

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee held at the County Borough Council Offices, The Pavilions, Clydach Vale on Thursday, 7th September, 2017 at 5 p.m.

PRESENT

County Borough Councillor S.Rees – in the Chair

County Borough Councillors

J.Bonetto	L.Hooper	J, Williams
G. Caple	G. Hughes	
D. Grehan	S. Powell	

Officers in Attendance

Mr.S.Gale – Service Director, Planning
Mrs L Coughlan – Solicitor
Mr.D.J.Bailey – Development Services Manager
Mr.C.Jones – Development Services Manager
Mr.S.Zeinali – Highways Development & Adoptions Manager

45. APOLOGY FOR ABSENCE

An apology for absence was received from County Borough Councillors A. Davies- Jones, P.Jarman and D. Williams

46. DECLARATIONS OF INTEREST

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

(1) In accordance with the Code of Conduct, County Borough Councillor S Rees declared a personal interest in respect of Application No: 17/0495 - Refurbishment of public house including retention of and extension of roof of two storey rear extension (accommodating extension of public house at ground floor level, 3no in total). Also retention of retaining /engineering works in rear amenity area (accommodating garden area, access and parking arrangements) Royal Oak Inn, Morgan Row, Cwmbach Aberdare. "As a public speaker is a close friend therefore I will leave the meeting for this item"

(2) In accordance with the Code of Conduct, the Service Director Planning declared a personal interest in respect of Application No: 12/1282 - Proposed Residential Development and associated works, former Treherbert Hospital, Treherbert. "I live directly behind the application site therefore I will leave the meeting for this item "

47. 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.

48. 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.

49 MINUTES

RESOLVED – To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 3rd August 2017

50. 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.

51. APPLICATIONS RECOMMENDED FOR APPROVAL INVOLVING PUBLIC SPEAKERS

(1) Application No: 17/0772/10 – It is proposed to take down an existing flight of steps and platform leading to the lower garden and construct a new decking area with a new set of steps, 180 Tyntyla Road, Lwynypia, Tonypany.

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

- Mr M Rees (Applicant)
- Mr M Thompson (Objector)

Non- Committee/ Local Member – County Borough Councillor L. Jones spoke on the application and put forward her views in respect of to the proposed Development.

The Development Service Manager then presented the application to the Committee and following consideration of the proposal, it was **RESOLVED** To approve the application in accordance with recommendations of the Service Director Planning subject to the replacement of condition 1:

- As scheme is in significant part retrospective, the development to be completed in accordance with approved plans within 3 months of the date of permission,

52 APPLICATION RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS

- (1) Application No: 17/0495 – Refurbishment of public house including retention of and extension of roof of two storey rear extension (accommodating extension of public house at ground floor level, 3no in total). Also retention of retaining /engineering works in rear amenity area (accommodating garden area, access and parking arrangements) Royal Oak Inn, Morgan Row, Cwmbach Aberdare.**

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

- Ms V Davies (Agent)
- Mr M Griffiths (Supporter)

Non- Committee/ Local Member – County Borough Councillor J. Elliott spoke on the application and put forward his views in respect of to the proposed Development.

The Development Service Manager reported orally on the contents of “late” correspondence received from the applicant putting forward his view on the application.

The Development Service Manager then presented the application to the Committee and 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 development is not inappropriate and unsympathetic to the character of

the building. The matter be deferred to the next appropriate meeting of the Planning and Development Committee for a report from 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 recommendations, prior to determination.

(Note: Having earlier declared a personal and prejudicial interest in the above-mentioned application (Minute No46.), County Borough Councillor S. Rees left the meeting for this item and County Borough Councillor G Caple took the Chair for this item only).

53 SITE INSPECTION REPORTS

(1) Application No: 17/0299 – Change of Use from C3 (Dwelling House) to a C4 (House in Multiple Occupation) – 13 Windsor Rd, Treforest, Pontypridd, CF37 1 BX

In accordance with Minute No.21 (1) (Planning and Development Committee 20th), a site inspection had taken place on 8th August , 2017 to consider the oversaturation of C4 developments in the Treforest ward and the impact on the surrounding area. The Committee considered the report back on the site inspection and details of the application were set out in Appendix 1 to the report.

