

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 15 MARCH 2018

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 15 MARCH 2018 AT 10:00

Present

Councillor G Thomas – Chairperson

JPD Blundell
DRW Lewis
T Thomas
AJ Williams

NA Burnett
JE Lewis
JH Tildesley MBE

RJ Collins
RMI Shaw
KJ Watts

MJ Kearn
RME Stirman
CA Webster

Apologies for Absence

TH Beedle, SK Dendy, JC Spanswick and MC Voisey

Officers:

Craig Flower	Planning Support Team Leader
Tony Godsall	Traffic & Transportation Manager
Claire Hamm	Conservation and Design Team Leader
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Michael Pitman	Business & Administrative Apprentice
Andrew Rees	Senior Democratic Services Officer - Committees
Kevin Stephens	Democratic Services Assistant
Philip Thomas	Principal Planning Officer
Leigh Tuck	Senior Development Control Officer
Elizabeth Woolley	Senior Planning Officer

92. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor T Thomas – Prejudicial interest in agenda item 8 - Planning application P/16/366/OUT as he had objected to this application prior to becoming a Councillor and a member of this Committee. Councillor Thomas also declared that he is a member of Ynysawdre Community Council but takes no part in the consideration of planning matters.

93. SITE VISITS

RESOLVED: That a date of Wednesday 25 April 2018 be confirmed for proposed site inspections arising at the meeting or identified in advance of the next Committee meeting by the Chairperson.

94. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee of 1 February 2018, be approved as a true and accurate record.

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95. PUBLIC SPEAKERS

The following public speakers were listed to speak at the meeting:-

<u>Planning Application No.</u>	<u>Speaker</u>
P/16/366/OUT	Councillor T Thomas (Objector)
P/16/366/OUT	Councillor J Radcliffe (Objector)
P/16/366/OUT	Councillor G Haines (Newcastle Higher Community Council - Objector)
P/16/366/OUT	Mrs C Evans (Objector)
P/16/366/OUT	Mr V Zarifian (on behalf of the applicant)

96. 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.

97. P/16/366/OUT - LAND WEST OF MAESTEG ROAD, TONDU

RESOLVED: (1) That having regard to the following application, the applicant enters into a Section 106 Agreement subject to conditions contained in the report of the Corporate Director Communities

Proposal

450 dwellings, 1000 sq.m. Class B1 use, highway works, public open space

(2) That the Corporate Director Communities be given delegated powers to issue a decision notice granting outline consent in respect of this proposal once the applicant has entered into the aforementioned S106 Agreement, subject to the standard outline conditions and the additional conditions contained in the report and the following amendments/additions to the planning conditions 3 and 22 and heads of terms of the S106 Obligation contained in the Amendment Sheet:

TRAFFIC AND TRANSPORTATION

Provide an area of car parking to the north west of the Waste Transfer Station in lieu of the existing temporary car park that will be developed as part of the application. Details of the car parking scheme and its future management will be agreed by the Local Planning Authority and as part of this obligation.

3. The mitigation measures set out in the documents listed below shall be carried out as prescribed in the documents:

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a) Sections 7.0, 8.0, 9.0 10.0 and 11.0 in the Desk Study & Coal Mining Risk Assessment Report Tondu – Rev A April 2016 provided by Integral Geotechnique

b) Section 6.0 Conclusions and Recommendations in the Level 2 Survey Report Final As Issued 2016-03-10 provided by Soltys Brewster Ecology

c) Section 6 - Recommendations in the Tree Survey, Categorisation and Constraints Report by Steve Ambler and Sons Tree Specialist Ltd dated 20 February 2016.

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

22. Prior to the development on any phase, a detailed lighting strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting plans shall be implemented as approved.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

98. P/17/1078/FUL - GARAGE COMPOUND, HEOL YR AFON / TREFELIN, WILDMILL

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

Proposal

Demolish garages and create a site compound for Wildmill Phase 2 works

99. P/17/554/RLX - LAND AT MOOR LANE, PORTHCAWL

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

Proposal

Variation of condition 2 of P/16/497/FUL relating to occupancy of chalets

100. P/17/1083/FUL - BRIDGEND GRID 132KW SUBSTATION, OFF GREAT WESTERN AVENUE, BRIDGEND

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 development forms part of urgent improvements to the existing grid electricity substation off Great Western Avenue serving Bridgend which will not have a significant impact on the Regeneration and Mixed Use Development Site as

allocated under Policies PLA(3), COM1(4) and PLA7(21) of the LDP;

- (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.

Proposal

Extension to existing 132kV grid substation to accommodate new 33/132kV switchroom building; 2.4m high steel palisade security fencing with 3.6m electric fencing behind; internal access road & gravelled surface

101. PROPOSED DESIGNATION OF PRESWYLFA COURT CONSERVATION AREA AND ARTICLE 4 DIRECTIONS

The Conservation and Design Team Leader reported on a proposal to designate Preswylfa Court as a Conservation Area, taking into account feedback from consultation with owners and residents. She also outlined proposed additional controls over permitted development within the Conservation Area by the serving of Article 4(1) and 4(2) Directions and includes a draft design guide to assist owners and occupiers.

