



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 9 May 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 G Caple (Chair)

Councillor S Rees	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
Ms L Coughlan, Solicitor

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor L De Vet, Councillor S Evans, Councillor G Holmes,
Councillor D Macey, Councillor K Morgan and Councillor G Thomas

260 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, the following declarations of personal interest were made pertaining to the agenda:

- County Borough Councillor R. Yeo in respect of Item 5 – Application 17/0771 - Variation of condition 11 (Approved Drawings) of previously approved planning application 13/0901/10 (Installation and operation of a solar farm and associated infrastructure)(Amended drainage report and details received 23/11/2018 and 21/01/2019), Penrhiw Cradoc Farm, Llanwonno Road, Mountain Ash. "I work for a company, which orders solar farm equipment".
- County Borough Councillor G. Hughes in respect of Item 11 – Application 19/0039 - Single storey rear ground floor extension and Rear dormer roof extension. (Amended Plans received 28/03/19), 36 Stuart Street, Treorchy. "The applicant is known to me".
- County Borough Councillor S. Rees in respect of Item 6 – Application 18/0927 - 2 number 5 bedroom houses on vacant land to the rear of Penybryn House (Amended redline boundary received 01/11/18) (Amended plans received 07/12/18) (Ecological Report received

15/03/19) Penybryn House, Corner House Street, Llwydcoed, Aberdare. "The applicant is known to me and I have only advised on Planning matters";

County Borough Councillor S. Rees also declared the following personal and prejudicial interest in Item 7 – Application 18/1124 - Extraction Flue (Retrospective) (Specifications received 20/02/19) Burger Express, 46 Cemetery Road, Trecynon, Aberdare. "The objectors are known to me and I have been heavily involved with the application. Therefore, I will leave the meeting whilst the application is discussed and voted upon."

261 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.

262 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.

263 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 21st March 2019.

264 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.

265 APPLICATION: 18/1400

Demolition of existing buildings and the construction of 18 no. affordable residential dwellings and associated access arrangements and works (amended site layout received 07/02/19), St Annes Church, Church Terrace, Ynyshir, Porth.

It was **RESOLVED** to defer the application for a Site Inspection to be undertaken by the Planning and Development Committee to consider the existing building in its context and to determine whether it is necessary for demolition.

266 APPLICATION: 18/1124

Extraction Flue (Retrospective) (Specifications received 20/02/19) Burger Express, 46 Cemetery Road, Trecynon, Aberdare.

It was **RESOLVED** to defer the application for a Site Inspection to be undertaken by the Planning and Development Committee to consider environmental issues.

Note: Having previously declared a personal and prejudicial interest in the above-mentioned application (Minute No. 260), County Borough Councillor S. Rees did not discuss or vote upon this matter.

267 APPLICATION: 18/1346

Proposed 120 unit residential development, with associated landscaping and engineering works, Former Blaengwawr Comprehensive School, Club Street, Aberaman, Aberdare.

In accordance with Minute No: 254 of the Planning and Development Committee held on the 4th April 2019, the Committee considered the report of the Service Director, Democratic Services and Communication, outlining the outcome of the site visit inspection which was held on the 1st May 2019, in respect of the application which was recommended for approval by the Director, Prosperity and Development.

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:

- Mrs Lynn Panniers-Lake (Objector)
- Mrs Sheila Watkins (Objector)
- Mr Roger Griffiths (Objector)
- Mr Dennis Hamments (Objector)
- Mr Clive Terry (Objector)
- Mr Ronnie Vardon on behalf of Gareth Harvey (Objector)

The Committee noted that Mr Paul Collins (Agent), Mrs Susan Jones (Objector) and Mr Chris Carey (Objector) who had requested to address Members on the application were not present to do so.

Non-Committee/ Local Members – County Borough Councillor L. De Vet and S. Evans spoke on the application and put forward their concerns regarding singular access to the development via Club Street.

The Development Control Manager outlined the contents of two 'late' letters received, one of which was from a local resident of Club Street, highlighting the issues already experienced with parking. The second letter was from the applicant, which detailing the study conducted by Capita Symonds.

The Development Control Manager continued by presenting the application to the Committee and advising that the applicant had considered a second means of access to the development but it was deemed unviable.

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 liaise with the applicant to explore options for a second means of access and opportunity for two lane access (widening at the end of Club Street).

APPLICATION: 18/1411

Change of use of the existing building to provide 14 flats, construction of three houses and one bungalow, and associated works including landscaping, access and car parking, Former Llantrisant Welsh Primary School, School Street, Llantrisant.

In accordance with Minute No: 255 of the Planning and Development Committee held on the 4th April 2019, the Committee considered the report of the Service Director, Democratic Services and Communication, outlining the outcome of the site visit inspection which was held on the 1st May 2019, in respect of the application which was recommended for approval by the Director, Prosperity and Development.

