

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 7 JUNE 2018

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 7 JUNE 2018 AT 14:00

Present

Councillor G Thomas – Chairperson

| | | | |
|--------------|------------|--------------|-------------|
| JPD Blundell | DK Edwards | RM Granville | MJ Kearn |
| DRW Lewis | JE Lewis | JC Spanswick | T Thomas |
| MC Voisey | KJ Watts | CA Webster | AJ Williams |

Apologies for Absence

SK Dendy and A Williams

Officers:

| | |
|----------------|---|
| Rhodri Davies | Development & Building Control Manager |
| Craig Flower | Planning Support Team Leader |
| Tony Godsall | Traffic & Transportation Manager |
| Julie Jenkins | Team Leader Development Control |
| Rod Jones | Senior Lawyer |
| Ingrid Lekaj | Trainee Solicitor |
| Robert Morgan | Senior Development Control Officer |
| Michael Pitman | Business & Administrative Apprentice |
| Andrew Rees | Senior Democratic Services Officer - Committees |
| Kevin Stephens | Democratic Services Assistant |
| Leigh Tuck | Senior Development Control Officer |

118. MR TONY GODSALL

The Chairperson announced that Mr Tony Godsall, Traffic and Transportation Manager would be attending his last meeting of the Committee prior to his retirement.

Members of the Committee thanked Mr Godsall for his service to the authority since 1999 and in particular his advice to the Committee and wished him well for a long and happy retirement. Mr Godsall responded by thanking the Committee for its support and for being receptive to his advice.

119. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor DRW Lewis declared a personal interest in agenda item 8 – Planning Application P/17/1073/FUL as he has relatives living nearby to the application site.

Councillor JP Blundell declared a personal interest in agenda item 9 – Planning Application P/17/824/FUL as a member of Laleston Community Council but takes no part in the consideration of planning matters.

Councillor JE Lewis declared a personal interest in agenda item 8 – Planning Application P/17/1073/FUL as she has relatives living nearby to the application site.

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120. SITE VISITS

RESOLVED: That a date of Wednesday 18 July 2018 be confirmed for proposed site inspections arising at the meeting or identified in advance of the next Committee meeting by the Chairperson.

121. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee of 26 April 2018, be approved as a true and accurate record.

122. PUBLIC SPEAKERS

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

| <u>Planning Application No.</u> | <u>Speaker</u> |
|---------------------------------|--|
| P/17/1073/FUL | Councillor A Hussain (Objector) |
| P/17/1073/FUL | Mrs K Lang (Objector) |
| P/17/1073/FUL | Mr L Grattarola (on behalf of the applicant) |

123. AMENDMENT SHEET

RESOLVED: 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.

124. P/17/1073/FUL - LAND OFF ALL SAINTS WAY, PENYFAI

RESOLVED: That the following application be deferred as Committee were not happy to approve the application on the basis of the information before them and required further information on drainage and land stability be reported to the next meeting of the Committee for consideration.

Proposal

Residential development of 20 dwellings including 3 affordable dwellings plus access, car parking, open space, landscaping, drainage and associated engineering works

Conditions 5,6 and 7 were amended as follows:

Conditions 5, 6 and 7 which relate to removing permitted development rights should refer to the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) rather than the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

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125. P/17/824/FUL - AR GRAIG, LALESTON

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

Proposal

Change of use of the land from residential to a mixed use for residential and a dog breeding business and the erection of a new building for a dog breeding facility

Condition 7 was amended as follows:

Condition 7, which relates to removing permitted development rights, should refer to the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) rather than the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

126. P/18/63/FUL - LAND OFF DYFFRYN MADOC, MAESTEG

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

Proposal

Erection of agricultural barn

127. APPEALS

The Development and Building Control Manager presented a report, on Appeals received since the last Committee meeting.

RESOLVED: That the following Appeals received since the last meeting, be noted:-

Code No

Subject of Appeal

A/18/3200227 (1828) Conversion of 3 lock-up garages into a small shop garages to rear of 67 John Street, Porthcawl

A/18/3200555 (1829) New dwelling land off Albany Road, Pontycymmer

D/18/3201727 (1830) Retention of decking to the rear of the property 9 Bryn Cottages, Pontyrhyl

A/18/3202759 (1831) New three bedroom dwelling land at 49 Albany Road, Pontycymmer

128. BCBC RESPONSE TO THE WELSH GOVERNMENT CONSULTATION ON DRAFT PLANNING POLICY WALES (EDITION 10)

The Development and Building Control Manager referred to the meeting of the Committee of 15 March 2018 wherein Welsh Government proposals to revise Planning Policy Wales in light of the Wellbeing of Future Generation (Wales) Act 2015 were reported.

