

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 31 MARCH 2016

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 31 MARCH 2016 AT 2.00 PM

Present

Councillor M Thomas – Chairperson

N Clarke	GW Davies MBE	PA Davies	CA Green
DRW Lewis	JE Lewis	HE Morgan	LC Morgan
D Patel	JC Spanswick	G Thomas	JH Tildesley MBE
C Westwood	M Winter		

Officers:

Jonathan Parsons	Group Manager Development
Rhodri Davies	Development and Building Control Manager
Tony Godsall	Traffic and Transportation Manager
Leigh Tuck	Senior Development Control Officer
Helen Williams	Senior EHO Pollution
Elizabeth Woolley	Senior Planning Officer
Craig Flower	Technical Support Team Leader
Jane Dessent	Lawyer
Gary Jones	Head of Democratic Services
Andrew Rees	Senior Democratic Services Officer - Committees
Sarah Daniel	Democratic Services Officer - Committees

697. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson congratulated the Planning and Development Department for their excellent performance figures in the all Wales Annual Performance Report and internal audit.

698. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor R C Jones
Councillor R Williams

699. DECLARATIONS OF INTEREST

Declarations of Interest were received from the following Members:

Councillor G Thomas – personal interest in item 8a as he is a member of St Brides Minor Community Council but takes no part in planning matters

Councillor D Lewis – personal interest in item 8a as he is a member of St Brides Minor Community Council but takes no part in planning matters

Councillor J Lewis – personal interest in item 8a as she is a member of St Brides Minor Community Council but takes no part in planning matters.

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700. 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 4 May 2016 for a site inspection of the Special meeting of the Development Control Committee of the same date relating to Margam Mine and Wednesday 11th May 2016 for proposed site inspections arising at the ordinary meeting of the Committee dated 12 May 2016.

701. APPROVAL OF MINUTES

RESOLVED: That the minutes of a meeting of the Development Control Committee held on the 18 February were approved as a true record of the meeting subject to Councillor J Spanswick being added the list of apologies.

702. PUBLIC SPEAKERS

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

<u>Name:</u>	<u>Planning Application No:</u>	<u>Reason for Speaking:</u>
Cllr Jean Phillips	P/15/62/FUL	T&CC Member
Mr Luke Davies	P/15/62/FUL	Applicant
Heidi Morgan	P/16/11/OUT	Objector
Rachel Downs	P/16/80/FUL	Objector

703. AMENDMENT SHEET

The Group Manager Development advised that in accordance with new procedures, and following the Chairperson's consent, Members had received the Amendment Sheet following the Site Visit 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.

704. P/15/847/FUL ST JOHNS AMBULANCE HALL, BEDFORD CLOSE, CEFN CRIBWR

RESOLVED: That the following application be deferred until the land ownership and concerns in respect of the design of the site had been resolved

<u>Code No:</u>	<u>Proposal</u>
P/15/847/FUL	Create 12 flats comprising 3 X 2 Bed Flats and 9 X 1 Bed Flats in one 2 storey building

705. P/15/62/FUL FORMER OGMORE COMPREHENSIVE SCHOOL PLAY FIELDS, ABERGARW ROAD, BRYNMENYN

Councillor JE Lewis made a statement prior to consideration of the Item that although the report recorded that she objected to the increase of traffic she had not made any decision on the Application and came to the meeting with an open mind and would make any decision after hearing all of the information presented to the committee. Councillor J Lewis clarified that her

objection was only in relation to the increased traffic.

During discussion of the application Councillor N Clarke asked the Legal Officer how Members should treat the application given that the site was owned by the Council. The Legal Officer advised that the application should be considered as any other application would and that Council ownership of the land should in no way influence the decision made by Members.

