

REPORT TO DEVELOPMENT CONTROL COMMITTEE

16 January 2020

REPORT OF THE GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

BRIDGEND COUNTY BOROUGH COUNCIL LOCAL PLANNING AUTHORITY

END OF YEAR REPORT - PLANNING PERFORMANCE 2019

1. Purpose of Report

- 1.1 Members were last updated on the performance of the Planning Section on 14 February 2019 and Officers reported the Annual Performance Report for 2018/2019 to Members in December.
- 1.2 The following statistical reports/information are attached as Appendices for Members information:-
 - Appendix A - **Section 106**
 - Appendix B - **Appeals**
 - Appendix C - **Enforcement**
 - Appendix D - **Building Control**
 - Appendix E - **Town/Community Council Survey**
 - Appendix F - **DM Quarterly Survey Jan-Sept 2019**
 - Appendix G - **Performance Framework Jan - Sept 2018**
 - Appendix H - **Complaints**

2. Connection to Corporate Improvement Plan/Other Corporate Priorities

- 2.1 The delivery of the County Borough's statutory Planning function has links to the Council's corporate priorities in particular number 1 – supporting a successful economy.

3. Background

- 3.1 This report provides Members with an update of the performance of the Section during the calendar year (2019) when compared to 2018 and previous years. A short summary of this report will be provided at the Member Training session on 16 January 2020.
- 3.2 Members will recall the Annual Performance Report (APR) for 2018-2019 being reported to Committee at the previous meeting (5 December 2019). The APR is part narrative and part statistical and outlined the performance of Bridgend CBC as a Local Planning Authority over the period 2018-19 against a number of key national indicators and benchmarks.
- 3.3 This Report and Appendices provide more detailed and up to date figures for the service on issues such as Section 106 Contributions, Complaints and Building Control etc.
- 3.4 The number of Planning applications determined in 2019 decreased from 920 in 2018 to 843 in 2019 and the number of major schemes determined has decreased from 23 to 17 in the same period.

3.5 Some of the key points arising from the collation of data for this report are:-

- **A reduction in Planning applications received from 934 in 2018 to 911 in 2019.**
- **A reduction in the percentage of applications determined within the required timescales from 88% in 2018 to 80% in 2019.**
- **The number of major applications received has decreased from 23 in 2018 to 17 in 2019.**
- **Whilst not a measure of performance, the total value of Section 106 contributions received in 2019 is £1.4 million compared to £569,088.65 in 2018 and £1.3 million in 2017.**
- **The number of appeals received has increased from 27 in 2017 and 22 in 2018 to 35 in 2019 which equates to approximately 2.6 appeals for every 100 applications although the appeal success rate has increased from 55% to 75%.**
- **During 2019, no applications for costs against the Council were upheld by the Planning Inspectorate (as was the case in 2018).**
- **The number of Enforcement complaints received in 2019 (334) is comparable to the number of complaints received in 2018 (307), 2017 (295) and 2016 (298).**
- **The overall number of complaints lodged against the Section has increased from 5 in 2018 to 14 in 2019.**
- **The average time taken to determine applications is 15 days less than the Wales average (65 days compared to the all Wales average of 80 days) for the first three quarters of 2019.**
- **The number of dangerous structures dealt with has almost quadrupled from the previous year.**

3.6 The normal customer satisfaction survey was replaced by a survey of Town and Community Councils in 2019.

4. Well-being of Future Generations (Wales) Act 2015

4.1 The Planning service operates in accordance with the 7 Well-being goals and the 5 ways of working as identified in the Act. The well-being goals and the duty have been considered in the production of this report. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the report.

5. Next Steps

5.1 Officers will produce a similar report at the end of each calendar year (as well as the APR) so that Members can examine the performance of the section against previous calendar years.

6. Recommendation

That Members note the content of this report.

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APPENDIX A

SECTION 106 ANNUAL STATISTICS - 2019

(The figures in brackets relate to 2018 and 2017 respectively)

This report describes progress on Section 106 Agreements. The report covers completed agreements, total obligations, total financial value and contributions received.

Members are no doubt aware that the Local Planning Authority has resolved to grant planning permission on several applications subject to Section 106 Agreements being entered into.

Once those Agreements have been signed the requirements will then be incorporated within this report.

1. Completed S106 Agreements = 15 (23) (19)

Date	Application Ref	Applicant	Location	Type	Sum
06/03/2019	P/18/410/FUL	WWHA	Bryn Bragl, Brackla	POS	£20,000
				Housing	1 unit
19/03/2019	P/17/195/RLX	Persimmon	NE Brackla - Site C	POS	On Site
13/03/2019	P/18/163/FUL	Penybont FC	Bryntirion Park, Llangewydd Rd	Highways	£8,000
01/04/2019	P/18/759/FUL	V2C	Heol y Cyw Primary School	Housing	3 units
				POS	£7,397
09/04/2019	P/18/711/FUL	Credu Charity	Maritime Centre, Cosy Corner, Porthcawl	Highways	£8,000
10/04/2019	P/13/937/OUT	Mrs James	Cwrt Coed Parc, Maesteg	POS	On Site
12/06/2019	P/18/235/OUT	Stratford Collins	Rookwood, Pyle	POS	£1,880
19/06/2019	P/18/908/FUL	V2C	Meadow Lane, Porthcawl	Housing	8 units
				POS	£16,476
19/06/2019	P/16/609/FUL	V2C	Woodland Av, Porthcawl	Housing	3 units
				POS	£8,510
				Community Facilities	Community Hall
02/07/2019	P/18/920/FUL	WWHA	Ronnies Commercials, Station Rd, Porthcawl	Housing	3 units
27/08/2019	P/19/30/RLX	Mayo Property	The Rest, Porthcawl	Housing	£370,000
				Highways	£63,136.62
19/09/2019	P/19/5/RLX	WWHA	Bryn Bragl, Brackla	Housing	2 units
30/09/2019	P/18/1003/FUL	Bridgend College	Steam Academy, Pencoed Campus	Highways	£75,000
14/11/2019	P/19/140/FUL	SW Police	SW Police HQ, Cowbridge Rd	Highways	£9,500
18/12/2019	P/18/139/FUL	Actseen	Bro Ewenny Nursing Home, Ewenny Rd	Housing	£329,440

