



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

Minutes of the meeting of the Planning and Development Committee held on Thursday, 6 February 2020 at 5.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypandy, 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 G Hughes
Councillor J Williams	Councillor S Powell
Councillor W Owen	Councillor R Yeo
Councillor D Williams	

### **Officers in attendance:-**

Mr J Bailey, Head of Planning  
Mr S Zeinali, Highways Development Control Manager  
Mr S Humphreys, Head of Legal Services  
Mr N Pilliner, Environmental Protection and Housing Standards Manager  
Mr G Purnell, Pollution Control Officer  
Mr H Towns - Minerals and Waste Planning Manager

### **County Borough Councillors in attendance:-**

Councillor R Bevan, Councillor H Fychan, Councillor S Pickering and Councillor M Powell

## **180 DECLARATION OF INTEREST**

The following declarations of personal interests were declared in matters pertaining to the agenda:

- (1) In accordance with the Code of Conduct, County Borough Councillor D Williams declared a personal interest in respect of Application No: 15/0666 - Western extension to existing quarry to include the phased extraction of an additional 10 million tonnes of pennant sandstone, construction of screening bunds, associated works and operations, and consolidation of all previous mineral planning permissions at Craig Yr Hesg Quarry, including an extension of the end date for quarrying and an overall restoration scheme (additional information submitted "Wellbeing and Environmental Health Issues" report), Craig Yr Hesg Quarry, Berw Road, Pontypridd. "My position is already set on this application and I have been actively with residents".
- (2) In accordance with the Code of Conduct, County Borough Councillor P Jarman declared a personal interest in respect of Application No:

15/0666 - Western extension to existing quarry to include the phased extraction of an additional 10 million tonnes of pennant sandstone, construction of screening bunds, associated works and operations, and consolidation of all previous mineral planning permissions at Craig Yr Hesg Quarry, including an extension of the end date for quarrying and an overall restoration scheme (additional information submitted. "One of the personal speakers is known to me."

*(Note: the person in question who had requested to speak publicly was not present to address the committee.)*

- (3) In accordance with the Code of Conduct, County Borough Councillor J Williams declared a personal interest in respect of Application No: 15/0666 - Western extension to existing quarry to include the phased extraction of an additional 10 million tonnes of pennant sandstone, construction of screening bunds, associated works and operations, and consolidation of all previous mineral planning permissions at Craig Yr Hesg Quarry, including an extension of the end date for quarrying and an overall restoration scheme (additional information submitted. "One of the personal speakers is known to me."

*(Note: the person in question who had requested to speak publicly was not present to address the committee.)*

## **181 APOLOGIES FOR ABSENCE**

An apology for absence was received from County Borough Councillor D Grehan.

## **182 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.

## **183 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.

## **184 MINUTES**

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 19<sup>th</sup> December 2019.

## **185 APPLICATION NO: 15/0666**

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:

- Graham Jenkins (Agent)
- Jacob Williams (Objector)
- Lacie Mai Davies (Objector)
- Mr R A Davies (Objector)
- Dr Gareth Lloyd (Objector)
- Mr Keith Lewis (Objector)
- Sian Griffiths (Objector)
- Roy Spry (Objector)
- Simon Pritchard (Objector)

The Committee noted that Mr Clayton Jones (Objector) and Tara Mardon-Hughes (Objector) who had requested to address Members on the application were not present to do so.

The Agent Graham Jenkins exercised the right to respond to the comments made by the objectors.

Non-Committee/ Local Member – County Borough Councillors S Pickering, H Fychan and M Powell spoke on the application and put forward their objections in respect of the proposed application.

**(Note:** Having earlier declared an interest in the application (Minute No.180), Committee/ Local Member, County Borough Councillor D Williams exercised his right to address the Committee under 14(2) of the Code of Conduct on the application and put forward his concerns in respect of the proposed application and left the meeting for its deliberation).

The Head of Planning outlined the content of five 'late' letters. The first letter was submitted by AM Vikki Howells objecting to the proposed development due to the impact it would have on local residents' properties, health and well-being as well as the potential increase in vehicles creating highways and traffic issues. The Head of Planning also outlined the content of the remaining 'late' letters submitted by Pontypridd Town Council and local residents objecting to the proposal.

The Head of Planning also presented to the Committee the contents of a letter submitted in 2016 by former MP Owen Smith outlining concerns regarding the application.

The Head of Planning advised Members that all the matters raised in the letters had been addressed in the report.

The Head of Planning reported orally on a correction to the wording of condition 27 listed in the report confirming that the corrected condition would be:

Between the hours of 19:00 and 07:00 the free field Equivalent Continuous Noise Level LAeq (1 hour) due to operations in the site shall not exceed 42 dB LAeq at each selected noise sensitive property specified in Table 1 set out in condition 26 above.

The Head of Planning advised the committee that as the Council did not have a specialist in mineral planning expert advice had been sought on this application.

He introduced Mr H. Towns the Minerals & Waste Planning Manager from Carmarthenshire County Council. Mr H Towns then provided to the committee a detailed overview of the report before Members and the reasons for the recommendation and addressed issues that had been raised by the public speakers.

Following a lengthy discussion Members were minded to refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that there were serious concerns that the proposals did not provide for a depth of buffer zone in compliance with Welsh Government advice, with the consequence that residential properties and a school would suffer from significant adverse amenity impacts. Members also raised concerns over the health implications due to poor air quality and highways concerns over damage caused by vehicle movement from the site. 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 of 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.

**186 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 18/01/2020 and 24/01/2020.

**This meeting closed at 6.45 pm**

**CLLR S REES  
CHAIR.**