



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE
Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 7
October 2021 at 3.00 pm

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 Lewis	Councillor W Owen
Councillor D Williams	Councillor S Powderhill

Officers in attendance:-

Mr C Jones, Head of Major Development and Investment
Mr J Bailey, Head of Planning
Mr S Humphreys, Head of Legal Services
Mr A Rees, Senior Engineer

County Borough Councillors in attendance:-

Councillor J Barton and Councillor J Brencher

71 DECLARATION OF INTEREST

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

- 1) County Borough Councillor D. Williams declared a personal and prejudicial interest in respect of Application 21/0720/15 - Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 (ref:08/1380/10), Craig Yr Hesg Quarry, Berw Road, Pontypridd.

"I am a Member of the Hanson Quarry Opposition Group."

- 2) County Borough Councillor P. Jarman declared a personal interest in respect of Application 21/0635/10 Detached 3 bed bungalow with parking for 3 cars (Affecting Public Right of Way PON/4/1). Bodwenarth Farm, Albion Court, Cilfynydd, CF37 4JA

"The applicant spoke to me following the meeting. I advised them to submit comments to all Members of the Committee and Planning department. I have not pre-determined the application."

- 3) County Borough Councillor D. Grehan declared a personal interest in respect of Application 20/1365/10 3 no. Detached 4 bed dwellings each with off road parking for 3 cars. (Resubmission of application 19/0449/10) (Ecology Report received 5th December 2020. Revised plans, reducing extent of site boundary and repositioning proposed dwellings, received 5th January 2021. Revised plan, introducing biodiversity/ecology strip received 14th April 2021). LAND ADJACENT TO BRYNLLAN, TREBANOG ROAD, TREBANOG, PORTH, CF39 9DU.

“I know the applicant through my capacity as Local Councillor as they are a resident in my ward.”

72 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.

73 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.

74 MINUTES 26.08.21

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 26th August 2021.

75 CHANGE TO THE AGENDA

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

76 APPLICATION NO: 20/1365

3 no. Detached 4 bed dwellings each with off road parking for 3 cars. (Resubmission of application 19/0449/10) (Ecology Report received 5th December 2020. Revised plans, reducing extent of site boundary and repositioning proposed dwellings, received 5th January 2021. Revised plan, introducing biodiversity/ecology strip received 14th April 2021). LAND ADJACENT TO BRYNLLAN, TREBANOG ROAD, TREBANOG, PORTH, CF39 9DU

In accordance with adopted procedures, the Committee received the following public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Mr C Wilks (Agent)
- Mr K Lawrence (Objector)
- Ms M Morris (Objector)

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

The Head of Planning outlined the contents of a 'late' letter received from a local resident in objection of the application.

The Head of Planning presented the application to Committee and following consideration 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 the proposed development would have a detrimental impact on local amenity and highways safety issues.

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 Councillor abstained from voting on this item.)

77 APPLICATION NO: 21/0635

Detached 3 bed bungalow with parking for 3 cars (Affecting Public Right of Way PON/4/1). BODWENARTH FARM, ALBION COURT, CILFYNYDD, PONTYPRIDD, CF37 4JA

In accordance with adopted procedures, the Committee received the following public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Ms A Lloyd (Applicant)
- Objector 1 (Objector)

The applicant was offered the opportunity to respond to the Objector but declined to do so.

In accordance with Minute 53 of the Planning and Development Committee held on the 2nd September 2021, the Committee considered the report of the Director, Legal & Democratic Services outlining the outcome of the site visit inspection which was held on the 21st September 2021 in respect of the application which was recommended for approval by the Service Director Planning.

It was noted that County Borough Councillor was listed as being in attendance in the report but he was not present at the site visit.

Following consideration it was **RESOLVED** to approve the application in

accordance with the recommendation of the Director, Prosperity and Development.

(Note: County Borough Councillor W. Owen left the meeting at this point and did not return.)

78 APPLICATION NO: 21/0431

Variation of condition 2 (approved plans) to seek permission for amended building location, building height, forecourt and external cladding. (Original application 19/0791/10). (Amended Plans Received 02/08/21) STORAGE UNIT OFF HEOL Y BEDDAU, PONTYPRIDD, CF38 2AG

In accordance with adopted procedures, the Committee received the following public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Mr J Pritchard (Applicant)
- Mr K Rees (Objector)

The applicant was offered the opportunity to respond to the Objector but declined to do so.

Non-Committee/ Local Member – County Borough Councillor J Barton spoke on the application and put forward her objections in respect of the proposed Development.

The Head of Major Development and Investment read out the contents of a 'late' letter received from a local resident in objection to the application.

In accordance with Minute 54 of the Planning and Development Committee held on the 2nd September 2021, the Committee considered the report of the Director, Legal & Democratic Services outlining the outcome of the site visit inspection which was held on the 21st September 2021 in respect of the application which was recommended for approval by the Service Director Planning.

Following consideration 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 the building is an industrial type structure and an incongruous building out of keeping with the residential area. Members also felt that the increase in height and relocation of the building would have a detrimental impact on local and visual amenity and had concerns regarding substandard highways access. There were also concerns relating to business and commercial use of the development in future.

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.

79 APPLICATION NO: 20/0233

Proposed conversion of and 3 storey extension to existing office building

to provide 10 residential units and 1 commercial unit (coffee shop/cafe). (Bat survey report received 02/09/2021) THE FORMER RATES BUILDING, 42/43 HIGH STREET, ABERDARE, CF44 7AA

The Head of Planning outlined the contents of two 'late' letters received from Local Members County Borough Councillors S. Bradwick and M. Forey in support of the application.