2. Total Obligations = 21 (54) (38)

3. Total Financial Value = £917,339.62 (£5,557,154.43) (£1,625,174.62)

4. Contributions Received = 15 (15) (5)

Date	Application Ref	Applicant	Location	Type	Sum
05/04/2019	P/18/711/FUL	Credu Charity	Maritime Centre, Cosy Corner, Porthcawl	Highways	£8,000
11/04/2019	P/16/600/FUL	Linc Cymru	Extra Care Scheme, Heol Yr Ysgol, Tondu	POS	£11,461.38
11/04/2019	P/16/607/FUL	Linc Cymru	Extra Care Scheme, Bridgend Rd, Maesteg	Highways	£1,058.30
16/04/2019	P/18/293/FUL	Persimmon	Former Ogmores Comp School, Brynmenyn	Education	£440,660.77
16/04/2019	P/18/293/FUL	Persimmon	Former Ogmores Comp School, Brynmenyn	Housing	£730,850.60
16/04/2019	P/18/293/FUL	Persimmon	Former Ogmores Comp School, Brynmenyn	POS	£4,230
12/06/2019	P/18/235/OUT	Stratford Collins	Rookwood, Pyle	POS	£1,880
04/06/2019	P/18/174/FUL	Jehu	Former Pencoed Primary School	Education	£114,191
04/06/2019	P/18/174/FUL	Jehu	Former Pencoed Primary School	POS	£34,000
04/06/2019	P/18/174/FUL	Jehu	Former Pencoed Primary School	Highways	£7,000
16/08/2019	P/18/759/FUL	V2C	Former Heol y Cyw Primary School	POS	£7,397
19/09/2019	P/15/856/FUL	V2C	Ael-Y-Bryn, North Cornelly	POS	£10,810
19/09/2019	P/15/856/FUL	V2C	Ael-Y-Bryn, North Cornelly	Highways	£7,000
22/10/2019	P/16/606/FUL	Jehu	Former OCLP building, Bryntirion	Highways	£7,515.27
22/10/2019	P/16/606/FUL	Jehu	Former OCLP building, Bryntirion	POS	£9,082.75

5. Total Value Contributions Received = £1,395,137.07 (£569,088.65) (£1,326,589.09)

APPENDIX B

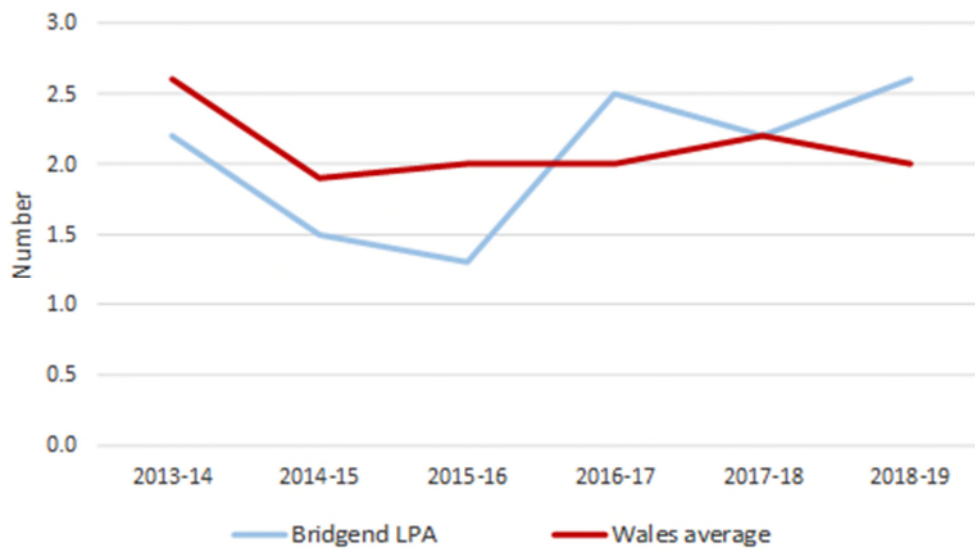
APPEAL STATISTICS – 2019

(Figures in brackets relate to 2018 and 2017)

	2019	2018	2017
1. NUMBER OF APPEALS RECEIVED DURING YEAR	35	28	27
<u>PROCEDURES</u>			
Written Representations	26	19	19
Hearing	3	1	1
Public Inquiry	0	2	1
Householder Appeal	4	6	5
Written Representations/Hearing	0	0	1
Commercial/Advert	2	n/a	n/a
2. <u>TYPES OF APPEAL RECEIVED</u>			
Appeal (Against Refusal of Planning Permission)	17	18	17
Householder Appeal	5	7	5
Appeal (Against condition/s of Approval)	2	0	0
Appeal (Against Non determination of application within statutory period)	1	0	0
Certificate of Lawfulness	0	2	0
Against issue of Enforcement Notice	10	1	5
Commercial/Advertisement Appeal	2	0	0
3. <u>APPEAL DECISIONS</u>			
Dismissed	11	15	9
Allowed	4	4	5
Part Allowed/Part Dismissed	-	-	-
Enforcement Notice Quashed	-	-	-
Enforcement Notice Upheld	4	-	-
Withdrawn	2	1	4
Invalid/Turned Away	2	-	1
No Further Action	-	-	-
4. <u>OUTSTANDING APPEALS</u>	6		
5.	100% of appeal statements were submitted within the period as prescribed by the Welsh Government.		
6.	During 2019, no applications for costs against the LPA were upheld by the Planning Inspectorate.		
7.	As stated in our latest Annual Performance Report for the period 2018-19, we received 25 appeals against our planning decisions (compared to 22 in 2017-2018 and 26 in 2016-2017), which equated to 2.6 appeals for every 100 applications received.		
8.	For 2019 alone, we have received 35 appeals against our planning decisions (compared to 28 in 2018 and 27 in 2017).		

