Councillors G.Hopkins, K.Montague, R.K.Turner and L.G.Walker

#### **Officers in Attendance**

Mr.S.Gale – Service Director, Planning  
Mr.S.Humphreys – Head of Legal Planning & Environment  
Mr.D.J.Bailey – Development Control Manager  
Mr.C.Jones – Development Control Manager  
Mr.D.Hart – Senior Environmental Health Officer  
Mr.S.Zeinalli – Highways Development & Adoption Manager

#### **131 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors L.M.Adams, J.Bonetto, M.Griffiths and P.Jarman.

#### **132 DECLARATION OF INTERESTS**

In accordance with the Code of Conduct, the Committee received the following declaration of interests:

1. from County Borough Councillor G.P.Thomas in respect of Application No.14/0556 – erection of one wind turbine with a maximum height to blade tip of 145m together with ancillary infrastructure including a transformer building, access tracks and turning area, underground cabling, crane hardstanding and turbine component set down areas and temporary construction compound (Amended plans received 20<sup>th</sup> October, 2014 to alter the site boundary), land between Maerdy Coal Tip and Tynewydd Forest – “I have a personal interest as I have ownership of shares in Greencoat (UK Winds), the value of shares is a small fraction of the stated level that would trigger a prejudicial interest”.

2. from Non-Committee Member – County Borough Councillor L.G.Walker in respect of Application No.14/1205 – re-plan of phase 2 of planning permission 12.1313 to include residential development (213 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works (Amended plans received 24<sup>th</sup> October, 2014 (site layout) 27<sup>th</sup> October, 2014 (landscaping) and 29<sup>th</sup> October, 2014 (house type details), Duffryn Bach Farm, Station Road, Church Village, Pontypridd – “I know all of the objectors to the application and my declaration is of a personal interest”.
3. from Non-Committee Member – County Borough Councillor L.G.Walker in respect of Application No.14/1283 – construction of 50 new build residential dwellings with garages and associated works, land off Maes-yr-Eglwys, Church Village, Pontypridd – “I know all of the objectors to the application and my declaration is of a personal interest”.
4. from County Borough Councillor P.Wasley in respect of Application No.14/1283 – construction of 50 new build residential dwellings with garages and associated works, land off Maes-yr-Eglwys, Church Village, Pontypridd- “My interest is personal and prejudicial as I am a friend of the developer and I will be leaving the chamber when this item is to be discussed”.

### **133 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 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.

### **134 MINUTES**

**RESOLVED** – to approve as accurate records, the minutes of the meetings of the Development Control Committee held on the 20<sup>th</sup> November and 4<sup>th</sup> December, 2014.

### **135 REQUEST FOR SITE INSPECTIONS**

**RESOLVED** - to defer Enforcement of Planning Control - Application No. 13/00297 – 2 Orchard Drive, Robertstown, Aberdare – for a site inspection to be undertaken by the Committee to consider the impact of the unauthorised works that had taken place opposite the dwelling and to seek clarification from the Planning Officer, at the site on the affects of a retrospective planning application.

**136 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.

**137 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS**

- 1. Application No.12/0704 – erection of 6 No.wind turbines up to 110m blade tip height, access tracks, cables, electrical substation and associated ancillary equipment. (Supplementary Environmental Information (SEI) giving further detail and consideration of the impacts of access track construction received 22<sup>nd</sup> April, 2013). (Further Supplementary Environment Information (SEI) reducing the number of turbines from 7 No. to 6 No. (turbine T1 deleted) received 10<sup>th</sup> October, 2013) (Revised red line boundary plans received 18<sup>th</sup> June, 2014), Mynydd Portref Extension, Argoed Edwin Farm, Llanharan, Pontyclun**

In accordance with adopted procedures, the Committee received the following speakers, who were each afforded five minutes to address Members on the application:

Mr.John Davies (Applicant)  
Community Councillor John Bowman (Supporter)  
Ms.Heather Jones (Supporter)

Non-Committee Members – County Borough Councillors G.Hopkins and R.K.Turner then addressed the Committee on the application.

Following consideration of the proposal, it was **RESOLVED** – to approve the application subject to the conditions set out in the report and subject to a Section 106 Agreement to provide:

- provision of financial security to ensure that decommissioning works are carried out following the cessation of operational use (maximum of 25 years) of the site;
- a Habit Management Plan (to include a post construction monitoring regime for birds and bats) to be secured for a period of 25 years, i.e. the lifetime of the wind farm; and
- a requirement to resolve any issues of interference in respect of domestic television reception that may be caused by the operation of the wind farm.