RESOLVED: (A) That having regard to the following application, the applicant enters into a Section 106 Agreement to:

- a) Provide a financial contribution of £637,728.00 affordable housing
- b) Provide a financial contribution of £391,512.00 towards additional Primary School facilities
- c) Provide a financial contribution of £50,760.00 towards the provision of offsite recreation facilities within the area
- d) Either provide a financial contribution of £75,000.00 to cover the cost of the provision of an active travel route from the application site to link with existing on road cycle routes and routes for pedestrian to the north and south of the application site or, alternatively, provide the route themselves in accordance with a scheme to be agreed with the Local Planning Authority in conjunction with the Highway Authority
- e) Provide a financial contribution of £7,000.00 to fund a Road Traffic Order to designate the development site as a 20mph zone

Code No:
P/15/62/FUL

Proposal
Res. Dev. for 108 dwellings and Assoc. Works Incl.
Demolition of Former Caretakers Lodge

(B) 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, subject to the conditions in the report of the Corporate Director Communities and subject also to the amendment of condition 11, and additional conditions 16-27 and advisory notes g-w as follows:

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification) no buildings on Plots 97-108 inclusive shall be erected other than those expressly authorised by this permission.
16. No development shall take place, including any works of demolition/site clearance, 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 construction period. The Statement shall provide for:-
 - i. The routing of HGV construction traffic to/from the site in order to avoid Ogmores Terrace, Wigan Terrace and Bryn Road
 - 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
 - vi. measures to control the emission of dust and dirt during construction

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- vii. the provision of temporary traffic and pedestrian management along the A4065 Abergarw Road

Reason: In the interests of highway safety.

17. No development shall commence until a scheme for the provision of revised turning head facilities adjacent to plot 57 and fronting plot 79 together with revised visitor parking and re-sited dwelling has been submitted to and approved in writing by the Local Planning Authority. The revised turning heads and associated parking and dwelling shall be implemented in permanent materials before any of the individual residential units is brought into beneficial use.

Reason: In the interests of highway safety.

18. The proposed means of access shall be laid out with vision splays of 2.4m x 90m in both directions before any of the dwellings are occupied and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

19. No structure, erection or planting exceeding 0.9m in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

20. The site access and internal road layout hereby approved shall be at a gradient not steeper than 5% (1 in 20) for the first 10 metres and thereafter not steeper than 8.3% (1 in 12).

Reason: In the interests of highway safety.

21. The construction of the roads shall be implemented in accordance with approved engineering details and completed to binder course level of bituminous material prior to the first dwelling being occupied in any one particular street to be completed and shall be completed prior to beneficial occupation of the last dwelling in such street or otherwise in accordance with a programme to be agreed with the Local Planning Authority.

Reason: To ensure safe and satisfactory vehicular and pedestrian access to the dwellings in the interests of public and highway safety.

22. Notwithstanding the submitted drawings, no works shall commence on the construction of the roads until such time as a comprehensive traffic calming scheme has been submitted to and approved in writing by the Local Planning Authority for traffic calming restricting 85% tile traffic speeds to 15 – 20 m.p.h. The traffic calming facilities shall be implemented in accordance with the approved engineering details and completed within the same programme identified for the associated streets.

Reason: In the interests of highway safety.

23. No development shall take place until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall necessary due to differences in level including that having an influence on the highway will be designed and constructed so as to prevent

subsequent ground movement. Any retaining wall shall then be constructed in accordance with the agreed details prior to the development being brought into beneficial use.

Reason : In the interests of highway safety.

24. No development shall commence until a scheme for the provision of 3 off street parking spaces per plot for plots 3 - 5 , 33-35, 42, 47, 60, 65, 71-73, 75, 80, 83, 94, has been submitted to and approved in writing by the Local Planning Authority. None of these plots be occupied until the proposed parking areas have been completed in permanent materials in accordance with the approved layout and retained thereafter for parking purposes in perpetuity.

Reason: In the interests of highway safety.