She reported that the buildings which formed part of the original Preswylfa Children's Home or "Cottage Homes", date from between 1880 and 1902 and were listed Grade II in 1997. She informed the Committee that during the 1990s, the site was the subject of a sensitive redevelopment scheme which preserved the character of the 13 Listed Buildings around the central green, whilst enabling a sensitive infill housing development, intermittently dispersed between the historic buildings. The design and materials of the new development were carefully controlled at that time through the planning process to avoid any harm to the setting of the Listed Buildings and the historic character of the area.

She stated that officers have received an increasing number of enquiries and concerns relating to minor alterations, particularly to the unlisted buildings within Preswylfa Court, which was attributed to changes in property ownership and the need for ongoing maintenance and repairs to properties. Whilst alterations, extensions and demolition to the Listed

Buildings can be controlled; alterations to the more recent infill properties were currently classed as permitted development and are outside of the control of the Local Planning Authority. These incremental changes have started to have a negative effect on the character of the area and without controls being introduced, there is a real risk of the area becoming so materially affected that the value of the built heritage could be irretrievably lost.

The Conservation and Design Team Leader reported that the need for an assessment of the Preswylfa Court area for potential Conservation Area status was identified in the Council's previously adopted Unitary Development this Committee was advised of the outcome of the assessment at a previous meeting on 6 July 2017. At that meeting, the Committee agreed for Officers to consult with the residents/owners of Preswylfa Court concerning designating the area as a Conservation Area.

The Conservation and Design Team Leader reported that two consultation events / exhibitions were held and the majority of the residents who attended supported the proposal to designate the Conservation Area and agreed that additional controls were

needed. She stated that residents were particularly concerned with preserving the character of the original Listed Buildings and the central open green space around which the houses are located. Residents were also keen to receive some design guidance in order to refer to in the future.

The Conservation and Design Team Leader informed the Committee of a proposal to make a Direction under Article 4(1) for the flats as they do not under planning legislation enjoy Permitted Development rights. It was also proposed to make an Article 4(2) for domestic buildings as property owners of non-listed properties currently have permitted development rights.

RESOLVED: That the Committee:

- Approved the proposed boundary in Appendix 1A of the report for the proposed Preswylfa Court Conservation Area;
- Agreed that a Direction be made under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 to remove permitted development rights from those owners and occupiers of flats contained within the proposed Preswylfa Court Conservation Area under the terms set out in Appendix 2 of the report;
- Agreed that a Direction be made under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 to remove permitted development rights from those owners and occupiers of dwelling houses contained within the proposed Preswylfa Court Conservation Area, under the terms set out in Appendix 3 of the report;
- Agreed that Officers be authorised to liaise as necessary with the Welsh Government in respect of the Article 4(1) Direction;
- Agreed that Members receive a further report which will present any representations received as a result of serving the Article 4(1) and Article 4(2) Directions.

102. **REPORT OUTLINING THE LPAS RESPONSE TO THE LAW COMMISSION'S CONSULTATION ON THE CODIFICATION OF PLANNING LAW IN WALES**

The Development and Building Control Manager reported that the Welsh Government is preparing a new Planning Code, which incorporates almost all of the Town and Country Planning 1990 Act and many of the other subsequent Acts that added to and amended the 1990 Act.

He informed the Committee that the Law Commission is working on technical reforms to simplify and improve how the system works in practice and he outlined the response of the Local Planning Authority to the consultation. He stated that the responses to the consultation are being analysed by the Law Commission, who will produce a final report to the Welsh Government, which will inform the production of the new Planning Code, which was expected to receive Royal Assent in 2020.

RESOLVED: That the content of the report and the Local Planning Authority's response to the consultation be noted.

103. REPORT NOTIFYING MEMBERS OF THE WELSH GOVERNMENT'S CONSULTATION ON THE DRAFT PLANNING POLICY WALES (EDITION 10)

The Group Manager Development reported that the Welsh Government is proposing to revise Planning Policy Wales in light of the Wellbeing of Future Generations (Wales) Act 2015.

He informed the Committee that Planning Policy Wales had been re-structured into policy themes around the wellbeing goals and updated to reflect new Welsh Government strategies and policies. He stated that the consultation sought views on the new structure of Planning Policy Wales, the concept of place making and the new revised policy requirements. The consultation paper outlines the changes and should be read in conjunction with the draft PPW – Edition 10.

RESOLVED: That the content of the report and Draft Planning Policy Wales (Edition 10) be noted.

104. APPEALS

The Group Manager Development reported on appeals which had been decided since the last meeting of the Committee.

RESOLVED: (1) That the Inspector appointed by the Welsh Ministers to determine the following Appeal, has directed that the appeal BE DISMISSED and the enforcement notice be upheld subject to corrections and variations:

<u>Code No.</u>	<u>Subject of Appeal</u>
C/17/3180422 (1812)	Unauthorised storage of rubble Land north of Newmarket Works, Wyndham Street, Ogmere Vale

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

<u>Code No.</u>	<u>Subject of Appeal</u>
D/17/3190308 (1819)	Part 2 Storey, part single storey rear extension & development of existing garage into garden room 81 Ewenny Road, Bridgend

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

<u>Code No.</u>	<u>Subject of Appeal</u>
D/17/3190447 (1820)	Refurbishment of existing dwelling, new entrance porch, raise height of roof to accommodate loft conversion / second floor, vehicle parking Maesgwyn House, 63 Blackmill Road, Bryncethin

105. TRAINING LOG

The Group Manager Development reported on an updated training log.

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

106. URGENT ITEMS

There were no urgent items.

The meeting closed at 13:25