

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 2 MAY 2013 AT 2.00PM

Present:

Councillor H M Williams - Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
N Clarke	P N John	C E Rees	C Westwood
G W Davies	B Jones	J C Spanswick	R Williams
D M Hughes	C Jones	G Thomas	M Winter
C J James	D R W Lewis		

Officers:

D Llewellyn	-	Group Manager Development
J Parsons	-	Team Leader (West)
J Jenkins	-	Team Leader (East)
N Lloyd	-	Policy Team Leader
C Flower	-	Team Leader Technical Support
B Davies	-	Legal Officer
R Morgan	-	Transportation and Development Officer
A Carey	-	Transportation and Development Officer
A Rees	-	Senior Democratic Services Officer - Committees
J Monks	-	Democratic Services Officer - Committees (Electronic Back-up)

173 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:

Councillor P A Davies	Holiday
Councillor J H Tildesley	Other Council Business
Councillor R Young	Work Commitment

174 DATE FOR PROPOSED SITE INSPECTIONS

RESOLVED: That the date for site inspections (if any) arising from the meeting, or identified in advance of the next meeting of Committee by the Chairperson, be confirmed as Wednesday, 29 May 2013 (am).

175 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee of 4 April 2013, be approved as a true and accurate record subject to Councillor D R W Lewis' apologies for absence being recorded in minute no. 157 due to him attending a funeral.

176 LIST OF PUBLIC SPEAKERS

The Group Manager Development read out the name of the public speaker addressing the following application being considered at the meeting:-

<u>Name of Speaker</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
R J Roberts	P/13/104/FUL	Objector to the Application

177 DECLARATIONS OF INTEREST

The following declarations of interest were made:-

- Councillor C J James - P/13/150/FUL - Councillor James declared a personal interest as he had been contacted by an objector to this application and withdrew from the meeting during consideration of the item.
- Councillor N Clarke - A/13/23/ADV - Councillor Clarke declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters.
- Councillor C Rees - A/13/23/ADV - Councillor Rees declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters.
- Councillor B Jones - A/13/23/ADV - Councillor Jones declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters.
- Councillor R Williams - A/13/23/ADV - Councillor Williams declared a personal interest as a Member of Pencoed Town Council but took no part in the consideration of planning matters.
- Councillor G W Davies - P/13/104/FUL - Councillor Davies declared a personal interest as a Member of Llangynwyd Middle Community Council but took no part in the consideration of planning matters in planning matters.
- Councillor P N John - P/13/104/FUL - Councillor John declared a personal interest as a Member of Maesteg Town Council but took no part in the consideration of planning matters in planning matters. Councillor John also declared a prejudicial interest as the objector is known to him and withdrew from the meeting whilst the application was being considered.

178 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson announced that he had accepted the Development Control Committee 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.

179

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATIONS GRANTED CONDITIONALLY

RESOLVED: That the following applications be granted, subject to the conditions contained in the report of the Interim Corporate Director - Communities:-

Code No.                      Proposal

P/13/104/FUL                  Awelon, Maesteg Road, Llangynwyd, Maesteg – New Detached Dwelling.

Subject to the deletion of Condition 6 in the report

P/13/150/FUL                  12 Heol Cambrensis, Pyle, Bridgend – Permanent Change of Use of Part of Dwelling as a Hair Salon.

A/13/23/ADV                  Bridgend Northern Distributor Road / South Cornelly / Pencoed / Porthcawl – Lampost banners to advertise events being held with Bridgend County Borough Council & Other Tourism Information.

A/13/15/ADV                  The Tan Studio 6-8 Queen Street, Bridgend – Fascia Signs on Rear Elevations.

180

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION REFUSED

RESOLVED: That the following application be refused for the reason contained in the report of the Interim Corporate Director - Communities:-

Code No.                      Proposal

P/13/135/FUL                  Ty Talwyn Farm, Ffordd Y Gyfraith, Bridgend – Proposed Detached Garage & Minor Extension of Residential Curtilage.

The Legal Officer advised the Committee that he had spoken to a Member of the Committee in relation to this application and that the Member had stated that he had not sought to influence the Committee and neither had he pre-determined the application.

181

P/11/798/FUL RESIDENTIAL DEVELOPMENT OF 44 NO. DWELLINGS FORMER MAESGWYN HOSPITAL, HIGHLAND AVENUE, BRYNCETHIN

The Group Manager Development reported that this Committee had granted planning permission for the re-development of the former Maesgwyn Hospital site on 18 December 2012 subject to a Section 106 agreement which required amongst other things that the developer provide a financial contribution of £179,443 towards the provision of primary school education.

