

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 21 AUGUST 2014 AT 2.00PM

Present:

Councillor H M Williams - Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
G W Davies MBE	D R W Lewis	C E Smith	C Westwood
P A Davies	H E Morgan	J C Spanswick	R Williams
R M James	C E Rees	J H Tildesley MBE	R E Young
R C Jones			

Officers:

D Llewellyn	-	Group Manager Development
J Parsons	-	Development and Building Control Manager
J Jenkins	-	Development Control Team Leader
R Morgan	-	Transportation Development Control Officer
P Stanton	-	Service Manager – Environmental Health
R Jones	-	Legal Officer
C Flower	-	Team Leader – Technical Support
J Monks	-	Democratic Services Officer – Committees (Minutes)
A Rees	-	Senior Democratic Services Officer – Committees (Electronic Back-up)

442 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor B Jones	-	Work Commitments
Councillor D G Owen	-	Work Commitments
Councillor M Thomas	-	Holiday

443 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 the Committee by the Chairperson, was confirmed as Wednesday, 17 September 2014 (am).

444 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Development Control Committee held on 24 July 2014 were approved as a true and accurate record.

445 LIST OF PUBLIC SPEAKERS

There were no public speakers.

446 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor H E Morgan	-	P/14/354/RES – Councillor Morgan declared a prejudicial interest as he had predetermined the application. Councillor Morgan left the meeting during this item.
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- Councillor C E Rees - P/14/444/FUL – Councillor Rees declared a personal interest as a Member of Porthcawl Town Council but who takes no part in planning matters.
- D Llewellyn - P/14/444/FUL – D Llewellyn, the Group Manager Development, declared a prejudicial interest due to his friendship with the Agent.

447 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 may require to be accommodated.

448 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION GRANTED CONDITIONALLY

**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>
P/14/444/FUL	Rear of gardens 2 and 4 Rockfields Close, Porthcawl – New dwelling with garage.

Subject to the inclusion of additional Condition 10:

10. No development shall commence until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the agreed details.

**Reason:** To ensure that general amenities are protected.

That Condition 4 of the report to be replaced with the following amendment:

4. Notwithstanding the submitted block plan there shall be no common boundary structure for a distance of 10 metres (measured from the back edge of the footway) between the proposed and replacement accesses.

**Reason:** In the interests of highway safety.

449 TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING APPLICATION FOR RESERVED MATTERS

**RESOLVED:** That the following application for reserved matters be granted, subject to the conditions contained in the report of the Corporate Director – Communities:

<u>Code No.</u>	<u>Proposal</u>
P/14/354/RES	Land at Island Farm, Bridgend - Indoor tennis centre with 12 external Tennis Courts, viewing areas, landscaping, car parking and associated works.

That the following conditions in the report be revised as follows:

3. All hard and soft landscape works (Drawing No: DLA-1561 (02) 01 AND 02) shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of the part of the development, or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.

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

9. "No development shall take place until Noise Assessments have been submitted to and agreed in writing by the Local Planning Authority relating to..."
13. No development shall take place until a Construction Method Statement has been submitted to, and agreed in writing by the Local Planning Authority. The Statement shall provide for the:
- i. Parking of vehicles of site operatives and visitors
  - ii. Loading and unloading of plant and materials
  - iii. Storage of plant and materials used in constructing the development
  - iv. Measures to control the emission of noise, dust and dirt during construction
  - v. Provision of temporary traffic and pedestrian management along Classified Route A48
  - vi. Establishment of the construction route

The agreed Statement shall be adhered to throughout the construction period.

**Reason:** In the interests of highway safety.

15. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of 136 off street parking spaces and 8 disabled parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety.

450 APPEALS RECEIVED

RESOLVED: That the Committee noted the Appeals received since the last meeting.

451 P/13/246/OUT - LAND AT BRACKLA INDUSTRIAL ESTATE, BRACKLA, BRIDGEND

The Group Manager - Development presented a report to inform the Committee that at its meeting on 1 May 2014, the recommendation for the above application was to enter into a Section 106 Agreement, subject to the conditions contained in the report of the Corporate Director - Communities, presented at that meeting.

