

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 21 DECEMBER 2017

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 21 DECEMBER 2017 AT 10:00

Present

Councillor G Thomas – Chairperson

TH Beedle	JPD Blundell	NA Burnett	DRW Lewis
JE Lewis	RMI Shaw	JC Spanswick	RME Stirman
T Thomas	JH Tildesley MBE	MC Voisey	KJ Watts
AJ Williams			

Apologies for Absence

RJ Collins and MJ Kearn

Officers:

Rhodri Davies	Development & Building Control Manager
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Rod Jones	Senior Lawyer
Susan Jones	Development Planning Manager
Richard Matthams	Development Planning - Team Leader
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Andrew Rees	Senior Democratic Services Officer - Committees
Philip Thomas	Principal Planning Officer
Leigh Tuck	Senior Development Control Officer

60. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor RMI Shaw – Agenda item 8 – Planning Application P/17/165/FUL – Prejudicial interest as he is the ward member, had given a written submission and had pre-determined the application. Councillor Shaw withdrew from the meeting during consideration of this application.

Councillor TH Beedle – Agenda item 14 – Allotments and Community Gardens Audit Update 2017 – Personal interest as a member of the Bridgend County Allotment Association and Secretary of Bronfair Allotments, Garth, Maesteg

Councillor G Thomas - Agenda item 14 – Allotments and Community Gardens Audit Update 2017 – Personal interest as an allotment holder.

Councillor JE Lewis - Agenda item 14 – Allotments and Community Gardens Audit Update 2017 – Personal interest as an allotment holder and Secretary of Sarn Allotments.

Councillor NA Burnett - Agenda item 14 – Allotments and Community Gardens Audit Update 2017 – Personal interest as she sits on the Allotments Committee of Bridgend Town Council.

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Councillor RME Stirman - Agenda item 8 – Planning Application P/17/165/FUL – Personal interest as a member of the Garw Valley Community Council but takes no part in the consideration of planning applications.

Councillor MC Voisey – Agenda item 9 – Planning application P/17/165/FUL – Personal interest as he owns a property and runs a business at Central Park, off Western Avenue on Bridgend Industrial Estate, which is not in the vicinity of the application site. Agenda item 14 – Allotments and Community Gardens Audit Update 2017 – Personal interest as he sits on the Allotments Committee of Bridgend Town Council and also owns / runs allotments.

61. SITE VISITS

RESOLVED: That a date of Wednesday 31 January 2018 be confirmed for proposed site inspections arising at the meeting or identified in advance of the next Committee meeting by the Chairperson.

62. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee of 9 November 2017, be approved as a true and accurate record.

63. PUBLIC SPEAKERS

There were no public speakers.

64. AMENDMENT SHEET

RESOLVED: That the Chairperson accepted the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for the Committee to consider necessary modifications to the Committee report, so as to take account of late representations and revisions that are required to be accommodated.

65. P/17/165/FUL - 65 OXFORD STREET, PONTYCYMMER, NR. BRIDGEND, CF32 8DD

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

Proposal

Change of use of shop to self-contained one bedroom flat

66. P/17/373/FUL - UNIT 12D, KINGSWAY BUILDINGS, KINGSWAY, BRIDGEND INDUSTRIAL ESTATE, BRIDGEND, CF31 3YH

RESOLVED: (1) That the application be referred to Council as a proposal that is a departure from the Development Plan that the Development Control Committee is not disposed to refuse as the application has sought to demonstrate that alternative locations were considered but no suitable buildings in a sequentially more appropriate location were identified, the use has no impact on the adjoining operators and that such D2 uses remain subordinate to and currently do not threaten, the wider employment allocation of the

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industrial estate. Critically, the business provides employment for up to 14 people which benefit the local economy.

(2) That if Council resolve to approve the proposal, the conditions contained in the report of the Corporate Director Communities be attached to the consent.

67. APPEALS

The Development and Building Control Manager reported on appeals received and appeals which had been decided since the last meeting of the Committee.