He stated that a request had been received from the developer to revise a number of house types on the approved estate layout which proposed reducing the number of bedrooms within a number of the units for affordable housing, due to the changes introduced under the Welfare Reform Act 2012. The housing association required

smaller properties as they will have a number of sole occupants to house and / or re-house out of existing properties and the need to comply with the Welfare Reform Act. The changes proposed to the house and flat types were minor and require only internal alterations. The developer was seeking a reduction in the education contribution from £179,443 to £163,130, with all other contributions remaining as agreed.

The Group Manager Development informed the Committee that such a reduction was justified on the basis of the Council's Supplementary Planning Guidance.

RESOLVED: That the Committee accepted a reduction in the financial contribution towards the provision of primary school education from £179,443 to £163,130 and authorise a deed of variation to the Section 106 Agreement accordingly.

182 APPEALS RECEIVED

RECEIVED: That the Appeals received since the last meeting of the Development Control Committee be noted.

183 APPEALS DECISIONS

RESOLVED: (1) That it be noted that the Inspector appointed by the National Assembly for Wales to determine the following appeals has directed that they be DISMISSED:

Code No.

Subject of Appeal

A/13/2191926 (1711) Alterations & Extensions to dwelling to provide increased accommodation: Redroofs, Bryneglwys Avenue, Porthcawl.

A/13/2193691 (1714) 8 Pangbourne Close, Porthcawl

(2) That it be noted that the Inspector appointed by the National Assembly for Wales to determine the following Appeal has directed that it be ALLOWED and is varied by deleting condition No. 1 which this appeal relates:

A/13/2192834 (1713) Garage to side: Riverside Waterton Lane, Bridgend (Conditional Consent)

184 COMPLAINTS RECEIVED ABOUT THE PLANNING SERVICE 2012 – 2013

The Group Manager Development submitted a report, which advised that 11 formal complaints had been received by the Planning Service during 2012/13 about the actions of the Local Planning Authority, compared with 15 complaints received during the previous twelve month period in 2011/12.

He highlighted details of the complaints and the settlements in the County Borough they originated from. The Development Control Section dealt with over 840 applications, 1228 preliminary enquiries, 431 enforcement complaints and dispatched over 9,490 neighbour notification letters during 2012/13. This evidenced that the number of complaints received, formed a small fraction of the overall work of the Section.

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

185 COMMUNITY INFRASTRUCTURE LEVY (CIL) UPDATE

The Group Manager Development reported that Cabinet had approved the commissioning of an exploratory study and a Consultant had been appointed to undertake a study of operating a Community Infrastructure Levy (CIL) in the County Borough. He stated that since the matter had last been reported to this Committee in December 2012, the Department of Communities and Local Government (DCLG) had issued a new statutory guidance note on CIL to replace the previous guidance note issued in March 2010 and in April 2013 the DCLG launched a consultation on further reforms to the levy.

The Group Manager Development summarised the principles of the CIL Guidance note, which alters the emphasis on demonstrating that CIL will not only protect the economic viability of development but also demonstrate how the proposed CIL rates will contribute to the implementation of the Local Development Plan. He stated there was a consistent thread in the new guidance to be more specific about how CIL will deliver infrastructure and in particular how CIL will function in tandem with Section 106 Agreements in a way that will ensure development and plan delivery.

The Group Manager Development reported on the key changes in the consultation document aimed at providing more clarity over how the charge is set, its relationship with Section 106 Agreements and greater local choice over how the charge is implemented.

The Group Manager Development informed the Committee that in addition to the two documents, the Welsh Government had written to all local authorities in Wales to draw attention to UK Government announcements on two specific elements of CIL, namely, on affordable housing and a 'meaningful amount' for local communities.

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

186 UPDATE ON THE ATLANTIC ARRAY WIND FARM PROPSAL

The Group Manager Development reported on an update on the Atlantic Array offshore wind farm proposal, in that the total area of the proposal had been reduced to 200 square kilometres from 238 kilometres, with the maximum number of turbines reducing from 278 to 240. He stated that the reduction in the site area would result in the development being moved further away from the Bridgend coastline with the site being approximately 48 kilometres away from Hutchwns Point, Porthcawl. It was likely that an application would be submitted to the Planning Inspectorate for determination in June 2013, whereupon the Council will be formally consulted.