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 Steffan Harries (Agent)
Mrs Gail Williams (Objector)
Mrs Lynne Alexander-witts (Objector)
Mrs Christine Kitchen (Objector)
Mr Errol Thorpe (Objector)
Mr Andrew West (Objector)
Mr Bryan Swallow (Objector)
Ms Ellie Townsend Jones on behalf of herself and Mr Colin Williams (Objector)

The Agent, Mr Steffan Harries exercised the right to respond to the comments made by the objectors.

The Committee noted that Mr Eric Skelton (Objector), Mr Colin Williams (Objector) and Mrs Hazel Huw-Williams (Objector) who had requested to address Members on the application were not present to do so.

Non-Committee/ Local Member – County Borough Councillor G. Holmes spoke on the application and put forward his objections.

The Development Control Manager outlined the content of a 'late' letter received from local resident and public speaker, Mrs G. Williams, which reiterated her objections to the proposal.

(Note: At this point in proceedings, County Borough Councillor J. Harries entered the meeting but did not vote upon the above-mentioned application.)

The Development Control Manager continued by presenting the application to the Committee and advised of a correction to Condition 2, in that the relevant plan numbers are to be inserted, so that the condition should read:

'The development hereby approved shall be carried out in accordance with the approved plans:

A106 Rev A
A107 Rev A
A108 Rev B
A110 Rev A

A111 Rev A
A112 Rev A
A113
A114 Rev A
A115

and details and documents received on 20th December 2018 and 8th March 2019.

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

Following a lengthy discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the amendment to Condition 2 detailed above; and subject to the completion of a section 106 agreement, which requires the applicant to ensure that the dwellings are established and maintained as affordable units, for the continued purpose of meeting identified local housing needs.

(**Note:** County Borough Councillors P. Jarman, J. Williams, D. Grehan, W. Owen and S. Powell wished to have recorded that they voted against the approval of the above-mentioned application.)

269 APPLICATION: 18/1361

Outline construction of 4 detached dwellings with associated works (Amended site layout plan received 18/02/19), Quarry Road, Maesycoed, Pontypridd.

Following information given by the Development Control Manager, Members **RESOLVED** to defer the determination of the application to a future meeting of the Planning & Development Committee as it was confirmed that applicant was not the sole owner, and therefore, a Cert B would be completed and notice served.

270 APPLICATION: 18/1385

Demolition of existing Garth House and construction of 23 no. affordable residential dwellings and associated works (amended plans and description received 25/02/19), Garth House, Leon Avenue, Taffs Well, Cardiff.

In accordance with Minute No: 242 of the Planning and Development Committee held on the 21st March 2019, the Committee considered the report of the Service Director, Democratic Services and Communication, outlining the outcome of the site visit inspection which was held on the 2nd April 2019, in respect of the application which was recommended for approval by the Director, Prosperity and Development.

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

The Development Control Manager outlined the contents of four 'late' letters received from objectors residing at Leon Avenue and a letter received from Mr

David Melding AM objecting to the proposal.

Following a lengthy discussion, Members were minded to refuse the application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the site would be overdeveloped and would have a negative impact on highway safety. Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal 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 was seconded but fell)

(Note: At this point in proceedings, County Borough Councillor J. Bonetto left the meeting.)

271 COUNCIL PROCEDURE RULE 8

It was **RESOLVED** to continue the meeting in accordance with Council Procedure Rule 8, to allow consideration of the remaining agenda items.

272 APPLICATION: 17/0771

Variation of condition 11 (Approved Drawings) of previously approved planning application 13/0901/10 (Installation and operation of a solar farm and associated infrastructure)(Amended drainage report and details received 23/11/2018 and 21/01/2019), Penrhiw Cradoc Farm, Llanwonno Road, Mountain Ash.

In accordance with adopted procedures, the Committee received Mrs Penny Laurensen (Agent) who was afforded five minutes to address Members on the above-mentioned proposal.

The Development Control Manager presented the report and following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the completion of a modified section 106 agreement.

273 APPLICATION: 18/1421

Change of use from dance studios to workshop for the sale and fitting of tyres and the maintenance and repair to cars and light vans.(Amended Redline Boundary and Plans Received 05/03/19), Unit 1c, Newtown Industrial Estate, Llantwit Fardre, Pontypridd.

In accordance with adopted procedures, the Committee received Mrs Emma O'Leary (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

The Committee noted that Mr Jon Waters (Agent) and Mrs Charlotte John (Supporter) who had requested to address Members on the application did not wish to do so.

The Development Control Manager outlined the contents of two 'late' letters received from County Borough Councillor J. James and former objector M. Davies, which both advised that they were no longer objecting to the proposal.

