

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 16 JANUARY 2020

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 16 JANUARY 2020 AT 14:00

Present

Councillor G Thomas – Chairperson

JPD Blundell
DRW Lewis
MC Voisey

DK Edwards
JC Radcliffe
CA Webster

RM Granville
JC Spanswick
AJ Williams

MJ Kearn
RME Stirman

Apologies for Absence

NA Burnett, RJ Collins, JE Lewis and KJ Watts

Officers:

Rhodri Davies	Development & Building Control Manager
Gareth Denning	Policy Team Leader
Craig Flower	Planning Support Team Leader
Claire Hamm	Conservation and Design Team Leader
Rod Jones	Senior Lawyer
Richard Matthams	Development Planning - Team Leader
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Andrew Rees	Democratic Services Manager
Kevin Stephens	Democratic Services Assistant
Leigh Tuck	Senior Development Control Officer

343. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor JC Spanswick declared a personal interest in agenda item 8 – P/19/531/FUL as a member of Brackla Community Council but takes no part in the consideration of planning applications.

344. SITE VISITS

RESOLVED: That a date of Wednesday 26 February 2020 be confirmed for proposed site inspections arising at the meeting, or identified in advance of the next Committee by the Chairperson.

345. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Development Control Committee of 5 December 2019, be approved as a true and accurate record.

346. PUBLIC SPEAKERS

There were no public speakers.

347. AMENDMENT SHEET

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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.

348. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the summary of Development Control Committee Guidance as detailed in the report of the Corporate Director - Communities be noted.

349. P/19/531/FUL - THE WHITE HOUSE, BRIARY WAY, BRACKLA, CF31 2PT

RESOLVED: (1) That the following application be granted, subject to the Conditions contained in the report of the Group Manager, Planning and Development Services.

Proposal

Retention of two storey extension with dormer addition, erection of a single storey extension and associated internal works.

(2) That the Group Manager Planning and Development Services write to the Welsh Government requesting a change in planning legislation in relation to the provision of amenity space at care homes.

350. APPEALS

RESOLVED: (1) That the Appeals received since the last Committee meeting, as outlined in the report of the Group Manager, Planning and Development Services, be noted.

Code No: Subject of Appeal:

A/19/3240278 (1881) Retention of steel container (used for a food delivery business) for a temporary period West Winds, Priory Oak, Bridgend

A/19/3241246 (1882) Timber self-contained holiday let unit land adjacent to Penylan Farm, Aberkenfig

Not started by the Property in state of disrepair 2 Ewenny Road,
Planning Inspectorate Bridgend
(1883)

(2) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal has been dismissed and the enforcement notice is upheld

Code No Subject of Appeal

A/19/3235650 (1868) Unauthorised works 4 Hendre Avenue, Ogmere Vale

(3) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal has been Dismissed:-

Code No Subject of Appeal

A/19/3237153 (1872) Outline application for up to 24 dwellings and associated works land off Tondu Road, Bridgend

351. PROPOSED ARTICLE 4 DIRECTION FOR NANTYMOEL CONSERVATION AREA (DESIGNATED 10 AUGUST 1973)

The Team Leader Conservation & Design, Regeneration Projects & Built Environment reported that an Emergency Article 4 (2) Direction had been made in relation to Nantymoel Conservation Area to address an imminent threat to the character and appearance of the Conservation Area and identified the immediate additional controls over permitted development within the Conservation Area by the serving of an Article 4(2) Direction and outlined the next stages in the process.

She informed the Committee that officers had been alerted to unauthorised works relating to the demolition of a front boundary wall of an unlisted property within the Nantymoel Conservation Area which is now the subject of an application for Conservation Area Consent and Planning consent. She stated that whilst these works were classed as unauthorised as the boundary wall fronting the highway was in excess of 1m in height, many of the existing stone boundary walls that contribute to the character of the area are below a metre in height and their alteration or demolition could therefore be classed as permitted development. Incremental changes such as these can have a negative effect on the character of the area and therefore, without controls being introduced, there is a real risk of the area becoming so materially affected that the value of the built heritage could be irretrievably lost.

