

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET,
BRIDGEND ON THURSDAY, 8 MARCH 2012 AT 2.00PM

Present:

Councillor M Gregory - 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

R Shepherd
J C Spanswick
G Thomas
M Thomas

Councillors

K J Watts
C Westwood
H M Williams
M Winter

Officers:

D C Davies - Development Control Manager
J Jenkins - Team Leader (East)
J Parsons - Team Leader (West)
C Flower - Team Leader Technical Support
N Moore - Team Leader Policy and Development
R Morgan - Transportation Development Control Officer
B Davies - Legal Officer
M A Galvin - Senior Democratic Services Officer - Committees
A Rees - Senior Democratic Services Officer (Electronic Back-up)

695 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Young who had work commitments.

696 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, 4 April 2012 (am).

697 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee dated 9 February 2012 be confirmed as a true and accurate record.

698 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>
L Phillips	P/11/840/FUL and P/11/841/CAC	Objector

R Hathaway	P/11/840/FUL and P/11/841/CAC	Agent for the Applicant
Councillor H J David	P/11/923/FUL	Local Member
Community Councillor D Evans	P/11/923/FUL	Community Councillor
D Edwards	P/11/923/FUL	Objector
Councillor J H Tildesley	P/11/817/FUL	Ward Member

699 DECLARATIONS OF INTEREST

The following declarations of interest were made by Members:-

- Councillor Gregory - P/10/791/FUL - Councillor Gregory declared a personal interest as a Member of Pencoed Town Council but took no part in the consideration of planning matters.
- Councillor C E Hughes - P/11/923/FUL - Councillor Hughes declared a prejudicial interest as one of the public speakers was a relative of his wife. Councillor Hughes left the meeting whilst the application was being considered.
- Councillor N Clarke - P/11/26/FUL, P/11/840/FUL and P/11/841/CAC. Councillor Clarke declared a personal interest as a Member of the Porthcawl Town Council but takes no part in the consideration of this application.
- P/11/817/FUL - Councillor Clarke declared a personal interest as the applicant and Members of his family were known to her. Cllr Clarke left the meeting whilst this application was being considered.
- Councillor R D L Burns - P/12/91/FUL - Councillor Burns declared a personal interest as a Member of Bridgend Town Council but takes no part in the consideration of planning matters. P/11/817/FUL - Councillor Burns declared a prejudicial interest as he knew the public speaker. Councillor Burns left the meeting whilst the application was being discussed.
- Councillor M Lewis - P/12/91/FUL - Councillor Lewis declared a personal interest as a Member of Bridgend Town Council but takes no part in the consideration of planning matters.
- Councillor M Winter - P/11/923/FUL - Councillor Winter declared a prejudicial interest in that he knew the applicant. Councillor Winter left the meeting whilst the application was being considered.

700 CHAIRPERSON'S ANNOUNCEMENT

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

701 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS GRANTED UNCONDITIONALLY

RESOLVED: That the following application be granted:-

Code No. Proposal

P/12/26/FUL 10 Juniper Close, Porthcawl, Bridgend - Wooden cover walkway to side of property secured to fence.

702 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS GRANTED CONDITIONALLY

RESOLVED: (1) That the following applications be granted subject to the Conditions contained in the report of the Corporate Director Communities:-

Code No. Proposal

P/10/791/FUL Jctn. of Coychurch Road and Heol y Groes, Pencoed - Development of 2 No. retail units, 5 town houses 8 apartments and parking.

Subject to the following additional Conditions 19 and 20 and Notes 13 and 14:-

19. The 1.5m high reclaimed stone wall on the south eastern boundary of the site shall terminate at the proposed gates, shown on Drawing 1519 (04)01, and not extend forward to Heol y Groes beyond the proposed gates.

Reason: To ensure the open vista is retained on Heol y Groes in the interests of visual amenity.

(Policy EV45 - Bridgend Unitary Development Plan)

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking and re-enacting that Order with or without modification), no development which would be permitted under Article 3 and Classes A, B, C, D, E and G of Part 1 to Schedule 2 of the Order shall be carried out within the curtilage of any dwelling without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential amenities.

(Policy EV45 Bridgend Unitary Development Plan)

Notes:

13. In respect of Condition 4 above the developer is advised to consider the future affect of environmental conditions on the external finishes when deciding on the colour palette for the walls of the development.
14. The developer is reminded that the footpath link between Heol y Groes and Penybont Road should remain open at all times.