RESOLVED: (1) That the following Appeal received since the last Committee meeting be noted:-

<u>Code No.</u>	<u>Subject of Appeal</u>
D/17/3190308 (1819)	Proposed Part 2 Storey, Part Single Storey Rear Extension & Development of Existing Garage Into Garden Room: 81 Ewenny Road Bridgend

(2) That the Inspector appointed by Welsh Ministers to determine the following Appeals, has directed that the following Appeal be ALLOWED SUBJECT TO CONDITIONS:

<u>Code No.</u>	<u>Subject of Appeal</u>
A/17/3180379 (1809)	Relaxation Of Conditions 4, 5 And 8 of P/14/63/FUL to enable the Barn to be occupied whilst the new access is being constructed: Parcau Isaf Farm, Laleston, Bridgend.
A/17/3181972 (1813)	Convert/Renovate Coed Parc to 2 Residential Dwellings (Including Extension, Alterations & Part Demolition) & Construct 13 New Residential Dwellings With New Access, Landscaping, Parking & Associated Works - Coed Parc, Park Street, Bridgend

Note: The above appeal decision was received since the publication of the report and was included in the Amendment Sheet.

(3) That the Inspector appointed by the Welsh Ministers to determine the following Appeals, has directed that the APPEALS BE DISMISSED:

<u>Code No.</u>	<u>Subject of Appeal</u>
A/17/3180687 (1811)	Replace Old Workshop Space With New Workshop: The Yard, Rogers Lane, Cefn Cribwr
A/17/3182456 (1814)	New Dwelling: Land Rear of Osborne Terrace Nantymoel

68. TRAINING LOG

The Group Manager Development reported on an updated training log.

Members of the Committee commented on the difficulties of attending training sessions following the meeting of the Committee due to work commitments. Members therefore requested that consideration be given to changing the commencement time of meetings of the Development Control Committee which may also impact on the commencement time of Committee training sessions.

RESOLVED: (1) That the report of the Corporate Director Communities be noted;
(2) That Members of the Committee be surveyed as to their preference for the commencement times of meetings of the Development Control Committee and the outcome of the survey be reported to the next meeting of the Committee.

69. SUGGESTED CHANGES TO THE PLANNING ENFORCEMENT SYSTEM IN WALES

The Group Manager Development reported that the Committee at its meeting on 9 November 2017, requested that a report be submitted to this Committee on a proposal that a letter be sent by the Committee to the Welsh Assembly Cabinet Secretary for Energy, Planning and Rural Affairs and Bridgend Assembly Members requesting that a surcharge be applied to retrospective planning applications.

He reported that following a number concerns raised by MPs, AMs and Members regarding the effectiveness of the planning enforcement system in controlling major polluting activities that raise significant amenity issues, the Council was asked to compile a list of potential improvements to the planning enforcement system that would provide greater strength to the Local Planning Authority to effectively and swiftly control development. He stated that this issue was raised with other authorities and regional planning groups. It was also discussed and debated at the Wales Planning Enforcement Conference. He informed the Committee that the content of the report goes beyond the original proposal put forward by the Committee, and also covers the main area of concern raised, it was an opportune moment to bring this matter forward particularly as it was requested by a local AM.

The Group Manager Development outlined the current enforcement system and reported on a number of suggested changes and improvements to the current system of planning enforcement. He stated that most of the changes required new or alterations to primary or secondary legislation or national policy although there are other improvements that can be made under current powers.

He informed the Committee that if Members were agreeable to the content of the report, Officers will draft a covering letter to be signed by the Chair on behalf of the Committee, and forward the report to the Welsh Assembly Cabinet Secretary for Energy, Planning and Rural Affairs as a discussion document. He stated that the Bridgend AMs would also receive a copy.

Members of the Committee welcomed the suggested changes to the system of planning enforcement and commented that there needed to be more fairness and openness and greater penalties for non-compliance.