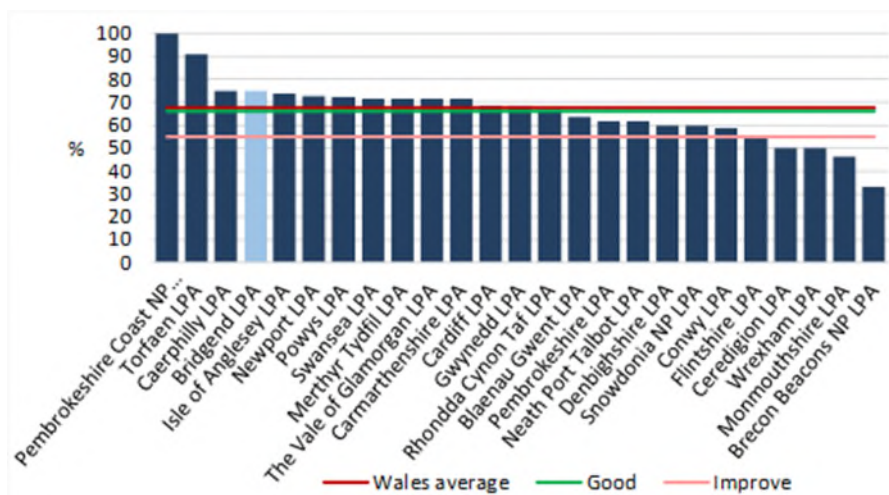
9. Figure 1 below shows how the volume of appeals received has changed over time and how this compares to the remainder of Wales.

Figure 1: Number of appeals received per 100 planning applications



10. Of the 24 appeals that were decided during the period 2018-2019, 75% were dismissed. As Figure 2 below shows, this was the third highest percentage of appeals dismissed in Wales and we were one of only 14 LPAs that reached the 66% target.

Figure 2: Percentage of appeals dismissed, 2018-19



APPENDIX C

ENFORCEMENT - Report for the Period 2019

(figures in brackets relate to 2018, 2017 and 2016 respectively)

The following information on enforcement cases investigated by the Department during this period is submitted for consideration.

The information is based on the Enforcement Section's compliance with the following performance indicators:-

1. Acknowledge receipt of written complaint in 5 working days.
2. Undertake site visit within 21 working days.
3. Advise complainant of outcome of investigation in 42 working days.
4. Resolve cases within 12 weeks.

There have been 334 (307) (295) (298) complaints received by the Department.

The complaints can be categorised as follows:-

	2019	2018	2017	2016
Non Compliance	21%	(22%)	(24%)	(28%)
Unauthorised adverts	7%	(14%)	(17%)	(6%)
Unauthorised building/works/uses	58%	(54%)	(51%)	(57%)
Untidy Land	10%	(7%)	(6%)	(6%)
High Hedges/tree works	4%	(3%)	(2%)	(3%)
Enforcement Notices/Breach of Condition Notices issued	20	(10)	(9)	(8)
Withdrawal Notices Issued	1	(-)	(2)	(1)
Enforcement Warning Notices issued	6	(-)	(4)	(0)
Planning contravention notices issued	32	(27)		
Section 215 issued	10	(1)		
Temporary Stop Notices issued	2			

100% of the complaints requiring acknowledgement have been acknowledged within five days of their receipt.

All sites that required a site visit have been inspected and 90% of the site inspections were undertaken within the prescribed twenty one-day performance standard.

In 81% of cases, where the complainant should have been advised of the outcome of the Department's investigations, the Department responded within forty-two days, compared to 76% last year.

Of the cases resolved in this period, 97% were resolved within 180 days compared to 98% last year. The target for this is 80%.

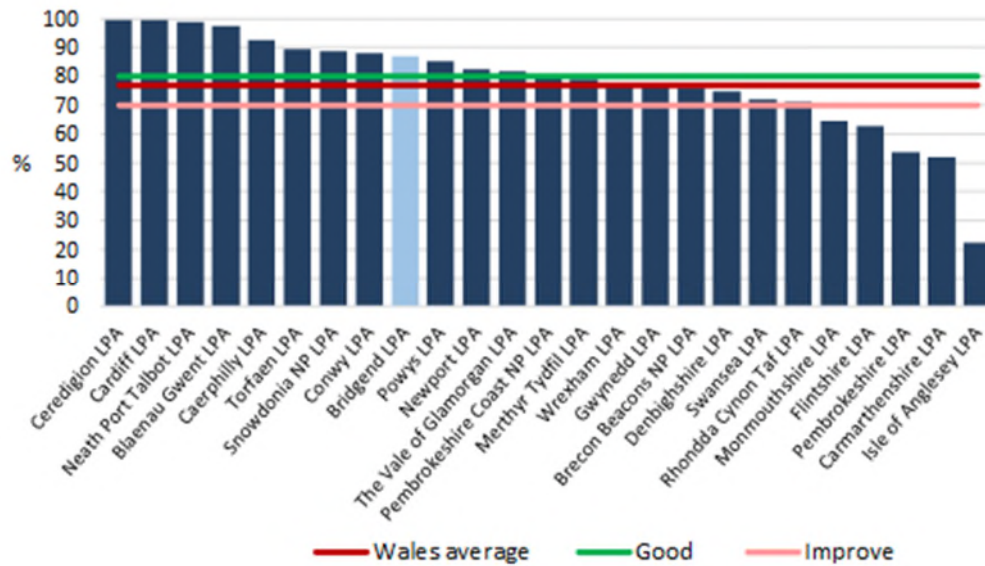
There have been 32 (39) (28) (31) retrospective applications received during this year of which 20 (18) (10) (20) were approved, 2 (4) (2) (5) refused, 9 (15) (16) (4) as yet undetermined and 1 (2) (0) (2) withdrawn/invalid.

Under the APR for 2018-2019 we investigated 337 (277) (271) enforcement cases, which equated to 2.3 per 1,000 population. This compared to 1.9 enforcement cases investigated per 1,000 population across Wales. We took, on average, 21 (32) (48) days to investigate each enforcement case.

We investigated 87% (82%) (85%) of these enforcement cases within 84 days. Across Wales 77% (81%) (85%) were investigated within 84 days.

