



## **RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE**

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 5 July 2018 at 5.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

### **County Borough Councillors - Planning and Development Committee Members in attendance:-**

Councillor S Rees (Chair)

Councillor G Caple	Councillor J Bonetto
Councillor P Jarman	Councillor D Grehan
Councillor G Hughes	Councillor J Williams
Councillor S Powell	Councillor W Owen
Councillor J Harries	Councillor R Yeo

### **Officers in attendance:-**

Mr C Jones, Development Control Manager  
Mr J Bailey, Development Control Manager  
Mr S Zeinali, Highways Development Control Manager  
Mr S Humphreys, Head of Legal Planning & Environment

### **County Borough Councillors in attendance:-**

Councillor A Chapman, Councillor J James and Councillor Owen-Jones

## **20 DECLARATION OF INTEREST**

In accordance with the Council's Code of Conduct, County Borough Councillor J. Harries declared a personal and prejudicial interest in Item 11, Application No. 18/0018 - Proposed residential development, Blake Street, Maerdy, Ferndale, CF43 4AH. "The proposed development would affect my family members who live in Blake Street. Therefore, I will speak on this item and leave the meeting whilst it is being deliberated".

## **21 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

It was **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.

## **22 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015**

It was **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.

## 23 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 17<sup>th</sup> May, 2018.

## 24 CHANGE TO THE ORDER OF THE AGENDA

The Committee agreed that the agenda would be considered out of sequence, as detailed in the minutes set out hereunder.

## 25 APPLICATION: 18/0314

**Hybrid Planning Application to deliver a rolling stock depot on the existing Garth Works Industrial Estate site comprising of the following: Part A: Full planning application for the demolition of existing warehouses on the existing Garth Works Industrial Estate site. Part B: Outline planning application to provide a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing a maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works, land at The Garth Works Industrial Estate, Taffs Well.**

In accordance with adopted procedures, the Committee received the following public speakers who were each afforded five minutes to address Members on the above-mentioned proposal:

- Mr Carl Gilmore (Applicant)
- Mr Paul Ellingham (Agent)

The Development Control Manager presented the application to Committee, advising that the hybrid planning application seeks a combination of both outline and full planning permission. The Development Control Manager advised Committee that the Unilateral Undertaking referred to in the report was a requirement for the grant of planning permission and it was his view that such a requirement met the legal tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Following officers responses to a number of questions from Committee/Local Member, County Borough Councillor J. Bonetto and a lengthy discussion on the application, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the provision of a Unilateral Undertaking under Section 106 Town and Country Planning Act 1990 for a financial contribution of £3,500 towards the promotion and implementation of traffic management and Traffic Regulation Orders to address the over-spillage of parking on the residential streets at the southern end of Taffs Well as a result in the shortfall in staff and visitor parking identified in the report and the following amendments to the Conditions set out in the report:

- Condition 10 - The removal of the 8<sup>th</sup> bullet point in list of approved plans (*Indicative Construction Phasing Plan – Drawing No. MMD-367590-MMD-28I-XX-DR-C0008*) ;

- An additional condition requiring new Construction Phasing Plan to be submitted and agreed;
- An additional condition requiring submission and approval of an employment and skills plan;
- Conditions 9, 11, 12 and 38 - Reference to the new Construction Phasing Plan to be added;
- Condition 22 - The deletion of reference to footbridge link

And the renumbering of Conditions 1-40 as 1-42.

**(Note:** County Borough Councillor J. Williams was not present for the officers presentation, but having attended an informal Site Inspection prior to the meeting, she felt she had acquired a substantial amount of information in respect of the proposal and took part in its deliberation.)

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#### **APPLICATION: 18/0472**

##### **Change of use to D2 dance studio with ancillary A1 & A3 use, Edwards Coaches, Newtown Industrial Estate, Llantwit Fardre, Pontypridd.**

In accordance with adopted procedures, the Committee received the following public speakers who were each afforded five minutes to address Members on the above-mentioned proposal:

- Ms Joanne Cranne (Applicant)
- Ms Darcy Lewis (Supporter)
- Ms Rhian Lewis (Supporter)
- Ms Kelly Edwards (Supporter)
- Mr Michael Davies (Objector)

The Applicant, Ms Joanne Cranne, exercised the right to respond to the comments made by the objectors.

Non-Committee Members – County Borough Councillors D. Owen-Jones and Local Member, J. James spoke on the application and put forward their views in respect of the proposed Development.

**(Note:** At this point in proceedings, County Borough Councillor R. Yeo declared a personal interest in the above-mentioned proposal. “Two of the public speakers are known to me but not on a personal level. Therefore, I will take part in this item.”)

