

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET,
BRIDGEND ON THURSDAY, 15 DECEMBER 2011 AT 2.00PM

Present:

Councillor M Gregory - Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
R D L Burns	C E Hughes	M Thomas	H M Williams
M W Butcher	M Lewis	K J Watts	M Winter
N Clarke	J C Spanswick	C Westwood	R E Young
E Dodd	G Thomas		

Officers:

D Llewellyn	- Group Manager Development
D C Davies	- Development Control Manager
J Parsons	- Team Leader (West)
S Jones	- Development Planning Manager
S Ingram	- Principal Planning Officer
C Flower	- Team Leader Technical Support
N Moore	- Team Leader Policy and Development
R Morgan	- Transportation Development Control Officer
P Stanton	- Service Manager - Environmental Health
H Williams	- Senior Environmental Health Officer
B Davies	- Legal Officer
A Rees	- Senior Democratic Services Officer - Committees
J Monks	- Democratic Services Assistant (Electronic Back-up)

647 APOLOGIES FOR ABSENCE

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

Councillor C E Hughes	- Family bereavement
Councillor A Jones	- Clinic appointment
Councillor C J James	- Other Council business
Councillor R Shepherd	- Unwell

648 DATE FOR PROPOSED SITE INSPECTIONS

RESOLVED: That the date for site inspections (if any) arising from today's meeting, or identified in advance of the next Committee by the Chairperson, be confirmed as Wednesday, 11 January 2012(am).

649 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee dated 17 November 2011 be confirmed as a true and accurate record.

650 LIST OF PUBLIC SPEAKERS

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

<u>Name</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
D Michael	P/10/844/FUL	Objector
K Phillips	P/10/844/FUL	On behalf of the applicant

651 DECLARATIONS OF INTEREST

The following declarations of interest were made by Members and Officers:-

- Councillor M C Gregory - P/11/758/FUL - Councillor Gregory declared a prejudicial interest as one of the objectors is known to him. Councillor Gregory left the meeting whilst the application was being considered, and the Vice-Chairperson took the Chair for this item.
- Councillor R D L Burns - P/11/758/FUL - Councillor Burns declared a personal interest as a Member of Bridgend Town Council but took no part in the consideration of planning matters.
- Item 7.B.ii - Parc Afon Ewenni Regeneration Area Masterplan Framework and Delivery Strategy - Councillor Burns declared a personal interest as the Chairperson of the Catalogue Supplies Joint Committee which has democratic involvement with land affected by the Masterplan Framework.
- Councillor R Young - P/11/714/FUL - Councillor Young declared a personal interest as a Member of Coity Higher Community Council but took no part in consideration of planning applications.
- Councillor N Clarke - P/11/777/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 M Lewis - P/11/758/FUL - Councillor Lewis 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/11/714/FUL - Councillor Dodd declared a personal interest as a Member of Coity Higher Community Council but took no part in the consideration of planning applications.
- Councillor M Winter - P/11/483/FUL - Councillor Winter declared a prejudicial interest as the applicant is well known to him and withdrew from the meeting whilst the application was considered.
- Mr D Llewellyn - P/11/483/FUL - Mr Llewellyn declared a prejudicial interest as the applicant's agent is a personal friend. Mr Llewellyn left the meeting whilst this item was being considered.

652 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.

653 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS GRANTED CONDITIONALLY

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

Code No. Proposal

P/11/758/FUL Old Joinery Works, Tremains Road, Bridgend - Erect 2 No. two-bed self contained flats and 4 No. one-bed self contained flats

Subject to the following additional Condition:

15. This consent relates to the amended plans and drawing numbers 011:10:01A, 011:10:02, 011:10:05A, 011:10:07, 011:10:08 and 11:10:09 dated the 6 and 7 December 2011.

Reason: For the avoidance of doubt as to the extent of the permission granted.

(Councillor Gregory vacated the Chair for this item in view of his declaration of interest and the Vice-Chairperson - Councillor H M Williams took the Chair for this item).

