

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 30 MAY 2013 AT 2.00PM

Present:

Councillor H M Williams - Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
G W Davies	R C Jones	C E Smith	R Williams
P A Davies	D R W Lewis	G Thomas	M Winter
D M Hughes	D G Owen	C Westwood	R Young
B Jones	C E Rees		

Officers:

D Llewellyn	-	Group Manager Development
J Parsons	-	Team Leader (West)
J Jenkins	-	Team Leader (East)
S Bool	-	Principal Planning Officer - Minerals and Waste
C Flower	-	Team Leader Technical Support
N Moore	-	Team Leader Policy and Development
B Davies	-	Legal Officer
R Morgan	-	Transportation and Development Officer
A Rees	-	Senior Democratic Services Officer - Committees
K Stephens	-	Democratic Services Officer - Committees (Electronic Back-up)

192 APOLOGIES FOR ABSENCE

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

Councillor J C Spanswick	-	Holiday
Councillor M Thomas	-	Holiday
Councillor J H Tildesley	-	Holiday

193 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, 26 June 2013 (am).

194 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee of 2 May 2013, be approved as a true and accurate.

195 LIST OF PUBLIC SPEAKERS

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

<u>Name of Speaker</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
G Wilbraham	P/13/178/FUL	Objector
G Wilbraham	P/13/177/FUL	Objector
H Jones	P/13/61/OUT	Objector

196 DECLARATIONS OF INTEREST

The Legal Officer informed the Committee that should a Member feel another Member has overstepped the mark in terms of their behaviour, this should be raised with the Legal Officer outside the meeting.

The following declarations of interest were made:-

- Councillor G W Davies - P/13/258/FUL - Councillor Davies declared a prejudicial interest as the applicant is known to him and withdrew from the meeting whilst the application was being considered.
- Councillor C Rees - P/13/245/FUL, P/13/178/FUL, P/13/177/FUL, P/11/782/LIS, P/11/781/FUL - Councillor Rees declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters. P/13/258/FUL - Councillor Rees declared a personal interest as the applicant is known to her.
- Councillor R Williams - P/13/258/FUL - Councillor Williams declared a personal interest as the applicant is known to him. P/13/178/FUL and P/13/177/FUL - Councillor Williams declared a personal interest as the objector is known to him.
- Councillor D R W Lewis - P/13/258/FUL - Councillor Lewis declared a personal interest as the applicant is known to him.
- Councillor B Jones - P/13/245/FUL, P/11/782/LIS, P/11/781/FUL - Councillor Jones declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters. P/13/178/FUL and P/13/177/FUL - Councillor Jones declared a personal interest as the public speaker is known to him and as a Member of Porthcawl Town Council but took no part in the consideration of planning matters.
- Councillor C Westwood - P/13/258/FUL - Councillor Westwood declared a prejudicial interest as the applicant is known to her and withdrew from the meeting during consideration of the item.
- Councillor C Smith - P/13/178/FUL and P/13/177/FUL - Councillor Smith declared a personal interest as the public speaker is a former work colleague.

- Councillor G Thomas - P/13/258/FUL - Councillor Thomas declared a prejudicial interest as the applicant is known to him and withdrew from the meeting during consideration of the application.
- Councillor D G Owen - P/09/691/OUT - Councillor Owen declared a personal interest as a Member of Garw Valley Community Council but took no part in the consideration of planning matters.
- Councillor H M Williams - P/13/258/FUL - Councillor Williams declared a personal interest as the applicant is known to him. P/09/691/OUT - Councillor Williams declared a prejudicial interest as condition 7 in the report refers to land in the ownership of his parents and withdrew from the meeting during consideration of the application.

197 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.

198 NOMINATION AND APPOINTMENT TO THE RIGHTS OF WAY SUB-COMMITTEE

The Assistant Chief Executive Legal and Regulatory Services submitted a report requesting nominations to be appointed to the Rights of Way Sub-Committees. It was proposed that the Rights of Way Sub-Committee continue to be six Members of the Development Control Committee.

RESOLVED: That the following Members be appointed to the Rights of Way Sub-Committee:-

Councillor H M Williams (Chairperson)  
Councillor M Thomas (Vice-Chairperson)  
Councillor C E Rees  
Councillor G Thomas  
Councillor B Jones  
Councillor J H Tildesley

199 DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

The Assistant Chief Executive - Legal and Regulatory Services reported on a proposal to approve the membership of the Site Visit Panel which comprised three Members, the Chairperson and Vice-Chairperson of the Development Control Committee and a third Member, in addition a reserve Member would need to be appointed.

RESOLVED: That Councillor C E Rees be appointed the third Member of the Site Visit Panel and Councillor R Williams be appointed as the reserve Member on the Site Visit Panel.