25. No development shall commence until a scheme for the provision of 2 off street parking spaces per plot for plots 39-41, 62-63, 85-86, 89-90, has been submitted to and approved in writing by the Local Planning Authority. None of these plots be occupied until the proposed parking areas have been completed in permanent materials in accordance with the approved layout and retained thereafter for parking purposes in perpetuity.

Reason: In the interests of highway safety.

26. No dwelling shall be occupied until the proposed parking areas have been completed in permanent materials prior to the development being brought into beneficial use and retained thereafter for parking purposes.

Reason: To ensure the provision and retention of sufficient off-street parking, compliance with the Disability Discrimination Act and to prevent loose stones, mud and gravel being spread on to the highway, in the interests of highway safety.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the garages shall be retained as such at all times and shall not be converted into living accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the continued provision of adequate off-street parking and minimise on-street parking, in the interests of highway safety.

And subject to the following additional advisory notes:

- g. The Highway Authority will require the developer to enter into legal Agreements (Section 111 Licence Agreement, Section 38 Road Agreement and 104 Sewer Agreement) including, appropriate bonds to secure the implementation of the proposed highway and sewer works.
- h. 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.
- i. An information pack containing public transport information including timetables, shall be provided by the developer upon occupation of each residential unit.

- j. The shared surface access street shall be laid out with the carriageway and the abutting pedestrian footways close to the same level to create a shared surface environment. The carriageway and footway surfaces shall be finished in StreetPrint and paviour blocks respectively with a granite sett ramped rumble strip at the entrance to the site.
- k. The applicant is advised that the Highway Authority reserves the right to invoke the powers contained in Section 59 of the Highways Act 1980 and recover additional expenses incurred in maintaining certain lengths of the highway network.
- l. The applicant is advised that the development should be designed and constructed in accordance with the January 1993 Mid Glamorgan County Council Design Guide for Residential and Industrial Estate Roads which has been adopted by Bridgend County Borough Council.
- m. In accordance with the Bridgend County Borough Council Design Guide road gradients shall be such that the maximum gradient of 1:12 is not exceeded. A 10m near level platform (1:20 or 1:25 maximum) shall apply at junctions. Access roads shall have a minimum gradient of 1:125.
- n. 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 access and parking areas, 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 access and parking areas should not be considered as a first option.
- o. Details of any retaining walls within the site to be submitted to the Authority shall comprise location, finishes, structural calculations and constructional details proving that the structures concerned have been designed and will be constructed so as to prevent subsequent structural failure and ground movement and, in addition, in respect of any retaining wall or embankment supporting or having an influence on the abutting highway the design details, duly certified by a professional structural engineer, including full engineering details and structural calculations produced in accordance with the requirements of BD2/12 - Technical Approval Highway Structures as well as qualification that the structure will achieve a 120 year life span.
- p. Commuted sums to cover the extraordinary long term maintenance costs of any highway structures will be a prerequisite of the adoption of the road works as highways maintainable at the public expense.
- q. The scheme submitted to satisfy Condition 16 should comprise details of a mechanically operated wheel wash including a temporary access road completed in permanent materials (concrete or tarmac) that shall be located at least 15 - 20 metres from the edge of carriageway to ensure that when mud is washed off the wheels it can also be washed off the wash station.
- r. The developer should contact the Head Teacher of any local School affected by site traffic in order to make the School aware of the additional traffic movements and that no vehicles associated with the construction of the site will be allowed to

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enter or leave the site during the periods of half hour either side of the School's commencing and ending times.

- s. 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.
- t. All lorries should be suitably sheeted, as agreed in writing by the Local Planning Authority, before leaving the site.
- u. The developer is recommended to consider the provision of secure cycle parking facilities to serve each dwelling within the development.
- v. Construction traffic should enter or leave the site outside half an hour either side of school opening and closing times.
- w. Street nameplates reflecting the original street name allocated by the Council shall be erected by the developer at locations and to a specification to be agreed with the Highways Department before occupation of the first dwelling on the street.