The Development Control Manager continued by presenting the report and Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

274 APPLICATION: 19/0066

Outline application for a 4 bedroom detached house. Land At 3 Dan-Yr-Allt Close, Rhydyfelin, Pontypridd.

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

The Development Control Manager presented the application and Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

275 APPLICATION: 19/0071

Install profile steel cladding and acoustic and thermal insulation over the existing cladding on the walls of the highbay unit & install 3 silos on west side of unit and 1 silo on the south east side of the unit (southern end) (amended plans received 07/03/2019), Former Crabtree And Evelyn Overseas Ltd, Cowbridge Road, Talbot Green, Pontyclun.

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 Peter Brewin (Agent)
- Mr Phil Thomas (Objector)
- Mr Geraint Jones (Objector)

The Agent, Mr Peter Brewin exercised the right to respond to the comments made by the objectors.

The Development Control Manager presented the application to the Committee and following a lengthy discussion, Members **RESOLVED** to defer the application for a Site Inspection to be undertaken by the Planning and Development Committee to both the proposed development site and the Concrete Canvas site at Treforest Industrial Estate to consider the impact on character and appearance, and environmental issues.

276 APPLICATION: 18/1376

Reconstruction of Industrial Units following fire damage, land off Pentrebach Road, Pontypridd.

In accordance with Minute No: 241 of the Planning and Development Committee

held on the 21st March 2019, the Committee considered the report of the Service Director, Democratic Services and Communication, outlining the outcome of the site visit inspection which was held on the 2nd April 2019, in respect of the application which was recommended for approval by the Director, Prosperity and Development.

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

The Committee noted that Mr Darren Sparks (Agent) who had requested to address Members on the application was not present to do so.

The Applicant, Mr Kevin Humphreys exercised the right to respond to the comments made by the objector.

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 Director, Prosperity and Development.

277 APPLICATION: 18/0927

2 number 5 bedroom houses on vacant land to the rear of Penybryn House (Amended redline boundary received 01/11/18) (Amended plans received 07/12/18) (Ecological Report received 15/03/19) Penybryn House, Corner House Street, Llwydcoed, Aberdare.

The Development Control Manager presented the report and Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

278 APPLICATION: 19/0039

Single storey rear ground floor extension and Rear dormer roof extension. (Amended Plans received 28/03/19), 36 Stuart Street, Treorchy.

The Development Control Manager outlined the content of a 'late' letter from a local resident, which outlined a number of concerns in respect of the proposed development.

The Development Control Manager continued by presenting the application and Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

279 APPLICATION: 19/0087

An environmental resource centre with public access, parking, play area and café, Hargreaves Surface Mining Ltd, Rhigos Road, Rhigos, Hirwaun, Aberdare.

Non-Committee/ Local Members – County Borough Councillor G. Thomas and K. Morgan spoke on the application and put forward a number of concerns.

The Development Control Manager outlined the content of a 'late' letter received from Mr G. Sheldon, a Member of the Tower Colliery Board, which provided context to the development and highlighted a number of concerns.

The Development Control Manager presented the application and following a lengthy discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the addition of the following Condition:

'11. The development hereby permitted shall not begin until a scheme to deal with tyres buried at the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall either;

- Set out the method for the removal of tyres from the site and the restoration of the ground; or
- Provide a justification for their retention, which shall include details of any necessary mitigation.

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

280 APPLICATION: 19/0233

Variation of condition 5 (approved plans) of previous planning application 17/1218/10, Pontypridd Ymca Buildings, 27-28 Crossbrook Street, Pontypridd.

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

281 APPLICATION: 18/0797

Redevelopment of vacant site for 22 no. dwellings together with associated access, car parking and landscaping (amended site layout plan received 16/10/18)., Land between Manchester Place and Langland Close, Hirwaun, CF44 9RP.

Non-Committee/ Local Member – County Borough Councillor K. Morgan spoke on the application and put forward her concerns in respect of parking.

The Development Control Manager presented the report to Committee. The planning application was originally reported to Committee on 22nd November 2018, where Members were minded to approve the application, subject to a Section 106 Legal Agreement, which required the developer make a contribution towards the improvement of existing outdoor play facilities in the Hirwaun Ward at a rate of £1000 per unit (£22000 in total); and restricted the occupation of all units on site to that of affordable housing in perpetuity. Members learned that since the signing of the S.106, the developer has contacted the Council requesting the 100% affordable housing restriction be reduced to 10%.

Following discussion, Members were minded to refuse the request to vary the Section 106 Agreement contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that necessary funding would be accessible to the developer for 100% affordable housing and

the parking provision had been assessed on the basis that the development was for 100% affordable housing.. Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of the officer for the reasons given.

282 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 25th March 2019 – 26th April 2019.

This meeting closed at 10.10 pm

**CLLR S REES
CHAIR.**