Code No.

Proposal

P/11/840/FUL

335A New Road, Porthcawl, Bridgend - Demolish existing bungalow and construct 4 bed house.

Subject to Condition 10 of the report being amended as follows:-

10. No obstruction shall be sited within the proposed turning facility associated with No. 5 Brickyard Lane that would restrict the ability of the occupiers of No.5 Brickyard Lane to turn and enter onto the highway in a forward gear in perpetuity.

Reason: In the interests of highway safety.

(Policy H5 - Bridgend Unitary Development Plan)

703 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION FOR CONSERVATION AREA CONSENT

RESOLVED: That the following application for Conservation Area Consent be granted subject to the Condition contained in the report of the Corporate Director - Communities:-

Code No.

Proposal

P/11/841/CAC

335A New Road, Porthcawl, Bridgend - Demolish existing bungalow and construct 4 bed house.

704 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION REFUSED

RESOLVED: (1) That the following application be refused for the reasons contained in the report of the Corporate Director - Communities:-

Code No.

Proposal

P/11/817/FUL Ty Tanglwyst Farm, North Cornelly, Bridgend - Construction of new 4 bedroom house for holiday accommodation.

- (2) That the following application be refused for the undermentioned reason:-

Code Number

Proposal

P/11/923FUL 1 Green Meadow, Cefn Cribbwr, Bridgend - Retain 3 and 1 additional radio mast/arial max height 6.5m for 3 year trial period for 3 hours in 24 hour period.

Reason: 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

705 TOWN AND COUNTRY PLANNING ACT 1990
SECTION 106 APPLICATION

RESOLVED: (1) That provided no new objections, not otherwise addressed are received by the 9 March 2012, the Corporate Director – Communities invites the applicant to enter into a S 106 Agreement to:

- (i) Limit the use as a car park open to the public with unreserved spaces, and not retained as a private car park.
- (ii) Provide a signage scheme preventing any vehicles from queuing on the highway in the event of the car park being fully utilised, and
- (iii) The provision of 4 disabled parking spaces is omitted. This is a matter that can be controlled through the imposition of a planning condition.

Code No.

Proposed

P/12/91/FUL Car Parks, Brewery Lane, Bridgend - Retention of car parks.

Subject to the inclusion of the following Conditions 3, 4, and 5 and added Note 4:-

3. Within one month of the date of this permission a scheme to provide a screen along the Northern site

boundaries abutting A4061 / A4063 shall be submitted to the Local Planning Authority for agreement. The scheme agreed in writing by the Local Planning Authority shall be implemented within three months of the date of this permission.

Reason: In the interests of highway safety by preventing headlight dazzle for drivers.

(Policy T7 and T8 - Bridgend Unitary Development Plan and Parking Guidelines)

4. Within one month of the date of this permission a car parking scheme for individual spaces clearly demarcated in permanent materials shall be submitted to the Local Planning Authority for agreement. The agreed scheme shall be implemented within three months of the date of this permission.

Reason: In the interests of highway safety.

(Policy T7 and T8 - Bridgend Unitary Development Plan and Parking Guidelines)

5. Notwithstanding the submitted plans, within one month of the date of this permission a scheme for the provision of 4 disabled off street parking spaces clearly demarcated in permanent materials shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented within three months of the date of this permission.

Reason: In the interests of highway safety.

(Policy T7 and T8 - Bridgend Unitary Development Plan and Parking Guidelines)

Note:

Rainwater run -off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.

- (2) That the Corporate Director – Communities be given plenary power to issue a decision notice granting consent in respect of the above proposal once the applicant has entered into the aforementioned S 106 Agreement, subject to the Conditions contained in the report, and the Conditions and Note above.

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.

707 APPEALS DECISIONS

RESOLVED: (1) That the Inspector appointed by the National Assembly for Wales to determine this appeal directed that the Appeal succeeds in part under ground (D) insofar as it relates to the fence to the west of the gate to the property and the enforcement notice is varied by the addition of the words "to the east of the gate" after the word "fence" in line 1 of paragraph 5 of the notice. Subject to this variation, the Appeal is DISMISSED and the enforcement notice is upheld as varied, and planning permission is refused in respect of the fence to the east of the gate, on the application deemed to have been made under Section 177(5) of the 1990 Act as amended.

Code No. Proposal

C/11/2153548(1663) Unauthorised boundary fence above one metre at 7 Priory Avenue. Bridgend.

