



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

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 10 January 2019 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 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 R Bevan, Councillor G Holmes and Councillor W Lewis

#### **179 DECLARATION OF INTEREST**

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

#### **180 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.

#### **181 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.

**182 MINUTES**

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 6<sup>th</sup> December, 2018.

**183 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.

**184 APPLICATION: 18/0956**

**Demolition of existing workshop/garage and construction of single dwelling, 1 Ruperra Street, Llantrisant, Pontyclun.**

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

Non-Committee/ Local Member – County Borough Councillor G. Holmes spoke on the application and put forward his support in respect of the proposed development.

The Development Control Manager outlined the content of a 'late' letter received from the occupier of 2 Ruperra Street, the property opposite the proposed development, in support of the application.

The Development Control Manager continued by presenting the application to the Committee and following discussion, Members were minded to approve the application contrary to the recommendation of the Service Director, Planning as Members were of the view that the addition of one new dwelling would not result in the intensification of the use of Ruperra Street to the detriment of highway safety and there was a public car park within the vicinity of the site. 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 and detailing any proposed conditions prior to determining a matter.

**185 APPLICATION: 18/0187/10**

**Proposed demolition of existing building and a new development of 15 no. apartments and associated works: Empire Garage, Lanelay Road, Talbot Green, Pontyclun, CF72 8HY.**

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 Jon Wilks (Applicant)
- Mr Richard Wilkins (Objector)

- Mrs Geraldine Watkins (Objector)
- Ms Julie James (Objector)

The Committee noted that Mr Owen Smith MP (Objector) who had requested to address Members on the application was not present to do so.

The Applicant (Mr Jon Wilks) exercised the right to respond to the comments made by the objectors.

The Development Control Manager outlined the contents of 'late' letters received from the following:

- The Applicant, Mr Jon Wilks;
- The occupier of 10 Lanelay Road objecting to the proposal;
- Mr Richard Wilkins objecting to the proposal;
- RCT Highways and Transportation Section providing observations and recommending conditions

The Development Control Manager continued by presenting the application which was last reported to the Committee on 18<sup>th</sup> October, 2018 where the matter was deferred to allow the applicants the further opportunity to consider redesigning the proposals and to allow officers the opportunity to update the presentation and plans to appropriately reflect the proposals.

Members were advised that should they resolve to approve the application in accordance with officer's recommendation the following amendments to the Conditions were recommended:

- The removal of Condition 6 as since the meeting held on 18<sup>th</sup> October, 2018, the required Engineering Layout plan had been submitted;
- The amendment of Condition 2 to reflect the Engineering Layout plan;
- The addition of Condition 3 outlined within the late observations received from the Highways and Transportation Section:
  - No works other than site clearance and demolition shall commence on site until details and design calculations of the retaining walls abutting the lane have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

**Reason:** In the interests of Highway Safety.

Following a lengthy discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the amendments to the Conditions detailed above and the completion of a Section 106 agreement requiring:

- The provision of play areas and public open space financial contribution in compliance with the Council's Supplementary Planning Guidance.
- An agreement to maintain the proposed development as social housing in perpetuity.

**(Note:** a motion to refuse the application on the grounds that it was not in accordance with policy AW5 of the Local Development Plan due to the scale of the development and its impact on neighbouring property fell)

**(Note:** At this point in the proceedings, County Borough Councillor D. Grehan

left the meeting.)

**186 APPLICATION: 17/1096**

**Outline application for a proposed residential development comprising 12 no. apartments. (Revised scheme of reduced scale received 12/11/18), Vacant site at former Royal Naval Association Club, 232a-233 Court Street, Tonypany.**

The Development Control Manager presented the application to the Committee and following discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the completion of a Section 106 agreement requiring a commuted sum in lieu of on-site provision of affordable housing equivalent to 30% of the market value of one of the two bed apartment unless it can be demonstrated to the Council that the development would be unviable to support such a contribution.

**187 APPLICATION: 18/1265**

**Provision of modular building to form 'Re Use Shop' including public parking area at the existing Treherbert Community Recycling Facility, Treherbert Community Recycling Centre, Treherbert Industrial Estate Access Road, Ynyswen, Treherbert.**

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

**188 APPLICATION: 18/1109/10**

**Change of use from shop to A3 takeaway at 66 Gelligaled Road, Ystrad, Pentre, CF41 7RQ.**

The Development Control Manager presented the application which was originally reported to the Committee held on 6<sup>th</sup> December, 2018. During that meeting, Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning due to concerns regarding highway safety.

Members were advised of the contents of a 'late' letter received from the Agent in respect of the potential job opportunities the development would bring to the local area.

The Development Control Manager recommended that if Members were to resolve to approve the application before them, Condition 5 of the original report be amended to read:

5. The A3 Cafe unit hereby approved shall only be open to the public between the following hours:
  - (i) Sunday to Thursday: 09:00 hours - 23:00 hours.
  - (ii) Friday and Saturday: 09:00 hours – 24:00 hours.

**Reason:** To protect the amenities of occupiers of surrounding properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of refusing an application contrary to officer recommendation. Following discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to the amendment of Condition 5 as detailed above.

**189 APPLICATION: 18/1127/10**

**New detached garage and garden room at Coed Celyn, Tyla Garw, Tyle Garw, Pontyclun, CF72 9EZ.**

The Development Control Manager presented the application which was originally reported to the Committee held on 6<sup>th</sup> December, 2018. During that meeting, Members were minded to approve the application contrary to the recommendation of the Service Director, Planning.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of refusing an application contrary to officer recommendation. Following discussion, it was **RESOLVED** to approve the application contrary to the recommendation of the Service Director, Planning as they were of the view that the impact of the proposed garage would not have a detrimental impact on the amenity and privacy of the neighbouring properties, given that no letters of objection were received from these properties.

**190 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 10<sup>th</sup> December, 2018 and 14<sup>th</sup> December, 2018.

**This meeting closed at 6.40 pm**

**CLLR S REES  
CHAIR.**