

**MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 29 SEPTEMBER 2016 AT 2.00 PM**

Present

Councillor M Thomas – Chairperson

N Clarke	CA Green	JE Lewis	HE Morgan
LC Morgan	D Patel	JC Spanswick	G Thomas
JH Tildesley MBE	C Westwood	R Williams	RE Young

Officers:

Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Tony Godsall	Traffic & Transportation Manager
Julie Jenkins	
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Kevin Stephens	Democratic Services Assistant
Leigh Tuck	Senior Development Control Officer

803. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:-

Councillor GW Davies MBE  
Councillor DRW Lewis  
Councillor PA Davies

804. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor R Williams - P/16/603/BCB – Personal interest as a member of Pencoed Town Council who takes no part in planning matters, and also a prejudicial interest in that he knew some of the objectors to the application. Councillor Williams left the meeting whilst this item was being considered.

Councillor JE Lewis – P/16/557/FUL – Personal interest as a member of St. Brides Minor Community Council who takes no part in planning matters.

Councillor G Thomas – P/16/557/FUL – Personal interest as a member of St. Brides Minor Community Council who takes no part in planning matters.

Councillor M Thomas – P/16/578/BCB – Personal interest in that she knew the public speaker who was objecting to the application.

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Councillor N Clarke – P/15/876/FUL – Personal interest in that she was a member of Porthcawl Town Council that took no part in planning matters. P/16/373/FUL – Prejudicial interest in that her husband was a Director of Porthcawl Harbourside CIC. Councillor Clarke left the meeting whilst this item was being considered.

805. 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, be confirmed as 26 October 2016.

806. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 1 September 2016, be approved as a true and accurate record.

807. PUBLIC SPEAKERS

The Chairperson read out for the benefit of those present, the names of the public speakers addressing the following applications to be considered at today's meeting:-

<u>Name</u>	<u>Planning Application No.</u>	<u>Reason for speaking</u>
Kay George	P/16/578/BCB	Objector
Howard Butler	P/16/603/BCB	Objector

808. AMENDMENT SHEET

RESOLVED: The Chairperson advised that in accordance with procedures and protocols, and following the Chairperson's consent, Members had received the 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.

809. P/16/578/BCB - EAST OF HEOL YR YSGOL, TONDU

RESOLVED: That in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992, that permission be deemed to be granted for the following application, subject to the Conditions contained in the report of the Corporate Director Communities:-

<u>Code No</u>	<u>Proposal</u>
P/16/578/BCB	New primary school with capacity for 420 plus 60 nursery places.

Subject to the following:-

Condition 1 should be re-worded as follows:

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 900003, 010001, 010002, 020001, 900004, 1214-01 Rev D and the conclusions and recommendations included within Jubb's Transport Assessment.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of the safety and free flow of traffic.

Amend Condition 14 to read:

14. Prior to the commencement of development, a comprehensive scheme of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority which shall restrict 85%ile traffic speeds to 20mph on the school access road from its junction with Heol yr Ysgol and the school access. The approved scheme shall be implemented prior to the development being brought into beneficial use.

Reason: In the interests of the safety and free flow of traffic.

Change the numbering for the “\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS” section of the recommendation from 19 to 20.

Add informative notes:

The approved traffic calming scheme shall incorporate pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit. The development shall include for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix C of the submitted Transport Assessment.

Amend additional Condition 19 as follows:

19. No development shall commence until details of extended access road into the school site from the junction with the access to Coleg Cymunedol y Dderwen and improvements to the Heol yr Ysgol/Bryn Road and Heol Cwrddy/Heol Canola junctions have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and the approved school shall not be brought into beneficial occupation until the improvement works have been implemented:

Reason: In the interests of the safety and free flow of traffic.

Add informative note as follows:-

The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain target, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.

