

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 25 AUGUST 2011 AT 2.00PM

Present:

Councillor H M Williams - Vice-Chairperson

Councillors

R D L Burns  
M W Butcher  
N Clarke  
E Dodd

Councillors

C E Hughes  
C J James  
A Jones  
M Lewis

Councillors

J C Spanswick  
G Thomas  
K J Watts

Councillors

C Westwood  
M Winter  
R E Young

Officers:

D Llewellyn - Group Manager Development  
D C Davies - Development Control Manager  
J Jenkins - Team Leader (East)  
C Flower - Team Leader Technical Support  
C Hamm - Team Leader Conservation and Design  
G Oram - Principal Conservation and Design Officer  
N Moore - Team Leader Policy and Development  
R Morgan - Transportation Development Control Officer  
R Hughes - Senior Solicitor  
T Graham - Solicitor  
A Rees - Senior Democratic Services Officer - Committees  
M A Galvin - Senior Democratic Services Officer - Committees (Electronic Back-up)

580 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor M Gregory - Holiday  
Councillor R Shepherd - Holiday  
Councillor M Thomas - Holiday

581 DATE FOR PROPOSED SITE INSPECTIONS

RESOLVED: That a date for site inspections (if any) arising from today's meeting, or identified in advance of the next Committee by the Chairperson, be convened on Wednesday, 21 September 2011(am).

582 MINUTES OF PREVIOUS MEETING

RESOLVED: That the following minutes of meetings of the Development Control Committee of 28 July 2011 be approved as a true and accurate record.

583 LIST OF PUBLIC SPEAKERS

The Chairperson read out for the benefit of those present the name of the public speaker to address the following application being considered at the meeting:-

<u>Name</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
Mrs J Ryall	P/11/495/FUL	Objector

584 ANNOUNCEMENT BY THE LEGAL OFFICER

The Senior Solicitor announced that Mr Brett Davies, Principal Solicitor would be returning to work on 3 October 2011 following a period of illness and operations which had been a success.

The Committee extended its good wishes to Mr Davies for a full recovery.

585 DECLARATIONS OF INTEREST

RESOLVED: That the following Members/Officers declared interests in the undermentioned items, for the reasons so stated:-

- |                        |   |
|------------------------|---|
| Councillor N Clarke    | - P/11/516/FUL, P/11/541/FUL, P/11/479/FUL and P/11/400/FUL - Councillor Clarke declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning applications.        |
| Councillor R D L Burns | - P/11/465/FUL, P/11/468/FUL and P/11/407/FUL - Councillor Burns declared a personal interest as a Member of Bridgend Town Council but took no part in the consideration of planning applications.                        |
| Councillor E Dodd      | - P/11/380/BCB - Councillor Dodd declared a prejudicial and personal interest as the Chairperson of the Governing Body of Coity Primary School and withdrew from the meeting whilst the application was being considered. |
| Councillor M Lewis     | - P/11/465/FUL, P/11/468/FUL and P/11/407/FUL - Councillor Lewis declared a personal interest as a Member of the Bridgend Town Council but took no part in the consideration of planning applications.                    |

586 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson announced that he had accepted the Development Control Committee amendment sheet as a late item, in accordance with Part 4 (Paragraph 4) of the Council's Procedure Rules, in order to allow for the Committee to consider the necessary modifications to the Committee report to be made so as to take account of late representations and corrections, and for any revisions to be accommodated.

587 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATIONS GRANTED CONDITIONALLY

RESOLVED: That the following applications be granted, subject to the conditions contained in the report of the Corporate Director - Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/11/516/FUL	45 Bryn Eglwys Gardens, Porthcawl, Bridgend - Single storey ground floor extension with a first floor bedroom extension and balcony.
P/11/541/FUL	1 Sandy Lane, Porthcawl, Bridgend - Proposed alterations and extensions.  Subject to the inclusion of additional note (d) as follows:-  (d) Contractors should be made aware that there is a small chance of encountering bat roosts unexpectedly during the development work. In the unlikely event of bats being found to be present on site, work should stop immediately and advice sought from the Countryside Council for Wales (tel: 02920 772400).
P/11/451/FUL	20 Foxhollows, Brackla, Bridgend - Change of use - Dwelling to 2 No. 1 Bedroom Flats.
P/11/465/FUL	The Court House, 2 Derwen Road, Bridgend - Change of use classes A2 (Professional Services) & B1 (Business).
P/11/479/FUL	45 West Drive, Porthcawl, Bridgend - Extension to front elevation and alterations to previous planning permission Ref: P/98/0458.
P/11/495/FUL	Ty Fry, Llangeinor Road, Brynmenyn, Bridgend - Single storey rear extension and raised roof to former milking parlour.
P/11/400/FUL	15 The Burrows, Porthcawl, Bridgend - Construction of a first floor extension above an existing single storey annexe for an additional bedroom.
P/11/407/FUL	2 Oaklands Rise, Bridgend - Proposed two storey extension.

