

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 4 APRIL 2013 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	R Williams
G W Davies	P N John	G Thomas	M Winter
P A Davies	C Jones	C Westwood	R E Young
D M Hughes			

Officers:

D Llewellyn	-	Group Manager Development
D Davies	-	Head of Development Control
C Flower	-	Team Leader Technical Support
N Moore	-	Team Leader Policy and Development
J Astbury	-	Legal Officer
A Carey	-	Transportation and Development Officer
J Parsons	-	Team Leader (West)
M A Galvin	-	Senior Democratic Services Officer - Committees
A Rees	-	Senior Democratic Services Officer - Committees (Electronic Back-up)

156 CHAIRPERSONS ANNOUNCEMENT

The Chairperson made an opening announcement.

He stated that in the last meeting of the Development Control Committee, Members may recall that there were words exchanged between Councillor N Clarke and himself.

The Chairman advised that there may have been some confusion on what was actually said, however, he conceded that on reflection he should have not interrupted Councillor Clarke and restricted her from asking questions on a particular planning application. He apologised to Councillor Clarke for this.

He advised Members for future reference, that where possible they should structure their questions effectively and make these concise, so as to allow Officers time to form an answer effectively. He also encouraged Members to pose the more technical questions to Officers in advance of the meeting, in order that they can then provide as full a response as possible when the Member asks this question at the meeting itself.

157 APOLOGIES FOR ABSENCE

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

Councillor J H Tildesley	Other Council Business
Councillor J C Spanswick	Holiday

158 DATE FOR PROPOSED SITE INSPECTIONS

RESOLVED: That the date for site inspections (if any) arising from the meeting, or identified in advance of the next meeting of Committee by the Chairperson, be confirmed as Wednesday, 1 May 2013 (am).

159 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee of 7 March 2013, be approved as a true and accurate record.

160 LIST OF PUBLIC SPEAKERS

The Group Manager Development and Planning read out the name of the public speaker addressing the following application being considered at the meeting:-

<u>Name of Speaker</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
G Morgan	P/12/875/OUT	Objector to the Application

161 DECLARATIONS OF INTEREST

The following declarations of interest were made:-

- Councillor N Clarke - P/13/100/FUL, P/13/107/FUL, P/13/62/FUL, P/13/77/FUL and P/12/891/OUT - Councillor Clarke declared a personal interest as a Member of Porthcawl Town Council who takes no part in planning matters.
- Councillor R Young - P/13/38/FUL - Councillor Young declared a personal interest as a member of Coity Higher Community Council who takes no part in planning matters.
- Councillor C Rees - P/13/100/FUL, P/13/107/FUL, P/13/62/FUL, P/13/77/FUL and P/12/891/OUT - Councillor Rees declared a personal interest as a Member of Porthcawl Town Council who takes no part in planning matters.
- Councillor B Jones - P/13/100/FUL, P/13/107/FUL, P/13/62/FUL, P/13/77/FUL and P/12/891/OUT - Councillor Jones declared a personal interest as a Member of Porthcawl Town Council who takes no part in planning matters. P/13/107/FUL - Councillor Jones also declared a prejudicial interest as the applicant was known to him. Councillor Jones left the meeting whilst this application was being considered.
- Councillor C Jones - P/13/38/FUL - Councillor Jones declared a

prejudicial interest as both the applicant and objector and were known to her. Councillor Jones left the meeting whilst the application was being considered.

- Mr D Llewellyn - P/13/107/FUL - Mr Llewellyn declared a prejudicial interest as the applicant's agent was a personal friend. Mr Llewellyn left the meeting when the application was being considered.

162 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson announced 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.

163 ANNOUNCEMENT BY THE GROUP MANAGER DEVELOPMENT

The Group Manager Development advised Members that this would be Mr David Davies' last meeting as he was retiring from local government tomorrow.

He confirmed that Mr Davies had worked in the Planning Department of BCBC for 25 years, previously having worked in Ogwr Borough Council.

The Group Manager Development confirmed that Mr Davies had worked under him the last seven or eight years, and that he had made a huge contribution to the way the Authority had conducted planning matters in both this period and prior to this. His support had been invaluable he added.

The Group Manager Development concluded by saying that Mr Davies would be sorely missed both by himself and fellow Officers, and he personally thanked him for his whole hearted support and contributions.