810. P/16/603/BCB - LAND OFF PENPRYSG ROAD, PENCOED

RESOLVED: That in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992, that permission be deemed to be granted for the following application, subject to the Conditions contained in the report of the Corporate Director Communities:-

<u>Code No.</u>	<u>Proposal</u>
P/16/603/BCB	New Primary School and site access works

Subject to the following:-

Combine conditions 2-5, amend conditions 10-12, 15 and 19, remove conditions 16 and 17 and add a note. For ease of reference the revised conditions and notes are as follows:-

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

**ARCHITECTURAL DRAWINGS**

A001 - Site Location Plan  
A002 - Existing Site Layout / Topographical Survey  
A100 - Proposed Site Layout Overall  
A101 - Proposed Site Layout Area 1  
A102 - Proposed Site Layout Area 2  
A103 - Proposed General Arrangement Ground Floor Plan  
A104 - Proposed General Arrangement First Floor Plan  
A105 - Proposed General Arrangement Elevations  
A119 - Site Layout Contractors Constraints  
A120 - Hoarding Details / Temporary Works / Site Sign Board  
A123 - Proposed 3D Model  
A600 - External Signage  
A909 - Fencing Details (Sheet 1)  
A910 - Fencing Details (Sheet 2)  
A911 - External Works – Sections (Sheet 1)  
A912 - External Works – Sections (Sheet 2)  
A913 - External Works – Sections (Sheet 3)  
A916 - External Works – Play Area (Sheet 1)  
A917 - External Works – Play Area (Sheet 2)  
A918 - External Works – Planting (Sheet 1)  
A919 - External Works – Planting (Sheet 2)  
A920 - Nursery Store / PE Store

**DRAINAGE ENGINEERING DRAWINGS**

PCD-CAP-00-00-DR-P-506 Rev P00 - Proposed Surface Water Drainage Layout  
PCD-CAP-00-000-DR-P-507 Rev P01 - Proposed Foul Drainage Layout

**HIGHWAYS ENGINEERING DRAWINGS**

GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning  
GC2347-CAP-61-XX-DR-C-002 - Contours & Detailed Sections  
GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming  
GC2347-CAP-61-XX-DR-E-001 - Proposed Lighting Arrangements

**OTHER DOCUMENTS**

Ecological Appraisal & Summary of BREEAM Ecology Credits  
Ecology BREEAM Summary Report

BREEAM Pre-Assessment Report  
Drainage Strategy Report  
Traffic Impact Assessment  
Site Investigation Report

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

2. No development shall take place, including any works of site clearance until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-
  - I. The routing of HGV construction traffic to/from the site
  - II. The parking of vehicles of site operatives and visitors;
  - III. A scheme for the provision of a compound and car park for construction vehicles
  - IV. Loading and unloading of plant and materials;
  - V. Storage of plant and materials used in constructing the development;
  - VI. Mechanical, automatically operated, self-contained wheel washing facilities
  - VII. A temporary/permanent access road/hardstanding
  - VIII. Measures to control the emission of dust and dirt during construction;
  - IX. The provision of temporary traffic management during the construction period;
  - X. No construction vehicles entering or leaving the site during the periods of half hour
  - XI. either side of the times school commencing and ending.

The construction works and site clearance shall thereafter be undertaken in accordance with the agreed Construction Method Statement and shall be retained for the duration of the site clearance and construction works.

Reason : In the interests of highway safety.

3. The proposed school access onto Penprysg Road shall be laid out with vision splays of 2.4m x 25m before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

4. No structure, erection or planting exceeding 0.6 metres 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.

5. The submitted scheme of bus/parent drop off and staff parking to the south of the school building shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

6. The submitted scheme of off street parking to the rear of numbers 40-50 (evens) Penprysg Road shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

7. The school shall not operate until such time as the school access road, from its junction with Penprysg Road to the school gates, has been completed.

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

8. No development shall take place until a comprehensive scheme for traffic calming restricting 85% of traffic speeds to 20 mph on Penprysg Road, between its junction with Minffrwd Road to the north and its junction with Wimborne Road to the south has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented prior to the school being brought into beneficial use.

