

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND
ON THURSDAY, 26 JULY 2012 AT 2.00PM

Present:
Councillor H M Williams - Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
N Clarke	C J James	C E Rees	C Westwood
G W Davies	P N John	J C Spanswick	R Williams
P A Davies	C Jones	G Thomas	M Winter
D M Hughes	D R W Lewis	J H Tildesley	R E Young

Officers:

D Llewellyn	- Group Manager Development
J Jenkins	- Team Leader (East)
P Thomas	- Principal Planning Officer
G Denning	- Principal Section 106 Officer
C Flower	- Team Leader Technical Support
N Moore	- Team Leader Policy and Development
A Carey	- Transportation Development Control Officer
B Davies	- Legal Officer
A Rees	- Senior Democratic Services Officer - Committees
J Monks	- Democratic Services Officer - Communities (Electronic Back-up)

27 INTRODUCTIONS

The Chairperson welcomed all those present to the meeting. All Officers introduced themselves to the Members of the Committee.

28 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor B Jones who had a prior commitment.

29 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 meeting of Committee by the Chairperson, be confirmed as Wednesday, 22 August 2012 (am).

30 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee of 28 June 2012 be confirmed as a true and accurate record.

31 LIST OF PUBLIC SPEAKERS

The Group Manager Development read out for the benefit of those present the names of the public speakers addressing the following applications being considered at the meeting:-

<u>Name</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
Mr J Lewis	P/12/410/OUT	Objector
Councillor G Thomas	P/11/798/FUL	Local Member
Mr Nicholas Kern	P/11/798/FUL	Objector
Mr K Lewis	P/11/798/FUL	Applicant

32 DECLARATIONS OF INTEREST

The following declarations of interest were made:-

- Councillor R Williams - P/12/444/FUL - Councillor Williams declared a prejudicial interest as the applicant is known to him and withdrew from the meeting during consideration of the application.
- Councillor P N John - P/12/385/FUL - Councillor John declared a personal interest as a member of Maesteg Town Council took no part in the consideration of planning applications.
- Councillor D R W Lewis - P/11/798/FUL - Councillor Lewis declared a personal interest as a member of St Brides Community Council but took no part in the consideration of planning matters.
- Councillor G W Davies - P/12/385/FUL - Councillor Davies declared a prejudicial interest as the applicant is known to him and withdrew from the meeting during consideration of the application. Councillor Davies also informed the Committee that he is a member of Maesteg Town Council but took no part in the consideration of planning matters.
- Councillor G Thomas - P/11/798/FUL - Councillor Thomas declared a personal interest as the local member and withdrew from the meeting during consideration of the application. Councillor Thomas also declared that he is a member of St Brides Minor Community Council but took no part in the consideration of planning matters.

33 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 the Committee to consider modifications to the Committee report, so as to take account of any late representations and revisions that require to be accommodated.

34 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:-

Code No. Proposal

P/12/410/OUT Land adjacent 8 Heol y Foelas, Bryntirion, Bridgend - Erect 1 No. 2 Bed Detached Dwelling.

Subject to the inclusion of additional Note F:-

F. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built.

You are advised that the bird nesting season is typically from March to August inclusive, however birds can be found nesting at other times of year.

If at any time nesting birds are observed on or in the vicinity of the site, works, which may disturb them, must cease immediately and advice sought. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species is involved, mitigation for impacts, e.g. loss of nesting site, should be devised and implemented.

Further advice on the above can be sought from the local authority ecologists (01656 643196) or the Countryside Council for Wales (029 20772400),

P/12/322/FUL 26 Caroline Street, Bridgend - Change of use from Class A1 (Retail) to Class A2 (Financial and Professional Services).

P/12/385/FUL Mill View Stores, 138 Mill View Estate, Maesteg, Bridgend - Double storey rear extension to store and residential unit.

Subject to the amendment of Condition 2 as follows:-

2. The window facing west serving the "Expansion Storage" on the ground floor as shown on drawing "Proposed Ground Floor Plan" (received 25 May 2012) shall be fitted with fixed pane obscure glazing to a minimum of level 3 on the Pilkington index of obscurity. The window shall be fitted prior to the beneficial use of the extension hereby approved and shall then be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy and residential amenities.

(Policy EV45 - Bridgend Unitary Development Plan)

- (2) That permission be granted and plenary powers delegated to the Corporate Director Communities to issue a decision notice after 27 July 2012 if no adverse representations are received, subject to the conditions in the report of the Corporate Director Communities.

Code No.

Proposal

P/12/444/FUL

The Stud, Laleston, Bridgend - Erect free standing 15 metre wind turbine.

Subject to the inclusion of additional Note as follows:-

The applicant may wish to consider utilising the same HGV route recently suggested by the Highway Authority under application 12/0378 (Hare Grove Farm wind turbine). The identified route required HGV's to enter and leave the site from the west via the A48, Stormy Down Lane and Waunbant Road Lane so as to avoid several constrained and torturous rural lanes in the area, such as Waunbant Road Lane between Stormy Down Lane and the settlement of Kenfig Hill to the north, and the lanes linking Rogers Lane to the east.

