



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the meeting of the Planning and Development Committee held on Thursday, 9 July 2020 at 3.00 pm at the Virtual.

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 W Owen	Councillor R Yeo
Councillor D Williams	Councillor S Powderhill

Officers in attendance:-

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr S Gale, Director of Prosperity & Development
Mr J Bailey, Head of Planning
Mr S Zeinali, Highways Development Control Manager
Mr S Humphreys, Head of Legal Services
Mr H Towns - Minerals and Waste Planning Manager Carmarthenshire County Council
Mr N Pilliner, Environmental Protection and Housing Standards Manager
Mr G Purnell, Pollution Control Officer

County Borough Councillors in attendance:-

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

233 DECLARATION OF INTEREST

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

- In accordance with the Code of Conduct, County Borough Councillor D Williams declared a personal interest which was also prejudicial, 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, CF37 3BG. "I am involved with the action group that is against the extension of the quarry."

234 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.

235 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.

236 APPLICATION NO: 15/0666/10

APPLICATION NO: 15/0666/10 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 Hesk 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 Hesk Quarry, Berw Road, Pontypridd, CF37 3BG.

NOTE: County Borough Councillor D Williams who declared a personal and prejudicial interest in this matter vacated the meeting for the consideration of the matter (Minute 233 above refers).

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

The Committee resolved that the press and public be excluded from the meeting under s100A(4) of the Local Government Act 1972 in order to receive legal advice in connection with the application on the grounds that it would involve the likely disclosure of information defined in Paragraph 16 of Part 4 of Schedule 12A of the Local Government Act 1972 namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Following receipt of the legal advice the Head of Planning presented the details of the application to committee which was last reported to Committee on the 6th February 2020, where Members were minded to refuse the application contrary to the recommendation of the Director, Prosperity and Development. He outlined the contents of ‘late’ letters received, informing committee that there had been 62 emails received, 60 raised objections citing blasting air quality, dust, traffic and environmental issues. There were 2 emails in support.

There was also a re-presented letter received from Vikki Howells AM which set out concerns on behalf of her constituents that works would fall within a 200m

buffer zone, blasting operations causing concerns locally, air pollution impact and traffic issues. He also shared a letter from Ynysybwl and Coed-y-Cwm Community Council which reiterates objection to the submission.

There were also 2 letters from the planning consultant on behalf of the applicant the most recent of which (dated 7 July 2020) outlining suggested conditions to address concerns outlined in the report regarding the 200m buffer zone and limiting output from the quarry.

The Head of Planning informed Members that Mr H. Towns (Minerals & Waste Planning Manager from Carmarthenshire County Council) who was present at the previous Committee meeting in February to provide expert advice was present in the meeting to address Members. Mr H Towns then provided to the committee a detailed overview of the report which detailed the concerns identified by Members previously. He discussed the strengths and weaknesses of each point addressed in the report: 1) adverse health impacts due to air quality, 2) adverse amenity impacts of not providing a 200m buffer zone and 3) damage to the highway network.

Members gave detailed consideration to the further report, highlighting the potential strengths and weaknesses of refusing an application contrary to officer recommendation and following a lengthy discussion, it was **RESOLVED** to refuse the application contrary to the recommendation of the Director, Prosperity and Development for the following reason:

1) Minerals Technical Advice Note (MTAN) 1: Aggregates (Paragraphs 70 and 71) identifies a suitable minimum distance between hard rock quarries and sensitive development as 200 metres and states that any reduction from this distance should be evidenced by clear and justifiable reasons. The proposed quarry extension encroaches within 200m of sensitive development and the Council does not consider that the applicant has provided sufficient evidence of clear and justifiable reasons for reducing the minimum distance in this case.

This meeting closed at 4.20 pm

**CLLR S REES
CHAIR.**