



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 15 August 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 J Williams
Councillor S Powell	Councillor W Owen
Councillor R Yeo	Councillor D Williams

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 Services

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor A Morgan, Councillor K Morgan and Councillor D Owen-Jones

57 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors D. Grehan and G. Hughes.

58 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, the following Councillors declared personal interests in Item 7: Application 19/0526 – Proposed two-storey primary care health centre, with associated car parking, bin store and bicycle store. Land at Henry Street, Mountain Ash.

- County Borough Councillor P. Jarman "I am a patient at one of the practices"
- County Borough Councillor J. Bonetto "I am a Member of the Community Health Council, where this has been discussed".

59 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.

60 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.

61 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 4th July 2019.

62 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.

63 APPLICATION: 19/0562

Development of former newsagents into a 'Micro pub'. Former Newsagents Adjacent to Spar Supermarket, Gwaunmiskin Road, Beddau.

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

The Development Control Manager presented the application and following discussion, the Committee **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the amendment of Condition 3 to read as follows:

“The public opening hours of the business shall be restricted to the following:

Monday to Sunday (including Bank Holidays) 09.00 to 23.00 hours

Reason: In the interests of the amenity of neighbouring occupiers and to define the scope of the consent, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.”

64 APPLICATION: 19/0592

Part three-storey, and part single-storey side extension. New flat roof to existing extension. 79 Lanwood Road, Graigwen, 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:

- Eamon Scullion (Applicant)
- Diane Williams (Objector)

The Applicant, Mr Eamon Scullion was offered the opportunity to respond to the Objector but declined to do so.

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

65 APPLICATION: 19/0606

Demolition of existing double garage and forming of new dwelling. Dwelling to be linked to existing (No. 18) 18 Forest Hills Drive, 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:

- Tim Davies (Agent)
- Hayley McNaughton (Objector)
- Sally Norris (Objector)

The Applicant, Mr Tim Davies exercised the right to respond to the comments made by the Objectors.

The Development Control Manager presented the application and suggested that should the Committee be minded to approve the application then an additional Condition should be included, which would require details of boundary treatments to be submitted to the Council for approval as referenced within the report.

Following discussion, the Committee **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the inclusion of the additional Condition detailed above.

66 APPLICATION: 19/0615

Construction of a lock-up garage and store ancillary to carpet shop. 15 Llantrisant Road, Pontyclun.

In accordance with adopted procedures, the Committee received Mr Ross Johnston (Applicant) on behalf of Mr Rhys Gill (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

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

67 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.

In accordance with adopted procedures, the Committee received Elizabeth Palmer (Objector) who was afforded five minutes to address Members on the

above-mentioned proposal.

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

Non-Committee/ Local Member – County Borough Councillor D. Owen-Jones spoke on the application and put forward his objections in respect of the proposed development.

In accordance with Minute No. 27 of the Planning and Development Committee held on the 27th June 2019, the Committee considered the report of the Service Director, Democratic Services and Communication. The report sought to outline the outcome of the site visit inspection, which was held on the 10th July 2019 in respect of the application, which was recommended for approval by the Director, Prosperity and Development.

The Development Control Manager drew Members' attention to 3.11 of the Site Visit report, which outlined the applicant's request to amend the wording of Condition 12 to allow highway improvement works to the junction. Members strongly felt that the construction of a roundabout at the junction was necessary to facilitate safe access along Mill Street and into the development site and that, these works must be carried out prior to the commencement of the development. As such, Members did not accept the suggested amendment to Condition 12 requested by the applicant and that the Condition should be imposed as set out in the original report.

Following discussion, the Committee **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

68 APPLICATION: 19/0471

Change of use from auction house (Sui Generis) to create 2 takeaway units (A3) and 1 retail unit (A1). 66b Hannah Street, Porth.

Following discussion, Members **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 amount of A3 Use Class businesses within the area was not successful)

(**Note:** County Borough Councillor J. Williams wished to have recorded that she voted against the approval of the above-mentioned application)

69 APPLICATION: 19/0512

Installation of 14 x flood lighting columns. Clydach Athletic Ground, King George V Memorial CWM Park, Cambrian Court Business Pavilion to End South, Tonypandy.

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

70 APPLICATION: 19/0526

Proposed two-storey primary care health centre, with associated car parking, bin store and bicycle store. Land at Henry Street, Mountain Ash.

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

The Development Control Manager advised Members of an error within the report, in that only the last 7 of the Conditions referred to in the main body of the report had been repeated at the end within the 'Conditions' section. Members were asked to have regard to all 15 conditions that appear in the body of the report and were provided with an amended version for their convenience.

The Development Control Manager outlined the contents of two 'late' letters. The first letter was submitted by Hatcher Pritchard Architects and listed up to date supporting documents to the application and the second was from Natural Resources Wales, advising that there were no further comments to add to the report.

The Development Control Manager presented the application and suggested the following additional Condition to be included, should Members approve the application:

"The development shall be carried out in accordance with the plans and documents listed in the letter from Hatcher Pritchard Architects dated 2nd August 2019 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

Following discussion, the Committee **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the inclusion of the additional Condition, as detailed above.

