

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 23 JULY 2015 AT 2.00 PM

Present

Councillor M Thomas – Chairperson

N Clarke	GW Davies MBE	CA Green	RC Jones
DRW Lewis	JE Lewis	LC Morgan	JC Spanswick
G Thomas	JH Tildesley MBE	C Westwood	R Williams

Officers:

Sarah Daniel	Democratic Services Officer - Committees
Jane Dessent	Lawyer
Stephen Edwards	
Craig Flower	
Nicola Gandy	
Julie Jenkins	
Rod Jones	Senior Lawyer
Robert Morgan	
Jonathan Parsons	Development and Building Control Manager
Helen Williams	Senior EHO Pollution

587. APOLOGIES FOR ABSENCE

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

Councillor P A Davies – Unwell
Councillor D G Owen – Work Commitment
Councillor D Sage – Hospital Appointment
Councillor M Winter - Holiday

588. SITE VISITS

RESOLVED: That the date for site inspections (if any) arising from the meeting, or identified in advance of the next meeting of the Committee by the Chairperson, was confirmed as Wednesday 2 September 2015 (am).

589. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Development Control Committee of 11 June 2015 were approved as a true and accurate record subject to the following amendments:

The declaration of interest made by Councillor R C Jones in minute number 567 amended to 'Coity Higher' instead of 'St Brides Minor'.

The name of Councillor Westwood being inserted in her declaration of interest instead of Councillor Green.

590. PUBLIC SPEAKERS

The Chairperson read out for the benefit of those present the names of the public speakers addressing the following application which was considered at the meeting:

<u>Name</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
Councillor G Thomas	P/14/711/FUL	Objector
Councillor A D Owen	P/14/711/FUL	Objector
Mr G R Gore	P/14/711/FUL	Objector
Mr G Harvey	P/14/711/FUL	Objector
Dr S Jones	P/15/48/FUL	Objector
Mr D Newton-Williams	P/15/48/FUL	Applicant's Agent
Mr R F Hyde	P/15/196/OUT	Objector

591. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor G Thomas	P/14/711/FUL – Councillor Thomas declared a prejudicial interest as he had objected to the application and withdrew from the meeting when the application was considered. Councillor Thomas declared that he is a member of St Brides Minor Community Council but took no part in the consideration of planning matters.
Councillor N Clarke	P/15/48/FUL & P/15/364/FUL – Councillor Clarke declared a personal interest as a member of Porthcawl Town Council but took no part in the consideration of planning matters.
Councillor C Westwood	P/15/185/FUL – Councillor Westwood declared a prejudicial interest as a close relative had objected to the application and withdrew from the meeting during consideration of the application.
Councillor D R W Lewis	P/14/711/FUL - Councillor Lewis declared that he is a member of St Brides Minor Community Council but took no part in the consideration of planning matters.
Councillor J E Lewis	P/14/711/FUL - Councillor Lewis declared that she is a member of St Brides Minor Community Council but took no part in the consideration of planning matters.

592. AMENDMENT SHEET

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.

593. P/15/60/FUL - LAND AT THE RHIW MULTI STOREY CAR PARK WALKWAY BRIDGE & ENTRANCE, BRIDGEND - DEMOLISH & REBUILD CAR PARK: ERECT 5 STOREYS RESIDENTIAL / COMMERCIAL BLOCK (CLASS A1/A2/A3 & 28 DWELLINGS WITH PARKING)

The Group Manager Development reported that this application was considered by the Committee at its meeting on 30 April 2015 and Natural Resources Wales (NRW) had submitted a late objection to the development, which indicated that the Flood Consequence Assessment (FCA) submitted which accompanied the planning application, had failed to demonstrate that the consequences of flooding could be acceptably managed in accordance with national guidance over the lifetime of the development. He stated that NRW's principle concern was how the proposed development would change the movement of flood waters in a major flood event and the resulting impact of flood waters on third parties. NRW had also suggested that a larger area of the commercial and residential centre of Bridgend will experience an increase in flood risk depths increased by up to 100mm.

The Group Manager Development informed the Committee that Mr John Young of Edenvale Young Associates on behalf of the applicant's consulting engineers had been invited to make a presentation to address the concerns of NRW.

Mr Young provided the Committee with information on the nature of flooding in Bridgend in order to allow it to make an informed decision about the risks and change in risks associated with flooding. He informed the Committee how Bridgend currently floods, its frequency, the flood depths and their danger, how the existing risk of flooding is managed and the change in depth of flooding and hazard as a result of the development and how this could be managed.