The Head of Planning presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the conditions outlined within the report and subject to an additional condition requiring the provision of a bin storage area in a location to be approved by the local planning authority.

80 APPLICATION NO: 21/0809

Proposed rear dormer loft conversion, front porch & kitchen extension. 38 CLOS MYDDLIN, BEDDAU, PONTYPRIDD, CF38 2JS

The Head of Major Development and Investment presented the application which was originally reported to Committee on 2nd September 2021, where Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning (Minute 55 refers).

Members gave consideration to the further report of the Service Director, Planning, highlighting the potential strengths and weaknesses contrary to the recommendation of an officer and following discussions, it was **RESOLVED** to refuse the application contrary to the recommendation of the Service Director, Planning, because:

The proposed extensions, by virtue of their scale, overall resulting mass and location, would represent a visually incongruous and un-neighbourly form of development that would lead to overdevelopment of the site and an unacceptable level of direct overlooking of the surrounding properties, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

81 APPLICATION NO: 21/0058

Detached house with integral double garage. FORMER GLEN TRANSPORT SITE, PENYCOEDCAE ROAD, PENYCOEDCAE, PONTYPRIDD

The Head of Major Development and Investment presented the application which was originally reported to Committee on 2nd September 2021, where Members were minded to approve the application, contrary to the officer recommendation of the Service Director, Planning (Minute 57 refers).

The Head of Major Development and Investment reported orally on a correction to the condition 6 of the report on page 84 to remove the word 'not' from the condition so that it reads as follows:

6. No dwelling, hereby permitted, shall be occupied until the measures

approved in the scheme (referred to in Condition 5) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of approving contrary to officer recommendation and following discussions, it was **RESOLVED** to approve the application contrary to the recommendation of the Service Director, Planning as Members determined that the site would be acceptable in terms of its potential impacts upon the character and appearance of the area, amenity of neighbouring occupiers and highway safety subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- Drawing no. 2013 PL-01 Location plan
- Drawing no. 2013 PL-02 Proposed site plan
- Drawing no. 2013 PL-03 A Ground and first floor plans
- Drawing no. 2013 PL-04 Proposed roof plan
- Drawing no. 2013 PL-05 A Proposed west and south elevations
- Drawing no. 2013 PL-06 A Proposed East and North Elevations and documents received by the Local Planning Authority on 18/01/21, 08/02/21 and 15/02/21 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 permission.

3. The proposed driveway indicated on submitted drawing no. "2013.PL-02" shall be constructed in permanent materials and together with the proposed integral garage shall remain for the purpose of vehicular parking only.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

4. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for; a) the means of access into the site for all construction traffic, b) the parking of vehicles of site operatives and visitors, c) the management of vehicular and pedestrian traffic, d) loading and unloading of plant and materials, e) storage of plant and materials used in constructing the development, f) wheel cleansing facilities, g) the sheeting of lorries leaving the site.

Reason: The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

5. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority: 1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model. 2. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority. 3. A written method statement for the remediation of contamination affecting the site.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme (referred to in Condition 5) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the LPA. Only material approved by the Local Planning Authority shall be imported.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Building operations shall not be commenced until details/ samples of the construction materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and

adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

82 APPLICATION NO: 21/0335

Change of use of vacant shop to self-contained flat, enlargement of rear dormer window and associated works (amended plans received 11/05/2021) 90 QUEEN STREET, TREFOREST, PONTYPRIDD, CF37 1RN

The Head of Major Development and Investment presented the application which was originally reported to Committee on 2nd September 2021 where Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning (Minute 58 refers).

Members gave consideration to the further report of the Service Director, Planning, highlighting the potential strengths and weaknesses contrary to the recommendation of an officer and following discussions, it was **RESOLVED** to refuse the application contrary to the recommendation of the Service Director, Planning, because:

1. The proposed development would generate a greater intensity of indiscriminate parking to the detriment of highway safety in the vicinity of the site. It would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed development would result in a loss of amenity and have an overbearing impact on nearby properties, contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.
3. The proposal would result in the overdevelopment of the site, to the detriment of the character and appearance of the area and contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

83 APPLICATION NO: 21/0720

Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref:08/1380/10 CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG

(**Note:** Having earlier declared a prejudicial interest in the application (minute no. 71 refers), County Borough Councillor D. Williams left the meeting at this point.)

The Head of Planning outlined the contents of a 'late' letter received from a local resident in objection of the application.

The Head of Planning presented the application which was originally reported to Committee on 26th August 2021, where Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning (Minute 45 refers).

Members gave consideration to the further report of the Service Director, Planning, highlighting the potential strengths and weaknesses contrary to the recommendation of an officer and following discussions, it was **RESOLVED** to refuse the application contrary to the recommendation of the Service Director, Planning, because:

1. The additional period of 6 years proposed for the working of the quarry unacceptably extends the period of mineral operations within 200m of Page 114 sensitive development within Glyncoch. Glyncoch is a deprived community, and such communities are acknowledged as being disproportionately affected by health problems. The continuation of quarrying within 200m of that community extends the impacts of quarrying (especially in terms of noise, dust and air quality) to the detriment of the amenity and well-being of residents contrary to the well-being goal of a healthier Wales as set out in the Well-being of Future Generations (Wales) Act 2015. The need for the mineral does not outweigh the amenity and well-being impacts.

84 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 06/09/2021 – 24/09/2021.

This meeting closed at 5.10 pm

**CLLR S REES
CHAIR.**