In progressing the related Section 106 Agreement, the minutes of the Committee meeting were reviewed and it was noted that Clause (ii) of the recommendation had not been included, and Clause (iii) had been repeated. It was therefore necessary to seek the Committee's authority to correct the minute.

RESOLVED: That Minute 395 of the meeting of the Development Control Committee held on 1 May 2014 be amended to read as follows:

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 106 AGREEMENTS

RESOLVED: That having regard to the following application, the applicant be required to:

- (i) Provide a financial contribution on the commencement of development of £317,000 towards enhanced highway, pedestrian, cyclist traffic calming facilities and traffic orders on the local highway network, including works to Heol Simonston, Coychurch Road, Wyndham Close and Church Acre.
- (ii) Provide a financial contribution in accordance with the Educational Facilities SPG formula towards the provision of additional nursery and primary school places in the schools serving the development; this figure being dependent on the final development mix and numbers with contributions provided on a pro-rata basis.
- (iii) Provide a financial contribution on the commencement of development towards the provision of a Neighbourhood Equipped Area of Play, public open space and associated facilities to serve the proposed residential development in the North East Brackla Development Area, the monetary contribution being based on the most up to date formula for the calculation for equipped play areas, recreational facilities and open space, based on the number of dwellings.
- (iv) The following noise mitigation measures to implement at the BEI lighting site prior to commencement of any phase of the residential development:

Reduce the noise from the paint extract and smaller extract fans identified in the above noise report to ensure that the rating level from the extract fans when operating together does not exceed 43dBA when measured as a 1 hour LAeq at the boundary of any residential premises, (i.e. a reduction of 8dB is required) Relocate the current loading area away from the top of the site as indicated as position D on page 6 of the above Noise Report. Additional sound insulation measures to the office building such as installation of acoustic/secondary glazing with passive or mechanical ventilation to comply with the ventilation rates specified in the Building regulations with the office windows closed will also be required. The forklift truck and side loader tonal reversing beepers shall be replaced with white noise beepers.

452 APPROVING NON-MATERIAL AMENDMENTS TO AN EXISTING PLANNING PERMISSION

The Development and Building Control Manager presented a report to inform Members of the Town and Country Planning (non-Material Changes and Correction of Errors)(Wales) Order 2014, which is due to come into effect on 1 September 2014. This enables Section 96A of the Town and

Country Planning Act 1990 to provide the mechanism to approve non-material amendments to an existing planning permission.

He advised that this follows recent legislative changes by the Welsh Government to essentially introduce a formal system of agreeing non-material amendments to existing planning permissions. He informed the Committee that there were currently 25 planning authorities in Wales, each with their own independent in-house protocol for determining minor amendments to approved planning consents. The new Act introduces a statutory procedure to allow a "non-material amendment" to be made to an existing planning permission via an application procedure. An application under the new procedure will involve the payment of a fee by the Applicant and the Authority should decide an application within 28 days.

He advised that a decision as to whether an amendment was non-material would depend on the circumstances relevant to each specific application. He added that essentially the new Order would not alter the way the Council currently approaches these issues, and the criteria used would still apply when determining whether a proposed change is non-material in nature.

RESOLVED: That the Committee noted the contents of the report.

453 DEVELOPMENT CONTROL COMMITTEE - FUTURE MEMBER TRAINING ARRANGEMENTS AND COMMITTEE START TIME

The Group Manager - Development presented a report to allow Members the opportunity for an open discussion on the timing of future training arrangements for Development Control Committee meetings.

RESOLVED: That following a vote by a show of hands it was agreed to continue the commencement of meetings at 2.00pm, with the training sessions commencing at 12.45pm.

454 TRAINING LOG

The Group Manager advised Members that as a result of the Committee having established the start times of training sessions, he could now arrange the dates for the topics and speakers at future training sessions, in include the following two provisional sessions due to take place in the Autumn:

- Annual Review of planning decisions – Bridgend and Maesteg Regeneration Projects
- Life of a Planning Application

RESOLVED: That the Committee noted the report.

The meeting closed at 2.43pm.