The Development Service Manager reported orally on the contents of “late” correspondence received from:

- Pontypridd Town Councillor K. Woodward
 - County Borough Councillor / Local Member Councillor S. Powderhill
 - Treforest Residents Association
- Objecting to the above application.

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

(2) Application No: 17/0405/10 Change of use of property from Category C3 Dwelling house to a C4 House in Multiple Occupation (Class C4) – 23 Egypt St, Treforest, Pontypridd, CF37 1BS

In accordance with Minute No.21 (4) (Planning and Development Committee 20th), a site inspection had taken place on 8th August , 2017 to consider the oversaturation of C4 developments in the Treforest ward and the impact on the surrounding area. The Committee considered the report back on the site inspection and details of the application were set out in Appendix 1 to the report.

The Development Service Manager reported orally on the contents of “late” correspondence received from:

- Pontypridd Town Councillor K. Woodward
 - County Borough Councillor / Local Member Councillor S. Powderhill
 - Treforest Residents Association
- Objecting to the above application.

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

(3) Application No: 17/0309/10 – Retrospective Application for conversion of Dwelling (Class C3 to a house of Multiple Occupation (Class C4) – 88 Broadway, Treforest Pontypridd, CF37 1BD.

In accordance with Minute No.18 (4) (Planning and Development Committee 20th), a site inspection had taken place on 8th August , 2017 to consider the oversaturation of C4 developments in the Treforest ward and the impact on the surrounding area. The Committee considered the report back on the site inspection and details of the application were set out in Appendix 1 to the report.

The Development Service Manager reported orally on the contents of “late” correspondence received from:

- Pontypridd Town Councillor K. Woodward
 - County Borough Councillor / Local Member Councillor S. Powderhill
 - Treforest Residents Association
- Objecting to the above application.

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

54. APPLICATIONS RECOMMENDED FOR APPROVAL

In his report the Service Director, Planning set out details of applications recommended for approval and it was **RESOLVED** –

(1) To approve Application No: 15/1390 – Construct block boundary wall and steps leading to patio and tiered garden (amended plans received 20/07/17), 38 Miskin Road, Trealaw, Tonypany, in accordance with recommendations of the Service Director Planning.

(2) To approve Application No: 17/0454 – Modifications to the rear annex and general refurbishment to facilities change of use from the existing Public House with 13 hotel rooms (Use A3 + C1) to include a bistro cafe, restaurant (Use Class C3) retention of the Hotel rooms, bakery (A1) and Micro Brewery (B2) Cardiff Arms Hotel, Bute Street, Treorchy. In accordance with the recommendations of the Service Director Planning.

(**Note** : The Development Service Manager informed Members of a Late Letter from Mr G Lewis putting his concerns forward in respect of the application)

(**Note:** County Borough Councillor E. Webster who is a Non- Committee Local Member spoke on this item putting his views forward in respect of the application)

(3) To Approve Application No: 17/0499 – Conversion/ Change of use into 2 No 3 bedroom terraced residential dwelling. The former Royal Oak Public House, Llanwonno Rd. Mountain Ash, in accordance with the recommendations of the Service Director Planning.

(4) To approve Application No: 17/0585 – Installation of a telecommunications based station and mast including 2No 300mm dishes together with associated equipment cabinets and ancillary development thereto (Amended Plans received 2nd August 2017) , land at Nant Y Dwrgi , Llanharan in accordance with the recommendations of the Service Director Planning.

(5) To approve Application No: 17/0706 – Alterations to form a new French window to provide access from the restaurant area onto a new external timber deck providing external dining. Trebanog Arms Public House, Trebanog Rd, Porth, in accordance with the recommendations of the Service Director Planning.

(6) To approve Application No: 17/0733 – Change of use from MOT centre and car sales to MOT centre and Car Hire, JW Cars, Cardiff Road, Rhydyfelin, Pontypridd in accordance with the recommendations of the Service Director Planning.

(**Note:** Non- Committee / Local Member Councillor M. Fidler Jones spoke in support of the application)

(7) To approve Application No: 17/0745 – Proposed installation of a telecommunication base station with 17.5m monopole mast, supporting 3no antennas, 2no 300mm dishes together with associated cabinets and ancillary development thereto, land at Ynyshir Rd, Porth, in accordance with the recommendations of the Service Director, Planning.

