

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee held at The Pavilions, Clydach Vale on Thursday, 21 January 2016 at 5 p.m.

PRESENT

County Borough Councillor G.Stacey – in the Chair

County Borough Councillors

L.M.Adams	R.Lewis	(Mrs) J.S.Ward
J.Bonetto	S.Powderhill	P.Wasley
M.Griffiths	S.Rees	M.J.Watts
P.Jarman	(Mrs) A.Roberts	E.Webster
(Mrs) S.J.Jones	G.P.Thomas	

Non-Committee Members in Attendance:

County Borough Councillors D.R. Bevan, S. Carter, (Mrs) J. Cass, (Mrs) C. Leyshon, K.Morgan, S. Rees-Owen, R.W. Smith and L.G.Walker

Officers in Attendance

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

141 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, C.J. Middle and G.Smith.

142 DECLARATIONS OF INTERESTS

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

- (1) County Borough Councillor L.M.Adams in respect of Application No.15/1053 – Construction of two detached dwellings and associated garages (amended plans received 16/12/15) – Land at Doddington Place, Pontypridd – “The applicant is a personal friend

and work colleague, it is also a prejudicial interest and I will leave the meeting for this item”.

- (2) County Borough Councillor S. Powderhill in respect of Application No.15/1053 – Construction of two detached dwellings and associated garages (amended plans received 16/12/15) – Land at Doddington Place, Pontypridd – “The applicant and her family are friends, it is also a prejudicial interest and I will leave the meeting for this item”.
- (3) County Borough Councillor S. Powderhill in respect of Application No.15/0740 – Proposed Change of Use from Local Authority Offices to Student Accommodation – Office, Llwyn Castan, Library Road, Pontypridd – “I have spoken in public about this application and as a result it is also a prejudicial interest, I will leave the meeting for this item”.
- (4) County Borough Councillor P. Wasley in respect of Application No.12/0929 – Development of up to 600 residential dwellings and ancillary development including retail/community facilities (maximum gross internal floor space 464 square metres) together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats and demolition of existing buildings and structures at Trane Farm (Outline Application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus ES addendum and Transport Assessment received 6 November 2015 (amended plans and description of 6 November 2015) – Land at Trane Farm, Tonyrefail – “I know the land owners”.
- (5) County Borough Councillor P. Wasley in respect of Application No.15/1460 – Reserved Matters for 74 no. dwellings, highways infrastructure and associated works – Land adjacent to The Meadows, Coedely, Tonyrefail – “I live on the site affected by the application, it is also a prejudicial interest but in accordance with Paragraph 14(2) of the Code of Conduct, I will speak on the item and then leave the meeting”.
- (6) County Borough Councillor S. Carter in respect of Application No.15/0740 – Proposed Change of Use from Local Authority Offices to Student Accommodation – Office, Llwyn Castan, Library Road, Pontypridd – “I am a member of the Group known as “Your Pontypridd” but I have not attended any meetings when this matter has been discussed.

- (7) County Borough Councillor K.Morgan in respect of Application No.15/0483 – Variation of Condition 1(c) attached to planning permission ref. 11/0643 to enable a further three years for the submission of reserved matters – Land West of 1-13 Broniestyn Terrace/Penyard Road, Hirwaun – “I have previously objected to this application at the planning application and appeal stages. I was also involved in the registration of the land as a Village Green. It is also a prejudicial interest but in accordance with Paragraph 14(2) of the Code of Conduct, I will speak on the item and then leave the meeting”.

(**Note:** County Borough Councillor (Mrs) J. Cass wished to have recorded in respect of Application No.15/0777 – Solar Photovoltaic Park, ancillary development and ecological enhancement that she did not know the applicant other than as a constituent in her area).

143 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 the Human Rights Act 1998.

144 MINUTES

RESOLVED to approve as accurate records, the minutes of the meetings of the Development Control Committee held on 3 December 2015 and 17 December 2015.

