

## **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 December, 2017 at 5 p.m.

#### **PRESENT**

County Borough Councillor S.Rees – in the Chair

#### **County Borough Councillors**

J.Bonetto	D.Grehan	S.Powell
G Caple	G. Hughes	D.H. Williams
A Davies – Jones	P. Jarman	J. Williams

#### **Officers in Attendance**

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

#### **101 APOLOGY FOR ABSENCE**

An apology for absence was received from County Borough Councillor W. Owen.

#### **102 DECLARATIONS OF INTEREST**

**RESOLVED** – that in accordance with the Members Code of Conduct, there were no personal interests made at the meeting pertaining to the agenda.

#### **103 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.

#### **104 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.

**105 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.

**106 MINUTES**

**RESOLVED** – to approve as accurate records the minutes of the meeting of the Development Control Committee held on the 2<sup>nd</sup> November, 2017.

**107 APPLICATIONS RECOMMENDED FOR REFUSAL INVOLVING PUBLIC SPEAKERS**

**(1) Application No.17/0984 – The Development proposed is 4no. detached garages and associated works, land at Hurst Grove (North of 1b Forge Place) Abernant, Aberdare.**

In accordance with adopted procedures, the Committee received the following public speakers who were given five minutes to present their views on the above-mentioned application.

- Mr T Irving (Objector)
- Mrs A Gair (Objector)

The Committee noted that Mrs Friel (Applicant) and Mr Harding (Objector) who had requested to address Members on the Application were not present to do so.

Non- Committee Local Members County Borough Councillors M. Forey and S. Bradwick spoke on the application and put forward their objections to the proposed development.

The Development Services Manager outlined the contents of a “late” letter from Mr R. David in support of the Application.

The Development Service Manger then presented the application to the Committee and following lengthy consideration of the proposal it was **RESOLVED** – to refuse the application in accordance with the Recommendation of the Service Director Planning.

**108 DEFERRED APPLICATIONS INVOLVING PUBLIC SPEAKERS**

**Application No: 17/0650 – Demolition and Rebuild of existing garage land opposite 28/29 The Avenue, Pontygwaith, Ferndale.**

In accordance with adopted procedures, the Committee received the following public speakers who were given five minutes to present their views on the above-mentioned application.

- Mr L Crews (Agent)
- Mrs E Jenkins (Objector)

The Agent Mr L Crews was offered the opportunity to respond to the Objector but declined to do so.

Non- Committee Local Members County Borough Councillors L. M. Adams and R. Bevan spoke on the application and put forward objections to the proposed development.

The Development Services Manager outlined the contents of a “late” letters received from Mrs A Evans and B Evans, Mrs Gregory and Mr and Mrs Isaac in objection to 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 refuse the application contrary to the recommendation of the Service Director Planning because they considered the development to be overbearing and out of character for the area 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.

**109 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 defer Application No. **17/0407** – The refurbishment and retention of the ground floor retail unit (A1), conversion of the first floor and erection of 3 additional floors for residential accommodation (C3) (31 one bed flats , 13 two bed flats) retention of basement for car parking, and associated works, Former Marks and Spencer, 100 – 102 Taff Street, Pontypridd for a site inspection to be undertaken by the Planning and Development Committee to consider the location of the proposed access for residents of and deliveries to the proposed development and its potential to impact on the safety of pedestrians accessing Ynysangharad Park ; and that the site inspection be attended by Officers of the Planning and Highways Directorates

(**Note:** Non Committee / Local Members County Borough Councillors J Brencher and M Powell put forward their concerns in respect of the application)

- (2) To approve Application No17/0498 – Proposed development of specialist care facility for vulnerable adults between ages of 18 and 65, Gelli Ceiros Care Home Fforchaman Road, Cwmaman Aberdare in accordance with the Recommendation of the Service Director Planning.
- (3) Application No: 17/0525 – Proposed revised restoration scheme following completion of coal extraction pursuant to Condition 8 of planning permission reference 13/0466, incorporating formation of a plateau for future development in accordance with Policy NSA8 of Rhondda, Cynon Taf Local Development Plan, at opencast site, Tower Colliery, (Amended Site and section plans drainage details and new photo montages dated October 2017), Tower Colliery Railhead, Rhigos Mountain Road, Rhigos, Hirwaun, Aberdare.

