



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee meeting held on Thursday, 19 September 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 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
Mr P Nicholls, Service Director, Legal Services

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor H Boggis, Councillor J Cullwick, Councillor J Davies and Councillor D Owen-Jones

88 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, County Borough Councillor G. Hughes declared a personal interest in Item 14 – Application 19/0796 - Proposed 4 bedroom dwelling (Re-submission of application 19/0194/13), land adjacent to Ty Coch, Graig-Yr-Helfa Road, Pontypridd. "The applicant is known to me and I have given advice on the Planning process only"

89 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.

90 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.

91 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 15th August 2019.

92 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.

93 APPLICATION: 18/1423

Residential Development of 76 Dwellings Together With Associated Works (Amended Plans Received 17/05/19), The Meadows, Coedely, Tonyrefail.

Members **RESOLVED** to defer the application for a site inspection to be undertaken by the Planning and Development Committee to consider the location of the proposed development and its sustainability in relation to transport links.

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.

94 APPLICATION: 19/0329/10

Proposed change of use from residential into a children's care home. Archgrove, Vicarage Road, Penygraig.

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 Geraint John (Agent)
- Mr J. Davies (Objector)
- Rebecca Lewis (Objector)
- Linda Davies (Objector)
- Lee Wenham (Objector)

The Committee noted that Mr Josh Palmer (Applicant) who had requested to address the Committee did not wish to do so.

The Agent, Mr Geraint John exercised the right to respond to the comments made by the objectors.

Non Committee / Local Members, County Borough Councillors J. Cullwick and J. Davies spoke on the application and put forward their objections.

In accordance with Minute No. 7 of the Planning and Development Committee held on the 13th 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 presented the application to the Committee and following a lengthy discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

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

95 APPLICATION: 17/0559

Section 73 application seeking the variation of Condition 2 as imposed on outline planning permission 11/1330/13 (Development of new town centre comprising: a 10,801sq m gross foodstore (Class A1); 8 pump petrol filling station; 35,522 sq m gross retail floor space (Class A1); 600sq m gross cafe space (Class A1); 1,000sq m financial/professional service space (Class A2); 2,390sq m gross food and drink space (Class A3); 1,400sq m gross office space (Class B1); 750sq m gross Class D1 space; 8 screen cinema; 80 bed hotel; 64 dwellings (Class C2/C3); multi storey and surface level car parking; associated access infrastructure, re-profiling of land, landscaping and flood alleviation works) to allow additional time for the submission of reserved matters and the commencement of development, land adjacent to Cowbridge Road and A473, Talbot Green.

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 Waldren (Agent)
- Mr Chris Leeke (Objector)

The Agent, Mr Peter Waldren, was offered the opportunity to respond to the objector but declined to do so.

The Development Control Manager presented the application to the Committee 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 applicant first entering into a Supplemental Section 106 Agreement to carry forward from the initial 11/1330 outline permission the package of agreed planning obligations that have not already been delivered; and
- The amendment to Condition 2 to allow two years for the Reserved Matters to be submitted.

96 APPLICATION: 18/1394

Demolition of existing store and construction of replacement store, mixed retail floorspace and foodstore, together with associated access, car parking and other facilities (Coal Mining Risk Assessment received 14

January 2019), J H Leeke And Sons 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 Chris Leeke (Applicant)
- Mr Geraint John (Agent)
- Mr Peter Waldren (Objector)

The Agent, Mr Geraint John exercised the right to respond to the comments made by the objector.

The Development Control Manager outlined the content of a 'late' letter received from Welsh Government, which detailed an Article 18 Direction to enable consideration to be given to whether or not an Environmental Impact Assessment is required for the above-mentioned application. As such, Members were advised that a Decision Notice would not be issued to the applicant until prior authorisation is provided from Welsh Ministers.

The Development Control Manager continued by presenting 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 subject to the Article 18 Direction from Welsh Government detailed above and the completion of a Section 106 Agreement with the Council for an Employment Skills Training Plan.

97 APPLICATION: 19/0615

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

(Note: At this point in proceedings, the following declarations of personal interest were made in respect of the above-mentioned application:

- County Borough Councillor P. Jarman – “One of the public speakers is known to me”
- County Borough Councillor J. Williams – “One of the public speakers is known to me”)

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 Ross Johnston (Applicant)
- Mr John Dilworth (Objector)

The Applicant, Mr Ross Johnston, exercised the right to respond to the comments made by the objector.

