

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, 7th July 2016 at 5.00 p.m.

PRESENT

County Borough Councillor G. Stacey - in the Chair

County Borough Councillors

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

Non-Committee Members in Attendance

County Borough Councillors D.R. Bevan, J. Bunnage, J. Elliott, J.S. James, A. Morgan and M. Webber

Officers in Attendance

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

12 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs) L. De Vet, S. Rees and M.J. Watts.

13 DECLARATIONS OF INTERESTS

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

- (1) County Borough Councillor P. Jarman in respect of Application No.15/1239 – Change of use from agricultural to agricultural and equestrian. Construction of an access track and ménage. (Amended red line boundary received 04/05/16) – Land at Coed Gwaenydd Bach, Cwmbach, Aberdare – “My Son lives close to the application site and owns a horse albeit it is stabled elsewhere, it is also a prejudicial interest and I will leave the meeting for this item.”

- (2) County Borough Councillor G. Smith in respect of Application No. 16/0124 – Erection of a single wind turbine and associated infrastructure (revised plans received 31/05/16, including revised site boundary to accommodate an electricity connection to the Royal Mint, decrease in height of the turbine to 100 metres maximum blade tip height and change in colours to a green tower and yellow blades to represent a daffodil) (amended plans/information received 31/05/16) on land 440 metres to the West of Rhiw felin Fach Farm, North of The Royal Mint, Llantrisant, Pontyclun, Gr 303656, 185383 – “The Applicant is known to me and I have had responsibility for looking after trade union members at the Royal Mint for over twenty years, it is also a prejudicial interest and I will leave the meeting for this item”.
- (3) County Borough Councillor G. Smith in respect of Application No.16/0299 – Provision of a new 3-16 middle school at Porth County Community School site including provision of a new primary building and associated landscaping and external works. To include demolition and alterations to existing school – Porth County Community School, Cemetery Road, Porth – “I am a Governor of the new School, it is also a prejudicial interest and I will leave the meeting for this item.”
- (4) County Borough Councillor C.J. Middle in respect of Application No.16/00304 – Provision of a new 3-16 middle school at Tonypandy Community School site including provision of a new primary building and associated landscaping/external work. To include demolition and alterations to existing school – Tonypandy Comprehensive School, Llewellyn Street, Penygraig, Tonypandy – “I am Chair of Tonypandy Primary, a member of the current College and a Shadow Governor, it is also a prejudicial interest and I will leave the meeting for this item.”

14 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.

15 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.

16 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on 23rd June 2016.

17 APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No.15/1295 – Proposed residential development associated highway access, provision of an on site school and ancillary uses and works on land at Ystrad Barwig Isaf (amended details and plans received 15th March 2016) – Ystrad Barwig Isaf, Crown Hill, Llantwit Fardre, Pontypridd

(Note: County Borough Councillor S. Powderhill declared a personal and prejudicial interest in the above-mentioned application stating “I know one of the public speakers and I will leave the meeting for this item)

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

- Geraint John (Applicant’s Agent)
- Mick Antoniw AM (Objecting on behalf of local residents)
- Iestyn Nettleton (Objector)
- Diane Nettleton (Objector)
- Sam Trask, JP (Objector)
- Tony Yule (Objector)
- David Shepherd (Objector)
- Jools Jones (Objector)

The Applicant’s Agent exercised the right to respond to the objector’s comments.

Non-Committee/Local Members – County Borough Councillors J. Bunnage and J.S. James spoke on the application and both put forward their objections to the proposed development.

The Development Control Manager reported orally on the contents of “late” correspondence received from;

- Simon Grey, Managing Director of Llanmoor Homes in support of the application
- Mr. & Mrs Peach objecting to the proposal
- Llantwit Fardre Community Council raising no objection to the proposed development as a corporate body but pointing out that individual Community Councillors could send in their own observations/objections.
- Jan Lewis expressing concerns regarding the proposed development

- Steve Anderson, Director of Anderson Planning & Development Ltd. objecting to the application on behalf of the Residents Against Ystrad Barwig.

The Development Control Manager then presented the application to the Committee and following lengthy consideration of the proposal, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to:

- Referral to the Welsh Government under the requirements of The Town and County Planning (Notification) (Wales) Order 2012 and the Welsh Government raising no objections to the proposal
- The conditions specified in the report
- The applicant first entering into a Section 106 agreement to meet the following requirements:
 - i. Ecology – the delivery of a long term habitat management plan
 - ii. Affordable housing – to be provided on the basis of the advice from the housing strategy group as outlined in the report
 - iii. Recreation – the provision of public open space and play areas as described in the site masterplan
 - iv. The agreement of an employment skills training plan.

(**Note:** During the consideration of the proposal, a lost motion to refuse the application contrary to the Officer's recommendation was moved and seconded).

(**Note:** County Borough Councillors R. Lewis and (Mrs) A. Roberts left the meeting at this point in the proceedings (6.35 p.m.)