200 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATIONS GRANTED UNCONDITIONALLY

RESOLVED: That the following application be granted.

Code No.                      Proposal

P/13/245/FUL                  Mead House, Nottage, Porthcawl - Retention of pond in rear garden

201 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 Interim Corporate Director - Communities:-

Code No.                      Proposal

P/13/178/FUL                  13 The Retreat, Porthcawl, Bridgend - Construct Detached Dwelling with Integral Garage.

P/13/177/FUL                  13 The Retreat, Porthcawl, Bridgend - Construct 4/5 Bedroom Detached House with Integral Garage.

P/13/61/OUT                    Plot adj 7 Pen y Bryn Road, Brynmenyn, Bridgend - Outline Application for one Dwelling and Garage.

P/13/204/FUL                  Land at jct of Tremains Road/Brackla Street, Bridgend - Proposed Temporary Change of use to a Pay and Display Car Park.

A/13/10/ADV                    Penybont Ind Estate, Coity Road, Bridgend - Sign to Advertise Two Businesses at Entrance to Penybont Industrial Estate.

(2) That permission be granted and plenary power be given to the Interim Corporate Director Communities to issue an unconditional decision notice after 31 May 2013 if no adverse representations are received from the Community Council.

Code No.                      Proposal

P/13/258/FUL                  Cefn Ydfa Farmhouse, Coytrahen, Bridgend - Single Storey Dog Kennel.

202 TOWN AND COUNTRY PLANNING ACT 1990  
DEPARTURE PLANNING APPLICATION

RESOLVED: (1) That the following application be referred to Council as a proposal that is a departure from the Development Control Committee is not disposed to refuse for the following reasons:-

(i) The development will result in the refurbishment and maintenance of a significant listed building which provides an important feature within the Rest area of Porthcawl.

(ii) The development will provide in important community facility and maintain an existing community use.

<u>Code No.</u>	<u>Proposal</u>
P/11/781/FUL	<p>The Rest Convalescent Home, Rest Bay, Porthcawl, Bridgend - New Convalescent Home; C/U of existing home to 34 res Units;34 new res Units and Demolition of Rear Wing.</p> <p>(2) That if Council are minded not to refuse the development then the Interim Corporate Director Communities be given plenary powers to issue a decision notice in respect of this proposal once the applicant has entered into a Section 106 Agreement requiring:-</p> <p>(i) The sum of £370,000 as an off-site contribution towards the provision of affordable housing.</p> <p>(ii) The sum of £63,136,32 to improve travel access between Rest Bay and Porthcawl Town Centre or extending the limited transport service which serves the site in a staggered/shared payment plan which would see £30,000 being paid upon occupation of the first unit of residential accommodation within the site, and the remaining £33,136.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly three years after receipt of the first instalment unless otherwise approved in writing.</p> <p>(iii) The Developer shall ensure that the new convalescent home is complete and open for use prior to the occupation of any of the residential apartments approved.</p> <p>(3) Subject to the conditions contained in the report of the Interim Corporate Director Communities and subject to the amendment of Condition 21 to read as follows:-</p> <p>" No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme including a full specification for hard and soft landscaping, details of the means of enclosure, and a schedule for implementation and maintenance, including details of a screening bund. The agreed landscaping scheme shall be undertaken in accord with the agreed schedule of implementation and shall be maintained in accord with the agreed scheme."</p> <p>Subject to note 17 being amended to read as Condition 18, "delete reference to construction compound and car port as this is covered under Condition 3".</p>

203 TOWN AND COUNTRY PLANNING ACT 1990  
LISTED BUILDING CONSENT

RESOLVED: That subject to the observations of CADW, Listed Building Consent be granted subject to the conditions contained in the report of the Interim Corporate Director Communities:

Code No. Proposal

P/11/782/LIS

The Rest Convalescent Home, Rest Bay, Porthcawl, Bridgend - New Convalescent Home; C/U of existing home to Residential; Demolish Rear Wing; 34 New Residential Units

Subject to the amendment of Condition 1 to read as follows:

"Notwithstanding the submitted plans, no development shall commence on site until RCHAM have been given the opportunity to survey the building prior to works commencing on site."

Subject to the addition of conditions 6, 7, 8 and 9, an amendment to note e and additional notes f, g and h.

6. Notwithstanding the flat roof structure shown on drawing RIO0197-AE.R\_02, South Elevation, no development shall commence on site until the developer has submitted an amended plan showing the finishes and amended roof line. The development shall be completed in accordance with the agreed details.

Reason: To ensure the development is compatible with the character and appearance of the grade 2 listed building.

Policy EV33 - Bridgend Unitary Development Plan.