588 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION BY BRIDGEND COUNTY BOROUGH COUNCIL

RESOLVED: (1) That for the purposes of Regulation 3 of the Town and Country Planning Regulations 1992, that the Council authorise the carrying out of development and plenary power be given to the Corporate Director Communities to issue a decision notice after 7 September 2011 if no new

material planning objection/representation is received in respect of Footpaths 3B, 9 and 10 subject to the conditions in the report of the Corporate Director Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/11/511/BCB	Caerau to Croeserw, Caerau, Bridgend - Change of un-surfaced/verge footway to paved community route.
	(2) That for the purposes of Regulation 3 of the Town and Country Planning Regulations 1992 the Council carry out the following developments:-
P/11/449/BCB	Penyfai Church in Wales Primary School, Heol Eglwys, Penyfai - Realignment of proposed service access road for provision of layby parking arrangements.
P/11/380/BCB	Coity Primary School, Heol yr Ysgol, Coity, Bridgend - Transfer existing mobile classroom from Brackla Primary to Coity Primary School and Associated Groundworks.
	(3) That permission be granted for the above applications subject to the conditions contained in the report of the Corporate Director Communities.

589 TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 106 AGREEMENT

- RESOLVED: (1) That the applicant enter into a Section 106 Agreement to:-
- (i) Agree a route for all heavy goods vehicles travelling to and from the site via A4066, A4064 Heol Llangeinor, Heol Richard Price, Bettws and the un-named road linking Bettws to Shwt (via the priority junction adjacent to St David's church, Bettws) and from Shwt via the un-named road leading north immediately to the south west of Glan-nant Row, Bettws.
  - (ii) Agree the action to be undertaken in the event of complaints regarding noise being received from the occupiers of any nearby residential property, including the adjacent yurt accommodation.
  - (iii) Agree a method statement detailing the procedures for delivering and removing all equipment to and from the site, including the type, size, number and frequency of delivery vehicles that will be utilised to complete the works, and the method for mitigating incidents of conflict between such vehicles and any oncoming vehicles/vulnerable highways users.
  - (iv) The applicant enter into a Section 59 Extraordinary Maintenance Agreement to ensure the he can be

held fully liable for any deterioration of the highway as a result of the development being implemented.

- (2) The Corporate Director - Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, and subject to the conditions in the report of the Corporate Director – Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/11/503/FUL	Cwmcedfyw Farm, Pontrhydycyf, Bridgend – Capture of coal bed methane utilising a portable generator & connecting to overhead lines.

590 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION DEFERRED

RESOLVED: That the Committee deferred the following application and implemented paragraph 1.1 of the Planning Code of Practice approved by the Development Control Committee on 18 October 2010, whereby if Members are minded to make a decision contrary to the Officer's recommendation the application be referred to the next meeting of the Committee to advise Members further.

<u>Code No.</u>	<u>Proposal</u>
P/11/468/FUL	16 Woodlands Rise, Bridgend - Erection of decked area to rear of house.

591 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION REFUSED.

RESOLVED: That the following application be refused for the reason outlined in the report of the Corporate Director - Communities.

<u>Code No.</u>	<u>Proposal</u>
P/09/834/FUL	Swyddfa, Bridgend Road, Aberkenfig. Bridgend - Convert existing building into ground floor office and two bedroom first floor flat - two storey existing building.

592 APPEALS RECEIVED

RESOLVED: That the Appeals received since the last meeting of the Development Control Committee as outlined in the report of the Corporate Director – Communities be noted.

593 APPEAL DECISION

RESOLVED: That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal, has directed that it be DISMISSED:-

Code No.                      Proposal

A/11/2150101(1659) Provide driveway to existing property at Rhos Celyn, Litchard Terrace, Bridgend.

594 LAND OFF CEFN GLAS ROAD, PENYFAI

The Group Manager Development reported that in October 2009, a hedgerow which was located south of the Penyfai settlement boundary and north of the Bryntirion settlement boundary on the Cefn Glas Road, Penyfai was believed to have been removed in order to facilitate repair works to a railway bridge undertaken by Network Rail. It had since come to light that the hedgerow was removed not by Network Rail but at the request of the landowner and without the consent of the local authority. The hedgerow was protected under Regulation 3 of the Hedgerow Regulations 1997 by virtue of exceeding 20 metres in length and being adjacent to agricultural land.