35 TOWN AND COUNTRY PLANNING ACT 1990
SECTION 106 AGREEMENT

RESOLVED: (1) That the applicant enter into a Section 106 Agreement to:

- (i) Provide 30% of the dwellings on the site as affordable dwellings in accordance with the definitions contained in the Council's Supplementary Planning Guidance (SPG) 13 - Affordable Housing.
 - (ii) Provide a financial contribution of £179,443 towards the provision of primary school education.
 - (iii) Provide a financial contribution of £7,000 towards the required traffic orders.
- (2) That 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 condition in the report of the Corporate Director Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/11/798/FUL	<p>Former Maesgwyn Hospital, Highland Avenue, Bryncethin, Bridgend - Res development of 44 No. dwellings consisting 2 and 3 bedroom houses.</p> <p>Subject to the amendment of Note 1 and conditions 12, 19 and 20 and the inclusion of additional conditions 25, 26 and 27 and additional notes.</p> <p>The conclusion and note 1 should be amended as follows:-</p> <p>This application is recommended for approval because the development complies with Government and Council policy and the relevant supplementary planning guidance. The proposal does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal. Furthermore the development will provide thirteen units of affordable housing and, subject to the implementation of off site improvements, the development should not be detrimental to highway safety.</p> <p>12. No development shall commence on site until a comprehensive traffic calming scheme restricting traffic speeds on Highland Avenue, up to and including its junction with Wigan Terrace, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features. The agreed scheme shall be implemented prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p> <p>(Policy T2 Bridgend Unitary Development Plan)</p> <p>Amend condition 19 to omit 'approved' in the last line and replace with 'agreed'</p> <p>Amend condition 20 to omit 'approved' in lines 2 and 4 to be replaced with 'agreed'.</p> <p>Add the following conditions to the recommendation:</p> <p>25. Notwithstanding the submitted plans, no development shall commence until a revised car parking scheme for units 1-8 (fronting Highland Avenue) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall provide three car parking spaces to serve each property and shall be completed in accordance with the agreed scheme prior to the individual dwellings</p>

being brought into beneficial use and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

(Policies H5, T7 and T8 Bridgend Unitary Development Plan)

26. Notwithstanding the submitted plans, no development shall commence on site until a revised site layout plan detailing the amended position of the block of units on plots 40-44 has been submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed plan and all other related planning conditions.

Reason: To ensure that the authority retains effective control of the development in the interests of protecting the residential amenities of the adjoining neighbouring property.

(Policies H5 and EV45 Bridgend Unitary Development Plan)

27. This permission granted does not extend to any matters which are by other conditions required to be further approved by or agreed with the Local Planning Authority notwithstanding that all or any such matters are included or referred to on the submitted plan.

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

NOTES

The scheme submitted in respect of condition 12 may incorporate any of the following: carriageway widening and footway realignment, provision of on-street parking opportunities, vertical displacements, junction plateaux and carriageway surface treatment.

The revised layout required for condition 26 shall propose, as a minimum, the relocation of units on plots 40-44 approximately 1.5m towards the primary access road serving the site.

36 APPEAL RECEIVED

RESOLVED:

That the Appeals received since the last meeting of the Development Control Committee be noted.

37 APPEALS DECISIONS

RESOLVED: (1) That it be noted that the Inspector appointed by the National Assembly for Wales to determine the following appeals has directed that they be DISMISSED:

Code No. Subject of Appeal

C/12/2168767 (1678) Unauthorised chalet: Cefn Ydfa Farm House, Coytrahen.

A/12/2173175 (1686) Construct 3 No, dwellings and associated works on: Land north of Plot 244 Cae Gleision, Broadlands, Bridgend.

A/12/2173173 (1687) Relax Condition 2 of P/09/317/RES to remove specific reference to landscaping: land to the north of Plot 244 Cae Gleision.

(2) That it be noted that the Inspector appointed by the Welsh Minister to determine this appeal directed that it be ALLOWED subject to the following conditions:-

(1) Before the first occupation of the building/extension hereby permitted the windows at first floor level on those elevations facing Nos. 8 and 12 Mary Street should be fitted with obscured glass to a minimum of level 3 on the Pilkington index of obscurity and shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

(2) The dwelling hereby permitted shall be constructed to achieve a minimum code for sustainable homes level 3 and achieve 1 credit under category Ene 1 in accordance with the requirements of Code for Sustainable Homes: Technical Guide November 2012.

(3) The dwelling hereby permitted shall not be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out in relation to it, a Financials Code Certificate has been issued for it certifying that Code Level 3 and 1 Credit under Ene 1 have been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

A/12/2171189 (1681) Change of use from residential outbuilding to new dwelling unit 12 Mary Street, Porthcawl.

38 ARRANGEMENTS FOR PRE-APPLICATION PLANNING ADVICE

The Group Manager Development reported that the Committee at its meeting on 21 October 2010 had resolved to introduce a pre-application fee for providing planning advice for minor and major developments with certain exceptions from 1

April 2011 subject to a review of those arrangements 12 months after their introduction and a report on its operation being submitted to this Committee.