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

187 ANNUAL REVIEW OF DECISIONS

The Group Manager Development submitted a report in respect of an annual review of implemented planning decisions undertaken as part of the training process for Members. He stated that Members had previously agreed to review the Porthcawl Regeneration Development once construction was underway. Members had last year visited the SA1 development in Swansea with a view to it being of assistance to inform decisions on future planning applications within the Porthcawl Regeneration Area. Whilst the first phase of the regeneration development had not yet started, work had commenced on the refurbishment of the Porthcawl Harbour, lock gate and

lighthouse and there were a number of other completed and on-going projects in the Porthcawl area of interest to Members.

He recommended that the Committee undertake visits to the new apartment developments at the Seabank Hotel and Locks Common; new dwellings at Sanderling Way and New Road; the Piccolo Bar extension and the refurbishment of the Porthcawl Harbour and lighthouse as part of the annual review of decisions.

RESOLVED: That the Interim Corporate Director - Communities arrange the site review visit on a date to be advised.

188 TRAINING LOG

The Group Manager Development reported on an updated and amended training log as per the amendment sheet and on topics and speakers of training sessions yet to be arranged.

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

189 DEVELOPMENT CONTROL, APPEAL, ENFORCEMENT AND BUILDING CONTROL QUARTERLY STATISTICS

The Committee received a report which provided statistical information for the period 1 January to 31 March 2013.

The Group Manager Development reported on the number and the types of applications determined. He stated that the Authority had processed 85% of the applications within eight weeks. He also reported on the applications determined within six weeks and on the reasons for the undetermined applications over thirteen weeks. He stated that the Authority's performance for this quarter continued to exceed the Government target of determining 80% of applications within an eight week period.

The Group Manager Development also reported on Appeals, Building Control and Enforcement statistics.

- RESOLVED:
- (1) That the report of the Interim Corporate Director - Communities in relation to planning applications for the period 1 January to 31 March 2013 and progress regarding Section 106 Agreements be noted.
  - (2) That the appeals statistics for 1 January to 31 March 2013 be noted.
  - (3) That the statistical report on Building Control for 1 January to 31 March 2013 be noted.
  - (4) That the quarterly report on statistical information relating to Unauthorised Development and Enforcement Procurement be noted.

190 DEVELOPMENT CONTROL, APPEAL, ENFORCEMENT AND BUILDING ANNUAL STATISTICAL REPORT

RESOLVED: That consideration of the Annual Statistical report be deferred until the next meeting of the Committee.

191 YSGOL BRYN CASTELL, BRIDGEND DEVELOPMENT AND PLANNING BRIEF

The Policy Team Leader presented a report which sought the approval of the Ysgol Bryn Castell Development and Planning Brief as a material consideration in the determination of future planning applications for this site.

He stated that the present Ysgol Bryn Castell will be co-located with the Pupil Referral Unit and other specialist education support services to the site of Ogmores Comprehensive School as part of the School Modernisation and Education Inclusion Programme. The result of this proposal is that the entire 13.7 acres / 5.5 hectares Ysgol Bryn Castell School site will be available for alternative use or disposal, with a potential disposal generating a significant capital receipt, to be reinvested into educational provision within the County Borough. In advance of the move to the Ogmores Comprehensive School site, a decision has been made that part of the land, comprising of 4.4 acres / 1.8 hectares of informal grassland to the north-west of the existing school buildings and currently not in use as part of the school's operation had been surplus to the requirements of the Children's Directorate. To assist in the disposal and future development process of this Phase 1 part of the site, a Development and Planning Brief has been commissioned by Property Services and undertaken by GVA.

The Policy Team Leader reported that the Development Brief considered the context of the redevelopment of the site and a range of technical reports and studies that had been commissioned to draw together and inform and define a number of development parameters and design principles, which can be used to guide the sites' redevelopment. He presented an overview of the site together with the overarching design principles and parameters for the site, together with likely key planning obligations that would be sought in connection with its redevelopment. On a point of detail he advised that Paragraph 5.4, bullet point 6 (page 22) be amended as follows.

- Off street parking will be provided in accordance with SPG17: Parking Standards.

RESOLVED: That the Ysgol Bryn Castell Development and Planning Brief as amended in paragraph 5.4 be approved as Development Control Guidance to be used as a material consideration in the determination of future planning applications for the site.

The meeting closed at 3.34pm.