145 REQUESTS FOR SITE INSPECTIONS

RESOLVED –

- (1) To defer Application No.**14/0408** – Rear garden boundary wall consisting of concrete block construction with a fined down render finish and topped off with a coping stone (retrospective application) (amended plans received 10/11/2015, showing reduction in scope of wall `A` and render finish to internal wall faces only) – 73 Greenways, Abernant, Aberdare – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the impact of the wall on residential amenity.

(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. **15/1259** – Construction of Three, 3-Bedroom Terraced Houses – Bryn Henllan, Blaenrhondda, Treorchy – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider highway and planning concerns.

(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).

- (3) To defer Application No. **12/0929** – Development of up to 600 residential dwellings and ancillary development including retail/community facilities (maximum gross internal floor space 464 square metres) together with associated infrastructure works, provision of formal and informal open space, retention of wildlife habitats and demolition of existing buildings and structures at Trane Farm (Outline Application with all matters reserved). Application accompanied by an Environmental Statement received 23 August 2012 plus ES addendum and Transport Assessment received 6 November 2015 (amended plans and description of 6 November 2015) – Land at Trane Farm, Tonyrefail – for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the impact of the proposed access arrangements to the site.

(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).

146 CHAIRMAN'S ANNOUNCEMENT REGARDING THE WITHDRAWN OF AGENDA ITEMS

The Chairman informed the Committee Members that two items before them had now been withdrawn by the applicants – these related to:

- (i) Application No. **15/1344** – Outline Application for residential development of the land together with the provision of open space, access, landscaping and parking arrangements – Land South of Llanharry Road, Brynsadler, Pontyclun

- (ii) Application No.15/1386 – Outline planning application for the construction of medical centre and residential development (150 units), open space and landscaping improvements and associated works – Land at Cwm Uchaf Farm, Heol Dowlais, Efail Isaf, Pontypridd

147 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.

148 SITE INSPECTIONS INVOLVING PUBLIC SPEAKERS

(1) Application No.15/0777 – Solar Photovoltaic Park, ancillary development and ecological enhancements – Berthllwyd Farm, Maendy Road, Pen-Y-Coedcae, Pontypridd

The Committee considered the report of the Director, Legal & Democratic Services outlining the outcome of a site inspection held on 12 January 2016 in respect of the above-mentioned proposal. At the site inspection, consideration was given to the concerns raised by Cadw regarding the proposed development and its impact on the Scheduled Ancient Monument of Pen Y Coedcae Roman camp which adjoined the application site.

In advance of receiving the public speakers, the Development Control Manager informed the Committee that following the site inspection, the applicant had presented a revised plan for consideration which showed the removal of some of the solar panels from the application site. Cadw had been consulted on the revised proposal but had not yet provided comments. It was suggested that the matter be deferred pending a response from Cadw, however, the Committee **RESOLVED** to proceed with determining the application at today's meeting.

In accordance with adopted procedures, the following public speakers were then invited to address the Committee, each being afforded five minutes to do so:

- Mr Dafydd Williams (Agent)
- Mr Thomas Jenkins (Land Owner)
- Dr Mark Grahame (Agent)

Non-Committee/Local Member – County Borough Councillor (Mrs) J. Cass then addressed the Committee, speaking in support of the application.

Following consideration of the proposal, it was **RESOLVED** that as Members were minded to approve the application contrary to the recommendation of the Service Director, Planning because they considered the proposed development would not change the character or appearance of the area and it would not have a significantly detrimental effect on the site of the Scheduled Ancient Monument; and that the applicant be required to erect a sign/plaque providing information on the monument as there are none at present, 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 of Legal and Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

(2) Application No.15/1057 – Erection of two residential blocks comprising eight affordable apartments, car parking, landscaping and associated works – Land at Forge Lane, Pentre

The Committee Members had before them the report of the Director of Legal and Democratic Services outlining the outcome of a site inspection held on 12 January 2016 to consider matters concerning highways, the retaining wall and contaminated land.

In accordance with adopted procedures, the Committee received Mr Jon Hurley (Agent) who was afforded five minutes to address the Committee on the application.