Code No. Proposal

P/11/777/FUL 2 - 4 Dock Street, Porthcawl, Bridgend - Conversion of existing bar and restaurant to dental practice.

P/11/714/FUL Parc Hyfryd Farm, Pant y Pwllau, Coity, Bridgend - Replace existing haybarn storage shed

654 TOWN AND COUNTRY PLANNING ACT 1990
DEVELOPMENT IN NEIGHBOURING AUTHORITY

RESOLVED: That Neath Port Talbot County Borough Council be informed that Bridgend County Borough Council has NO OBJECTION to this proposed subject to noise conditions being added to any consent.

Code No. Proposal

P/11/92/OBS Mynydd y Gelli Wind Farm, Abergwynfi, Port Talbot - OBS request for erection of 15 wind turbines.

655 TOWN AND COUNTRY PLANNING ACT 1990
SECTION 106 AGREEMENT

Code No.

Proposal

- RESOLVED: (1) That the applicant enter into a Section 106 Agreement to:-
- (i) Provide a financial security to ensure that decommissioning works are fully carried out following cessation of operation of the development.
 - (ii) Minimise and reduce interference that the operation of the wind farm may cause to domestic television reception.
 - (iii) Ensure that no abnormal loads shall be delivered to the site via the A4061, A4063 or A4064 (Llynfi and Garw Valleys). A vehicle will be classed as an abnormal load for the purposes of the Section 106 Agreement where one or more of the following vehicle dimensions including load, are exceeded:
 - Axle weight greater than 11.5 tonnes weight
 - 44 tonnes weight
 - 12 ft wide (3.65m)
 - 70 ft long (21.33m)
 - 15 ft high (4.57m)
- (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:-

Code No.

Proposal

P/10/844/FUL

Mynydd y Gelli/Mynydd Caerau, Near Abergwynfi, Neath Port Talbot and Bridgend - 15 wind turbines (3 in BCBC), substation, upgrade ext. tracks assoc. infrastructure and anem. mast:

Subject to the amendment of condition 22, additional condition 29 and extra note being added

22. At wind speeds not exceeding 10 metres per second, as measured or calculated at a height of 10 metres above ground level (at the location of the meteorological mast shown at location easting 288360 northing 194707 on the approved layout plan) the rating level of noise immissions from the combined effects of the wind turbines (including the application of any tonal penalty when calculated in accordance with the attached guidance notes), at any occupied dwelling or other Noise Sensitive

Premises (that lawfully exist at the date of this consent), shall not exceed:

- during night hours, 43 dB LA90,10min, or the night hours LA90,10min background noise level plus 5 dB(A), whichever is the greater;
- during daytime hours, 35 dB LA90,10min background noise level plus 5 dB(A), whichever is the greater; and,
- at all times 45 dB, LA90,10min or the (day/night as appropriate) hours LA90, 10min background noise level plus 5 dB(A), whichever is the higher in respect of any house where the occupier is a stakeholder in the development,

Reason: In order to control noise in the interest of residential amenity the amenities of the area (Policy EV27 of the UDP).

29. In order to evaluate compliance with condition 27, the noise immissions from the wind farm shall be measured in a scheme to be submitted to and agreed in writing by the Local Planning Authority and in accordance with the methodology specified in ETSU-R97 within the first twelve months of its commissioning. The data produced in accordance with the scheme shall be submitted to the Local Planning Authority upon request.

Reason: In order to control noise in the interest of residential amenity the amenities of the area (Policy EV27 of the UDP).

Note

Where, in the opinion of the Local Planning Authority, noise immissions at the location or locations where assessment measurements are being undertaken contain a tonal component, the following rating procedure should be used.

- (a) For each 10-minute interval for which LA90, 10min data has been obtained a tonal assessment is performed on noise immissions during 2 minutes of each 10 minute period. The 2 minute periods should be regularly spaced at 10 minute intervals provided that uninterrupted clean data are available. Where clean data are not available, the first available uninterrupted clean 2 minute period out of the affected overall 10 minute period shall be selected. Any such deviations from standard procedure shall be reported.

