

DEVELOPMENT CONTROL COMMITTEE 16 JANUARY 2020

AMENDMENT SHEET

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

ITEM NO. PAGE NO. APPLICATION NO.

8 13 P/19/531/FUL

A Full Committee Site Visit was undertaken on Wednesday 15 January, 2020.

The Local Ward Member and representatives of the applicant (Homestyle Care Ltd.) attended the site visit.

In addition, DC Committee Members received a late representation from an objector at 7.56pm on Monday 13th January, 2020.

The email is as follows:

I would be grateful if you could spare me some of your valuable time to read this email as I will be unable to fulfil my intention to speak against this proposal as I am currently abroad.

In my opinion much of the contents of the Report for this application is misleading and does not accurately reflect many of the written and spoken points that I have made, mainly with Alexandra Richards ,during the course of this lengthy application(which actually expired on 13 January 2020).

A request to Mr. Parsons to appoint a Case Officer other than Ms. Woolley was deemed unnecessary. A limited context for this request is outlined below:-

- *P/07/89/FUL Approval to build two properties at Briary Wood- Conservation Design justified objection to this application was not considered or posted on the BCBC portal:*
- *P/07/1145/FUL Conservation & Design letter included but ignored;*
- *P/15/183/FUL - Land drainage condition as outlined in P/09/645/FUL (never met) not included by the case officer;*
- *P/19/531/FUL - Land drainage condition excluded again - Justified apparently by Building Inspectorate who are happy with the 'existing system' albeit this has never been shown on any plans associated with this development.*
- *Is it worth the professional officers at Land Drainage actually contributing to this process?*

More specifically I would like you to consider the following points:

1. *I made several references to various contents of the Welsh Audit Office official report covered at the 24 October 2019 DCC Meeting including the point made in section 4 regarding 'Developers' upper hand. The Agent for this application is a Senior Planning Officer at Swansea City Council and is obviously fully familiar with the need to make Planning Applications as*

accurate as possible from the outset. I am uncomfortable that this person is known to several of the staff at BCBC planning but no doubt this should not have any benefit in this process.

2. The plans for this application together with a copy of the Planning Inspectors appeal were submitted by the Agent. I have presumed that the Agent was familiar with the breach of Conditions 2 & 4 of this Appeal (breach acknowledged by Mr. Parsons) which I had raised with both the Case Officer and Enforcement Officer. This resulted in a request for the Agent to supply new accurate plans of the development. These revised plans were simply copies of those submitted in 2016 and were rejected immediately by Ms. Richards with a subsequent request which resulted in the amended 'plans' received on 18 November 2019.

3. On 20 November 2019 a revised proposal was posted on the BCBC planning portal to include the 'retention of a two-storey extension with dormer addition'.

4. I wrote to Mr. Parsons expressing my concern that this change (retrospective application) should be considered separately to the original proposal based upon:-

5. Paragraph m of the DCC Guidance Standard Notes issued at every meeting and which clearly state 'changes which conflict with a condition' require a fresh application. Whether the dormer window is within 21m of an existing building is also a consideration.

6. The Applicant has significantly changed the recreational facilities for residents by changing the 'rebound room' into 'bedroom 7' and halving the size of the sensory room;

7. My point to the Case Officer was that bedroom 7 (which has drainage access) should be considered as the required additional ground floor bedroom meeting both the requirements of Social Services & Wellbeing Directorate and the displaced resident individual needs negating the need for an additional single storey extension. This point has not been included by the new case officer.

8. I have raised concerns on behalf of many residents over highway/parking issues that span well before and after the building activity was completed. In particular how will the Agent/Applicant ensure that their obligations under SPG 17 are met with no clear turning space for emergency vehicles. Mr. Parsons I understand did not wish to reconsult the Highways department to reconsider their 'contribution' to this application.

9. The Planning Inspectorate report highlighted the need for cars to be parked within their curtilage in the interests of Highway safety and have an expectation for LPA's to implement and Conditions they deem relevant to their decisions.

10. Whilst the Applicant may well have stage managed the parking of 14 cars within their grounds the safety implications of this manoeuvre are considerable as can be seen from the parking layout attached to this application which to residents minds has never been met.

11. The Applicant has confirmed that the proposed development will not result in an increase in the number of residents accommodated at the property (currently 4 including the displaced individual presumably). This seems to be in conflict though with the comment made by the Case Officer in the penultimate paragraph before Consultation Response which states 'the application does not seek to increase the numbers above seven'!!

12. *Whilst I accepted that they have permission for up to 7 residents my point on increased traffic flows is based on the assumption that if 4 residents generate 14 vehicles surely this number will increase if there are seven residents.*

13. *A request by several residents from Briarfields to meet Mark Shephard over the ongoing parking issues has been made via Brackla Community Council but this has been declined whilst this application is live.*

14. *Presumably the external surfacing work that has been completed by the TPO tree did not require planning consent*

15. *Whilst the case officer has raised a number of points that should be protected in confidence during their investigation I have no issue with this.*

Finally, as a regular observer of DCC meeting's from the public gallery I am well aware of the controlling influence that Mr. Parsons exerts over the Committee. I fully understand that Mr. Parsons was proud of the fact that the DCC always seemingly (100% in 2019/20) follow the Planning Officers recommendations. Personally I believe constituents/stakeholders views should perhaps carry more weight than is apparent at present from my observations. Hopefully, he will not stop you considering the contents of my email should he become aware of it.

I feel that there are sufficient grounds to reject this application and restore public faith to the many who perhaps feel the current planning process at BCBC especially the seemingly lack of enforcement action on planning conditions are letting them down, albeit the level of investigations are in fairness high.

In response, Officers can confirm that the majority of these points are not relevant to the determination of this application (which simply seeks consent for a small single storey extension to the rear of the building and regularisation of the two storey extension to the front of the property which was not built in accordance with a previous approval) and the ones that are relevant are addressed in the report.

In addition, an Informative will be added to recommendation as follows:

This planning permission does not convey any approval or consent required by Care Inspectorate Wales legislation, particularly in terms of outdoor amenity space provision and the safety of occupiers, or any other legislation or covenants.

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N/A

The recommendation should refer to the Public Consultation Report and not the AMR.

JONATHAN PARSONS
GROUP MANAGER – PLANNING & DEVELOPMENT SERVICES
16 JANUARY 2020