(2) That the Inspector appointed by the National Assembly for Wales to determine the following Appeals has directed they be DISMISSED:-

Code No. Proposal

A/11/2167367(1677) Two storey extension, single storey extension and loft conversion at : 71 Park Avenue, Porthcawl.

A/11/2165937 (1676) Dormer extension rear of : 33 Esplanade Avenue, Porthcawl.

708 APPLICATION NUMBER : P/05/444/FUL
SITE ADDRESS : PHASE III LAND OFF CEFN GLAS ROAD, BRIDGEND
PROPOSAL : ERECTION OF 7 BLOCK OF APARTMENTS AND 1 DUPLEX DWELLING
APPLICANT : SOUTHGATE ESTATES

The Corporate Director - Communities submitted a report that advised that planning consent was granted in October 2005 to construct 7 blocks of apartments (33 units in total) together with 1 duplex type house on land off Cefn Glas Road. The consent was granted subject to a Section 106 Agreement requiring the developer to contribute a sum of £100,000 (index linked from 22 September 2005) towards affordable housing. The sum was to be paid on the sale of the 24th unit.

The report advised that unfortunately the developer had gone into receivership, and the costs associated with the development, now significantly outweighed the values of those dwellings yet to be sold.

In light of the above, the Receiver had requested that the Section 106 obligation in respect of the development be waived.

In view of the ongoing situation and following the matter being investigated by Officers of the Council for the reasons given in the report, and based on the calculations shown, it was subsequently amicably agreed that the Section 106 obligation not be waived, but be reduced to a compromise sum of £67,000.

RESOLVED: That the affordable housing contribution required through the Section 106 Agreement be reduced to £67k, for the reasons outlined in the report of the Corporate Director Communities.

709 CROWDED PLACES
THE PLANNING SYSTEM AND COUNTER TERRORISM

The Corporate Director - Communities submitted a report, that confirmed that the Chief Planner of the Welsh Government had recently written to all local planning authorities in respect of Crowded Places.

Details of this were contained in the report, and meant that local authorities and businesses in local areas were required to implement appropriate measures to reduce the vulnerability of crowded places due to potential threats of terrorism.

The Welsh Government's planning policy on good design is contained in Section 4.10 of Planning Policy Wales (PPW) supplemented by Technical Advice Note TAN 12 Design, where the area of community safety was one of the five aspects of good design reflected in PPW and TAN 12.

The report advised that in the beginning of this year the Home Office updated its Crowded Places: The Planning System and Counter Terrorism Guidance that provided advice to local planning authorities on how to reduce the vulnerability of crowded places, by incorporating counter terrorism security measures into the design of buildings and public spaces, particularly in high risk areas, whilst ensuring that they are still of a high design quality.

Local planning authorities were required to consider, where appropriate, the advice contained in 'Crowded Places' as the guidance was capable of being a material consideration in the determination of planning applications where appropriate, and according to their location.

It would be the role of the Police Crime Prevention Design Advisor to notify the relevant Counter Terrorism Security Advisor where there was a counter terrorism protective security diversion that warranted more detailed scrutiny.

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

710 QR (QUICK RESPONSE) CODES ADDED TO CORRESPONDENCE RELATING TO NEW PLANNING APPLICATIONS

The Corporate Director - Communities submitted a report that confirmed that the Development Control Section had recently introduced a new facility that will enable access to application details and the submission of comments electronically by smartphone. Users of smartphones can scan the QR code with a bar code reader application ('app') and will then be automatically taken to the planning application details part of the Council website to view details and documents of a specific application. These QR codes have so far been added to planning application acknowledgement letters, neighbour letters inviting comments and site notices. The system that generates these QR codes has been provided free of charge by the Development Control Section's software supplier Ocella.

Bridgend County Borough Council is the first Authority in Wales to use this facility for communicating planning application information in addition to the other publicity/notification procedures already used.

The Committee congratulated staff involved for introducing this new and innovative initiative.

RESOLVED: That the report be noted.

711 TRAINING LOG

RESOLVED: The Committee noted the following training sessions on the dates so stated, and that a further session on the subject of crime prevention would be arranged sometime in the future.

<u>Subject</u>	<u>Date</u>
Community Infrastructure Levy (CIL)	- 8 March 2012 (12.15pm)
Member Training for new Development Control Committee	- 25 May 2012 (9.00am)

The meeting closed at 4.35pm.