The Chairperson echoed the sentiments of the Group Manager Development, adding that he had since he had been a Member of the Committee, and particular since he was appointed Chairperson, he had admired Mr Davies' professionalism and quality of advice that he gave him on planning matters.

Thanks were further extended to Mr Davies by Councillors M Winter and G Thomas.

Mr Davies appreciated the kind words of the Group Manager Development, and he confirmed that Members decision making at Committees both in this and the predecessor Authority was of a very high standard. So much so he added, the Development Control Committee in BCBC was seen as an exemplar in the South Wales area. He concluded by thanking Members and Officers past and present for their support over the length of his career.

164 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/13/100/FUL	294 New Road, Porthcawl - Change of use from studio apartment to retail selling homewares.
P/13/38/FUL	Woodlands Derwen Bridgend - Mansard roof to replace existing flat roof box dormer.
P/13/123/FUL	R/O 79 Merthyr Mawr Road, Bridgend - Construct two storey detached property comprising of two self- contained apartments.
P/13/62/FUL	East Nor House, The Square, Porthcawl, Bridgend - Change of use of dwelling into 8 bed house in multiple occupation.
P/13/77/FUL	63 Rockfields, Porthcawl, Bridgend - Proposed detached dormer bungalow.
P/12/887/FUL	Land at Cwm Nant Gwyn, Cefn Ydfa, Coytrahen, Bridgend - Solar PV Park.

Subject to Condition 3 of the report being amended to read as follows:-

3. No structure shall be erected within 30m of the position of any badger sett on or adjacent to the site at any time.

Reason: To protect biodiversity interests.

(Policy EV20 Bridgend Unitary Development Plan)

Condition 4 being amended to read as follows:-

4. The development shall be carried out in accordance with the recommendations contained within the Extended Phase 1 Habitat Survey received on 7 February 2013.

Reason: To protect biodiversity interests.

(Policy EV20 Bridgend Unitary Development Plan)

Condition 16 being amended to read as follows:-

16. If the solar photovoltaic arrays hereby approved fail to export electricity to the National Grid for a continuous period of 12 months the photovoltaic arrays and their associated ancillary equipment and buildings shall be removed from the site within a period of 6 months from the end of that 12 month period and the site restored in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the solar photovoltaic arrays produce electricity whilst in situ and that it is removed from the land if it ceases to function.

(Policy EV7, EV45 and U4 of the BUDP)

Condition 6 being replaced by the following condition:-

6. Notwithstanding the submitted information, no development shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority detailing all necessary pollution prevention measures for the construction phase of the development. Development shall be carried out in accordance with the approved scheme.

Reason: The prevention of pollution.

(Policy EV17 Bridgend Unitary Development Plan)

The following Condition 17 being added:-

17. No development shall commence on site until the results of a survey carried out to determine the structural condition of all culverts running under the site has been submitted to and approved in writing by the Local Planning Authority. Any mitigation measures recommended in the report shall be completed prior to the commencement of the development hereby approved.

Reason: To prevent pollution of adjacent watercourses.

(Policies EV17 Bridgend Unitary Development Plan)

Note c) being amended to read as follows:-

- (c) The applicant is advised to consult with the Highway Authority regarding the Public Right of Ways, known as Footpaths 4 Llangynwyd Lower, 5 Llangynwyd Middle, 41 Llangynwyd Middle and Bridleway 51 Llangynwyd Middle. These public right of ways must not be obstructed at any time during the construction and decommissioning works.

The following Notes be added to the report:-

- g) The Method Statement required by Condition 6 shall identify as a minimum:-
 - any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
 - storage facilities for all fuels, oils and chemicals;
 - construction compounds, car parks, offices etc.;
 - details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off;
 - details of measures to ensure no polluting discharge from haul roads/disturbed areas;
 - details of the nature, type and quantity of materials to be imported on to the site;

- measures for dealing with any contaminated material (demolition waste or excavated waste);
- details of any cabling operations on site;
- details of any hydraulic post driving and trenching activities;
- details of emergency contacts, for example the Environment Agency Pollution hotline 0800 807 060

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

<u>Code No.</u>	<u>Proposal</u>
P/12/891/OUT	Land rear of the Fold 12, The Retreat, Porthcawl, Bridgend - Proposed 2 No. 4 bedroom detached dwellings.
P/12/875/OUT	Land at Nanthir Farm, behind James Road, Blaengarw - Proposal to develop site for 3 No. detached dwellings.