- (b) For each of the 2-minute samples the margin above or below the audibility criterion of the tone level difference, Delta Ltd, should be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104-109 of ETSU-R-97.
- (c) The margin above audibility is plotted against wind speed for each of the 2-minute samples. For samples for which the tones were below the audibility criterion or no tone was identified, substitute a value of zero audibility.
- (d) A linear regression should then be performed to establish the margin above audibility at the assessed wind speed for each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic average shall be used.
- (e) The tonal penalty is derived from the margin above audibility of the tone according to figure 17 on page 104 of ETSU-R-97. The rating level at each wind speed is the arithmetic sum of the wind farm noise level, as determined from the best fit curve, and the penalty for tonal noise.

656 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.

657 APPEALS DECISION

RESOLVED: (1) That it be noted that the Inspector appointed by the National Assembly for Wales to determine the following Appeal, has directed that the enforcement notice be upheld:-

<u>Code No.</u>	<u>Subject of Appeal</u>
C/11/2155353(1667)	Unauthorised wall/fence at 1 Green Meadow, Cefn Cribwr.

- (2) That it be noted that the Inspector appointed by the National Assembly for Wales to determine this appeal directed that it be DISMISSED.

<u>Code No.</u>	<u>Subject of Appeal</u>
A/11/2158114(1670)	Inclusion of land into curtilage of holiday let at Ty Gwyneth (Haulfryn), Ffordd y Gyfraith, Bridgend.

- (3) That it be noted that the Inspector appointed by the National Assembly for Wales to determine this appeal directed that it be ALLOWED subject to the following conditions:

- (1) The development hereby permitted shall begin no later than five years from the date of this decision.

- (2) No development shall take place until a comprehensive method statement specifying the means of delivering materials and equipment to and from the site has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

Code No.

Proposal

A/11/2160300(1671) Creation of solar power system at the Coach House, Pen y Lan Farm, Aberkenfig.

658 P/11/483/FUL - 1 GREENMEADOW, CEFN CRIBBWR

The Development Control Manager reported that the Committee at its meeting on 17 November 2011 were minded to refuse the application for the retention of three radio masts/aerials and an additional mast/aerial maximum height of 6.5m for a trial period of one year. In accordance with protocol the application is being reported back to Committee to formally determine the proposal.

He reported that whilst it was acknowledged that there is a variety of street furniture along Cefn Road, such as telegraph poles and street lighting columns, the Committee considered that the proposed tower (mast "D") and associated aerial/antenna would represent an incongruous and alien feature within this predominantly residential area, given its industrial and harsh appearance, its dominating scale against the backdrop of single storey bungalows and in full and direct view of several public positions, including that from the main road through the village. Given the siting, scale, height and appearance of the tower and associated aerial/antenna, it was considered that the character and appearance of this village would be harmed and Mast D would be contrary to Policy EV45 and criterion 1 of Policy U9 of the UDP.

The Development Control Manager reported that there was no realistic or acceptable method for the tower to be erected onto existing buildings to minimise its scale, height and massing or to be appropriately screened or painted to satisfactorily minimise its visual impact. Furthermore, given that the use is for a hobby and that there are no other masts of this kind within close proximity to the application site, there is no scope for mast sharing. Given that the masts/aerials/antenna proposed vary considerably in terms of style, scale and appearance, amalgamating all the structures into one structure would be impractical. The Committee considered that the proposal would not be of an appropriate scale and did not respect the context of the development and prominence of the site. The proposal did not satisfy Policy EV45 or Policy U9 of the UDP and the Committee was minded to refuse the application on the above mentioned grounds.

RESOLVED:

That the Local Planning Authority are of the opinion that the proposed mast "D" and associated antenna by virtue of their siting, size, height and appearance, would represent an unduly prominent and incongruous element in the street scene and as such would be detrimental to local visual amenities and be out of character with this part of Cefn Cribbwr and as such, is contrary to Policies U9 and EV45 of the adopted Bridgend Unitary Development Plan.

659 TRAINING LOG

The Group Manager Development reported on an updated Training Log for Development Control Committee Members. He requested that Members of the Committee give consideration to future training topics.

