

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 17 SEPTEMBER 2020

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN REMOTELY VIA SKYPE FOR BUSINESS ON THURSDAY, 17 SEPTEMBER 2020 AT 14:00

Present

Councillor G Thomas – Chairperson

JPD Blundell
DRW Lewis
MC Voisey

NA Burnett
JE Lewis
KJ Watts

SK Dendy
JC Spanswick
CA Webster

DK Edwards
RME Stirman
AJ Williams

Apologies for Absence

RJ Collins, RM Granville, MJ Kearns and JC Radcliffe

Officers:

Rhodri Davies	Development & Building Control Manager
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Claire Hamm	Conservation and Design Team Leader
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Michael Pitman	Democratic Services Officer - Committees
Philip Thomas	Principal Planning Officer
Leigh Tuck	Senior Development Control Officer

403. DECLARATIONS OF INTEREST

None.

404. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 20 August be approved as a true and accurate record.

405. PUBLIC SPEAKERS

The following public speakers were present to speak upon Planning Application P/19/915/RES (Agenda item 7) :-

Objector

Applicant

C Evans

S Gray, Llanmoor Homes

406. AMENDMENT SHEET

RESOLVED: That the Chairperson accepted the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for the Committee to consider necessary modifications to the Committee report, so as to take account of late representations and revisions that are required to be accommodated.

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407. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the summary of Development Control Committee Guidance as detailed in the report of the Corporate Director - Communities be noted

408. P/19/915/RES - LAND WEST OF MAESTEG ROAD, TONDU, CF32 9DF

RESOLVED: That the above application be granted, subject to the Conditions contained in the the report of the Corporate Director – Communities.

Proposal

Reserved Matters to P/16/366/OUT for 405 residential units, link road and temporary car park.

409. P/20/285/RLX - LAND AT THE FORMER PLAYGROUND, FOUNTAIN ROAD, CF31 3XU

RESOLVED: That the above application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities.

Proposal

Vary condition 1 of appeal decision A/18/3198111 (relating to P/17/891/FUL) to amend the approved plans to include a larger amenity stock.

410. P/20/159/BCB - PLOT 50A VILLAGE FARM ROAD, VILLAGE FARM INDUSTRIAL ESTATE, PYLE, CF33 6BN

RESOLVED: That for the purposes of Regulation 4 of the Town and Country Planning Regulations 1992, permission be deemed to be granted for the above application, subject to the Conditions contained in the report of the Corporate Director – Communities:-

Proposal

Erection of 8 new build industrial units in a single block consisting of 3 large units and 5 small units with associated vehicular and cycle parking.

411. P/19/674/RLX - LAND OFF PARC CRESCENT, WATERTON INDUSTRIAL ESTATE (STOREWITHUS), CF32 0EW

RESOLVED: That the above application be granted, subject to the Conditions contained in the report of the Corporate Director - Communities

Proposal

Retention of development as implemented in accord with P/16/379/FUL (updated by P/16/836/NMA, P/16/850/DOC and P/17/343/DOC) and P/16/833/FUL (updated by P/17/311/DOC); Vary condition 1 of P/16/379/FUL and

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condition 2 of P/16/833/FUL to allow a washdown facility; vary condition 3 of P/16/833/FUL to include earth bund along eastern and southern boundary of site.

412. APPEALS

RESOLVED:

1. That the Appeals received as listed in the report of the Corporate Director – Communities, be noted.
2. That the following Appeals Decisions as contained in the report of the Corporate Director – Communities and decided by the Inspectors appointed by the Welsh Ministers since the last report to Committee, be noted:-
 - (a) A/20/3245529 (1886) – Three pairs of 3 bed semi-detached dwellings (6 dwellings in total) with associated car parking land north of 12 Bridgend Road, Pontycymmer – **Appeal Dismissed**.
 - (b) A/20/3246041 (1887) – Erection of 41 affordable residential dwellings with associated on site car parking, access and associated works – Land south of Wyndham Close, Brackla Industrial Estate, Bridgend – **Appeal Dismissed**
 - (c) A/20/3246041 (1891) – Outline application for up to 9 dwellings and associated works, Land off Tondu Road, North of Pascoes Avenue, Bridgend. – **Appeal Dismissed (and the costs application refused.)**
 - (d) D/20/3253435 (1893) – First floor extension above existing side Annex, 7 Park Avenue, Porthcawl – **Appeal Dismissed**.

413. TEMPORARY AMENDMENTS TO THE DC COMMITTEE SITE VISIT PROTOCOL

The Corporate Director – Communities presented a report, the purpose of which, was to advise Members of the necessity to temporarily revise the Development Control Committee Code of Practice with regard to Committee site visits in light of the ongoing Covid-19 restrictions.

The Group Manager, Planning and Development Services advised, that the current Planning Code of Practice was adopted by the Development Control Committee in April 2017 and a copy of this document was attached at Appendix 1 to the report. Section 9 refers to Committee site visits and outlines the criteria for undertaking a site visit and the procedures to be followed during the visit. Committee site visits may either be in the form of a Panel, i.e. Chairperson, Vice-Chairperson and a Third Member or as a full site visit comprising all members of the Development Control Committee. In either situation, the local Ward Member, Town/Community Council Representative together with an objector who has requested to speak, the applicant/agent and relevant Officers will also normally attend.