(8) To approve Application No: 17/0784 – Proposed installation of telecommunication s base station with a 22.5M monopole, supporting 3 no antenna, 2no 300M dishes together with associated ground based cabinets and ancillary development thereto, land at Abergorki Industrial Estate , Treorchy.

(9) To approve Application No: 17/0793 – New Build, mixed –use development providing predominately B1 – space but with ancillary A3, D1, and D2 uses in the form of Three New Buildings above a common basement providing car parking and Service Areas, site of former Taff Vale Shopping Centre, Taff Street, Pontypridd in accordance with the recommendation s of the Service Director, Planning.

(**Note:** Non- Committee / Local Member County Borough Councillor H. Fychan addressed the Committee with her concerns in respect of the application.)

55. DEFERRED APPLICATIONS

(1) Application No: 16/0660 – 33 Dwellings and Associated highways and drainage infrastructure, Land to rear of Delwen Terrace Blaencwm.

In his report the Service Director, Planning reported that the above mentioned application was originally reported to the Planning and Development Committee on 20th April 2017 (Minute No. 171 (1) when it was approved subject to conditions and the applicant entering into a Section 106 Agreement to secure 10% Affordable Housing provision in accordance with Policies AW4 AND NSA11 of the Rhondda Cynon Taf Local Development Plan.

Members were advised that a Viability Report had now been submitted which demonstrated that the Affordable Housing provision made the development unviable. On this basis, and having regard to Policy AW4 of the LDP it is recommended that planning permission be granted subject to the conditions included in the report (save for Condition 11, which is no longer suggested) and without the need for the applicant to enter a Section 106 Agreement to secure Affordable Housing provision in accordance with Policy NSA11 of the LDP.

Following Consideration Members **RESOLVED** - to approve the application in accordance with the recommendations of the Service Director Planning.

(2) Application No: 12/1282 – Proposed Residential Development and associated works, former Treherbert Hospital, Treherbert.

In his report the Development Service Manager reported that the above –mentioned application was originally reported to the Planning and Development Committee on the 17th October 2013 with recommendation that it be approved subject to conditions and the applicant, and any other interested parties, first entering into a Section 106 covering the heads of terms listed as follows:

- A Transport Tariff financial contribution of £58,656 towards improving the strategic highway network;
- A leisure / recreation contribution in accordance with the Local Development Plan requirement ;
- Affordable housing provision across the whole site at a minimum level of 10% in accordance with Local Development Plan requirements (the means of delivery and on-site / off-site splits of these units to be the subject of further discussions and negotiations).

It is acknowledged that since Members' resolution the Community Infrastructure Levy (CIL) has been introduced in Rhondda Cynon Taf, which means that a Transport Tariff contribution can no longer be sought via a Section 106 Agreement. However, leisure / recreation contributions and affordable housing provision can still be sought in accordance with relevant LDP Policies where necessary. Therefore, in the case of this planning application the latter two contributions listed above are still necessary to make the development acceptable in planning terms in accordance with relevant LDP Policies and capable of being sought by Section 106 Agreement. But, as the applicant has not responded to the Council's communication over a considerable period of time, it is assumed he is not prepared to enter into an Agreement on the heads of terms set above. In the absence of agreement to make a leisure / recreation contribution and affordable housing provision in accordance with relevant LDP Policies the proposed development is considered unacceptable in planning terms and is accordingly returned to Committee with an amended recommendation that it be refused for the reason set out below:

The proposed development is contrary to Policies AW4 and NSA11 of the Rhondda, Cynon, Taf Local Development Plan because it lacks adequate provision for recreational and leisure facilities and affordable housing to make the development acceptable in planning term.

After consideration of the report it was **RESOLVED** – to refuse the application in accordance with the recommendations of the Development Service Manger.

(**Note:** Having earlier declared a personal in the above-mentioned application (Minute No.46), the Service Director Planning left the meeting for this item).

56.INFORMATION REPORT

Members **RESOLVED** – to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions for the period 07/08/ 2017 and 18/08/ 2017.

Cllr S. Rees

Chair

Meeting ended at 6; 30pm