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RESOLVED: That the Committee approved the content of the report and writes to the Cabinet Secretary for Energy, Planning and Rural Affairs and local AMs requesting that the content of the report be taken forward as a discussion document.

70. **HOUSEHOLDER ALTERATIONS AND EXTENSIONS SUPPLEMENTARY PLANNING GUIDANCE**

The Development Planning Team Leader presented the 'Householder Alterations & Extensions Supplementary Planning Guidance' document for its approval for the purposes of public consultation.

He informed the Committee that the SPG, originally published in 2008, has been re-drafted to reflect the latest national and local planning policy and to make the document more user-friendly for Councillors, members of the public and planning professionals. He stated that the fundamental purpose of the SPG remained the same and supplements LDP Policy SP2 'Design and Sustainable Place Making'. The draft SPG has been the subject of internal consultation and agreement and approval was sought to formally consult with other interested parties, outside bodies and the public on its content.

RESOLVED: That the Committee:

- (1) approved the draft Householder Alterations and Extensions Supplementary Planning Guidance (Appendix 1) as the basis for public consultation;
- (2) delegated authority to the Group Manager of Development to make any necessary factual and/or cartographical amendments to the document that may be required prior to public consultation; and
- (3) authorised the Group Manager Development to make appropriate arrangements for public consultation and produce a further report on the outcome of the consultation process which will be reported back to Development Control Committee.

71. **ALLOTMENTS AND COMMUNITY GARDENS AUDIT UPDATE 2017**

The Development Planning Manager reported on the outcome of a recent 'Audit' of the provision of Allotments within the County Borough. She stated that it was a revised edition to incorporate comments made by Committee at its meeting on 28 September 2017.

The Development Planning Manager reported that the overall findings for the County Borough as a whole reveal a deficit in allotment provision of approximately 0.65 hectares, based on the 2011 Census of population and a deficit of approximately 1.50 hectares of allotment provision based on the 2016 Mid-Year Estimate of population. She stated that at the Sub-Area level, the overall deficit of provision across the County Borough is translated into overall surpluses within the Llynfi Valley, Ogmores Valley, Pencoed, Pyle/Kenfig/Cornelly and Porthcawl with deficits in overall provision in the Sub-Areas of the Garw Valley, Bridgend and the Valleys Gateway. The Development Planning Manager informed the Committee that the greatest deficit in allotment provision is within the Bridgend Sub-Area, which has a deficit of 5.24 hectares,

whilst the greatest surplus of provision is within the Pyle/Kenfig Sub-Area of 1.86 hectares.

The Development Planning Manager reported that the Audit can be used as a tool for Development Control purposes providing evidence to support Planning decisions. Its findings can be used as a means of justifying the provision of new facilities and/or remedying local deficiencies in provision. It can also be used as a means of safeguarding and enhancing existing facilities as appropriate where this is a preferred option for outdoor recreational facilities by the local community. The Audit's findings will also provide supporting evidence to the Council's forthcoming Supplementary Planning Guidance (SPG) relating to Outdoor Recreation Facilities and inform Policies relating to recreation provision in a future LDP Review.

RESOLVED: That the contents of the report and the Allotment and Community Gardens Audit – Update 2017 be noted.

72. BRIDGEND LOCAL DEVELOPMENT PLAN REVIEW

The Development Planning Team Leader reported on an overview of the development planning system in Wales and set out the importance of the Local Development Plan (LDP) and how it impacted on the Development Management process and development in Bridgend. He stated that the LDP must be reviewed every 4 years and as the Bridgend LDP was adopted in 2013 the Local Planning Authority (LPA) must now commence work on the new plan.

He reported that the preparation and adoption of an LDP is probably the largest single piece of corporate work a local authority will undertake in terms of methodology, evidence gathering and independent examination. He informed the Committee that the LDP delivers significant benefits (both social and financial) for its communities. He highlighted the various steps in the LDP process.