Mr Young informed the Committee that Bridgend is protected from flooding by flood defences which run through the Town Centre, hydraulic modelling had been undertaken for the Flood Consequence Assessment indicated the consequences of flood water overtopping the walls upstream of the site flooding over land towards the Rhiw Car Park flooding the triangular area including Market Place, Dunraven Place and Adare Street. Flooding would continue over property adjacent to Dunraven Place with the entire area including the Rhiw inundated eventually. He informed the Committee that Edenvale Young had undertaken a hydrological analysis which had been reviewed and approved by NRW. The hydrological analysis in conjunction with the hydraulic modelling indicate that the flood defences do not overtop in the 1 in 100 year return period event and in the 1 in 1000 return with peak flows in the river increased by 20% to allow for climate change but with no blockage to bridges. He stated that flood defences are normally constructed to give a standard protection of 1 in 100 years with a 20% allowance for climate change. The hydraulic modelling has been used to predict the depth of flooding for a 1 in 1000 year event before the construction of the development. He stated that the existing Rhiw Car Park and the area to the north are located on an area where the danger is classified as dangerous to all (extreme hazard) and "dangerous to Most" (significant hazard).

Mr Young informed the Committee that the NRW provides a flood warning service to Bridgend, with automated warnings provided to all residents registered for the service with floodgates closed in advance of a serious flooding event. He stated that the development occupies approximately the same footprint as the existing building, but the structure would be slightly less porous than the existing car park. Water flowing towards the development from the north would be held up in front of the building resulting in a slight increase in water levels to the north of the building. He highlighted the difference in water levels pre and post construction of the development. Water levels upstream of the car park and to the south at the A4061 will rise by 0.040m to 0.060m. He highlighted the change in flood depth at each of the 38 representative properties with very small changes in the classification of hazard throughout the area to the north of the development. He stated that the changes to flooding as a result of the development can be classified as being minor adverse. The risk of the general public and the emergency services entering this area are so high that they should be classified as unacceptable in both the pre and post development condition.

Mr Young informed the Committee the most important consideration is the residents of the development; however, all residential development will be above the 1 in 1000 year water level, with safe access and egress for residents to areas of high ground. He concluded that due to the presence of flood defences in Bridgend the Rhiw development would not be inundated in a 1 in 100 year return with peak flows in the river increased by 20% to allow for climate change but with no blockage to bridges. However, the flood defences will be overtopped by a 1 in 1000 year event which will lead to flooding of the Rhiw Development, however the residential development will be above the level of a 1 in 1000 year flood event and access and egress from the structure from the structure can be achieved by leaving the building onto dry ground. He stated that flood risk to residents can be adequately managed in accordance with Technical Advice Note 15. The development will cause a slight rise in water levels upstream of the site estimated to be between 0.04m and 0.06m. However the depth of flooding to the triangular area to the north is very deep in both the pre and post development situations. He concluded that the risks to residents can be adequately managed and the minor adverse changes to flood risk to the north of the site are acceptable.

The Team Leader Coastal and Flood Management informed the Committee that he had considered the hydraulic modelling and hydrological analysis and advised that there would be no more residents put at risk as a result of the development. He stated that there are sufficient warnings in place with sensors at the flood defences He advised that the development would not present a significant risk and that he considered the risk to be acceptable. He stated that NRW had accepted the model produced by the consultants and that the development would cause a slight increase in depth due to flooding.

RESOLVED: That planning permission be granted subject to the conditions set out in the report to the Development Control Committee of 30 April 2015 with the addition of the following condition:-

22. No development shall take place until the applicant has submitted to and had agreed in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall address the matters required pursuant to Appendix 5 of Technical Advice Note 15 Development and Flood Risk and include the following information:

During Demolition/Construction Process:

- command & control (decision making process and communications to ensure activation of FEP);
- training and exercising of personnel on site (H& S records as to whom and when);
- flood warning procedures (in terms of receipt and transmission of information and to whom);
- site evacuation procedures and routes and provision for identified safe refuges (who goes there and resources to sustain them).

During Occupation of Development:

- occupant awareness of the likely frequency and duration of flood events;
- safe access to and from the development;
- subscription details to Natural Resources Wales flood warning system,

The FEP shall be reviewed at intervals not exceeding 3 years and will form part of the Health & Safety at Work Register maintained by the applicant.

Reason: To limit the effect of flooding by ensuring the provision of a satisfactory means of flood management on the site.