The Development Control Manager outlined the content of a 'late' letter received from County Borough Councillor M. Griffiths, which detailed concerns in respect of the proposal.

The Development Control Manager presented the application and explained to

Members that the Committee considered the above-mentioned application on 5th September 2019, but due to an administrative error, which meant that one of the listed speakers did not have an opportunity to address the Committee, the proposal was back before Members.

Following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the amendment of Condition 4, which would require the ability for one vehicle to park at all times in the garage.

98 APPLICATION: 19/0748

Removal/variation of condition 4, time (previous planning application 19/0071/10), Former Crabtree And Evelyn Overseas Ltd, Cowbridge Road, Talbot Green, Pontyclun.

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

The Development Control Manager outlined the content of a 'late' letter received from County Borough Councillor M. Griffiths, which detailed concerns in respect of the proposal.

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

99 APPLICATION: 18/1212

Change of use and external and internal alterations to provide 10 residential units including access, car parking and amenity space (revised plan for access and site layout received), Scotts Hotel, Llantrisant Road, Llantwit Fardre, Pontypridd.

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

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

The Development Control Manager outlined the content of a 'late' letter received from County Borough Councillor J. James objecting to the proposal.

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

100 APPLICATION: 19/0796

Proposed 4 bedroom dwelling (Re-submission of application 19/0194/13), land adjacent to Ty Coch, Graig-Yr-Helfa Road, 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:

- Mr Roswell (Applicant)
- Rob Hathaway (Agent)

The Committee noted that Mrs Roswell (Applicant) who had requested to address the Committee did not wish to do so.

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

101 APPLICATION: 17/1384

Proposed residential development, parking, improved highway access, drainage, landscaping and ecological mitigation (amended plans received 23/02/18. Further amended plans and additional detail received 5th December 2018), land adjacent to Coldra Road, Blaenrhondda.

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

102 APPLICATION: 18/1090

Construction of 20no industrial starter and hybrid industrial/office units incorporating B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) class uses (Additional information received 15/07/2019), land at Wellington Street, Robertstown, Aberdare.

The Development Control Manager outlined the content of a 'late' letter received from County Borough Councillor G. Jones voicing his support for the proposed development.

The Development Control Manager presented the application and advised the Committee that Natural Resources Wales has raised concerns that the applicant's FCA Consultants have suggested that different parts of TAN15 should be given different weight (core text versus additional text). NRW maintain that TAN15 is a single document, which must be read as such, and no part should receive priority over another. The Development Control Manager continued by advising the Committee to have regard to the above, but that is up to Members to decide what weight to give to any material planning consideration when reaching a decision.

The Development Control Manager further advised that, subject to the above being taken into account, NRW are satisfied that the report appropriately describes the risks (from flooding) associated with the development and, as such, Committee is able to determine the application without further referral to NRW.

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

103 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.

104 APPLICATION: 19/0831

Extension of time condition 1 of planning permission 13/0856/15, Land to the rear of Trewaun, Hirwaun, Aberdare.

Members **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the completion of a Section 106 Agreement, which requires the applicant to secure 10% affordable housing on the site.

105 APPLICATION: 18/1385/10

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, CF15 7RG.

The Development Control Manager presented the application, which was last reported to Committee on 9th May 2019, where Members were minded to refuse the application, contrary to the officer recommendation of the Director, Prosperity and Development (Minute No. 270). At the meeting, Members were of the view that the proposed development would result in overdevelopment of the plot; the amount of off-street parking proposed would be insufficient; the site access via Leon Avenue was unsuitable for the number of units proposed; and that the use of the junction from Leon Avenue out on to Cardiff Road, which has poor visibility by a number of additional vehicles would result in a significant detrimental impact upon highway safety in the vicinity of the site.

The Development Control Manager advised that following the Committee's decision, the applicant had since submitted amended plans in an attempt to overcome Members' concerns. The amended plans outlined the reduction of the width of the proposed three-storey building at the rear of the site, so that the block would accommodate three units at each level instead of four.

Members considered the amended plans and it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development, subject to the Conditions set out in the original report and the completion of a Section 106 Agreement, which requires the applicant to maintain the proposed development as social housing in perpetuity.

106 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 23rd August 2019 and 5th September 2019.

This meeting closed at 8.10 pm

**CLLR S REES
CHAIR.**