71 APPLICATION: 19/0685

Construction of a new primary school (Amended plans received 12/07/2019) Hirwaun Infants and Nursery School, Glanant Street, Hirwaun, Aberdare.

Non-Committee/ Local Member – County Borough Councillor K. Morgan spoke on the application and welcomed the development of a new school but also put forward her concerns in respect of the proposed development in particular in respect of the traffic implications. The Local Member requested that Condition 12 be reworded to prevent HGV deliveries during the start and finishing hours of schools.

The Development Control Manager outlined the contents of a 'late' letter received from Natural Resources Wales, advising that since reviewing the Bat Survey Report, there were no objections to the application.

The Development Control Manager presented the application and following

discussion, the Committee **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to delegated authority being given to the Director, Prosperity and Development to amend Condition 12 to ensure HGV deliveries are not permitted during the opening and closing of school in the interests of safety.

72 APPLICATION: 19/0218

Change of use of two rooms within existing C3 dwelling to A3 cafe/coffee shop 7 Cardiff Road, Taffs Well, Cardiff, CF15 7RA.

In accordance with Minute No. 53 of the Planning and Development Committee held on the 18th July 2019, the Committee considered the report of the Service Director, Democratic Services and Communication. The report sought to outline the outcome of the site visit inspection, which was held on the 30th July 2019 in respect of the application, which was recommended for approval by the Director, Prosperity and Development.

The Development Control Manager outlined the content of a 'late' letter received from the Highways and Transportation Section, which detailed further observations in respect of the shortfall of five parking spaces and the congestion already experienced on Cardiff Road. As such, Members were asked to consider two additional Conditions suggested by the Highways officer, which state:

1. "Notwithstanding the submitted plans, development shall not commence until details providing for the extension to the existing vehicular crossover to the rear of the property have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial use.
REASON: To ensure highway safety and satisfactory access and egress to and from the parking areas."
2. "Notwithstanding the submitted plans, no works shall commence on site until details of providing 4 parking spaces within the site curtilage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial occupation and the parking spaces shall remain for the purpose of the parking of vehicles only.
REASON: To ensure that vehicles are parked off the public highway, in the interests of highway safety and free flow of traffic."

Following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development, subject to the addition of the Conditions detailed above.

73 APPLICATION: 18/1333/10

Retrospective permission for a detached pigeon loft (amended address received 23/04/19), rear of 14 Arfryn Terrace, Tylorstown, Ferndale.

The Development Control Manager presented the application, which was originally reported to Committee on 27th June 2019, where Members were minded to refuse the application, contrary to the officer recommendation of the

Director, Prosperity and Development. Members were of the view that the pigeon loft has an overbearing impact upon adjacent properties and has a significant impact on the character and appearance of the site and the visual amenity of nearby properties (Minute No. 30 refers).

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of refusing contrary to officer recommendation and it was **RESOLVED** to refuse the application contrary to the recommendation of the Director, Prosperity and Development. Members remained of the view that the as a result of its design, scale and elevated position in the landscape and given its relationship with neighbouring properties at Arfryn Terrace, the pigeon loft is considered to have a significant detrimental impact on the amenity and outlook of neighbouring residents, resulting in an overly prominent and unneighbourly form of development. Consequently, the development is considered to be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

74 APPLICATION: 18/1400/10

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, Ynysgir, Porth.

The Development Control Manager presented the application, which was last reported to Committee on 4th July 2019, following a site visit, where Members were minded to refuse the application, contrary to the officer recommendation of the Director, Prosperity and Development. Members were of the view that the design, scale and layout of the proposed building would be out of keeping with the character and appearance of the surrounding locality; and would result in a detrimental impact upon the privacy and amenity of the surrounding neighbouring properties (Minute No. 41 refers).

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of refusing contrary to officer recommendation and it was **RESOLVED** to refuse the application contrary to the recommendation of the Director, Prosperity and Development. Members remained of the view that:

1. The proposed development, as a result of its scale, design, height and resulting mass would form an inappropriate development that would be incongruous with the character and appearance of the surrounding locality, and would result in a dominant and oppressive feature within the street scenes along both Church Terrace and Station Road. The proposal is therefore contrary to Policies AW5.1 and AW6 of the Rhondda Cynon Taf Local Development Plan in respect of its potential visual impact; and

2. The proposed development, as a result of its scale, design, height and resulting mass; and siting in such close proximity of the adjacent properties along Church Terrace and Station Road to the north, would have an unacceptable detrimental impact upon the levels of residential amenity currently enjoyed by the occupiers of those properties, arising from overbearing impact, direct overlooking and a loss of privacy. As such, the proposal is contrary to Policy AW5.1 of the Rhondda Cynon Taf Local Development Plan in this

respect.

75 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 4th July 2019 and 2nd August 2019.

This meeting closed at 6.55 pm

**CLLR S REES
CHAIR.**