



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 6 December 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 G Caple 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 S Zeinali, Highways Development Control Manager
Mr S Humphreys, Head of Legal Planning & Environment

County Borough Councillors in attendance:-

Councillor E Stephens

149 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors S. Rees and J. Bonetto.

150 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

151 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.

152 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.

153 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 8th November, 2018.

154 ANNOUNCEMENT FROM THE HEAD OF LEGAL

The Head of Legal advised Members of the Planning & Development Committee that Welsh Government had recently published the Planning Policy Wales (PPW): Edition 10 document which officers were in the process of reviewing before arranging relevant training for Elected Members.

The officer explained that the reports before Members had been written before the publication of PPW: Edition 10 and referred to PPW: Edition 9 but the change did not affect any of the recommendations before Members.

155 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.

156 APPLICATION: 18/1037

Variation of conditions 2 (approved plans) and 6 (means of access) of previously approved planning application 17/0632/10 (appeal ref APP/L6940/A/17/3191412) to allow changes to the front curtilage of Calgarwyn to include re-design and re-siting of garage, changes to vehicular access, construction of retaining wall and landscaped area and boundary line change between Calgarwyn and Plot 3, Calgarwyn, Cwmynsinton Road, Llwydcoed, Aberdare.

In accordance with adopted procedures, the Committee received Mr Chris Cousins (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

The Development Control Manager presented the application to the Committee and following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

157 APPLICATION: 18/1109

Change of use from shop to A3 takeaway, 66 Gelligaled Road, Ystrad, Pentre.

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:

- Norma Dogan (Applicant)
- Cheryl Williams (Objector)

The Applicant, Ms Norma Dogan, exercised the right to respond to the comments made by the objector.

Non-Committee/ Local Member – County Borough Councillor E. Stephens spoke on the application and put forward her objections in respect of the proposed development.

The Development Control Manager outlined the contents of a 'late' letter received from Local Member, County Borough Councillor L. Jones in objection to the proposed development.

The Development Control Manager continued by presenting the application to the Committee and following discussion, Members were minded to refuse the above-mentioned application contrary to the recommendation of the Service Director, Planning as Members had concerns over highway safety and were of the view that the proposal was not compliant with Policy AW5. 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, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

(Note: A motion to approve the application in accordance with the recommendation of the Service Director, Planning subject to the amendment of Condition 5 to change the permitted opening times from 17:00 hours to 09:00 hours was defeated)

158 APPLICATION: 18/1127

New detached garage and garden room, Coed Celyn, Tyla Garw, Tyle Garw, Pontyclun.

In accordance with adopted procedures, the Committee received Mr Russell Everett (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

The Development Control Manager presented the application to the Committee and following discussion, Members were minded to approve the above-mentioned application contrary to the recommendation of the Service Director, Planning as Members were of the view that the proposed garage would not be excessive in size and that its proximity to nearby properties would not have a detrimental impact on the character and appearance of the surrounding area, and would therefore be compliant with Policies AW5 and AW6. 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, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

159 APPLICATION: 17/1165

Proposed erection of 2 semi detached 2 bedroom dwellings, including entrance drive ways, land adjacent to Brook Street, Mountain Ash.

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

recommendation of the Service Director, Planning.

(**Note:** A motion to undertake a site visit to allow Members to become familiar with the issues highlighted within the report was defeated)

160 APPLICATION: 18/1142

Variation of condition 2 of planning consent 17/0695/08: 1. Revision of existing site entrance, 2. Repositioning of additional on-site car parking and drop off, 3. Repositioning of MUGA and gardening area, 4. Removal of proposed vehicular entrance from Graiglwyd and 5. Removal of proposed conversion of existing tarmacadam playground for parking and drop off, Maesgwyn Special School, Cwmdare Road, Cwmdare, Aberdare.

The Development Control Manager outlined the content of a 'late' letter received from the Development Director, WD Lewis, Aberdare which raised concerns in respect of the proposed application.

The Development Control Manager presented the application to the Committee and following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

161 APPLICATION: 18/1165

Convert defunct paddling pool into a water play area (splash play) Aberdare Park, Glan Road, Gadlys, Aberdare.

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

162 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 12th November, 2018 – 23rd November, 2018.

This meeting closed at 6.05 pm

**CLLR G CAPLE
CHAIR.**