



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 27 June 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)

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| Councillor G Caple | Councillor J Bonetto |
| Councillor P Jarman | Councillor D Grehan |
| Councillor G Hughes | Councillor J Williams |
| Councillor S Powell | Councillor W Owen |

Officers in attendance:-

Mr C Jones, Development Control Manager
Mr S Zeinali, Highways Development Control Manager
Mr S Humphreys, Head of Legal Services

County Borough Councillors in attendance:-

Councillor R Bevan

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors R. Yeo and D. Williams.

22 DECLARATION OF INTEREST

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

- County Borough Councillor P. Jarman declared a personal interest in Item 11, Application 18/1346/10 - Proposed 120 Unit Residential Development, with associated landscaping and engineering works Former Blaengwawr Comprehensive School, Club Street, Aberaman, Aberdare, CF44 6TN. "One of the public speakers is known to me"
- County Borough Councillor S. Rees declared a personal and prejudicial interest in Item 9, Application 18/1124 - Extraction Flue (Retrospective) (Specifications received 20/02/19) Burger Express, 46 Cemetery Road, Trecynon, Aberdare. "The public speakers are known to me and I have provided advice on the application. In accordance with Paragraph 14(2) of the Code of Conduct, I will speak on the item as Local Member and leave the meeting whilst it is being discussed"

County Borough Councillor S. Rees advised the committee at this point in proceedings that she would not take part in Item 11, Application 18/1346/10 - Proposed 120 Unit Residential Development, with associated landscaping and engineering works Former Blaengwawr Comprehensive School, Club Street, Aberaman, Aberdare, CF44 6TN as her position was set on this application and was of the view that it would not be appropriate for her to take part in the debate or vote on the application.

23 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.

24 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.

25 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 9th May 2019.

In respect of Minute No. 279, the Development Control Manager advised that the wording of a Condition stating that the development shall not begin until a scheme to deal with tyres buried at the site had been submitted to and approved in writing by the Local Planning Authority, had been included on the planning permission.

26 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.

27 APPLICATION: 18/0313

Proposed two Class A1 (retail) units, three Class A3 (food and drink) units, highways infrastructure, car parking, servicing arrangements and associated works. Land to the east of Mill Street, Tonyrefail.

It was **RESOLVED** to defer the application for a site inspection to be undertaken by the Planning and Development Committee to consider highway safety, the impact on local amenities and the potential for flooding.

In view of the above decision, the Chair informed the persons present to address the Committee on the application that if they wished to speak when the matter

was next reported to Committee, they would have to submit requests to do so.

28 APPLICATION: 18/1124

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

(**Note:** Having previously declared an interest in the above-mentioned application (Minute No. 22 refers), County Borough Councillor S. Rees left the Chair and the Vice-Chair, County Borough Councillor G. Caple took her place.)

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

In accordance with Minute No: 266 of the Planning and Development Committee held on the 9th May 2019, the Committee considered the report of the Service Director, Democratic Services and Communication. The report outlined the outcome of the site visit inspection, which was held on the 3rd June 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 the Committee:

- Ms K. Endicott (Applicant)
- Ms L. Williams (Supporter)
- Mr R. Matthews (Objector)

The applicant, Ms K. Endicott exercised the right to respond to the comments made by the objector.

Local Member, County Borough Councillor S. Rees exercised her right to make representations to the Committee in accordance with 14(2) of the Code of Conduct on the item and put forward her objections before leaving the meeting whilst the application was deliberated.

The Development Control Manager outlined the content of two 'late' letters; one of which was a bundle of photos submitted by a local resident, highlighting parking issues at the premises and the other was a bundle of photos submitted by the applicant, highlighting a number of operating extraction flues of a larger size in the vicinity.

The Development Control Manager continued by presenting the application to the Committee and following discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

(**Note:** A motion to refuse the application against officer recommendation based on the adverse impact it would have on visual amenity and the amenity of the neighbouring property was not successful)

29 APPLICATION: 18/1346/10

Proposed 120 Unit Residential Development, with associated landscaping and engineering works Former Blaengwawr Comprehensive School, Club

Street, Aberaman, Aberdare, CF44 6TN.