The Development Service Manager presented the report to the Committee and following a lengthy discussion on the application Members **RESOLVED** approve the re-profiled plateau element of the revised restoration scheme in accordance with the Recommendation of the Service Director Planning but to defer the determination of the diversion of the Nant-y-Bwlch watercourse in order to enable consultation with the Welsh Government in its potential to impact on the proposed dualling of the Heads of the Valley

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(**Note:** Non Committee Local Members County Borough Councillors K. Morgan and G. Thomas put forward their views on the application.)

(Note: The Development Services Manager outlined the contents of “late” letters received from S Powell and Brecon Beacons National Park objecting to the application and National Resources Wales withdrawing their objection)

- (4) To approve Application No.**17/0764** – The installation of a radio base station consisting of a 25m lattice mast supporting 3 no. antennas, 2 no 300m dish, 2 no. equipment cabinets and ancillary development thereto, land at Mill Farm Abercynon Road, Glyncoch Pontypridd in accordance with the Recommendation of the Service Director Planning
- (5) To approve Application No.**17/1058** – Variation of condition 1 of previously approved planning application 12/0468/10 (Conversion of former public house into 9 self contained flats. Granted 30/10/2012) for an extension of time for a further 2 years , Aberaman Hotel Public House , Jubilee Road,

Aberaman Aberdare in accordance with the Service Director Planning in accordance with the Recommendation of the Service Director Planning.

(6) To approve Application No. **17/1097** – Proposed Development of Fourteen Dwellings including access and parking, V. Griffiths and Sons Roofing Ltd, Jones Street, Cilfynydd, Pontypridd in accordance with the Recommendation of the Service Director Planning subject to the developer entering in to a Section 106 Agreement to provide 20% affordable housing on the site and the addition of a condition in the interests of highway safety that:

Prior to work commencing on site design and detail of vision splay of 2.4m x 40m from adjacent lane on to the un-named road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the first dwelling.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety in accordance with policy AW5 of the Rhondda, Cynon, Taf Local Development Plan.

(7) To approve Application No. 17/1179 – Double extension to rear of property, 52 Maesteg Crescent, Tonteg, Pontypridd, in accordance with the Recommendation of the Service Director Planning.

## **110 DEFERRED APPLICATIONS**

**(1) Application No: 16/0808 – Full Consent is sought for the construction of 19 dwellings on the site, together with the infrastructure associated with the development, land adjacent to Rhigos Post Office, Heol Pendarren, Rhigos, Hirwaun.**

In his report the Service Director Planning reported on the above mentioned application which was originally reported to the Planning and Development Committee on the 17<sup>th</sup> February 2017 (Minute No. 136 (2)) when it was approved subject to conditions and the applicant entering into a Section 106 Agreement for one of the three bedroom houses to be provided as a low cost housing unit or that an offsite contribution be made to the equivalent of 30% of the value of an open market dwelling on site.

The Development Service Manager presented the application to the Committee and advised Members that since the matter was first presented to the Committee the applicant has demonstrated to the satisfaction of officers of the Council that the site is not financially viable with any accompanying Section 106 Agreement contribution requirement.

Following consideration of the matter Members **RESOLVED** to approve the Application without the Section 106 requirement in accordance with the recommendation of the Service Director Planning subject to the removal of Condition 1;

“1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission” as the development has already commenced  
and the renumbering of conditions 2- 16 as 1 – 15.