Reason: In the interests of highway safety.

9. No development shall take place until a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall be clearly demarcated in permanent materials and signage erected in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

10. The school shall be limited to no more than 611 pupils.

Reason: In the interests of highway safety.

11. Notwithstanding condition 1 no works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle links from the school to Cae'r Efail and Cae Talcen. The links shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

12. No development shall commence until a until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road, land and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface, roof/yard and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

13. No development shall commence until a site clearance method statement providing details for avoidance of harm to reptiles on site, has been submitted to and agreed by the Local Planning Authority. The measures shall be carried out in accordance with the agreed scheme.

Reason: In order to protect habitats for reptiles.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. The development should seek to employ current best practice and the most current advice and guidance. With specific reference to ecological matters, Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Attention is drawn to the Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach:-

<http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf>

This Guidance seeks to inform schemes and provide practical advice in respect of ecological enhancements and the resilience of ecosystems.

- b. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.
- c. Trees and hedgerows provide habitat to a number of protected species, including bats and birds. British bats, their breeding sites and resting places are protected by law under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an offence to damage or destroy a bat breeding site or resting place (sometimes referred to as a roost) whether the animal is present at the time or not, intentionally or recklessly obstruct access to a place used for shelter and protection or deliberately capture, injure, kill, or disturb a bat/bats.
- d. With respect to condition 7, the scheme should incorporate relocated bus stop facilities, carriageway and footway realignment, pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit.
- e. The developer is advised that a scheme for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix O of the submitted Transport Assessment will be required and the improved routes should be provided before the development is brought into beneficial use and retained in perpetuity.

- f. The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.
- g. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- h. The applicant may need to apply to Dwr Cymru/Welsh Water DCWW) for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- i. The applicant is also advised that some public sewers and lateral drains may not be recorded on the DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- j. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.
- k. No surface water is allowed to discharge to the public highway.
- l. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- m. In order to satisfy condition 12 the following advisory notes should be followed:-
  - Submit Flood Defence Consent applications for both proposed discharge points
  - Provide details of locations at risk of flooding as identified by Microdrainage and provide flood prevention measures for these areas if proposed.
  - Provide further details regarding the location, sizing and discharge point of the existing piped spring.
  - Provide an updated drainage strategy showing the position of the existing ditch and watercourse as previously discussed.



- Provide confirmation of undertaking of cleansing of the NR culvert and letter of acceptance of connecting to the culvert from NR
- n. Prior to any works commencing on the highway the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.
- o. Your attention is drawn to the attached comments of the Designing out Crime Officer.

Conditions 1, 2 and 7 and Note d..above, require further amendments ie:-

**RECOMMENDATION**

Amend condition 1 by adding Rev P02 to GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning to and removing GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming from the list of Highways Engineering Drawings.

Amend condition 2 by removing XI. As this is a continuation of X.

Amend condition 7 by adding 'in permanent materials' at the end of the condition.

Amend Note d. to read 'With respect to condition 8,.....'

Add Note p. 'Members agreed that the Group Manager Development would add extra Conditions regarding landscaping.'

811. P/16/547/FUL - PENYBONT FOOTBALL CLUB, BRYNTIRION PARK, LLANGEWYDD ROAD, CEFN GLAS

RESOLVED: That the following application be deferred at the request of the applicant, in order that further discussions may take place with the Highways Department regarding car parking relating to the scheme:-

<u>Code No.</u>	<u>Proposal</u>
P/16/547/FUL	Extension and enhancement of existing Penybont Football Club facilities including extend stand to accommodate 518 seats, new turnstile with payment booth, extend parking, TV gantry, bar cellar extension & amended site access layout.

812. P/16/373/FUL - PORTHCAWL HARBOURSIDE, COSY CORNER, OFF EASTERN PROMENADE, PORTHCAWL

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

<u>Code No.</u>	<u>Proposal</u>
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P/16/373/FUL Maritime Centre building incl. community, education & leisure facilities (use classes A3, B1a, C1, D1, D2), a micro-brewery & an open air performance space.