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

660 PLANNING POLICY DEVELOPMENT BRIEF : FORMER DAY CARE CENTRE, BRIDGEND

The Principal Planning Officer reported that Cabinet at its meeting on 15 November 2011 considered a report on the future options for the disposal of the former Bridgend Day Care Centre. It concluded that a Development Brief for the site be presented to this Committee in order to confirm the planning status of the site. He stated that the site is located within the urban area of Bridgend within a few miles of junction 35 of the M4 and has an area of 6.35 acres. The site is split in two phases, with Phase 1 where the new Day Care Centre has been developed. Phase 1 is allocated for retail development under Policy R10 (1) of the UDP, whilst Phase 2 is zoned as 'white land' in the UDP. The concept of a land swap between Phase 1 and 2 to enable the provision of a new Day Care Centre is considered appropriate in development planning terms.

He reported that the former Day Care Centre site offers great potential as a redevelopment opportunity for a variety of uses. In order that a high quality and economically viable redevelopment scheme can come forward, greater clarity and guidance was needed on the retail and commercial uses permissible on the site. In addition consideration of the likely requirements associated with any future Section 106 contribution relating to residential development is required.

The Principal Planning Officer reported that Barton Wilmore had produced a Development Framework for the site. The purpose of the Development Brief was not to present detailed design proposals for the redevelopment of the site, but to set a policy framework within which a high quality redevelopment scheme can evolve.

The Brief concluded that the site is located within the urban boundary of Bridgend and its redevelopment is acceptance in principle. He stated that the Local Planning Authority is supportive of the redevelopment of the site and considers the retail/leisure and residential development of the site to be acceptable in principle subject to the land parameters identified. These parameters seek to restrict the retail and commercial uses to those that are currently stringently applied to existing out of centre retail developments (i.e. bulky comparison goods only) in order to protect the vitality, viability and attractiveness of the town centre.

RESOLVED: That the Bridgend Day Care Centre Site, Bridgend Planning Policy Development Brief be approved as Development Control Guidance, to be used as a material consideration in the determination of future planning applications for the site.

661 PARC AFON EWENNI REGENERATION AREA MASTERPLAN FRAMEWORK AND DELIVERY STRATEGY

The Development Planning Manager presented the draft Parc Afon Ewenni Masterplan Framework and Delivery Strategy prior to publication for public consultation. The Masterplan Framework and Delivery Strategy had been

prepared to guide future planning applications for the site and act as future interim development control guidance, before the subsequent adoption of the LDP.

She reported that the Council, South Wales Police and Dovey Estates Limited had been working in partnership to review the future of their landholdings. The Masterplan Framework and Delivery Strategy has been prepared by Savills in conjunction with Waterman Transport and provides an opportunity to build a viable and sustainable community that will improve the gateway to Bridgend. The mixed use regeneration site identified by Policy PLA3 of the Deposit Plan proposed a comprehensive development subject to a flexible Development Framework that seeks to deliver additional new jobs and homes served by a commercial hub, community and recreation facilities and appropriate transportation infrastructure.

The Development Planning Manager informed the Committee that the report followed the established three step master planning process, providing a baseline analysis, moving into design development analysis and outputs and finishes with the development strategy and master plan.

The Development Planning Manager reported that a public consultation exercise will be undertaken on the Masterplan Framework and Delivery Strategy and the results of the consultation exercise and any subsequent amendments reported back to this Committee for their endorsement and approval as interim development control guidance. In terms of fully informing the Delivery Strategy and to achieve the comprehensive regeneration of the area, it was proposed that the client group continue to work in partnership and approach other interested parties to progress the collaborative land agreement and further establish the detailed cost of necessary infrastructure and remediation.

- RESOLVED:
- (1) That the draft Parc Afon Ewenni Regeneration Area Masterplan Framework and Delivery Strategy be agreed for the purposes of public consultation.
 - (2) That the outcome of the consultation be reported back to this Committee at which time a final decision will be taken on whether to approve the amended documentation as interim development control guidance.

The meeting closed at 4.45pm.