The Committee also received the comments of Non-Committee/Local Member – County Borough Councillor S. Rees-Owen, who outlined her objections to the proposed development.

The Development Control Manager reported orally on the contents of a “late” letter received from an Objector enclosing photographs to highlight highway concerns at Forge Lane, Pentre.

Following lengthy consideration of the proposal, it was **RESOLVED** that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning because they considered the proposal would result in overdevelopment of the site, there was insufficient parking available to serve the development, there was poor access arrangements to the site and the development would result in a loss of privacy for residents, 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 of Legal and Democratic Services, upon the strengths and

weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

149 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No.15/0483 – Variation of Condition 1(c) attached to planning permission ref. 11/0643 to enable a further three years for the submission of reserved matters – Land West of 1-13 Broniestyn Terrace/Penyard Road, Hirwaun

In accordance with adopted procedures, the Committee firstly received Mr Chris Bond (Objector) and then Gareth Hooper (Agent), each being afforded five minutes address the Committee on the above-mentioned proposal.

In accordance with Minute No.142(7) above, Non-Committee/Local Member – County Borough Councillor K.Morgan spoke on the application outlining her objections and then left the meeting.

The Development Control Manager then reported orally on a “late” letter received from Mr Chris Bond (Objector) who had spoken earlier at the meeting.

A lengthy discussion ensued on the proposal and it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the developer first entering into a Section 106 agreement under the following heads of terms:

- The provision of 10% affordable housing on site
- The provision on site of a local equipped area for play (LEAP)
- The provision of an appropriate financial contribution to the improvement of educational facilities in accordance with the Council’s Supplementary Planning Guidance on Planning Obligations to be provided at the submission of reserved matters.
- The provision of a management agreement for areas of Public Open Space/ecological areas to secure the long term provision of the sites and all necessary ecological mitigation.

(Note: County Borough Councillor P. Jarman wished to have recorded that she voted to refuse the application contrary to the Officer’s recommendation).

(Note: During the discussion, a lost motion to refuse the application contrary to the Officer’s recommendation was moved and seconded).

(2) Application No.15/1053 – Construction of Two Detached Dwellings and Associated Garages (amended plans received 16/12/15) – Land at Doddington Place, Pontypridd

(Note: Having previously declared a personal and prejudicial interests in the above-mentioned application (Minute Nos. 142(1) & (2) above refer), County Borough Councillors L.M. Adams and S. Powderhill left the meeting for this item)

In accordance with adopted procedures, the Committee received Mrs L. Dobber (Applicant), Mr D. Davis (Agent), Ms Bethan Price (Objector) and Ms Margaret Price (Objector), each being afforded five minutes to address Members on the application. The applicant's Agent exercised his right to respond to the objectors comments.

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.15/1075 – Detached 5 Bedroom Dwelling and Detached Workshop ancillary to the use of the dwelling (amended plans received 17/11/15) – Land off Oakland Street, Miskin, Mountain Ash

(Note: County Borough Councillor R.Lewis declared a personal interest in the above-mentioned application – “I use the same Gym as the applicant but I do not know him”)

In accordance with adopted procedures, the Committee received Mr Neil Williamson (Applicant), who was afforded five minutes to address Members on the proposal.

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

(4) Application No.15/1460 – Reserved Matters for 74 no. dwellings, highways infrastructure and associated works – Land adjacent to The Meadows, Coedely, Tonyrefail

(Note: Having previously declared a personal and prejudicial interest in the above-mentioned matter, County Borough Councillor P.Wasley exercised his right to speak on the matter under Paragraph 14(2) of the Code of Conduct and after doing so, he left the meeting for this item).

In accordance with adopted procedures, the Committee received the following public speakers:

- Mr Jon Wilks (Agent)
- Community Councillor Neil Harding (Objector)
- Ms Emily Thomas (Objector)

Mr.Wilks (Agent) declined an invitation to respond to the Objectors' comments.

Non-Committee Member – County Borough Councillor L.G. Walker also addressed the Committee on the proposal expressing highway concerns.

