

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, 1st December 2016 at 5.00 p.m.

PRESENT

County Borough Councillor G. Stacey – in the Chair

County Borough Councillors

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

Non-Committee Members in attendance

County Borough Councillors

R. Smith

Officers in Attendance

Mr. S. Gale – Service Director, Planning

Mr. S. Humphreys – Head of Legal, Planning & Environment

Mr. C. Jones – Development Service Manager

Mr. S. Zeinali – Highways Development & Adoptions Manager

80 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors S.Rees, (Mrs) S.Jones, (Mrs) L.De.Vet, P.Jarman, C. Middle and M. Watts

81 DECLARATION OF INTEREST

The following declarations of personal interest were declared in the matter
Pertaining to the agenda

- (1) In accordance with the Code of Conduct, County Borough Councillor P. Wasley declared a personal interest which was also a prejudicial interest in Application No: 16/0877/10 Proposed change of use from A1 to A3 Hot Food Take Away and Installation of an Extract Ventilation Flue to rear Williams, 57 Tylacelyn Road, Penygraig, Tonypany as he knew the owner and would therefore leave the meeting for the consideration of that matter.

82 HUMAN RIGHTS ACT AND DEVELOPMENT CONTROL MATTERS

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.

83 WELLBING 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.

84 MINUTES

RESOLVED to approve as an accurate record, the minutes of the meeting of the Development Control Committee held on the 3rd November 2016 subject to it being noted that County Borough Councillor R.Lewis apologies were omitted from the Minutes.

85 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

86. APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

Application No; 16/0736 – Outline application (with all matters reserved) for 15 houses including access (Amended details and indicative plans received), land adjacent Pantygraigwen Road, Pontypridd.

It was noted that the Agent, Mr. R. Hathaway who had requested to address the Committee was not present to do so.

Non – Committee / Local Member - County Borough Councillor R. Smith addressed the Committee in respect of the application.

The Committee **RESOLVED** - to defer consideration of the application for a site inspection to be undertaken by the Development Control Committee for the substantial reason, to consider the impact of the proposal on the surrounding area.

DEFERRED APPLICATIONS INVOLVING PUBLIC SPEAKERS

87. Application No: 16/0839/10 Demolition of existing School Buildings and the Construction of 98 Residential Units and Associated Access Engineering and Landscaping Works (including modified Access to Sports Centre and Pupil Referral Unit) at Former Aberdare High School, Cwmdare, Aberdare.

Pursuant to Minute No76 (1) of the (Development Control Committee 17th November 2016) when Members resolved to defer determination of the above application to enable negotiations to take place with the Applicant to substitute the dwelling house at plot 11 with a bungalow to reduce the impact on the neighbouring bungalow Whitehaven.

It was noted that the Agent, Mr L. Morris who was present at the meeting and had requested to address the Committee declined the opportunity to do so.

Members were informed of the contents of a “late” letter received from Mr L. H. Drew advising that his objections to the development still remained.

Following consideration of the application it was **RESOLVED** – to approve the application in accordance with the recommendations of the Service Director, Planning subject to the revisions to condition 2 and condition 15 as set out in updated report.

88. Application No: 16/0877/10 Proposed Change of Use from A1 to A3 Hot Food Take Away and Installation of Extract Ventilation Flue to Rear Williams, 57 Tylycelyn Road Penygraig, Tonypandy.

(**Note:** Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No. 81 refers), County Borough Councillor P. Wasley left the meeting for this item).

Pursuant to Minute No. 77 (2) of the (Development Control Committee of the 3rd November 2016) when Member were minded to refuse the application contrary to officers recommendations as Members considered that the proposed change of use would result in oversaturation of A3 establishments along Tylycelyn Road and would also have an adverse effect on highway safety.

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

- Mr. P. Parsons, the Agent requesting that Members approve the application;
- Mr. K. Williams expressing concerns regarding a Petition in the Shop window of Gags and Guises, Penygraig Road.
- Mr. R. Hathway expressing concerns regarding the proposed development.

The Service Director Planning reported that if, after considering of his Report Members were still minded to refuse the application, the reasons suggested in his report reflect their view.

Following consideration of the matter, it was **RESOLVED** contrary to the recommendation of the Service Director, Planning to refuse the application for the two reasons set out in the report subject to an amendment to reason 1 to reflect the decision of Members that the development does not meet the sustainable development principle required by the Wellbeing of Future Generations (Wales) Act

2015 and that the Service Director Planning be authorised to amend reason 1 to reflect this.

89. APPLICATION No: 16/0603/10 The proposed Development is a Gas Fuelled Power Plant which may include an Element of Energy Storage to be Located on Land within the Hirwaun Industrial Estate (Amended Details Received 2/09/2016) Unit O , Hirwaun House Walters Group, Hirwaun Industrial Estate Hirwaun, Aberdare.

Pursuant minute No. 76 of the (Development Control Meeting of the 3rd November 2016) where Members were minded to refuse the application, contrary to the recommendations of the Service Director, Planning as they considered that the cumulative effect of the proposal with other developments in the area , the operating hours proposed and the noise generated by the proposal would have an adverse impact on the residential amenity of the area. As a consequence a further report to highlight the potential strengths and weaknesses of taking a decision contrary to the recommendations was reported to the Committee.

The Service Director Planning reported that if, after considering of his Report Members were still minded to refuse the application, the reasons suggested in his report reflect their view.

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

1. The Proposed development, by the virtue of its cumulative impact with other energy developments in the area, the noise it would generate and its potential operating hours, is considered to have an unacceptable impact on the amenity of surrounding residential properties, contrary to Policies AW10 and AW12 of the Rhondda Cynon Taf Local Development Plan.

90. Application No: 16/0335/10 – Demolition of Former Public House and constructions of 18 affordable apartments (Amended plans and information received 22/08/2016 – Hand and Squirrel Public House, 19 Ely Valley Road, Talbot Green, Pontyclun, CF72 8AL .

Pursuant minute No. 77 of the (Development Control Meeting of the 17th November 2016) where Members were minded to refuse the application, contrary to the recommendations of the Service Director, Planning as they considered that the proposal would represent an overbearing overdevelopment of the plot and that the level of car parking offered by the proposal is insufficient and would lead to increased on street parking to the detriment of highway safety. As a consequence a further report to highlight the potential strengths and weaknesses of taking a decision contrary to the recommendations was requested.

Members were advised that since their decision to refuse the application contrary to officer recommendation made on 17th November, 2016, the four week window of opportunity for Members to determine the application had closed as the applicants had already submitted an appeal to the planning inspectorate.

Following consideration of the matter, it was **RESOLVED** that had Members the power to determine the application they would have refused the application for the three reasons set out in the Report and further Members agreed that the basis of the Authority's appeal submission be as outlined in the report.

91 INFOMATION REPORT

In his report, the Service Director, Planning provided Members with details of Planning and Enforcement Appeals Decisions Received, Delegated Decisions Approvals and Refusals with reasons for the period 07/11/2016 – 18/11/2016 and it was **RESOLVED** to not the information.

**G.STACEY
CHAIRMAN**

The meeting terminated at 17.35 p.m.

These minutes are subject to approval as an accurate record at the next meeting of the Development Control Committee