Figure 1 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 1: Percentage of enforcement cases investigated within 84 days, 2018-19



Details of Enforcement Notices served and prosecutions for adverts etc. in 2019

ENF/280/16/A21 & ENF/281/16/A21

A Planning Contravention Notice was served on the owner. The owner failed to respond to the Notice and a reminder was sent.

The matter was heard in the Magistrates' Court on 19 October 2017 where the owner did not attend and the Court ruled in his absence.

The owner was sentenced to pay a fine of £440 and ordered to pay £400 legal costs and £44 victim surcharges making a total fine of £884. A letter was sent to the owner to remind him that he remains under duty to reply to the Notice.

No response to the Notice was received and the matter was referred back to the Magistrates' Court on 26 June 2018 where the Notice was completed and the conviction erased. A Section 215 Notice was issued in November 2018 and came into effect on 17 December 2018. The Notices were not complied with and both matters were heard in the Magistrates' Court on 18 April 2019 where the owner was sentenced to pay a fine of £660 and order to pay £350 costs and £33 victim surcharges making a total fine of £1,043 for each matter.

In respect of ENF/280/16/A21 the works to comply with the Section 215 Notice have been carried out in default however, consideration is currently being given to the service of a further Notice.

The matter covered by reference ENF/281/16/A21 was referred back to the Magistrates' Court on 30 August 2019 where the owner received a further fine of £800 and was ordered to pay costs of £350 and an £80 victim surcharge making a total fine of £1,230. This matter is currently under review.

ENF/217/17/ACK

No application was submitted to regularise an unauthorised fence even though an Enforcement Warning Notice had been served. The Notice sought the submission of an application or the reduction of the boundary fence to that allowed under the Town and Country Planning (General Permitted Development) Order and also to reduce the levels of the raised ground to the front and rear of the property to not more than 30cm above original ground levels.

The front fence was not removed as per the Enforcement Notice and the matter was referred to the Magistrates' Courts on 16 August 2018. The owner was found guilty and fined £115, £250 costs and £30 victim surcharge making a total of £395. A subsequent application was refused on 6 November 2018 and dismissed at Appeal. The rear boundary fence has been reduced in height however, the front fence remains in place and the matter was scheduled to be heard in the Magistrates' Courts on 25 January 2019. The owners did not attend Court and the Court was unable to prove in their absence. As such, the case was adjourned until 22 February 2019.

The case was due to be heard on 22 February 2019 but again the owners did not attend and the Court issued a warrant without bail. The owners were subsequently brought to the Court and the case was heard on 3 and 9 September 2019 where the owners pleaded guilty and subsequently were sentenced to pay a fine of £250 and ordered to pay £250 costs and £30 victim surcharges. The Notice has since been complied with.

ENF/249/18/ACK

A retrospective application to attempt to regularise the inclusion of land into the curtilage of a property and retain a wooden outbuilding and new access gates was refused on 20 December 2018. As such, a Material Change of Use Enforcement Notice was served on 3 January 2019. The Notice required the owner to cease the use of the land for domestic purposes and to remove and keep removed the wooden outbuilding, hot tub and decking from the land. The Notice took effect on 14 February 2019 allowing a period of 2 months for the works to be carried out. The Notice was complied with on 15 April 2019.

ENF/79/18/ACK

A retrospective application was submitted to attempt to regularise the change of use of land from agricultural to domestic garden and the application was refused on 20 December 2018. A Material Change of Use Enforcement Notice was issued on 2 January 2019. The Notice required the use for residential purposes to cease and the removal of all domestic items, including the decking and children's play equipment. It also required that 1m high fence be placed between the domestic garden and this area. An appeal was lodged against the refusal and the Enforcement Notice. On 5 May 2019 the appeal was dismissed and the Notice quashed.

ENF/120/18/ANC

An application to regularise changes to a new dwelling was refused on 12 November 2018. A Breach of Condition Notice was served on 12 February 2019 in relation to a breach of Conditions 1, 2 and 6 of an application to erect a detached five bedroom dwelling. The conditions related to the building being carried out in accordance with the approved plans, the agreement of materials to be used in the construction of the external surfaces of the building and the agreement of the boundary treatment. The Notice required the alteration of the roof tiles, window and door framework, fascias, soffits and bargeboards and the removal of a second floor window and walls, pillars and paving along the eastern boundary which was to be replaced with hedgerow. The refusal of the application was appealed on 28 March 2019 and was subsequently allowed on 2 July 2019. The Inspector imposed conditions on the approval which required the second floor window to be obscurely glazed and the walls, pillars and paving to be removed and replaced with hedgerow. These works were carried out on 8 October 2019.

ENF/260/18/ASN

An advertisement was being displayed within the County Borough advertising the business. A caution letter was issued to the Company on 26 October 2018 in respect of the banner type advertisement being displayed on the rear fence of 1 Clos y Bryn, Tondu, Bridgend. No response was received and the matter was heard in the Magistrates' Court on 25 January 2019 where the company was fined £440 and ordered to pay £377 legal costs and £44 victim surcharge, making a total of £861. The advertisement has since been removed.

ENF/261/18/ASN

An advertisement was being displayed within the County Borough advertising a business. A caution letter was issued to the Company on 26 October 2018 in respect of the banner type advertisement being displayed on fencing adjacent to the Enterprise Centre, Tondu, Bridgend. The matter was heard in the Magistrates' Court on 25 January 2019 where the company were fined £250 and ordered to pay £377 legal costs and £30 victim surcharge, making a total of £657. The advertisement has since been removed.

ENF/262/18/ASN

An advertisement was being displayed within the County Borough advertising a business. A caution letter was issued to the Company on 26 October 2018 in respect of the banner type advertisement being displayed on fencing adjacent to the Enterprise Centre, Tondu, Bridgend. The matter was heard in the Magistrates' Court on 25 January 2019 where the company were fined £250 and ordered to pay £377 legal costs and £30 victim surcharge, making a total of £657. The advertisement has since been removed.