The Development Control Manager reported orally that 15 “late” letters had been received from residents of Gwern Heulog objecting to the proposal owing to highway concerns around access to the site and the strain that more development would be put on existing community services such as schools and the Doctor’s surgery.

Having previously declared a personal and prejudicial interest in the above-mentioned matter, County Borough Councillor P.Wasley then exercised his right to speak on the matter under Paragraph 14(2) of the Code of Conduct and after doing so, he left the meeting.

Following further consideration of the proposal, Members were reminded by the Service Director, Planning that the application before them sought approval of ‘Reserved Matters’ which related only to the Layout, Scale, Appearance and Landscaping of the proposed development. He pointed out that access to the site and ground conditions had not been reserved at the outline planning application stage and was not a matter for determination by the Committee. The Outline Planning Permission for residential development on this site was previously granted in March 2013.

Following lengthy discussion, it was **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 voted to refuse the application contrary to the Officer’s recommendation.

Note: County Borough Councillors L.M. Adams and S. Powderhill wished to have recorded that they abstained from voting.

Note: County Borough Councillor S. Rees wished to have recorded that she did not vote as she was not present at the time the vote was taken)

(**Note:** During the discussion, a lost motion to convene a site inspection to observe ground conditions at the site as well as consider emergency access arrangements was moved and seconded).

150 SUSPENSION OF COUNCIL PROCEDURE RULES

In accordance with Council Procedure Rule No.8, it was **RESOLVED** to continue the meeting beyond 8 p.m. so as to deal with all remaining business on the agenda.

151 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER

Application No.14/0440 – Installation of a single (500kW) wind turbine measuring 77.9m to tip with ancillary structures (Environmental Statement received 5th May 2015) – Garth Fawr Farm, Cilfynydd, Pontypridd

In accordance with adopted procedures, the Committee received Mr Daniel Shone (Objector), who was afforded five minutes to address Members on the proposal.

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

152 APPLICATIONS RECOMMENDED FOR APPROVAL

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

Non-Committee/Local Member – County Borough Councillor R.W. Smith addressed the Committee in relation to Application No.14/1593 – Construction of 9 units comprising of 8 no. 1 bedroom apartments and 1 no. 4 bedroom house and associated works – Vacant Land between 117 and 119 Trehafod Road, Trehafod – raising no objection to the proposal.

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) To approve Application No.14/1593 – Construction of 9 units comprising of 8 no. 1 bedroom apartments and 1 no. 4 bedroom house and associated

works (additional information received 06/02/15 and 09/02/15, amended plans received 30/06/15, amended plans and description 09/12/15) – Vacant Land between 117 and 119 Trehafod Road, Trehafod, Pontypridd – in accordance with the recommendation of the Service Director, Planning subject to the applicant first entering into a Section 106 agreement to ensure that the units are provided and retained as affordable housing.

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

15/1346 – Erection of a building measuring 2,368.47 square metres to enclose apparatus of consented Gasifier Unit (under planning permissions BBNPA 09/02488/FUL and RCT 08/1735/10) on the Enviroparks Hirwaun Site to form an extension and continuation to the consented fuel preparation area building. Landscaping and External Gasifier Plant Equipment, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun

15/1412 – Two storey side extension, single storey rear extension, new entrance porch with ramped access, decking and the siting of air conditioning units (amended description received 12/11/2015) (Listed Building Consent) – Miskin Arms Public House, Hensol Road, Miskin

15/1417 – Application for the erection of Class B1/B2/B8 Units and associated external alteration (Phase 4) – Phase 4, Hepworth Park, Coedcae Lane, Pontyclun

15/1425 – Variation of Condition 1 of Planning Consent 10/0601/10 – Extension of Time – Land at Rombic Farm, Halt Road, Rhigos, Aberdare

15/1440 – Two storey side extension, single storey rear extension, new entrance porch with ramped access, decking and the siting of air conditioning units (amended description received 12/11/2015) (Bat Survey received 25/11/15) – Miskin Arms Public House, Hensol Road, Miskin, Pontyclun

(Note: County Borough Councillor G.Stacey declared personal interests in Application Nos. 15/1512 and 15/1440 referred to above – “I know the applicant”).