813. P/15/876/FUL - REAR OF 46 JOHN STREET, PORTHCAWL

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

Code No.                      Proposal

P/15/876/FUL Proposed residential development comprising 4 units at land rear of the above property.

814. P/16/557/FUL - BLOCK C, UNIT 14, PARC Y BONT, ANEURIN BEVAN AVENUE, BRYNMENYN IND. ESTATE, BRYNMENYN

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

Code No.                      Proposal

P/16/557/FUL In addition to the current use, proposed use to incinerate (cremate) and store pet and equine cadavers

815. DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

The Corporate Director Operational and Partnership Services submitted a report, the purpose of which, was for the Development Control Committee to consider appointing Councillor RE Young as the third Member of the Committee's Site Visit Panel, and appointing Councillor D Patel as the Reserve Member of the Panel.

The report confirmed that Councillor Patel had recently informed the Authority, that she had started a new job and requested that due to initial training in her new role, hers and Councillor Young's roles on the Site Visit Panel reverse.

RESOLVED:

1. That Councillor RE Young be nominated as the third member of the Development Control Committee Site Visit Panel.

That Councillor D Patel be nominated as reserve member of the Development Control Site Visit Panel.

816. APPEALS

RESOLVED: That the Appeals received since the last meeting of the Development Control Committee as highlighted in the report of the Corporate Director Communities be noted.

817. TRAINING LOG

RESOLVED: That the report of the Corporate Director Communities advising that the following up and coming training sessions would be arranged for Members on the dates where stated, be noted:-

- Review off recent appeal decisions – 27 October 2016
- Workshop on the draft Open Space SPG – TBC
- Active travel plans – TBC
- Advertisement control – TBC

WLGA proposals for a National Scheme of Member Training - TBC

818. BCBC - JOINT HOUSING LAND AVAILABILITY STUDY 2016

The Development Planning Manager submitted a report, which presented the final Joint Housing Land Availability Study for 2016.

She stated that Members would recall at the recent training event that the Planning Inspectorate was considering 7 sites that were in dispute between the Council and developers as set out in the submitted Statement of Common Ground.

The Inspectorate had produced its report and had come to the conclusion that Bridgend has a housing land supply figure for 2016 of 5.1 years, and has for 6 out of the 7 disputed sites agreed with the evidence presented by the Council.

This is in excess of the 5 year minimum requirement, and as such, Bridgend was in a strong position of being able to more successfully defend out-of-accord planning applications at appeal.

Furthermore, the Council was not under pressure to undertake an early review of the Local Development Plan because of not meeting key housing targets.

The final study was attached at Appendix 1 to the report and the inspector's recommendations were included at Appendix 4 of the document.

RESOLVED: That the 2016 Joint Housing Land Availability Study be noted as illustrated in the report of the Corporate Director Communities, be noted.

819. BRIDGEND LOCAL PLANNING AUTHORITY - ANNUAL PERFORMANCE REPORT 2016

The Group Manager Development presented a report, which advised that in line with the new Welsh Government requirements, BCBC submitted its first Annual Performance Report (APR) in October 2015. The 2016 APR was currently being prepared and this would be presented to before a future meeting of the Committee.

The second APR he confirmed, outlined the performance of Bridgend as a local planning authority over the period 2015-16 against a number of key national indicators and benchmarks, and also includes the results of a customer satisfaction survey.

The Group Manager Development confirmed that the APR was currently being finalised, however, he referred Members to the key issues arising from this, which were shown as

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bullet points in the main body to the report. He then gave a resume of this information for the benefit of Members.

He concluded his submission by confirming that the APR would provide a more detailed commentary on the figures outlined in the report.

RESOLVED: That the Committee noted the report.

820. URGENT ITEMS

None

The meeting closed at 4.00 pm