ENF/20/19/ANC

A Breach of Condition Notice was served on 18 February 2019 in relation to a breach of Condition 4 of the Planning permission P16/472/FUL. The Notice required compliance with the stated condition by erecting a lockable gate or barrier across the access and egress to the CGI car park. A chain and lock were installed to prevent the car park being used out of the allowed hours which was considered to comply with the Notice.

ENF/23/19/ACK

A Breach of Condition Notice was served on 18 February 2019 in relation to a breach of condition 2 of P/16/379/FUL and condition 3 of P/16/833/FUL which related to the development being carried out in accordance with the approved plans. The Notice required the developer to remove the mound of soil from an area of land on the site and the surrounding area to be levelled. The Notice allowed a period of 4 months for the works to be carried out. This matter is to be heard in the Magistrates' Court on 7 February 2020.

ENF/241/18/ANC

An application to retain a dwelling as it had been built including a swimming pool and glazed panels above the boundary walls was refused on 27 February 2019 and as such, an Enforcement Breach of Condition Notice was issued on 28 February 2019 in relation to the breach of condition 1 which required the dwelling to be built in compliance with the approved plans, condition 6 which required the agreement of boundary treatment and condition 8 which removed permitted development rights to be able to erect any structures within the domestic garden area. The Notice required the developer to remove the swimming pool and backfill with soil and seed with grass, remove the downlights from the soffits/frieze board around the roof of the property and remove the glazed panels from the boundary enclosures. A Breach of Condition Notice was also served on 27 February 2019 in relation to a breach of condition 1 of P/17/1086/FUL in respect of the shape of the garage roof. The Notice required the developer to amend the garage roof to comply with that approved.

The Enforcement Breach of Condition Notice was appealed on 26 April 2019 and subsequently upheld on 2 August 2019 with the Inspector allowing the appeal on ground (c) insofar as it related to the downlights and varied the Notice by the deletion of requirement to remove the downlights. The swimming pool and glazed panels were required to be removed on or prior to 2 December 2019. The swimming pool and glazed panels were removed.

In respect of the Breach of Condition Notice served relating to the garage roof, the Inspector allowed this aspect of the building on the appeal against the refusal of Planning permission and as such no further action was taken in this respect.

ENF/151/18/A21

A Section 215 Notice was served on 4 March 2019 in relation to the overgrown garden of a property. The Notice required the owner to remove the vegetation at the western side of the property facing the lane, up to a minimum distance of 1m from the property and to remove the Ivy from the gable end of the property facing Warwick Crescent. The Notice was appealed on 12 April 2019 and the Inspectorate subsequently upheld the Notice on 29 July 2019 and varied part of the requirement to remove the vegetation growing on the western elevation of the dwelling (facing the lane/footpath) for a minimum of 1m from the elevation of the dwelling. The owner has since written to the department to advise that due to adverse weather conditions and being limited to undertake works on the weekend he has not been able to comply with the Notice. The Authority are now considering undertaking the works in default.

ENF/301/18/ANC

An application to approve the details for the balconies on a property was refused on 4 March 2019 and as the balconies were already in situ a Breach of Condition Notice was issued on 13 March 2019. The Breach of Condition Notice required the removal of the glazed balconies and replacement with black galvanised steel to comply with the drawing previously agreed. A further application was submitted with an amended scheme which was approved on 17 June 2019.

ENF/106/14/C

An application to retain the caravan on the land was refused on 15 March 2019 and as such, a Material Change of Use Enforcement Notice was served on the owner on 15 March 2019. The Notice required the owner to remove and keep removed the caravan and associated extensions from the land. The Notice allowed a period of 6 months for the works to be undertaken after the Notice took effect. The Notice took effect on 26 April 2019. A further application was submitted on 2 December 2019 with further information to be considered. The Enforcement case is currently on hold pending the outcome of the new application.

ENF/296/18/ANC

A Withdrawal Notice was served on 14 March 2019 to withdraw an Enforcement Notice served on 10 December 2018 relating to a property which had not been built in accordance with the approved plans. The Notice was withdrawn due to Planning permission being granted on 4 February 2019.

ENF/222/18/A21

A Section 215 Notice was issued on 5 November 2018 in relation to untidy land. The Notice required the removal of a blue container, materials and debris and the cutting back of vegetation. As the Notice was not complied with the matter was heard in the Magistrates' Court on 22 March 2019 where the owner was fined £145 and ordered to pay £500 costs and victim surcharge, making a total fine of £645.

The materials were cleared however, the container remained on the land and the matter was referred back to the Magistrates' Court where it was heard on 28 June 2019. The owner was fined a further £233 and ordered to pay £150 costs and £30 victim surcharge, making a total fine of £413. The container has since been removed.

ENF/246/17/ASN

This case relates to van solely being used for the purpose of advertising a business being parked on a grass verge adjacent to Penycae Roundabout, Cefn Hirgoed, Bridgend. The matter was heard in the Magistrates' Court on 15 March 2018 where the defendants were found guilty and fined accordingly. It was noted that the advertisement van returned to site early in 2019 and as such, a letter was sent to the owners advising that they did not have Advertisement Consent and to remove the van. As the van continued to be parked adjacent to the roundabout the matter was listed for Court on 22 March 2019 however, the owners were out of the country and the Hearing was adjourned until 18 April 2019. During the Hearing on 18 April 2019 the owners pleaded not guilty and a trial date was given for 31 May 2019. At this trial, one of the owners was found guilty and fined £900 and ordered to pay costs of £400 and £90 victim surcharge, making a total of £1,390. The van has since been removed.

ENF/75/19/ANC

A Temporary Stop Notice and a Breach of Condition Notice were served on the developer of land at Cefn Glas, Bridgend in relation to a breach of the operating hours conditions. The Notices required the developer to cease construction works outside the hours of 07:30 hours and 17:30 hours Monday to Friday, 07:30 hours and 13:00 hours on Saturdays and to cease all construction works on Sundays and/or Bank Holidays. The Notices were complied with.

ENF/204/18/ACK

An Enforcement Notice was issued on 30 May 2019 in respect of a container being stored within a domestic curtilage. The Notice required the owner to cease the use of the container for storage purposes and remove it from the land. The container was subsequently removed however, an application was received to retain a second container on this land which was being used for the preparation of takeaway food.