7. Samples of the type and colour of cladding to be used on the roof shall be submitted to and agreed in writing by the Local Planning Authority prior to any work being carried out on the site.

Reason: To ensure that the cladding is compatible with the grade 2 listed building.

Policy EV33 - Bridgend Unitary Development Plan

8. Notwithstanding the submitted details, no development shall commence on site until there have been submitted to and agreed in writing by the Local Planning Authority details of the pathways and courtyard area in front of the main entrance of The Rest. The development shall be completed and retained in perpetuity in accordance with the agreed details.

Reason: To protect and enhance the entrance of the grade 2 listed building.

Policy EV33 - Bridgend Unitary Development Plan.

9. Notwithstanding the submitted plans, no development shall commence on site until there have been submitted to and agreed in writing by the Local Planning Authority full details of the entrance to The Rest and any works to be carried out to this part of the building shall be carried out in accordance with the agreed details.

Reason: To ensure the works carried out are compatible with the character and appearance of the grade 2 listed building.

Policy EV33 - Bridgend Unitary Development Plan.

Amended note e to read:

“The developer is required to provide a floor plan giving an overlay of the proposed demolitions on to the existing floor plan layout”. This will enable CADW to assess this proposal fully.

Additional note f to read:

“In respect of Condition 6: The developer should submit a plan & photographs showing this elevation finished in stone as this will be in keeping with the main building.

The roof line should also be re-configured to replicate a gable at lower level and at right angles to the gable of the end block. The overall height of the block must remain lower than the adjacent gable”.

The following notes were added to the decision:

g) The developer is required to provide a structural survey to submit to CADW to further enable them to assess this proposal.

h) The developer is required to provide an asbestos survey to CADW to further enable them to assess this proposal.

204 TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 106 AGREEMENT

RESOLVED: (1) That the applicant enter into a Section 106 in relation to the following:-

(i) On commencement of consultation the developer will pay the sum of £7,000.00 to cover the cost of a Prohibition of Loading and Waiting traffic order on the A4064 fronting the site. The cost will cover the publication of the order, road parking, signing and any other matters necessary for the processing of the order.

(2) That the Interim Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal and the applicant has entered into the aforementioned Section 106 Agreement subject to the standard outline planning conditions and additional conditions contained in the report of the Interim Corporate Director - Communities.

Code No.

Proposal

P/12/344/OUT

Greenmeadow Inn, Greenmeadow Terrace, Llangeinor, Bridgend - Erect 5 Dwellings including Access and Car Parking (Outline Application)

205 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION DEFERRED

RESOLVED: That the following application be deferred to allow the Council's Legal Officer to consider the alleged procedural irregularities in the treatment of this application:-

Code No.                      Proposal

P/09/691/OUT                      Land adj Cwm Ogwr Fach and Ebenezer Court, Blackmill, Bridgend - Mixed Use Development Comprising 44 Res. Units, Community Centre and Employment Units.

(In view of the prejudicial interest declared by Councillor H M Williams, Councillor C E Rees was elected Chairperson for this item)

206      APPEALS DECISIONS

RESOLVED:      (1)      That it be noted that the Inspector appointed by the Welsh Government to determine the following appeal has directed that it be DISMISSED:

Code No.                      Subject of Appeal

A/13/2191824(1710)      Timber Amenity Building: Danygraig Farm, Blackmill.

(2)      That it be noted that the Inspector appointed by the Welsh Government to determine the appeal has directed that the appeal be allowed subject to the conditions contained in the Appendix to the Amendment Sheet.

A/12/2184131(1707)      Wind Turbines with a maximum height to blade tip of 125m together with vehicular access, site tracks, substation and compound, anemometer mast, visitor facility and associated infrastructure, crane pads and external transformers at Newton Down, Newton, Porthcawl.

207      OYSTERCATCHER CAR PARK, HIGH STREER, LALESTON

The Team Leader Policy and Development reported that planning permission for the development of seven dwellings on the former Oystercatcher Public House car park was approved subject to conditions and the applicant entering into a Section 106 by this Committee on 10 January 2013.

He reported that the Local Planning Authority had received a request to amend the wording of Conditions 3 and 4. Discussions had taken place with the applicant and the Highways Department to agree amendments to Conditions 3 and 4.

RESOLVED:                      That the amended Conditions contained in the report be applied and Conditions 3 and 4 in the report to the Development Control Committee of 10 January 2013 be withdrawn.

208      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 Interim Corporate Director - Communities be noted.



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

The Committee received a report which provided statistical information on the performance of the Development Control, Appeals, Enforcement and Building Control functions for the period 1 April 2012 to 31 March 2013.