He reported that fee income generated for providing this service raised £14,660 in 2011/12, which had made a significant contribution towards staffing costs to help safeguard the service provided. The development industry was still at a very low position, and improvements to the economy would likely generate additional revenue. He stated that 59 pre-application enquiries were registered which attracted a charge. Whilst 86 pre-application enquiries were submitted without the required fee and the enquirer was advised of the Council's arrangements when no fee was submitted and no work was undertaken. As a consequence, officers were able to devote more time to providing an improved pre-application advice service to serious developers where a fee had been paid. He stated that 981 pre-application enquiries were received where no fee was required,

The Group Manager Development also reported that a survey of the pre-application enquiry service that had been paid had been undertaken, which revealed an average score for the quality of service at 8, on a scale to 10 with 1 very poor and 10 very good. Two of the respondents scored the service as less than 8.

The Group Manager Development reported that he was pleased with the levels of satisfaction indicated and it would be endeavoured to speed up the responses further without prejudicing accuracy and quality. He stated that the Economic Development Department had expressed concern that the position may not be sufficiently encouraging to developers seeking to create employment during this difficult economic period. The response to developers had been revised to better promote the quality of the pre-application advice service and it had been recognised that it could be considered to widen the exemption categories in relation to developments involving the enlargement or change of use of existing business by up to 500 square metres falling within Use Clauses B1, B2 and B8 and initial enquiries relating to key employment and regeneration sites identified in the Development Plan for uses falling within Use Classes B1, B2 and B8.

The Group Manager Development also reported that the Welsh Government had recently provided guidance in Practice Guide: realising the potential of pre-application discussions on the provision of planning advice by Local Planning Authorities. The Guide covered charging for the pre-application advice and it was considered that the Authority's arrangements were in line with that advice. He outlined a checklist of items for Local Planning Authority already undertook most of the recommendations made by the Welsh Government. In respect of householder applications, developers were encouraged to study SPG02 "Householder Development" before formulating their proposals. Developers had not been advised whether an application would be determined by the Development Control Committee or by delegated powers as it was unknown whether there would be objections.

The Group Manager Development reported that a further report would be submitted to the Development Control Committee in 12 months reviewing the revised arrangements.

RESOLVED: That the report be forwarded to Cabinet for approval.

39 UPDATE ON THE ATLANTIC ARRAY WIND FARM PROPOSAL

The Group Manager Development reported that following a community consultation exercise in July 2011, the developer RWE NPower Renewables had undertaken a review of the proposed Atlantic Array offshore windfarm boundary and other project parameters to address matters which had arisen during consultation. The review was carried out to reduce the visual effects of the project by reducing where possible the extent of the horizon occupied by the array and increasing the distance of the array from the shore. He summarised the changes as a result of the review.

The Group Manager Development reported that the application will be for a wind farm with a maximum capacity of 1,500MW, due to the ceiling placed upon the maximum number of turbines at 278, the maximum capacity based on a 3.6MW turbine would be 1,000MW and for a 5MW turbine 1390MW.

The Group Manager Development also reported that a draft environmental statement had been prepared including visualisations, with copies of the documents placed in the Member's room for information and on deposit in Porthcawl library. A public exhibition will be held on 1 August 2012, with a further period of consultation until 31 August 2012 in order for members of the public to view the revised scheme and comment on the draft environmental statement.

The Group Manager Development reported that in view of the reduction in the number of turbines and its distance from the Porthcawl coastline, it was unlikely that there would be any significant impact on the County Borough's area. There would be an opportunity for the Council to formally comment once the application had been lodged.

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

40 TRAINING LOG

The Group Manager Development reported on an updated training log and on the topics and speakers of training sessions yet to be arranged. He also reminded Members of the arrangements to view the SA1 development in Swansea to take place on 1 August 2012.

Members requested that consideration be given to holding training sessions on the Play Efficiency Assessment and on the Planning Portal

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

41 DEVELOPMENT CONTROL, APPEAL, ENFORCEMENT AND BUILDING CONTROL QUARTERLY STATISTICS

The Committee received a report which gave statistical information for 1 April to 30 June 2012.

The Group Manager Development reported on the number of applications determined and the reasons for the undermentioned applications. He stated that the Authority had processed 88% of applications within eight weeks compared to 85% of applications being processed within eight weeks in the previous quarter.

He stated that this was the highest level of performance achieved by the Development Control Team to date.

The Group Manager Development also reported on Appeals, Enforcement and Building Control statistics.

The Principal Section 106 Officer reported on the progress made with Section 106 Agreements which covered new agreements, monies received, trigger points reached, progress made, schemes completed and a summary of all Section 106 Agreements.

- RESOLVED:
- (1) That the report of the Corporate Director Communities in relation to planning applications for the period 1 April to 30 June 2012 and progress regarding Section 106 Agreements be noted.
 - (2) That the appeals statistics for 1 April to 30 June 2012 be noted.
 - (3) That the statistical report on Building Control for 1 April to 30 June 2012 be noted.
 - (4) That the quarterly report on statistical information relating to unauthorised Developments and Enforcement Procedures be noted.

The meeting closed at 4.16pm.