The Team Leader Conservation & Design, Regeneration Projects & Built Environment reported that an Article 4(2) Direction has been made following the notification of unauthorised works, being the demolition of the section of boundary wall fronting the highway and subsequent boundary treatment, which have had a significant impact on the character and appearance of the area and which set an unfortunate precedent for other building owners to follow. She stated that due to the significant impact boundary treatments have on the special character of the area, it was essential that the Direction was made as soon as possible to cover the erection or demolition of a gate, fence, wall or other means of enclosure within the curtilage of a dwelling-house fronting a highway or open space. Due to the imminent threat to the character of the area, an Article 4(2) Direction has been made and Notice has been given by publication in the local newspaper and the service of Notice on the owners and occupiers covered by the Direction. The Direction came into effect immediately after the Notice was served and published and owners/occupiers have been given the opportunity to make representations prior to Members receiving a further report prior to confirmation of the Direction. The Direction will expire after six months unless it has been confirmed by Members. A draft leaflet has been prepared and sent out to assist owners and occupiers to understand the implication of the Article 4 Direction.

RESOLVED: That the Committee:

1. Noted that a Direction has been made under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 to remove permitted development rights from those owners and occupiers of dwelling houses contained within the Nantymoel Conservation Area, under the terms set out in Appendix 2;

2. Agreed that Members receive a further report which will present any representations received as a result of serving the Article 4(2) Direction.

352. LOCAL DEVELOPMENT PLAN PREFERRED STRATEGY CONSULTATION REPORT

The Development Planning Manager reported on the Consultation Report on the Local Development Plan (LDP) Preferred Strategy for Council to consider and endorse.

He reported that Regulation 15 of the LDP Regulations requires the Council to publish its pre-deposit proposals (Preferred Strategy) for public inspection and consultation before determining the content of its LDP for Deposit. He stated that the statutory consultation period on the Preferred Strategy was held from 30 September 2019 to 8 November 2019 and a total of 70 formal representations were received. In preparation for the Deposit Stage of the LDP, the Council must draft an initial Consultation Report for publishing as soon as reasonably practicable after pre-deposit consultation under LDP Regulation 16A. He informed Council that a Consultation Report has been prepared, outlining how the Council has undertaken public participation and consultation on the Preferred Strategy itself. He stated that the Report identified the steps taken to publicise plan preparation, in accordance with the Community Involvement Scheme (CIS), before outlining the specific bodies engaged, summarising the main issues raised and identifying how the responses have been or will be addressed. The Report provided significant detail on how this key period of consultation will influence development of the Deposit LDP.

The Development Planning Manager reported that a number of consultation methods were utilised to ensure efficient and effective consultation and participation, in accordance with the CIS. He stated that the Consultation Report was not intended to be a comprehensive report on each comment received, rather a summary of the key issues raised in response to the specific questions on the consultation form. A significant number of representations were also site specific in focus, although the Report did not attempt to evaluate the comprehensive merits of candidate sites. He stated that all candidate sites would be evaluated as part of the Candidate Site Assessment Methodology, which is separate to the Preferred Strategy Consultation. He informed Council that the Consultation Report was structured around each consultation question, sets out the main corresponding points received and details the Council's subsequent responses. The Consultation Report provides a detailed thematic overview of the main comments submitted by representors.

RESOLVED: That Development Control Committee noted the content of the Public Consultation Report and that the Consultation Report will be presented for Council to consider and endorse on 22 January 2020.

353. DRAFT SUPPLEMENTARY PLANNING GUIDANCE – OUTDOOR RECREATION FACILITIES AND NEW HOUSING DEVELOPMENT

The Development Planning Team Leader sought approval to consult on a draft Outdoor Recreation Facilities and New Housing Development Supplementary Planning Guidance (SPG) document.

He reported that the Supplementary Planning Guidance (SPG) explains in detail the Council's approach to the provision of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments and how LDP Policy COM11 will be implemented. The SPG encourages links between the provision of open space sought under Policy COM11 and its contribution to green infrastructure in Bridgend. Once adopted its contents will be taken

into account as a material consideration in the determination of relevant Planning applications.

The Development Planning Team Leader reported that the Council receives a high number of applications each year for new housing development, which creates a demand for the improvement of existing and the provision of new recreational facilities. To meet this demand Policy COM11 of the LDP requires the provision of a satisfactory level and standard of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments.

RESOLVED: That the Committee:

1. approved Draft Supplementary Planning Guidance – Outdoor Recreation Facilities and New Housing Development (Appendix 1) as the basis for a public consultation period of 6 weeks;
2. authorised Officers to carry out the public consultation and to report the results of the public consultation back to a meeting of the Development Control Committee.