He reported that the consultation period on the Draft Planning Policy Wales: Edition 10 expired on 18 May 2018. The consultation sought views on the new structure of Planning Policy Wales, the place making concept and the new or revised policy requirements and 36 specific questions relating to the draft document. He outlined the responses submitted by the Local Planning Authority and the Building Conservation and Design Team.

RESOLVED: That the content of the Council's consultation responses to the Draft Planning Policy Wales (Edition 10) be noted.

129. **SCHEDULE 3 OF THE FLOOD AND WATER MANAGEMENT ACT 2010 - THE MANDATORY USE OF SUDS ON NEW DEVELOPMENTS AND THEIR APPROVAL AND ADOPTION BY THE SUDS APPROVING BODY (THE SAB)**

The Development and Building Control Manager reported that the Welsh Government is proposing a policy objective to deliver effective, multipurpose SuDS (Sustainable Drainage Systems) in new developments that will be maintained for the life-time of the developments they serve. He stated that for every new development from January 7th 2019 surface water drainage systems will have to be approved by a SAB. The Welsh Ministers expect SABs to seek an overall reduction in, or significant attenuation of, surface water volumes reaching public sewers and combined systems as part of the aim of 'Ensuring the stability and durability of drainage systems' in a sustainable way.

The Development and Building Control Manager also reported that the SuDS Approval Process will be separate from, but coincidental with, the Planning Process but the developer would not be able to commence works until both forms of approval are secured. He stated that the Commencement Order was signed 1 May 2018 and will become law from 7 January 2019. He stated that surface water flooding is a serious problem, identified in the National Strategy for Flood and Coastal Erosion Risk Management as a major cause of flooding of homes and the impact on citizens, communities and cost to the Welsh economy is significant. The risk of flooding is on the rise owing to climate change and urbanisation. He stated that the responsibility for delivery of the SAB functions rests with the 22 Local Authority's in Wales alongside their duties as Lead Local Flood Authorities (LLFAs).

The Development and Building Control Manager reported that Schedule 3 of the Flood and Water Management Act 2010 (the 2010 Act) provides a framework for the approval and adoption of surface water systems serving new developments. It does not apply retrospectively to retrofit existing drainage systems. He stated that the Welsh Government consulted on its implementation from May to August 2017 and a further consultation on the Statutory Instruments required to deliver this followed the announcement in November 2017 by the Cabinet Secretary of the intention to introduce the Schedule 3 requirements for new developments.

RESOLVED: That the Committee noted the content of the report and the implementation of Schedule 3 of the 2010 Act as law from 7 January 2019 onwards.

130. **ENFORCEMENT AND ADVERTISEMENTS**

The Development and Building Control Manager reported that the display of advertisements is subject to a separate consent process within the planning system and they are controlled with reference to their effect on amenity and public safety only and is principally set out in the Town and Country Planning (Control of Advertisements) Regulations 1992.

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He informed the Committee in 2017; the Enforcement Officer investigated 51 cases where advertisements were being displayed without the appropriate consent. He stated that this is a criminal offence and the companies concerned were advised that they were contravening the Advertisement Regulations with a Caution also being issued. In the majority of cases the advertisements were removed however, where they were not removed the matter was referred to the Legal Section for prosecution. He outlined the results of the prosecutions taken by the Legal Section in March 2018.

RESOLVED: That the report be noted.

131. TRAINING LOG

The Development and Building Control Manager reported on an updated training log and advised that future training will be formulated soon.

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

132. DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

The Corporate Director – Operational and Partnership Services submitted a report, the purpose of which, was for the Development Control Committee to nominate three Members to form the Committee’s Site Visit Panel, which is to comprise of the Chairperson, Vice-Chairperson and a third Members, and also to nominate a reserve Member to sit on the Panel should any of the three nominated Panel Members be unavailable.

RESOLVED: That the Committee nominated the following Members to sit as its Site Visit Panel:-

- Chairperson of the Development Control Committee
- Vice-Chairperson of the Development Control Committee
- Councillor C Webster (Third Member)
- Councillor DRW Lewis (Reserve Member)

133. NOMINATION AND APPOINTMENT TO THE RIGHTS OF WAY SUB-COMMITTEE

The Corporate Director – Operational and Partnership Services presented a report, the purpose of which was to nominate and appoint Members to the Rights of Way Sub-Committee.

RESOLVED: That the Committee nominated the following Members to form the Rights of Way Sub-Committee:-

- Chairperson of the Development Control Committee
- Vice-Chairperson of the Development Control Committee
- Councillor R Stirman
- Councillor C Webster
- Councillor DK Edwards
- Councillor T Thomas

134. URGENT ITEMS

There were no urgent items.

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The meeting closed at 15:59