The Development Control Manager presented the application to Committee and following discussions, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the following amendment to allow classes to take place during the day during school holidays:

- Condition 6 to be reworded to read as follows:  
*“The hours of operation for the business hereby approved shall be as follows:  
Monday to Friday – 15:30 to 22:00 hours  
Saturday and Sunday – 09:00 to 17:00 hours  
School Holidays and Bank Holidays – 09:00 to 17:00 hours”*

**27 APPLICATION: 18/0018/13**

**Proposed residential development. Blake Street, Maerdy, Ferndale, CF43 4AH.**

In accordance with adopted procedures, the Committee received the following public speakers who were each afforded five minutes to address Members on the above-mentioned proposal:

- Mr Rob Hathaway (Agent and Substitute for the Applicant, Mr Gareth Wharton)
- Mr J. Bates (Objector)
- Mr R. Bromage (Objector)
- Mr C. Bromage (Objector)

The agent, Mr Rob Hathaway, exercised the right to respond to the comments made by the objectors.

**(Note:** Having earlier declared an interest in the application (Minute No. 20), Committee/ Local Member, County Borough Councillor J. Harries exercised his right to address the Committee under 14(2) of the Code of Conduct on the application and put forward his concerns in respect of the proposed development and left the meeting for its deliberation).

The Development Control Manager presented the application which was last reported to the Planning & Development Committee on the 14<sup>th</sup> June 2018, where Members resolved to defer determination of the application to a future meeting to allow the applicant the opportunity to explore alternative access options.

The Committee gave consideration to the further report and following discussions, Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning as they were of the view that the proposed access to the development through Blake Street was not satisfactory on highway safety grounds, the development was not in accordance with policy NSA12 of the Rhondda Cynon Taf Local Development Plan as it would adversely affect the highway network and the provision of car parking in the surrounding area or does not accord with the goals of the Wellbeing of Future Generations (Wales) Act 2015. Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Service Director, Planning, if necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of making a decision contrary to officer recommendation.

**(Note:** County Borough Councillors R. Yeo and G. Hughes wished to have recorded that they voted against the refusal of the above-mentioned application)

**28 APPLICATION: 18/0193**

**Proposed erection of 10 domestic garages, land rear of Maes Y Coed Primary School, Pontypridd.**

The Development Control Manager presented the application to Committee and it was **RESOLVED** to approve the application in accordance with the

recommendation of the Service Director, Planning.

**29 APPLICATION: 18/0475**

**Proposed Change of Use from A1 shop to A3 Take Away on ground floors and retain existing flats over with new front access and proposed rear car parking, 134 Bute Street, Treorchy.**

Non-Committee/ Local Member – County Borough Councillor A Chapman spoke on the application and put forward her concerns in respect of the proposed Development.

The Development Control Manager presented the application and following a lengthy discussion, Members **RESOLVED** to defer the determination of the application to a future meeting of the Planning & Development Committee to allow officers to submit further information in respect of the potential takeaway saturation within the town centres of Rhondda Cynon Taf to give Members clarity of how Treorchy town centre fits within this.

**30 APPLICATION: 18/0482**

**Proposed Change of Use from A1 shop to A3 Take Away on ground floor and retain existing flat over with new front access and proposed rear car parking, 135 Bute Street, Treorchy.**

Non-Committee/ Local Member – County Borough Councillor A Chapman spoke on the application and put forward her concerns in respect of the proposed Development.

The Development Control Manager presented the application and following a lengthy discussion, Members **RESOLVED** to defer the determination of the application to a future meeting of the Planning & Development Committee to allow officers to submit further information in respect of the potential takeaway saturation within the town centres of Rhondda Cynon Taf to give Members clarity of how Treorchy town centre fits within this.

**31 APPLICATION: 18/0515**

**Proposed alterations to first floor existing office and residential flat into 3 x 1 bedroom residential flats, Lewis and Wigley Optometrists, 16 Oxford Street, Mountain Ash.**

The Development Control Manager presented the above-mentioned application to Committee, advising that the proposal is a resubmission of an earlier scheme (Application: 17/0670/10) which was withdrawn on the basis of advice given by the case officer. The application seeks to address the advice given.

The Development Control Manager advised of the content of a 'late' letter which was believed to be received from the local rugby club in objection to the proposal.

Following discussions, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

**INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN UNDER DELEGATED POWERS**

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 received for the period 4<sup>th</sup> June, 2018 and 22<sup>nd</sup> June, 2018.

**This meeting closed at 7.20 pm**

**CLLR S REES  
CHAIR.**