153 APPLICATION RECOMMENDED FOR REFUSAL

Application No.15/1288 – Extension and conversion of former licensed premises into 9 no. flats (internal inspection report for bats received 30/11/15) – 50 Ystrad Road, Ton Pentre

Following consideration of the above-mentioned proposal, it was **RESOLVED** to refuse the application in accordance with the recommendation of the Service Director, Planning.

DEFERRED APPLICATIONS

154 APPLICATION NO.15/0740 – PROPOSED CHANGE OF USE FROM LOCAL AUTHORITY OFFICE TO STUDENT ACCOMMODATION – OFFICE, LLWYN CASTAN, LIBRARY ROAD, PONTYPRIDD

(**Note:** Having previously declared a personal and prejudicial interest (Minute No.142(3) above refers), County Borough Councillor S. Powderhill left the meeting for this item)

Pursuant to Minute No.121 (Development Control Committee, 3 December 2015) when Members were minded to refuse the above-mentioned application contrary to the Officer's recommendation because they considered the proposed development to be over intensive and detrimental to highway safety, the Service Director, Planning, in his report, gave his views on the proposal and the reasons for refusal put forward by Members.

The Development Control Manager reported orally on the contents of "late" letters received from:

- Graham King, the Applicant's Agent, inviting the Committee to reflect on its previous decision; and
- Jo Bambarini, the Vice-Chair of 'Your Pontypridd' supporting and welcoming the redevelopment of the former offices into student accommodation.

Non-Committee/Local Member – County Borough Councillor S. Carter addressed the Committee in opposition to the proposed development.

Following consideration of the report, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning, to refuse the application for the following reason:

'The proposed development is contrary to Policies AW5 and CS2 of the Rhondda Cynon Taf Local Development Plan because it is considered to amount to an over-intensive development and would lead to on-street parking in the neighbourhood to the detriment of highway safety.'

155 APPLICATION NO.15/0795 – THE DEMOLITION OF EXISTING BUILDINGS ON SITE AND THE CONSTRUCTION OF 14 NO. AFFORDABLE RESIDENTIAL DWELLINGS (AMENDED PLANS RECEIVED 22/12/15) – TY GWYN PSYCHOLOGICAL CENTRE, LAND TO THE WEST OF SEATON STREET, PONTYPRIDD

(Note: County Borough Councillor M.J.Watts declared a personal and prejudicial interest in the above-mentioned application – “I am a Member of the Board of Rhondda Housing Association” – and he left the meeting for this item).

Pursuant to Minute No.136 (Development Control Committee, 17 December 2016) when Members were minded to refuse the application contrary to the Officer’s recommendation because they considered the proposed development would be out of keeping with the character of the area and be overbearing on the properties closest to the proposed three storey buildings, the Service Director, Planning, in his report, provided an update in respect of the application.

Members were informed that on 22 December 2015, the applicant submitted amended plans detailing the reversion of the application back to its original form.

Members were also informed that since that time the applicant had lodged an appeal against non-determination with the Planning Inspectorate and, therefore, Members could only decide how they would have determined the original application had they been given the opportunity to do so.

Non-Committee/Local Members – County Borough Councillors R.W.Smith and (Mrs) C. Leyshon spoke on the application and both objected to the proposal.

Following a discussion, it was **RESOLVED** that had the Committee been given the opportunity to determine the application, it would have refused the application contrary to the recommendation of the Service Director, Planning for the following reasons:

1. The mass, size and scale of the apartment blocks, as a result of their three storey height would be out of keeping with the overall character and appearance of the area, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.
2. The close proximity of the apartment block one in association with its three storey height would have an overbearing impact on the closest residential properties within Seaton Street, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

156 INFORMATION REPORT

In his report, the Service Director, Planning set out details of Planning and Enforcement Appeals Decisions, Delegated Decisions (Approvals and

Refusals with reasons), an Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 7 December 2015 – 8 January 2016 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 8.25 p.m.