The Group Manager Development reported on the number and type of planning applications determined. He stated that the Authority had processed 85% of applications within eight weeks, which was a 1% increase in performances compared with the same period in the previous year. This placed the Authority in the top three performing Authorities in Wales. The Department had negotiated enhancements to 194 (20%) of applications determined during the year. The Department had also despatched 9521 neighbour consultations and in response 1348 written observations were received.

The Group Manager Development reported that performance levels continued to exceed the targets set by the Welsh Government, with Bridgend being second on three occasions and joint first on another in the speed of processing applications.

He also reported on the performance of the Authority in relation to Appeals processed with the Authority being amongst the highest performers in Wales.

The Group Manager Development reported on the Authority's performance in dealing with enforcements cases. He stated that 431 complaints had been received by the Department, compared to 472 complaints received in the previous year. The Department was reaching its targets for resolving cases.

He also reported on Appeals, Building Control statistics for the year.

- RESOLVED:
- (1) That the report of the Interim Corporate Director - Communities in relation to planning applications for the period 1 April 2012 to 31 March 2013 be noted.
  - (2) That the appeals statistics for 1 April 2012 to 31 March 2013 be noted.
  - (3) That the report on Statistical Information relating to Unauthorised Developments and Enforcement Procedures during 2012/2013 be noted.
  - (4) That the statistical report on Building Control be noted.
  - (5) That the Committee congratulated the Department on its performance.

210 MR NIGEL MOORE

The Group Manager Development announced that this would be Mr Nigel Moore's last meeting of the Development Control Committee prior to retiring at the end of June 2013. He informed the Committee that Mr Moore had worked for the Authority since Local Government re-organisation and prior to that had been employed by Mid Glamorgan County Council. He stated that Mr Moore had been an invaluable source of knowledge on highways matters and had contributed to formulating planning policies and the development of the Local Development Plan.

Mr Moore thanked the Group Manager Development for his kind words and that he had enjoyed working with his colleagues and with the Committee.

The Committee wished Mr Moore well in his retirement and thanked him for his services to the Committee.

211 WELSH GOVERNMENT CONSULTATION - REVISING NATIONAL WASTE PLANNING POLICY - PLANNING POLICY WALES (CHAPTER 12) AND TECHNICAL ADVICE NOTE 21 (WASTE)

The Principal Planning Officer - Minerals and Waste reported that the Welsh Government was consulting on revising national planning policy on waste (Chapter 12 of Planning Policy Wales and TAN21: Waste) to reflect changes introduced through the Revised EU Waste Framework Directive and the publication of the Welsh Government's Toward Zero Waste and the Collection, Infrastructure and Market Sector Plan.

He reported that any new policy/advice which assists Local Authorities in their consideration of waste proposals is supported and will enable it to keep informed of new technology in the waste industry and provides a clear steer on what proposals may or may not be acceptable and sustainable in appropriate locations for their area.

He stated that as the Council had a relatively small population with the cities of Cardiff, Swansea and Newport, the number of large waste developments in the area had been small. This situation reflected the level of market generated and the desire to locate facilities in close proximity to the source of waste with good road/rail networks. At present the Council continued to transport its waste to the MREC facility near Swansea in a joint partnership with Neath Port Talbot Council.

The Principal Planning Officer - Minerals and Waste informed the Committees of the main objectives of the consultation report which is to:-

- Drive the management of waste up the waste hierarchy through the provision of an adequate network of appropriate facilities;
- Minimise the impact of waste management on the environment (natural and man-made) and human health through the appropriate location and type of facilities;
- Recognise and support the economic and social benefits that can be realised from the management of waste as a resource within Wales

He reported that the way in which the Council would implement the new policy/advice will via the Local Development Plan. Any planning applications received for waste facilities will be considered first and foremost against the policies in this plan.

He also reported that the new TAN 21 identified a number of key planning principles including acceptance of the general compatibility of waste facilities with existing industrial/employment sites. Major waste applications will continue to require Environmental Impact Assessment and need to adhere to the Habitats Regulations. As well as normal consultation procedures, developers will be encouraged to undertake consultation with local communities/community groups to ensure full details of the proposals are known. Pre-application discussions were also encouraged to ensure all information is submitted with applications.

He reported that as part of the consultation process, the Welsh Government had forwarded a questionnaire for completion which comprises a list of set questions,

which had been completed. A full response to some of the specific questions was submitted. He stated that some elements of the proposals were supported but there were also a number of parts which need clarification and/or a strong emphasis on the need for local authorities to be adequately funded by Welsh Government to enforce and deliver adequate control over waste development proposals.

RESOLVED: That the contents of the report, be forwarded to the Welsh Government as the formal consultation response of the Council on revisions to Planning Policy Wales (Chapter 12) and Technical Advice Note 21.

The meeting closed at 3.54pm.