The Development Planning Team Leader reported on the next steps, summarised the key elements of the review process and detailed the timetable which would be determined in the Delivery Agreement. He informed the Committee that the Welsh Government has the power of 'direction' to insist that a 'Joint LDP' is prepared in conjunction with one or more neighbouring authorities. He stated that the Cabinet Secretary for Energy, Planning and Rural Affairs had written to the Leader and Chief Executive inviting the Local Planning Authority to give serious consideration to preparing a Joint Local Development Plan with other Local Planning Authorities within the South East Wales - West area (comprising of Bridgend, RCT and Caerphilly). The deadline for response back to the Welsh Government is 28 February 2018 and until such time the Welsh Government will not agree any plan progressing individually.

RESOLVED: That the contents of the report be noted.

73. END OF YEAR REPORT - DEVELOPMENT GROUP PERFORMANCE 2016-2017

The Development and Building Control Manager reported on the performance of the Development Group for 2016-17 which gives an update on performance compared to 2016 and provides detail on issues such as Section 106 contributions, complaints and Building Control.

He informed the Committee that the Annual Performance Report which had been reported to the Committee at its meeting on 9 November 2017 and to the Welsh Government in October had seen a reduction in the number of planning staff by almost half in recent times, while the number of planning applications, particularly major schemes, has increased. He stated that the Section is delivering an excellent service to its customers despite funding cuts. He highlighted to the Committee the key points arising from the collation of data.

He also informed the Committee of another positive change in customer satisfaction levels, in that during the period 2015-2016, 48% of survey respondents thought that Bridgend gave good planning advice against a Welsh average of 58%. For 2016-2017, 62% of respondents agreed that the LPA gave good advice (against a Welsh average of 62%). He stated that the increased customer satisfaction can be attributed to a number of factors, such as an efficient and valued pre-application advice process and the approval rating increasing despite the move away from Officers being available to answer general queries over the phone (albeit that detailed guidance is being provided to Call Centre staff/Customer Service Representatives to signpost the public to the relevant information on the website).

He informed the Committee that the next steps would be produce a similar report at the end of each calendar year (as well as the APR) so that Members can examine the performance of the section against previous calendar years.

RESOLVED: That the content of the report be noted.

74. REVIEW OF PRE-APPLICATION ADVICE CHARGING REGIME

The Development and Building Control Manager reported on a review of the new pre-application advice service as adopted in June 2016 and provided the Committee with a draft updated pre-application advice charging regime pending a further review in 2018.

He reported that the current pre-application advice service and guidance had been in force since June 2016 and it was an opportune time to review the system and suggest changes to remove any anomalies, to improve the level of service and to insert new categories in order to further clarify the range and variety of charges. He stated that it was not proposed to increase the fees at this point.

The Development and Building Control Manager reported that between 13 June 2016 and 1 December 2017, the LPA received a total of 474 initial queries on householder permitted development rights. He stated that the overall number of the 474 initial queries that progressed to the paid pre-application advice stage reduced to 286 (£7150). He informed the Committee that it was considered that the Officer time saved (188 hours) in not having to process the 188 "lost" queries, together with the fee income gained from the remaining 286 queries (and any application fees from the submission of formal planning applications or Lawful Development Certificates) has improved the efficiency and resilience of the team. It was also considered that providing the professional advice option is valued by the public and was more customers orientated than the rigid system adopted in other LPAs. He stated that the free "scoping meeting" service had been well received by the majority of developers, especially on the larger more complicated schemes and had helped the LPA to enable and promote high quality development in the County Borough.

The Development and Building Control Manager outlined the potential changes proposed as a result of the review of the implementation process since the adoption of the new charging regime in June 2016. He informed the Committee that officers will

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review the draft updated pre-application advice guidance note and report back to the Committee and Cabinet in 2018, for the adoption of an updated guidance note in April 2018. The pre-application advice service will be reviewed on an annual basis.

RESOLVED: That the Committee noted the content of the report and the draft pre-application advice charging schedule and guidance note.

75. URGENT ITEMS

There were no urgent items.

The meeting closed at 12:08