706. P/16/11/OUT LAND AT 38 COYCHURCH ROAD, PENCOED

RESOLVED: That the following application be approved subject to the conditions outlined in the report of the Corporate Director Communities

<u>Code No:</u> P/16/11/OUT	<u>Proposal</u> Erection of 2 detached houses and shared driveway
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707. P/16/80/FUL LAND REAR OF ROYAL OAK, STATION ROAD, KENFIG HILL

RESOLVED: That the following application be approved subject to the conditions outlined in the report of the Corporate Director Communities

<u>Code No:</u> P/16/80/FUL	<u>Proposal</u> Erection of 2 detached three bedroom dwellings
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708. P/16/17/FUL 74 HEOL CASTELL, COETY, LITCHARD

RESOLVED: That the following application be approved subject to the conditions outlined in the report of the Corporate Director Communities

<u>Code No:</u> P/16/17/FUL	<u>Proposal</u> Loft Conversion Raising Ridge Height and Porch Extension
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709. APPEALS

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

<u>Code No.</u> A16/3143086 (1773)	<u>Subject of Appeal</u> New dwelling: Land between 16&17 High Street, Ogmore Vale
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- (2) That the Inspector appointed by Welsh Ministers to determine the following Appeals, has directed that they be DISMISSED

<u>Code No.</u>	<u>Subject of Appeal</u>
H/15/3138666 (1765)	Non-illuminated Advertisement Sign: 1 Rock Street, Aberkenfig
A/15/3136250 (1762)	Small Scale Standby Electricity Generation Plant: Land at Coity Road, Bridgend

710. TRAINING LOG

The Group Manager Development reported on an updated training log.

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

711. DRAFT PLANNING COMMITTEE PROTOCOL

RESOLVED: That the Committee:

1. Considered the draft Planning Committee Protocol produced by the WLGA
2. Considered the draft consultation response from the Local Planning Authority (Appendix 1) and agreed to provide their comments at the planned workshop session or before Friday 29 April 2016 and
3. Authorised Officers to amend the draft consultation document and produce a further report on the outcome of the consultation process which would be reported back to the Development Control Committee on 12 May 2016.

712. NEW DEVELOPMENT MANAGEMENT PROCEDURES INTRODUCED BY WELSH GOVERNMENT

The Development and Building Control Manager reported on the Welsh Government's new Development Management Procedures that came in to force on 25 February, 1 March and 16 March 2016

RESOLVED: That Members noted the content of the report on the new Development Management Procedures as implemented by the Welsh Government.

713. MARGAM OPENCAST COAL SITE

- RESOLVED:
1. That the Committee noted that a Special Meeting of the Development Control Committee will be held on Wednesday 4 May 2016 at 2.00pm to consider an application received for an alternative restoration in respect of the Margam Opencast Coal Site
 2. That the Committee agreed that the extended public speaking protocol for extraordinary planning applications be invoked for consideration of the above planning application P/16/128/FUL.

714. PROPOSED STATUTORY AND NON-STATUTORY PRE-APPLICATION ADVICE CHARGING REGIME

The Development and Building Control Manager submitted a report to Committee for the adoption of a statutory and an updated non-statutory/ bespoke pre-application advice charging regime. He explained that BCBC has operated a system of charging for pre-application advice since April 2011. The Planning (Wales) Act 2015 (6 July 2015) introduced new pre-application advice processes that would be key to the effective frontloading of applications. More specifically, Section 18 of the Act introduced a new statutory requirement for LPAs to provide pre-application services to applicants. He added that the fees charged for the statutory pre-application services would be the same across Wales, although they also vary depending upon the size and scale of the proposed development:

- Householder - £25
- Minor Development - £250
- Major Development - £600
- Large Major Development - £1000

RESOLVED: That the Development Control Committee approved the content of the report and the proposed charging regime before referring the matter to Cabinet.

715. URGENT ITEMS

None.

The meeting closed at 4.30 pm