The Code of Practice states that Development Control Committee site visits can be costly and cause delays. As such, it is important that they only be held where necessary (normally on the day prior to Committee) and where there is a material Planning objection. They are not meetings where decisions are made and neither are they public meetings but are essentially fact-finding exercises held for the benefit of Members where a proposed development may be difficult to visualise from the plans and supporting material. They may also be necessary for careful consideration of relationships to

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adjoining property or the general vicinity of the proposal due to its scale or effect on a Listed Building or Conservation Area for example.

He proceeded by stating that a request for a site visit made by the local Ward Member or another Member in response to being consulted on the proposed development must be submitted in writing or electronically within 21 days of notification of the application and shall clearly indicate the material planning reasons for the visit.

He felt that it should be pointed out that Officers will continue to visit sites where safe to do so and endeavour to provide as much information as possible including photographs, maps, aerial imagery and other relevant material such as 'street viewing' technology to assist members to make decisions on Planning applications.

In view of the current rules regarding social distancing, Committee Site visits would be extremely difficult to undertake safely under the current protocols. This was mainly due to the numbers of persons attending and the subsequent inability to observe safe distances as well as increased risk of encroaching onto highways or entering people's homes. A Committee site visit should only be undertaken in exceptional circumstances.

The Group Manager – Planning and Development Services advised, that where it is agreed with the Chairperson that a site visit should be undertaken, it will be necessary to restrict the number of participants in order to comply with social distancing rules and should be in the form of a panel or an expanded panel involving a small number of additional Development Control Committee members (make up and numbers to be determined). Conditions on the ground will vary from site to site with some areas allowing more attendees. In any event, risk assessments will be required for each visit. Expanded panels will comprise of the normal panel (Chairperson, Vice-Chairperson and third Member) as well as up to three additional members to be drawn from a pool of volunteers from the Development Control Committee.

The Group Manager – Planning advised that to deal with future site visits using an expanded site visit panel an additional paragraph as outlined in Paragraph 5.5 of his report should be added to Section 9.2.1 of the Code of Practice.

It was considered that the proposals described above will be sufficient to allow some site visits to resume albeit in a restricted form and in exceptional circumstances. Members should note however, that any subsequent change in national or local Covid-19 regulations or advice may have an impact on the ability to carry out Committee site visits.

RESOLVED:

1. That Members agreed the temporary change to the Code of Practice in relation to Committee site visits and further agreed to the setting up of expanded site visit panels where necessary and authorised the Group Manager Planning & Development Services and the Development & Building Control Manager to make the necessary arrangements in conjunction with the Chairperson. Members were asked to contact the Planning Department if they were interested in being part of the expanded site visit panels.
2. That the temporary change should be in place for a period not exceeding 12 months from the date of decision or when Covid-19 restrictions are lifted, whichever is the soonest.

414. NANTYMOEL CONSERVATION AREA ARTICLE 4(2) DIRECTION

The Chief Executive submitted a report, the purpose of which was to update Members on a decision made on 27 May 2020 via delegated powers to confirm an Article 4(2) Direction in Nantymoel Conservation Area on 8 June 2020.

By way of background, the Conservation and Design Team Leader advised that Members would recall that at a meeting of Development Control Committee on 16 January 2020 it was agreed to make an Article 4 (2) Direction in Nantymoel Conservation Area. The effect of this Direction was the withdrawal of what would otherwise be permitted development rights relating to the demolition of front boundary walls in the area covered by the Direction. Members were reminded of the scope of the Direction and the properties that were affected, details of which are contained in Appendix 1 to the report.

The effect of the Article 4 (2) Direction was immediate and controls over what was previously permitted development were therefore in place from 16 January 2020. An Article 4 Direction will lapse unless it is confirmed within 6 months.

The Conservation and Design Team Leader advised that as a direct response to the Article 4 letter of notification being issued following the making of the Direction, five responses were received from owners and occupiers of the properties. The content of these responses was summarised in Appendix 2 of the report for Members information. Three telephone callers did not object but wanted further clarification. Two written responses were received. Of these two responses one misunderstood the letter and wanted clarification regarding Conservation Area status and one objected because too much historic character had already been removed.

To avoid the expiry of the Article 4 (2) Direction, Bridgend County Borough Council needed to confirm it by 17 June 2020 and due to COVID 19 lockdown and the subsequent postponement of Development Control Committee meetings, a decision was taken on 27 May 2020 under emergency delegated powers (Ref CMM-PRU-20-23) in consultation with Officers and Members to confirm the Article 4 Direction without modification. A copy of the confirmed signed and sealed direction was enclosed at Appendix 1 to the report.

As soon as the direction was confirmed letters were sent to all owners / occupiers of the affected properties along with a final copy of the guidance leaflet produced. It was proposed that the final version of the leaflet contained in Appendix 3 be adopted for Development Control purposes.

RESOLVED: That Members:

1. Noted that the Direction under Article 4 (2) of the Town and Country Planning (General Permitted Development) Order 1995 to remove permitted development rights from those owners and occupiers of dwelling houses contained within the Nantymoel Conservation Area under the terms set out in Appendix 1 was confirmed without modification on 8 June 2020.
2. Adopted the guidance leaflet in Appendix 3 to the report, for Development Control purposes.

415. URGENT ITEMS

None.

The meeting closed at 16:00