The application was refused on 31 July 2019 and as such, a further Enforcement Notice was issued on 19 September 2019. The Notice required the owner to cease the use of the container for the purposes of preparing and cooking food and to remove the container from the land. An appeal has been lodged against the refusal of the Planning application.

ENF/17/19/ACK

A retrospective application was submitted to attempt to retain a timber fence on the front boundary of a property. The application was refused on 17 May 2019 and as such, an Operational Development Notice was issued on 31 May 2019. The Notice required the owners to remove the timber fencing from the front boundary. On 17 July 2019 an appeal was lodged against the refusal of Planning permission which was subsequently dismissed on 24 October 2019. The owners are currently in dispute with the Planning Inspectorate as to the decision to dismiss the appeal.

ENF/49/19/ASN

Advertisements were being displayed around the County Borough advertising a building business. A caution letter was issued but no response was received. As the advertisements were not removed the matter was heard in the Magistrates' Court on 28 June 2019 where the company was found guilty. The Company were fined £1,500 and ordered to pay costs of £350 and £50 victim surcharge, making a total fine of £1,900.

Some of the advertisements were removed and others were either left or moved to other locations. The matter was referred back to the Magistrates' Court on 30 August 2019 where the Company was found guilty and fined £400, ordered to pay costs of £350 and £32 victim surcharge, making a total fine of £782.

It was again noted that whilst some advertisements were removed they were appearing in other locations within the County Borough. The matter was referred back to the Magistrates' Court on 29 November 2019 where the Company was again found guilty. The Company was fined a further £4,000 and ordered to pay costs of £350 and £400 victim surcharge, making a total fine of £4,750.

The advertisements still continue to be displayed around the County Borough and an Injunction is now being considered due to the flagrant disregard of the Advertisement Regulations.

ENF/199/16/ACK

A Temporary Stop Notice and a Breach of Condition Notice were issued on 2 July 2019 in relation to a breach of the hours of operation. The Notices required the Company to take steps to prevent the arrival and departure of lorries and vehicles with trailers and the loading/unloading of Heavy Goods Vehicles outside of the hours of 08:00 hours and 18:00 hours Monday to Saturday and not at all on Sundays, Bank and Public Holidays. The Notices were complied with.

ENF/82/19/ACK

A retrospective application to attempt to retain a balcony on the rear of a property at first floor level was refused on 27 June 2019 and as such, an Operational Development Enforcement Notice was issued on 10 July 2019. The Notice required the owner to remove the balcony and all resultant materials from the land. An appeal was lodged against the Notice and the refusal of Planning permission. The Inspectorate dismissed the appeal against the application and upheld the Notice however, a new application has been received with amended plans to attempt to overcome the reasons for refusal.

ENF/59/19/A21

A Section 215 Notice was served on the owner on 31 July 2019. The Notice required the owner to remove the old boarding and blue tarpaulin, to re-glaze the windows and doors on the ground and first floor levels, to replace the wooden barge boards and paint them black and to paint the concrete parts of the building (currently white) in black to match the door frame. No appeal was made against the Notice and the Notice has now taken effect. The owner is currently applying for grant aid to help fund the works.

ENF/150/19/ACK

A retrospective application was submitted in order to attempt to retain the conversion of a domestic garage into a beauty salon. The application was refused on 5 September 2019 and as such, an Operational Development Notice was issued on 19 September 2019. The Notice required the owner to cease the use of the garage as a beauty salon and remove all items from the garage which were in connection with the beauty salon. An appeal has been lodged and a decision is yet to be made.

ENF/309/18/ACK

A fence was erected around the boundary of a front garden in breach of the open plan condition. An application was subsequently submitted but not enough details were provided and as such the application has remained invalid. A Breach of Condition Notice was issued on 19 September 2019 requiring the removal of the fencing and to date the Notice has not been complied with. The matter is currently with the Legal Officer awaiting a Court Hearing date.

ENF/148/19/ASN

An advertisement was being displayed on the rear fence of a property in Sunnyside, Bridgend advertising a business. A caution letter was issued to the Company but the advertisement was not removed. The matter was heard in the Magistrates' Court on 27 September 2019 where the company was found guilty and fined £2,750 and ordered to pay £350 costs and £50 victim surcharge, making a total fine of £3,050. The Advertisement has subsequently been removed.

ENF/166/19/A21

A Section 215 Notice was issued on 1 October 2019 in respect of an overgrown front and side garden. The Notice required the cutting back of vegetation from the front and side garden area of the property and to remove the cut vegetation from the land. No appeal was lodged in respect of the Notice. The Notice took effect on 12 November 2019 and allowed a period of 28 days to undertake the work required. The vegetation has not been cut back and a Statement is being prepared for the matter to be considered for pursuit of prosecution in the Magistrates' Court.

ENF/248/19/ACK

A retrospective application to retain a hand car wash was refused on 17 September 2019 and as such, a Material Change of Use Enforcement Notice was issued on 2 October 2019. The Notice required the owners to cease the use of the land for a hand car wash and the removal of any items or machinery used in connection with the hand car wash from the land. An appeal has been made in respect of the refusal of Planning permission and the Notice. A decision on the appeal has not yet been made.

ENF/176/19/A21

A Section 215 Notice was issued on 15 October 2019 in respect of a property in poor condition. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was not appealed and took effect on 26 November 2019 allowing a period of 2 months for these works to be carried out.

ENF/194/18/ACK

An application to retain the use of the land for the stationing of caravans and a day room along with car parking was refused on 4 January 2019. A further application with amendments to attempt to overcome the reasons for refusal was also refused on 10 July 2019 and as such, a Material Change of Use Notice was issued on 19 September 2019. The Notice required the use of the land for the stationing of caravans and day room along with car parking to cease and the removal of the caravans and day/utility room and any resultant materials from their removal. An appeal has been lodged against the Notice but is currently being held in abeyance pending the outcome of a

newly submitted application which has provided further information to overcome the reasons for refusal.

ENF/273/19/A21

A Section 215 Notice was issued on 12 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was not appealed and took effect on 24 December 2019 allowing a period of 2 months for these works to be carried out.