(Note: Non- Committee Local Member County Borough Councillor G. Thomas put forward his concerns in respect of the application)

**(2) Application No: 17/0163/10 – Proposed dwelling land adjacent to Trelawney Rhyd Y Nant Pontyclun.**

Following the consideration of the matter Members **Resolved** to approve the application contrary to the recommendation of the Service Director Planning because they considered that the Flood Consequence Assessment and receipt of a consultation response of ‘no objection’ from Natural Resources Wales demonstrated that the development was acceptable development subject to the following conditions:

**1.** The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

**2.** The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- Drg 02 Proposed Site Plan, Elevations and Floor Plans received on 16<sup>th</sup> August 2017

and documents received by the Local Planning Authority on 16<sup>th</sup> August 2017 and 17<sup>th</sup> February 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

**3.** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: In the interest of residential amenity and to ensure the dwelling is suitable in terms of the flood zone in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

**4.** The lower ground area identified on the proposed plans shall not be used as living accommodation and shall only be used for storage purposes only.

Reason: In the interest of residential amenity and to ensure the dwelling is suitable in terms of the flood zone in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

**5.** The existing fence along the boundary with number 29 Rhyd-y-Nant, as detailed on the proposed plan, shall be maintained as such in perpetuity.

Reason: In the interests of amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

**6.** Notwithstanding the submitted plans and prior to any works commencing a report to meet the requirements of TAN 15 paragraph A1.12 shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interest of residential amenity and to ensure the dwelling is suitable in terms of the flood zone in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

**7.** The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing.

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.

3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

**8.** Notwithstanding the submitted details no development shall take place until drainage arrangements have been submitted to and approved in writing by the

Local Planning Authority. The dwelling hereby approved shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

**9.** The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 7) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

**10.** Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on site.

Reason: In the interests of highway safety and to prevent damage to the public highway and utility services in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

**11.** If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

**12.** The parking area shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

**13.** Surface water run-off from the proposed parking area, turning area and driveway shall not discharge onto the public highway unless otherwise agreed



in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**14.** HGV's used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:30am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**(3) Application No 170461 – Development of 22 Residential Dwellings, Landscaping, access arrangements, car parking and associated works (amended plans received 27/06/17), Former Williamstown Primary School, Arthur Street, Williamstown, Tonypanyd**

Following consideration of the matter Members **Resolved** to approve the application in accordance with the

Recommendation of the Service Director Planning subject to a Section 106 Agreement to provide a commuted sum of £30,000 for the future maintenance of the play area should it be adopted and to secure the tenancy of all the units as affordable housing and subject to the conditions set out in the original report to the Committee of 3<sup>rd</sup> August 2017 but subject to the wording of condition 13 being amended to the following:

“Details of equipment provision, layout and surfacing of the proposed play area shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be provided in accordance with approved details within 2 months of the final building control sign off of the development.

“Reason; to ensure adequate replacement provision, in the interests of the amenity of the area in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan. “

**(4) Application No: 17/0785 – Proposed Detached Two Storey Dwelling including a detached garage and turning area. (Re-Submission)(Amended site location plan and supporting information received 16/08/17). Rear of 132 Bute Street, Treherbert, Treorchy**

Following the consideration of the matter Members **Resolved** to approve the application contrary to the original Recommendation of the Service Director Planning subject to the conditions listed below as Members determined that the highway objection could be overcome by the imposition of a condition to restrict the

commencement of development until a Traffic Regulation Order was in place to restrict parking and thereby improve visibility at the junction access together with a further condition to ensure street lighting and surfacing of the access lane .

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 16th August 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing no. 01A: Proposed Elevations and Layouts;
- Drawing no. 01A: Proposed Garage Elevations;
- Drawing no. 02: Site and Block Plan;
- Drawing no. 03A: Proposed Site Layout;
- Drawing no. 04: Proposed Ground Floor;
- Drawing no. 05A: Proposed First Floor;

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. No development what so ever shall commence on site until a Traffic Regulation Order (TRO) at the junction of the lane with Bute Street A4061 has been completed to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the improvements to access lane including turning area, street lighting and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No lorries visiting the site during the construction phase shall access or leave the site between the hours of 07:30 - 09:00am and 16:00 - 17:30pm on weekdays.

Reason: In the interests of highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. The use of the garage hereby approved with the dwelling, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users.

7. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The dwelling shall not be occupied until the drainage works

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage.

## **11 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 6<sup>th</sup> November and 24<sup>th</sup> November , 2017.

**S.REES  
CHAIR**

**The meeting closed at 6: 25 p.m.**