594. P/14/711/FUL - FORMER BRYNCETHIN NURSERIES & S WALES WOOD RECYCLING PANT HIRWAUN HEOL Y CYW - C/U FORMER NURSERY & DWELLING TO VEHICLE STORAGE NEW BUILDINGS ACCESS WOOD FUELLED BOILERS & WOOD DRYING FACILITY

RESOLVED: That the application be deferred as the Committee is minded to refuse the application on the grounds of amenity due to noise, dust, air quality, impact on residents and water pollution and the detailed reasons for refusal be reported to the next meeting of the Committee.

595. P/15/110/OUT - BAYSWATER TUBES SITE HEOL-Y-GEIFR PENCOED - CONSTRUCT 47 DWELLINGS & ASSOCIATED WORKS (OUTLINE)

RESOLVED: That the application be DEFERRED to enable further clarification in respect of the former use rights and the implications for the proposed development in the context of Policy PLA6. It will also enable more detailed consideration of the observations received from the Group Manager Highways.

596. P/15/185/FUL - LAND OFF CHURCH STREET, PONTYCYMMER - DEVELOPMENT OF 5 DETACHED HOUSES WITH ASSOCIATED GARAGES

RESOLVED: That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities.

597. P/15/196/OUT - REAR GARDEN OF THE COTTAGE, COYCHURCH - 2 NO. DORMER BUNGALOWS (OUTLINE APPLICATION)

RESOLVED: That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities.

598. P/15/213/FUL - LAND REAR OF DALE VIEW, CEFN CRIBWR - PROPOSED DETACHED 1 1/2 STOREY DWELLING WITH INTEGRAL GARAGE

RESOLVED: That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities.

599. P/15/342/FUL - SOUTH WEST FIELD AT ISLAND FARM, BRIDGEND - USE OF EXISTING AGRICULTURAL ACCESS ON A TEMPORARY BASIS TO FACILITATE P/14/823/RES

RESOLVED: That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities and subject to the re-wording of Conditions 1 and 2 in light of the amendments to the scheme and the observations from the Group Manager – Highways as follows:

1. The use of the existing agricultural access on New Inn Road as identified in the Construction Plan - Revision (16 July 2015) shall only be for the purposes of implementing the ecological mitigation works as approved under P/14/823/RES and its use for such purposes shall be discontinued on or before 23 July 2016.

Reason: To enable the Local Planning Authority to retain effective control over the use of the existing agricultural access in the interests of highway safety and the general amenities of the area.

2. No development shall commence, including any works of site clearance and construction, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the clearance and construction period. The Statement shall provide for:

- I. The routeing of HGV construction traffic to/from the site in order to avoid Merthyr Mawr Road and New Inn Road to the west of the site. Such routeing shall utilise New Inn Road and Ewenny Road to the south east of the site
- II. The parking of vehicles of site operatives and visitors
- III. Loading and unloading of plant and materials.
- IV. Storage of plant and materials used in constructing the development
- V. Wheel washing facilities and associated hardening of the site access.
- VI. The provision of temporary traffic management, in the form of traffic signing advising site traffic of the approved route and general motorists of the presence of construction traffic

VII. The provision of a Banksman, at the site entrance, to assist slow moving traffic emerging onto New Inn Road

VIII. Clearance of vegetation within the existing vision splays along New Inn Road

Reason: In the interests of highway safety.

600. P/15/48/FUL - SANDFORD, BRYNEGLWYS AVENUE, PORTHCAWL - DEMOLISH EXISTING DWELLING & REPLACE WITH NEW 3 BED DWELLING

RESOLVED:

That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities subject to the amendment of Condition 1 due to an amended proposed side elevation plan (facing New Lynn) received to correct an error to the height of the rear wing of the new dwelling and the amendment of Condition 7 in the interests of privacy and residential amenity of New Lynn as follows:

1. The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan (received 27 January 2015)
Ground Floor Plan as Proposed (received 27 January 2015)
First Floor Plan as Proposed (received 13 July 2015)
Roof Level Plan as Proposed (received 27 January 2015)
Section through Property showing Access to Roof Space (received 27 January 2015)
Front Elevation as Proposed (received 27 January 2015)
Rear Elevation to Garden (received 5 May 2015)
Side Elevation as Proposed (received 21 July 2015)
Side Elevation as Proposed [Side Elevation of Garage & Main House] (received 13 July 2015)

Section 6 [Conclusions and Recommendations] and Section 7 [Mitigation & Compensation] of Bat Activity Surveys conducted by Merlin Bio-Surveys (received 3 June 2015).