ENF/277/19/A21

A Section 215 Notice was issued on 21 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was returned to the Authority and was re-served on 17 December 2019. The Notice takes effect on 4 February 2020 allowing a period of 3 months for these works to be carried out should an appeal not be made.

ENF/276/19/A21

A Section 215 Notice was issued on 21 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Department has been contacted to advise that the owner is not at the address where the Notice was issued and to date it has not been possible to trace the owner. Discussions are on-going with the Legal Department in respect of available options.

ENF/275/19/A21

A Section 215 Notice was issued on 21 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was not appealed and took effect on 6 January 2020 allowing a period of 3 months for these works to be carried out.

ENF/271/19/A21

A Section 215 Notice was issued on 21 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was not appealed and took effect on 2 January 2020 allowing a period of 3 months for these works to be carried out.

ENF/274/19/A21

A Section 215 Notice was issued on 21 November 2019 in respect of a property which was in a state of disrepair. The Notice required substantial works to be undertaken in order to improve the appearance of the property from a public viewpoint. The Notice was returned to the Authority and was subsequently re-served on 7 January 2020. The Notice will take effect on 18 February 2020 allowing a period of 3 months for these works to be carried out should an appeal not be made.

APPENDIX D

BUILDING CONTROL STATISTICS FOR THE YEAR (2018)

(figures in brackets relate to 2018, 2017 and 2016)

Building Regulations

	2019	2018	2017	2016
Initial Notices submitted	210	(159)	(131)	(145)
Competent Persons Schemes (Electrical, Gas Boilers, Cavity Wall Insulation)	7019	(6220)	(6077)	(6431)
Full Plan applications received	370	(400)	(406)	(253)
Building Notices received	211	(185)	(201)	(295)
Number of commencements	701	(667)	(536)	(534)
Number of completions	777	(601)	(331)	(410)
Partnership Scheme	11	(5)	(9)	(4)
Regularisations	21	(22)	(11)	(13)

Reactive Work

Member referrals on dangerous structures	9	(19)	(10)	(21)
Number of dangerous structures dealt with	19	(5)	(3)	(8)
Number of demolitions received	5	(5)	(3)	(18)
Service Requests in respect of drains/private sewers	1	(0)	(0)	(0)

APPENDIX E

TOWN AND COMMUNITY COUNCIL SURVEY – 2018-2019

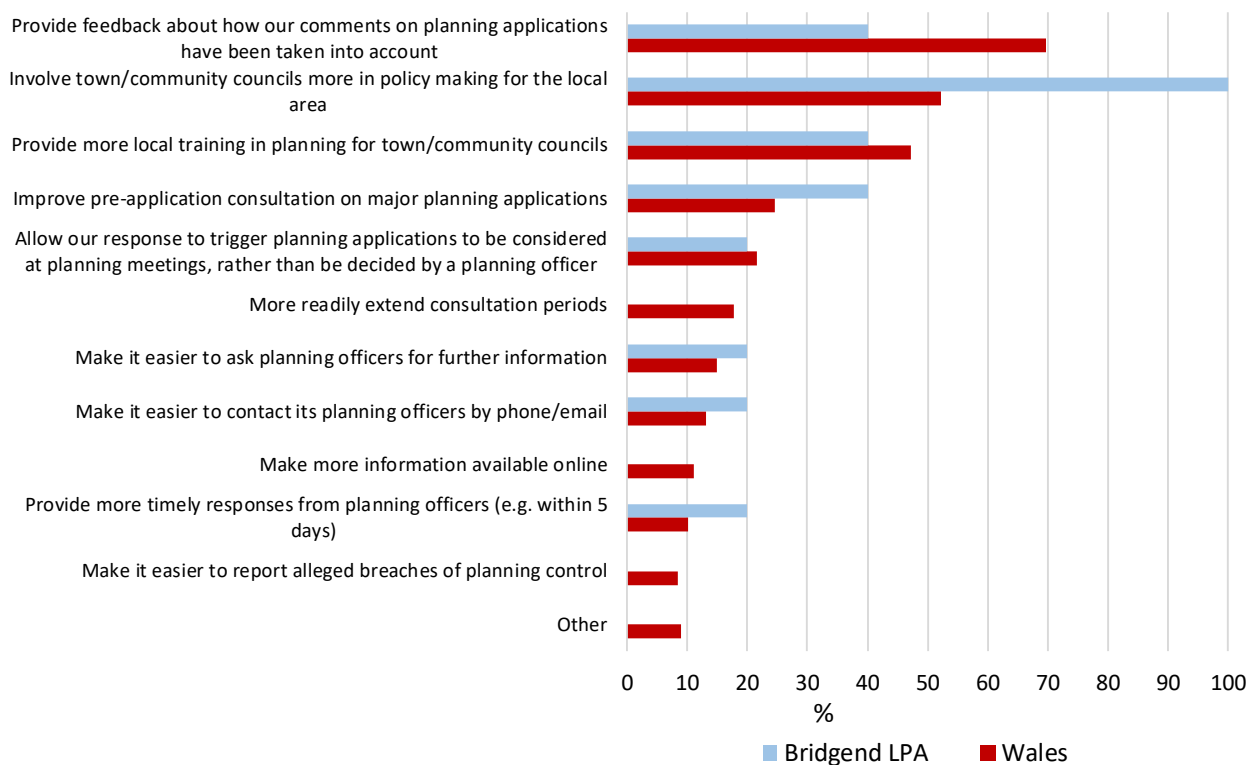
In 2018-19, the Wales Data Unit conducted a survey of clerks of the town and community councils that are statutory consultees for our planning authority.

There are 20 such Councils in our area, and we received 6 responses to the survey.

The respondents were asked to select the three ways in which they thought our LPA could help town/community councils to participate more effectively in the planning system.

Figure 1 shows the percentage of respondents that selected each option as one of their three choices. 'Involve town/community councils more in policy making for the local area' was the most frequently selected option for our LPA.