He reported that the length of hedgerow totalled approximately 112m with approximately 50m of it removed in October 2009. The hedgerow contained a number of woody species and also at least three ground fauna woodland species. The hedgerow is located in a rural lane and is considered to greatly add to the visual amenities of the area and surrounding countryside and had been in existence since 1885. Its removal was considered to have seriously harmed the visual amenities of the area.

The Group Manager Development reported that the Council had power to issue a "Hedgerow Replacement Notice" to the owner of the land requiring reinstatement of the hedgerow.

RESOLVED: That the removal of this hedgerow is considered to be in contravention to Regulation 5 of the Hedgerows Regulations 1997 and permission is granted to issue a Hedgerow Replacement Notice on the owner of the land on which the hedgerow was located.

595 P/08/1114/OUT ISLAND FARM, BRIDGEND - NEW DEVELOPMENT (MIXED USE - SPORTS/LEISURE/OFFICES

The Team Leader East referred Members to the Extraordinary meeting of Council on 4 July 2011 wherein it was resolved by Council that it was minded not to refuse planning application P/08/1114/OUT and the application was referred to the Welsh Government as a proposal in which the Council has a financial interest and as an application which is out of accord with the adopted Unitary Development Plan but which the Council is not minded to refuse.

The documentation was duly forwarded and confirmation had been received from the Welsh Government that the application is not to be called in for determination by the Welsh Ministers and it is for this Council to determine the application. A copy of the decision letter from the Welsh Government was outlined.

RESOLVED: That the report of the Corporate Director - Communities be noted.

596 ANNUAL REVIEW OF IMPLEMENTED PLANNING DECISIONS

The Development Control Manager reported that on 4 August 2011 Members of the Committee undertook an inspection of the following development sites with Officers.

- Archbishop McGrath School, Brackla;
- Multi storey car park and associated access and CAMS Unit, Princess of Wales Hospital;
- Parcels R4/R5 and R18 and estate road Parc Derwen
- Offices, 1 Court Road, Bridgend.

The Development Control Manager outlined the written comments of Members provided on the sites inspected. He stated that Members were generally satisfied or pleased with the development sites inspected, but highlighted issues for Officers to consider more fully in the future such as the brightness of materials, the surfacing of footpaths and a revisit to the Parc Derwen development in the future would be beneficial.

The Development Control Manager drew Members attention to the Amendment Sheet which included the comments of the Highways Officer in relation to the 'footpath' running around the back of the new school between Cae Ffynnon and the community route.

RESOLVED: That the report of the Corporate Director - Communities be noted.

597 TRAINING LOG

The Group Manager Development reported on an updated Training Log for Development Control Committee Members.

The Committee considered that it would be useful to hold a further workshop on material planning considerations and a possible training session on the Night Time Economy.

RESOLVED: That the report of the Corporate Director - Communities on the updated Training Log be noted and the possibility of holding a workshop on material planning considerations and a training session on the Night Time Economy be examined.

598 SUPPLEMENTARY PLANNING GUIDANCE FOR BRIDGEND TOWNSCAPE HERITAGE INITIATIVES AND PARKING STANDARDS

The Group Manager Development reported on the results of public consultation carried out on the draft Supplementary Planning Guidance for Bridgend Townscape Heritage Initiative and the Bridgend County Borough Council Parking Standards. He also sought agreement for the proposed amendment to the draft Supplementary Planning Guidance for Bridgend Townscape Heritage Initiative

document and to adopt both documents as Supplementary Planning Guidance (SPG) to the Unitary Development Plan.

He reported that by the end of the consultation period one representation was received on the draft Townscape Heritage Initiative SPG for which a reasoned response to the representation had been made, with a suggested decision and proposed changes to the SPG. The only change in the Bridgend THI SPG arising from the public consultation are an explanatory paragraph that it meets the requirements of the Strategic Environmental Assessment Regulations and clarification of the responsibilities of developers and building owners in relation to protected species and the potential impact from refurbishment and rebuilding.

- RESOLVED:
- (1) That the Development Control Committee:-
    - (a) Considered each of the representations received;
    - (b) Approved the suggested response;
    - (c) Agreed the changes to the draft Townscape Heritage Initiative SPG for adoption and subsequent publication;
  - (2) That the Development Control Committee recommended to Council that:
    - (a) It adopts the Bridgend Townscape Heritage Initiative SPG (as amended by the changes in Appendix 3 and highlighted in paragraph 4.3 of this report) and Parking Standards SPG as Supplementary Planning Guidance (SPG) to the adopted Bridgend Unitary Development Plan;
    - (b) All Members of Council receive a hard copy of the SPG as soon as possible;
    - (c) The SPG's in their adopted form be published in hard copy, on CD and on the Council's web-site.

The meeting closed at 3.53pm.