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

7. The following windows serving the dwelling hereby approved shall be fitted with fixed pane obscure glazing to a minimum of level 3 on the Pilkington index of obscurity:

Ground Floor windows facing north (towards New Lynn): Kitchen, Utility and W.C.

First Floor Windows facing north (towards New Lynn): Bedroom 2 (En-Suite), Bedroom 3 (En-suite)

Velux-type roof light facing north (towards New Lynn)

The windows shall be fitted prior to the beneficial occupation of the dwelling hereby approved and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

1.

601. P/15/25/FUL - PLAYING FIELD AT YSGOL BRYN CASTELL, LLANGEWYDD ROAD, BRYNTIRION - ERECTION OF 67 DWELLINGS, NEW ACCESS, CAR PARKING, OPEN SPACE, LANDSCAPING & ASSOCIATED WORKS

RESOLVED:

1. That the applicant enters into a Section 106 Agreement subject to the following conditions:

(i) Provide 14 x flats as affordable units which shall be transferred to a Registered Social Landlord and delivered in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority.

(ii) Provide a financial contribution for the sum of £31,490.00 (index linked) towards the provision of public open space in the area of Cefn Glas.

(iii) Provide a financial contribution of £7,000.00 for a 20mph Traffic Order for the site prior to the granting of planning permission.

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 conditions contained in the report of the Corporate Director – Communities.

602. P/15/194/FUL - AEL Y DON, TY FRY ROAD, CEFN CRIBWR - SINGLE STOREY REAR EXTENSION & DOUBLE TWO STOREY DOMESTIC GARAGE, STORE, STUDY & GYM IN REAR GARDEN (AMENDED DESC)

RESOLVED:

That the planning application be granted subject to the conditions contained in the report of the Corporate Director – Communities.

603. P/15/364/FUL - 9 CALDY CLOSE, PORTHCAWL - AMENDMENTS TO PLANNING CONSENT P/14/74/FUL TO INCLUDE GROUND FLOOR EXTENSION

RESOLVED:

That the application be granted subject to the conditions contained in the report of the Corporate Director – Communities and subject also to the following additional condition:

3. Within three months of the date of this permission a scheme for the provision of 1 replacement off street parking space shall be submitted to and agreed writing by the Local Planning Authority. The parking area shall be implemented in permanent materials

before the development is brought into beneficial use and retained as such thereafter for parking purposes in perpetuity.

Reason: In the interest of highway safety

604. P/15/179/RLX - LAND ADJ 13 HEOL TRE DWR, WATERTON - EXTEND CONSENT P/10/836/FUL (4 BED DETACHED PROPERTY & CHILDRENS PLAY AREA) FOR A FURTHER FIVE YEARS

RESOLVED: That the application be granted subject to the conditions contained in the report of the Corporate Director – Communities and the following be added to Condition 7:

7. The driveway shall thereafter be retained in permanent materials.

605. APPEALS

RESOLVED: (1) That the Appeals received as outlined in the report of the Corporate Director Communities be noted;

(2) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeals has directed that they be Dismissed.

Code No. Subject of Appeal

-
A/15/3009476 (1753) Proposed Roof Extension to provide 3rd Storey: 48 Beach Road, Porthcawl.

A/15/3007596 (1751) Erection of 2 Storey Dwelling with Access driveway and Garage: Former Playground, Fountain Road, Aberkenfig.

606. TRAINING LOG

The Group Manager Development reported on an updated and amended training log. He provided the Committee with feedback on Improvement Plan Workshop held for the Committee which took place on 16 July 2015. The issues raised at the Workshop ranged from constructive criticism of the Committee to the relationship between Members and professional officers. The Workshop also looked at the setting up of Supplementary Planning Guidance Groups and the size of Committee agendas, for which it was considered that future agendas may be despatched earlier to enable Members to have more time to consider reports and which would also be made clearer. He stated that he would look at the potential for public speakers to be questioned by the Committee for clarification purposes only.

The Group Manager Development informed the Committee over the last year the Planning Department had reduced to 26 officers which had seen performing dropping in

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the processing of planning applications and that further cuts would affect the ability of the service to take enforcement action.

He stated that a detailed report on the outcome of the Workshop would be submitted to the next meeting of the Committee.

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

607. URGENT ITEMS

There were no urgent items.

The meeting closed at 4.50 pm