Figure 1: Ways LPAs could help town/community councils participate more effectively in the planning system, 2018-19



APPENDIX F

DM QUARTERLY SURVEY JAN - SEPT 2019

Between January 2019 and the end of September 2019 (the figures for the last quarter of the year have not been collated yet) the LPA has:

- Determined 519 planning applications within time (compared to 562 in the same period in 2018) and 128 planning applications out of time (compared to 143 in the same period in 2018) with an average of 80% of applications being determined on time (compared to 80% in the same period in 2018) against an all Wales average of 87% over the same period (compared to 87% in the same period in 2018)
- In terms of Minor and Householder Applications, 367 of 437 applications were determined on time (84%) (compared to 428 of 513 applications (83%) in the same period in 2018) against an all Wales average of 87% (compared to 87% in the same period in 2018)
- The average time taken to determine applications was 65 days (76 days in the same period in 2018) compared to the all Wales average of 80 days (79 in the same period in 2018)
- During this period, 22 applications were referred to DC Committee (compared to 23 in the same period in 2018) with no decisions contrary to the Officer's recommendation

The Development Management Quarterly Surveys can be found using this link:

<https://gov.wales/development-management-quarterly-surveys>

APPENDIX G

PERFORMANCE FRAMEWORK TABLES 2018/2019

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	BRIDGEND LPA LAST YEAR	BRIDGEND LPA THIS YEAR
PLAN MAKING						
IS THERE A CURRENT DEVELOPMENT PLAN IN PLACE THAT IS WITHIN THE PLAN PERIOD?	YES		NO	YES	YES	YES
LDP PREPARATION DEVIATION FROM THE DATES SPECIFIED IN THE ORIGINAL DELIVERY AGREEMENT, IN MONTHS	<12	13-17	18+	73	N/A	N/A
TIME TAKEN TO COMMENCE FORMAL REVISION OF AN LDP FOLLOWING THE TRIGGERING OF REGULATION 41, IN MONTHS	<12	13-17	18+	17	-	10
HAS AN LDP REVISION DELIVERY AGREEMENT BEEN SUBMITTED TO AND AGREED WITH THE WELSH GOVERNMENT?	YES		NO	YES	-	YES
LDP REVIEW DEVIATION FROM THE DATES SPECIFIED IN THE ORIGINAL DELIVERY AGREEMENT, IN MONTHS	<3		4+	1	-	N/A
ANNUAL MONITORING REPORTS PRODUCED FOLLOWING LDP ADOPTION	YES		NO	YES	YES	YES
THE LOCAL PLANNING AUTHORITY'S CURRENT HOUSING LAND SUPPLY IN YEARS	>5		<5	6 OF 25	4.0	3.4
EFFICIENCY						
PERCENTAGE OF "MAJOR" APPLICATIONS DETERMINED WITHIN TIME PERIODS REQUIRED	>60	50.1-59.9	<50	68	35	38

MEASURE	GOOD	FAIR	IMPROVE
AVERAGE TIME TAKEN TO DETERMINE "MAJOR" APPLICATIONS IN DAYS	NOT SET	NOT SET	NOT SET
PERCENTAGE OF ALL APPLICATIONS DETERMINED WITHIN TIME PERIODS REQUIRED	>80	70.1-79.9	<70
AVERAGE TIME TAKEN TO DETERMINE ALL APPLICATIONS IN DAYS	<67	67-111	112+
PERCENTAGE OF LISTED BUILDING CONSENT APPLICATIONS DETERMINED WITHIN TIME PERIODS REQUIRED	>80	70.1-79.9	<70
QUALITY			
PERCENTAGE OF MEMBER MADE DECISIONS AGAINST OFFICER ADVICE	<5	5-9	9+
PERCENTAGE OF APPEALS DISMISSED	>66	55.1-65.9	<55
APPLICATIONS FOR COSTS AT SECTION 78 APPEAL UPHELD IN THE REPORTING PERIOD	0	1	2+
ENGAGEMENT			
DOES THE LOCAL PLANNING AUTHORITY ALLOW MEMBERS OF THE PUBLIC TO ADDRESS THE PLANNING COMMITTEE?	YES		NO
DOES THE LOCAL PLANNING AUTHORITY HAVE AN OFFICER ON DUTY TO PROVIDE ADVICE TO MEMBERS OF THE PUBLIC?	YES		NO

WALES AVERAGE	BRIDGEND LPA LAST YEAR	BRIDGEND LPA THIS YEAR
232	221	255
88	88	80
77	72	63
75	75	63
QUALITY		
9	0	0
68	55	75
0	0	0
ENGAGEMENT		
YES	YES	YES
YES	NO	NO

MEASURE	GOOD	FAIR	IMPROVE
DOES THE LOCAL PLANNING AUTHORITY'S WEB SITE HAVE AN ONLINE REGISTER OF PLANNING APPLICATIONS, WHICH MEMBERS OF THE PUBLIC CAN ACCESS, TRACK THEIR PROGRESS (AND VIEW THEIR CONTENT)?	YES	PARTIAL	NO
ENFORCEMENT			
PERCENTAGE OF ENFORCEMENT CASES INVESTIGATED (DETERMINED WHETHER A BREACH OF PLANNING CONTROL HAS OCCURRED AND, IF SO, RESOLVED WHETHER OR NOT ENFORCEMENT ACTION IS EXPEDIENT) WITHIN 84 DAYS	>80	70.1-79.9	<70
AVERAGE TIME TAKEN TO TAKE POSITIVE ENFORCEMENT ACTION	<100	101-200	200+

WALES AVERAGE	BRIDGEND LPA LAST YEAR	BRIDGEND LPA THIS YEAR
YES	YES	YES
77	82	87
167	32	21

APPENDIX H

COMPLAINTS IN 2019

(figures in brackets relate to 2018, 2017 and 2016 respectively)

	2019	2018	2017	2016
No. of complaints received	14	(5)	(9)	(16)
No. of referrals to the Ombudsman	0	(0)	(1)	(2)
No. of Investigations by the Ombudsman	0	(0)	(0)	(0)

71% of all complaints were formally responded to within the prescribed time of 20 working days (10 out of 14) compared to 80% (4 out of 5) in 2018. The response times ranged from 1 day to 39 days.