165 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION SUBJECT TO RELAXATION OF CONDITION(S)

RESOLVED: That the following application be granted, subject to the condition contained in the report of the Interim Corporate Director - Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/13/118/RLX	Land South of Haulfryn, Ffordd y Gyfraith, Bridgend - Remove Condition 1 of P/12/578/RLX relating to providing screening to site.

166 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION SUBJECT TO A DELEGATED DECISION

RESOLVED: That Delegated powers be granted to the Interim Corporate Director - Communities to issue a decision notice in respect of the following application, subject to the conditions contained in the report and this amendment sheet provided the developer submits a satisfactory unilateral undertaking not to implement planning application P/12/620/FUL and not seek under the Town and Country Planning Act 1990 any compensation to forgo implementing P/12/620/FUL, or, if the developer fails to enter the undertaking the Corporate Director Communities be granted delegated powers to refuse planning permission.

<u>Code No.</u>	<u>Proposal</u>
P/13/107/FUL	Land R/O 35 Danygraig Avenue, Porthcawl, Bridgend – Proposed detached dwelling. 3. Amend condition no. 3 and 7 of the report as follows: "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 and E of Part 1 to Schedule 2 of the Order shall be carried out within the curtilage of the dwelling without the prior written consent of the Local Planning Authority."

Reason : In the interests of residential amenities.

(Policy EV45 Bridgend Unitary Development Plan).

7. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of 3 replacement of street parking spaces for No. 33 Danygraig Avenue, which must be served by an appropriately widened vehicle access has been submitted to and agreed in writing by the Local Planning Authority. The parking area and access shall be implemented in permanent materials before the development is brought into beneficial use and retained for parking purposes in perpetuity unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

(Policy H5 - Bridgend Unitary Development Plan)

Subject to the inclusion of the following Notes g. – j.:

- g) The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials for the replacement spaces, although compacted chippings would not be considered acceptable as they are likely to be dragged onto the highway to the detriment of highway and pedestrian safety. As a result of the above, impermeable surfacing such as concrete or tarmac extending across the full width of the replacement spaces should not be considered as a first option.
- h) Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. You should contact the highway maintenance inspector for the area, Bridgend County Borough Council, Waterton Depot, Waterton Lane, Waterton Industrial Estate, Bridgend. Telephone No. (01656) 642541.
- i) The applicant should be advised that any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.
- j) 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.

167 APPEALS RECEIVED

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

168 APPEALS DECISIONS

RESOLVED: That it be noted that the Inspector appointed by the National Assembly for Wales to determine the following appeal has directed that it be DISMISSED:

Code No. Subject of Appeal

A/12/2188032(1709) Detached 3-bedroom dwelling: 13 Ysbryd y Coed, Cavendish Park, Penyfai.

169 BRIDGEND'S PERFORMANCE FOR PROCESSING PLANNING APPLICATIONS FOR OCTOBER - DECEMBER 2012

The Head of Development Control presented a report on the above topic.

The statistics in the report (and on the Amendment Sheet) confirmed the following:-

1. BCBC was second in terms of speed with determining planning applications in eight weeks out of 25 authorities.
2. Determined 81% of applications within eight weeks compared to a Welsh average of 71%.
3. Was the third best authority for processing minor applications (73%).
4. Was the second best Authority for householder applications (93%).
5. BCBC consistently achieves government targets of determine planning applications in eight weeks, and has been the first, second or third ranked Authority for doing so in the last three years.

The Head of Development Control then highlighted some of the further key information on the Amendment sheet regarding outcomes of Appeals and the defending of these, and similar statistics on information regarding enforcement complaints which also gave for very positive reading.

Members congratulated officers in the Planning Department for the high standard of performance in the above areas.

RESOLVED: That the report be noted with pleasure.

170 DEVELOPMENT CONTROL COMMITTEE DECISIONS

The Interim Corporate Director - Communities submitted a report, that showed a breakdown of Committee decisions made between the period April 2012 - March 2013.

RESOLVED: That the report be noted.

171 REPORT ON DEVELOPMENT CONTROL COMMITTEE SITE VISITS BETWEEN APRIL 2012 - MARCH 2013

The Interim Corporate Director - Communities submitted a report that outlined the number of full Committee and Panel Site Inspections undertaken during the above period, and the areas of the County Borough these were located in.

RESOLVED: That the report be noted.

172 TRAINING LOG

The Group Manager Development reported on an updated training log and on topics and speakers of training sessions yet to be arranged.

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

The meeting closed at 3.30pm.