

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 25 AUGUST 2022

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD REMOTELY - VIA MICROSOFT TEAMS ON THURSDAY, 25 AUGUST 2022 AT 10:00

Present

Councillor RM Granville – Chairperson

H T Bennett	A R Berrow	RJ Collins	C L C Davies
H Griffiths	S J Griffiths	D T Harrison	M L Hughes
M R John	MJ Kearn	W J Kendall	J E Pratt
MJ Williams	R Williams		

Apologies for Absence

N Clarke and D M Hughes

Officers:

Rhodri Davies	Development & Building Control Manager
Gareth Denning	Policy Team Leader
Michael Pitman	Democratic Services Officer – Committees

27. DECLARATIONS OF INTEREST

Councillor J Pratt declared an interest in Agenda item 8 as a member of Porthcawl Town Council, but who takes no part in planning matters. He added that the applicant had contacted him by email asking him if he would give his support to the application. As a member of the Development Control Committee however, he advised the applicant that he could not do this, as he had to look at all agenda items impartially.

28. APPROVAL OF MINUTES

RESOLVED: That the minutes of a meeting of the Development Control Committee dated 14 July 2022, be approved as a true and accurate record.

29. PUBLIC SPEAKERS

The following invitees exercised their right to speak on the undermentioned application:

<u>Application</u>	<u>Site</u>	<u>Public Speakers</u>
P/22/34/FUL	Former Blaenllynfi Infant School, Grosvenor Terrace, Maesteg	Councillor P Davies (Ward member & Objector) D Green (Asbri Planning (on behalf of the applicant))

30. 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.

31. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the summary of Development Control Committee Guidance as detailed in the report of the Corporate Director - Communities was noted.

32. P/22/34/FUL - FORMER BLAENLLYNFI INFANT SCHOOL, GROSVENOR TERRACE, MAESTEG

RESOLVED: (1) That having regard to the report, the applicant enters into a Section 106 Agreement to:

(i) Provide a minimum of 15% of the units as affordable housing with the type of units, location within the site and affordable tenure to be agreed by the Council.

(ii) Provide a financial contribution of £37,198 towards Education provision.

(iii) Provide a financial contribution of £11,380 towards Outdoor Sport provision in the vicinity of the application site.

(iv) Provide that members of the public will be allowed to use the active travel link through to Library Road via the private road in perpetuity.

Proposal

Residential development of 20 affordable dwellings and associated works.

(2) That the Corporate Director Communities be given delegated 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 contained in the report of the Corporate Director – Communities.

33. P/22/385/RLX - 2 SANDYMEERS, PORTHCAWL, CF36 5LP

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

Proposal

Remove Condition 2 (Use) of P/20/498/RLX

Condition 3 of the report, currently reads:

The building shall be used for holiday accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification). The holiday let shall be occupied for holiday accommodation only and shall not be occupied as a person's or persons' sole or main place of residence **and shall not be occupied by any person or persons for a period of more than 28 days in any 12 month period**. An up-to-date register shall be kept at the holiday accommodation hereby permitted and shall be made available for inspection by the Local Planning Authority

upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

The applicant is concerned that the highlighted sentence implies that nobody can stay at the holiday accommodation and, for the avoidance of doubt and confusion, the relevant sentence can be changed to:

and shall not be occupied by the same person or persons for a period of more than 28 days in any 12 month period.

Condition 1 should also be removed from the recommendation for any avoidance of doubt.

34. **APPEALS**

RESOLVED: (1) That it be noted that the inspector appointed by the Welsh Ministers to determine this appeal directed that the appeal be allowed subject to conditions:

<u>Appeal Number</u>	<u>Subject of Appeal</u>
CAS-01413-L0P3D6 (1937)	Retention of the Stationing & Operation of an A3 Mobile Hot Food Retail Unit: Ward Jones, Horsefair Road, Waterton Industrial Estate, Bridgend

(2) That it be noted that the inspector appointed by the Welsh Ministers to determine this appeal directed that the appeal be allowed and the Enforcement Notice quashed:

CAS-01409-G4L2M2 (1938)	Alleged unauthorised Burger Van: Ward Jones, Horsefair Road, Waterton Industrial Estate, Bridgend
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35. **SECTION 106 AGREEMENTS, PLANNING OBLIGATIONS AND CONTRIBUTIONS**

The Strategic Planning Team Leader submitted a report, the purpose of which, was to provide Members with an update on existing Section 106 Planning Agreements and to outline the circumstances in which Planning obligations are sought.

The report provided some background information following which, in light of increasing pressures to ensure that the justification for seeking Planning Obligations was watertight, it is essential that the Authority has appropriate Local Development Plan (LDP) policies in place to provide the basis for entering into negotiations with applicants. Policy SP14 sets out the over-arching policy for securing Planning Obligations that address the infrastructural requirements of development, where these are deemed to be appropriate and have regard to development viability.

He confirmed that the policies in the LDP were further supported by various Supplementary Planning Guidance documents, including those detailed in paragraph 4.1 of the report.

A schedule of current Section 106 Agreements was appended to the report and broken down into the following topic areas:-

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- Education Facilities (Appendix 1 to the report),
- Affordable Housing (Appendix 2),
- Highways (Appendix 3) and
- Public Open Space (Appendix 4).

The Strategic Planning Team Leader concluded his submission, by confirming that such was the nature of the legislation governing Section 106 Agreements that the use of the various financial contributions needs to be defined at the point of negotiation with the developer. He added that, when such contributions are received, the relevant Service Areas are notified as they have ultimate responsibility for ensuring they are spent.

The Chairperson concluded debate on this item, by suggesting that if any Members have any observations to make on the report and in particular, its supporting information, then they contact the Strategic Planning Team Leader accordingly outside of the meeting.

RESOLVED: That the report be noted.

36. **TRAINING LOG**

RESOLVED: That the report of the Corporate Director – Communities outlining the Training Programme for Members in the coming months be noted. A Member requested that a further training session be convened at a future date on the subject of the Wellbeing of Future Generations (Wales) Act 2015 and the impact of this legislation upon the Development Control Committee and the wider planning system, which was agreed to be scheduled by Members.

37. **URGENT ITEMS**

None.

The meeting closed at 11:36