354. **DRAFT SUPPLEMENTARY PLANNING GUIDANCE – EDUCATIONAL FACILITIES & RESIDENTIAL DEVELOPMENT**

The Development Planning Team Leader sought approval to consult on a draft Educational Facilities and Residential Development Supplementary Planning Guidance (SPG) document.

He reported that in the interest of providing the children of the County Borough with the opportunity to thrive and prosper, the Council has a duty to ensure that good quality educational facilities are available creating the opportunity to learn. He informed the Committee that demand for housing in the County Borough is increasing, and a large number of homes are being constructed to serve this demand, resulting in existing educational facilities being placed under increasing pressure to accommodate the additional pupils that are being created through housing development. The Planning system needs to ensure that the necessary steps are taken to avoid facilities being detrimentally affected and that adequate provision is available to cater for the learning needs of the children and young people of Bridgend.

The Development Planning Team Leader reported that the existing Education SPG (SPG 16) was adopted in 2010 and whilst the guidance contained within this document has been successful in the negotiation of financial Planning obligations totalling in excess of £5m, the pupil yield formulas and cost guidance need updating. This will ensure that the level of obligations negotiated with developers reflect the actual cost of providing new educational facilities generated by the demands of new residential development. A new and revised SPG will ensure the Local Authority will be able to continue to provide for the learning needs of the children and young people of Bridgend. He informed the Committee that the draft guidance supplements Policies COM10 and SP14 of the adopted Bridgend Local Development Plan (LDP 2006-21) and critically, the SPG will provide updated policy guidance to be incorporated into the evidence base of the replacement LDP. Its purpose is to provide advice to developers on the circumstances in which the Council may seek contributions towards the provision of educational facilities for new residential developments.

RESOLVED: That the Development Control Committee:

1. approved Draft SPG 16 – Educational Facilities and Residential Development (Appendix 1) as the basis for a public consultation period of 6 weeks;

2. authorised Officers to carry out the public consultation and to report the results of the public consultation back to a meeting of the Development Control Committee.

355. DEVELOPMENT OF NATIONAL SIGNIFICANCE APPLICATION BY ENERGION LTD LAND NORTH OF FELINDRE ROAD, PENCOED LOCAL IMPACT REPORT ON BEHALF OF THE LOCAL PLANNING AUTHORITY

The Development and Building Control Manager informed the Committee of a Local Impact Report that has been prepared by the Local Planning Authority (LPA) for a temporary (25 year) 40MW peaking gas development on land to the north of Felindre Road, Pencoed. The development is classed as a Development of National Significance (DNS) and it will include a standby power plant for when demand exceeds the available capacity of the Network.

He reported that the purpose of the DNS process is to ensure timely decisions are made on those planning applications that are of the greatest significance to Wales because of their potential benefits and impacts. Applications are submitted to the Planning Inspectorate Wales for consideration by an appointed Inspector. The appointed Inspector will then consider evidence from the applicant, the Local Planning Authority and other statutory consultees and interested parties. He informed the Committee that the LIR has been prepared to inform the Planning Inspectorate of the likely impact of the proposed development on the area. He stated that the report is a factual document and is based on local knowledge and evidence of local issues and there is also an opportunity for the LPA to comment on the DNS application.

The Development and Building Control Manager reported that proposed development can be viewed and the Planning Inspectorate has published all representations and the LIR to the Developments of National Significance website. He stated that the appointed Inspector will now consider the LIR and all representations received and will determine which procedure the examination of the application will follow by 10 January 2020. The applicant has until 10 January 2020 to make a request to vary the application and if a request is made and accepted, it will result in the examination of the application being suspended.

RESOLVED: That the Committee noted the content of the report and the LIR.

356. END OF YEAR REPORT - PLANNING PERFORMANCE 2019

The Development and Building Control Manager reported on an update of the performance of the Section during the calendar year 2019 when compared to 2018 and previous years. He informed the Committee that the end of year report provides more detailed and up to date figures for the service on issues such as Section 106 Contributions, Complaints and Building Control. He stated that 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. He summarised some of the key points arising from the collation of data for the report.

RESOLVED:

1. That the Committee noted the content of the report;
2. That a report be presented to the Development Control Committee at the end of the financial year on the amount of spend against S106 Agreements.

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357. TRAINING LOG

The Group Manager Development and Planning Services reported on an updated training log.

RESOLVED: That the Committee noted the updated training log.

358. URGENT ITEMS

There were no urgent items.

The meeting closed at 15:52