In accordance with adopted procedures, the Committee received the following public speakers who were each afforded five minutes to address the Committee:

- Mr R. Thomas (Objector)
- Mr D. Edwards (Objector)
- Ms S. Watkins (Objector)
- Mr C. Carey (Objector)
- Mr M. Hussey (Objector)
- Mr R. Griffiths (Objector)
- Mr N. Jones (Objector)
- Mr D. Hamments (Objector)
- Mr C. Terry (Objector)

The agent, Mr Powys Jones exercised the right to respond to the comments made by the objectors.

The Committee noted that Mr P Collins, Mr R. Vardon, Mr G. Harvey and Ms S. Jones who had requested to address Members on the application, were not present or did not wish to do so.

The Development Control Manager advised that an Ordnance Survey was provided as a 'late' letter.

The Development Control Manager continued by presenting the application, which was last reported to Committee on 9th May 2019, whereby Members resolved to defer the determination of the application, to allow officers to liaise with the applicant to explore options for a second means of success and opportunity for two lane access (Minute No. 267 refers).

The Highways officer provided Members with details of four potential second access points to the proposed development and following a lengthy discussion over the highways implications of this application, Members were minded to refuse the application, contrary to the recommendation of the Director, Prosperity and Development. Members remained of the view that the proposed singular access to the development via Club Street was substandard and a detriment to 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: County Borough Councillors P. Jarman, J. Williams and W. Owen wished to have recorded that they voted to refuse the application)

(Note: As per Minute 22 County Borough Councillor S. Rees was not present in the Chamber for the consideration and determination of this matter. County Borough Councillor G. Caple remained in the Chair)

30 APPLICATION: 18/1333

Retrospective permission for a detached pigeon loft. (Amended Address received 23/04/19) Rear of 14 Arfryn Terrace, Tylorstown, Ferndale.

(**Note:** Having previously left the meeting, County Borough Councillor S. Rees returned to the Chair)

(**Note:** At this point in proceedings, County Borough Councillor W. Owen left the meeting)

In accordance with adopted procedures, the Committee received Ms J. Waterhouse (Objector) who was afforded five minutes to address the Committee on the above-mentioned proposal.

The Committee noted that Mr C. Edwards (Applicant) who had requested to address Members, was not present to do so.

Non-Committee/ Local Member, County Borough Councillor R. Bevan spoke on the item and put forward his objections to the proposal.

The Development Control Manager outlined the content of a 'late' letter received from a resident of Arfryn Terrace, objecting to the proposal.

The Development Control Manager continued by presenting the application to the Committee. Following discussion, Members were minded to refuse the application, contrary to the recommendation of the Director, Prosperity and Development as they were of the view that the development was overbearing, with a significant impact on the visual amenity of nearby properties. 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.

31 APPLICATION: 18/1378

New 30 Space Park and Ride facility to include new vehicular access, boundary fence and streetlighting. (Description amended 04/01/2019). Aber-Rhondda Road, Porth.

The Development Control Manager suggested that if Members were minded to approve the application, the following Condition was to be included as Condition 5:

"The development shall be carried out in accordance with the submitted Flood Risk Management Plan. The permanent signage and markings detailed in Section 5 of the Plan shall be implemented prior to the occupation of the development and shall be retained as such thereafter.

Reason: In the interest of public safety, in accordance with Policy AW10 of the Rhondda Cynon Taff Local Development Plan."

It was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development, subject to the addition of the Condition outlined above.

32 APPLICATION: 19/0437

Demolition of existing single storey classroom. Building of a timber frame

single storey, two classroom extension and link corridor to existing school. Gelli Primary School, Ystrad Road, Pentre.

It was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

33 APPLICATION: 18/0791/10

To enable the temporary access to and from the Porth Relief Road (Ref 17/1118/10) to become a permanent left In / left out only access. Morrisons Superstore, Pontypridd Road, Porth.

The Development Control Manager presented the application, which was originally reported to Committee on 8th November 2018. At the meeting, Members resolved to defer the application to a future meeting of the Planning and Development Committee to allow the Director and the Agent to explore the feasibility of a south bound, left turn entrance in only arrangement (Minute 126 refers).

Members gave consideration to the further report, detailing a left turn entrance in only arrangement. Following discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

34 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 3rd June 2019 – 14th June 2019.

This meeting closed at 6.50 pm

**CLLR S REES
CHAIR.**