(2) Application No.16/0124 – Erection of a single wind turbine and associated infrastructure (revised plans received 31/05/16 including revised site boundary to accommodate an electricity connection to the Royal Mint, decrease in height of the turbine to 100 metres maximum blade tip height and change in colours to a green tower and yellow blades to represent a Daffodil) (Amended plans/information received 31/05/16) on land 440 metres to the West of Rhiwfeilin Fach Farm, North of The Royal Mint, Llantrisant, Pontyclun Gr303656, 185383

(**Note:** Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No. 13(2) refers), County Borough Councillor G. Smith left the meeting for this item).

In accordance with adopted procedures, the Committee received Stuart Mitchell (Applicant) and Mark Robert (Applicant's Agent), each being afforded five minutes to address Members on the application.

The Development Control Manager reported orally on the contents of a “late” letter received from the Coal Authority withdrawing their objection to the proposal.

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

(3) Application No.16/0299 – Provision of a new 3-16 middle school at Porth County Community School site, including provision of a new primary building and associated landscaping and external works. To include demolition and alterations to existing school - Porth County Community School, Cemetery Road, Porth

(Note: Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No. 13(3) refers), County Borough Councillor G. Smith left the meeting for this item)

(Note: County Borough Councillor P. Wasley declared a personal and prejudicial interest in the matter stating “I know the public speaker and I will leave the meeting for this item”)

In accordance with adopted procedures, the Committee received Anthony Matthews (Objector), who was afforded five minutes to address Members on the application.

The Development Control Manager presented the application and informed Members that as amended plans had been received suggested Condition no.2 in the report would need to be amended to show the revised plan reference number(s) updating amended floor plans and elevations. Also, if Members were minded to approve the application, it would be subject to no objection being raised by the Coal Authority and Natural Resources Wales confirming no objection to the revised/additional Bat Survey work undertaken.

Following a discussion, it was **RESOLVED** to approve the application in accordance with the Officer’s recommendation subject to:

- Condition No.2 being amended to reflect the revised plan reference number(s);
- no objection being raised by the Coal Authority; and
- Natural Resources Wales confirming no objection to the revised/additional Bat Survey work undertaken.

18 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING A PUBLIC SPEAKER

Application No.15/1239 – Change of use from agricultural to agricultural and equestrian. Construction of an access track and ménage (amended red line boundary received 04/05/16) – Land at Coed Gwaenydd Bach, Cwmbach, Aberdare

(**Note:** Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No.13(1) refers), County Borough Councillor P.Jarman left the meeting for this item).

In accordance with adopted procedures, the Committee received Christine Davies (Applicant), who was afforded five minutes to address Members on her application.

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

The Development Control Manager outlined the contents of “late” letters of objection received from the Occupiers of Nos. 5 & 6 Llys y Coed, Cwmbach.

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

- (1) To refuse the application in accordance with the recommendation of the Service Director, Planning.
- (2) To instruct the Service Director, Planning to initiate immediate enforcement action to secure the removal of the ménage and horses from the site.

19 APPLICATIONS RECOMMENDED FOR APPROVAL

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

In respect of Application No.16/0304 – Provision of a new 3-16 middle school at Tonypany Community School site, including provision of a new building primary school and associated landscaping/external work. To include demolitions and alterations to existing secondary school – Tonypany Comprehensive School, Llewellyn Street, Penygraig, Pontypridd – the Development Control Manager reported orally that owing to plan changes, it was necessary to update plan reference numbers in suggested Condition No.2. Also, Natural Resources Wales had now confirmed that the issues concerning Bats had been resolved and they were satisfied with the conversion work that had been done. However, the Coal Authority had yet to respond to the application.

Following consideration of the applications before them, Members **RESOLVED** –

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

15/1590 – Construction of two residential dwellings and associated works (amended plans and details received 12th May 2016 and 16th May 2016) – Land at 52-56 Rickards Street, Pontypridd

16/0537 – Proposed garden room – Ty Gwyn, Gwaunmiskin Road, Beddau

- (2) In accordance with the recommendation of the Service Director, Planning, to approve application no. **16/0304** – Provision of a new 3-16 middle school at Tonypandy Community School site, including provision of a new build primary school and associated landscaping/external work. To include demolitions and alterations to existing secondary school – Tonyapandy Comprehensive School, Llewellyn Street, Penygraig, Tonypandy - subject to no objection being raised by the Coal Authority and the revision of the plan references contained in Condition No.2 to the amended floor plans and elevations.

(Note: Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No.13(4) refers), County Borough Councillor C.J. Middle left the meeting for this item).

20 **INFORMATION REPORT**

In his report, the Service Director, Planning set of details of Delegated Decisions (Approvals and Refusals with reasons) for the period 13th – 24th June 2016 and it was **RESOLVED** to note the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 7.38 p.m.