In addition the Service Director, Planning be authorised to add to, remove or amend/vary any condition/s before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

2. **Application No.14/0556 – erection of one wind turbine with a maximum height blade tip of 145m together with ancillary infrastructure including a transformer building, access tracks and turning area, underground cabling, crane hardstanding and turbine component set down areas and temporary construction (Amended plans received 20<sup>th</sup> October, 2014 to alter the site boundary), land between Maerdy Coal Tip and Tynewydd Forest.**

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

Non-Committee Member/Local Member – County Borough Councillor K.Montague then addressed the Committee on the application. 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.14/1205 – re-plan of phase 2 of planning permission 12/1313 to include residential development (213 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works (Amended plans received 24<sup>th</sup> October, 2014 (site layout) 27<sup>th</sup> October, 2014 (landscaping) and 29<sup>th</sup> October, 2014 (house type details), Duffryn Bach Farm, Station Road, Church Village, Pontypridd**

At the meeting the Service Director, Planning orally reported that there were concerns in respect of the type and mix of affordable housing properties that were being proposed within the site and he therefore sought the Committee's approval to defer the application in order that the issue could be relooked at and it was **RESOLVED** - in accordance with the Officer's oral recommendation, to defer the application.

(**Note:** The Chairman informed the persons present to address the Committee in relation to the application that if they wished to speak at the meeting when the matter was next considered, they would have to submit new requests to do so).

4. **Application No.14/1283 – construction of 50 new build residential dwellings with garages and associated works, land off Maes-yr-Eglwys, Church Village, Pontypridd**

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

Mr.David W.Gray (Objector)  
Mr.Ray Butler (Objector)

Mr. James Taylor (Objector)

Non-Committee Member – County Borough Councillor L.G. Walker also spoke on the application.

Following consideration of the matter, it was **RESOLVED** – to approve the application subject to a Section 106 Agreement to provide:

- That the developer provide a transport tariff contribution of £120,320 to mitigate the impact of the proposed development on the strategic highway network;
- That the developer provides an education contribution of £196,112 to mitigate the impact of the proposed development on schools in the locality;
- The transfer of the public open space on the site to the Council or an appropriate management company along with a commuted sum sufficient to service the site for a 20 year maintenance period;
- That the developer provides ten affordable houses on site consisting of 4 low cost homes and 6 social rent;
- The applicant meeting the Council's reasonable legal costs in preparing the Section 106 Agreement

and the following additional condition:

“Notwithstanding the detail shown of the layout plan hereby approved, the house on plots 20-23 inclusive, shall be re-orientated in accordance with details to be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of works on site. The development shall therefore be completed in accordance with the approved revised layout.

Reason: In the interests of amenity and residential amenity”.

**Note:** Having previously declared a personal and prejudicial interest in the above-mentioned application (Minute No.132(4) refers, County Borough Councillor P. Wasley left the meeting during consideration of the proposal).

## **138 DEFERRED APPLICATION INVOLVING PUBLIC SPEAKERS**

**Application No.14/0620 – proposed residential development of 70 No. dwellings and associated works – land off Cardiff Road, Hawthorn, Pontypridd**

In accordance with adopted procedures, the Committee received the following speakers, who were each afforded five minutes to address Members on the application:

Mr. Daryl Jones (Manager for Persimmon Homes)

Ms.Susan Harris (Objector)

At the meeting the Service Director, Planning referred to two “late” letters that had been received (copies circulated at the meeting) from Mr.R.Jones and Ms.Z.Walters both raising concerns to the proposal.

Following lengthy 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, with the creation of an emergency access route between the development site and Cardiff Road, which would be controlled by lockable bollards; and the site only being accessed by one entrance would significantly increase traffic movements to the detriment of highway safety for both motorists and pedestrians; 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.

### **139 APPLICATIONS RECOMMENDED FOR APPROVAL**

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

Following consideration of the report, it was **RESOLVED** –

1. That in response to the appellant’s appeal against non-determination in respect of Application No.14/0004 – Variation of condition 1 of planning approval 07/0481/10 to extend the permission for a further five years (new build residential development), land at The Pavilions, Darran Road, Mountain Ash, to advise the Planning Inspectorate that the Authority would have resolved to approve the application, subject to appropriate conditions and a Section 106 Agreement to secure the financial contributions towards recreational facilities and affordable housing.
2. To approve Application No.14/1128 – variation of Condition 2 and removal of Conditions 47, 48 and 49 of planning permission 12/1102/10 to allow minor alterations to the approved plans comprising reduction in net sales area, internal and external alterations to the approved store and alterations to the layout of plant within the service yard, Sainsburys Supermarkets Ltd, land south of A473, Talbot Green subject to a Section 106 Agreement requiring that the provisions of the original Section 106 Agreement imposed on application 12/1102 will be applied to the new permission and the conditions listed in the report .

### **140 APPLICATION RECOMMENDED FOR REFUSAL**

**RESOLVED** – to note that Application No.13/1347 – Temporary demountable open fronted storage building and access road (amended description dated 11<sup>th</sup> November, 2014 and amended plan dated 12<sup>th</sup> November, 2014), land

rear of The New House, Abercynon Road, Abercynon, Mountain Ash had been **withdrawn**.

**141 REPORT FOR INFORMATION**

In his report, the Service Director, Planning set out details of Planning and Enforcement Appeals Decisions Received, Delegated Decisions (Approvals and refusals with reasons), Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 24<sup>th</sup> November – 5<sup>th</sup> December, 2014 and it was **RESOLVED** – to note the information.

**G.STACEY  
CHAIRMAN**

**The meeting closed at 6.27 p.m.**