

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 3 MARCH 2022

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD REMOTELY - VIA MICROSOFT TEAMS ON THURSDAY, 3 MARCH 2022 AT 14:00

Present

Councillor G Thomas – Chairperson

JPD Blundell
RM Granville
MC Voisey

N Clarke
JC Radcliffe
KJ Watts

RJ Collins
JC Spanswick
RE Young

DK Edwards
RME Stirman

Apologies for Absence

A Hussain, MJ Kearn and CA Webster

Officers:

Rhodri Davies	Development & Building Control Manager
Jane Dessent	Solicitor
Craig Flower	Planning Support Team Leader
Mark Galvin	Interim Democratic Services Manager
Julie Jenkins	Team Leader Development Control
Hayley Kemp	Principial Planning Officer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Michael Pitman	Democratic Services Officer - Committees
Philip Thomas	Principal Planning Officer
Leigh Tuck	Senior Development Control Officer

562. DECLARATIONS OF INTEREST

None.

563. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 27 January 2022, be approved as a true and accurate record.

564. PUBLIC SPEAKERS

There were no public speakers.

565. AMENDMENT SHEET

RESOLVED: That 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.

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566. 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.

567. P/21/807/FUL - LAND ADJ TO TY GWYN, HEOL Y GRAIG, PORTHCAWL CF36 5PB

RESOLVED: (1) That having regard to the above application, the applicant enters into a Section 106 Agreement to provide a financial contribution in the sum of £115,153.20 (index linked) towards the provision of affordable housing.

Proposal

Erection of 3 detached dwellings and associated works

(2) The Corporate Director - Communities be given delegated powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, subject to the Conditions contained in her report.

568. P/21/551/OUT - LAND REAR OF 30-32 HIGH STREET, OGMORE VALE CF32 7AD

RESOLVED: That the above application be granted, subject to the Conditions contained in the report of the Corporate Director - Communities

Proposal

Erection of a two bedroom dwelling.

That the following additional Condition be added to the report:

10. Any garage proposed shall only be used as a private garage and retained for the purpose of parking in perpetuity and at no time shall it be converted to a room or living accommodation.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site.

569. T/21/77/TPO - 10 CAER NEWYDD, BRACKLA CF31 2JZ

RESOLVED: That the above application be deferred, to allow for the submission of a tree survey and report to be undertaken by a suitably qualified arboriculturist advising of the current health of the trees and justifying the proposed works to them.

Proposal

Pollard 3 Hornbeam trees in rear garden.

570. **APPEALS**

RESOLVED:

- (1) That the Appeal received since the last report of the Corporate Director – Communities to Committee as listed in the report, be noted.
- (2) That the following Appeal determined by the Inspector appointed by Welsh Ministers, be Dismissed:-

Code No

Subject of Appeal

CAS-00516-Y9X4W2 (1932)

Two storey side/rear extension with Juliette balcony: 7 Bryntirion Hill, Bryntirion.

- (3) That the following Appeal determined by the Inspector appointed by Welsh Ministers, be part Allowed and part Dismissed:-

Code No

Subject of Appeal

CAS-01379-M4T9Y9 (1931)

Fell 33 trees of varying species and provide replacement trees along the southern, western and northern site boundaries [amended tree report received 3-8-21 amending the number of trees to fell from 30 to 33.]

571. **OUTDOOR RECREATION FACILITIES AND NEW HOUSING DEVELOPMENTS SUPPLEMENTARY PLANNING GUIDANCE**

Officers from the Planning and Development Department submitted a report on behalf of the Corporate Director – Communities, the purpose of which, was to inform Members of the outcome of the consultation exercise on the draft Outdoor Recreation Facilities and New Housing Development Supplementary Planning Guidance (SPG) document.

As well as this, the report sought to seek agreement for the proposed amendments to the draft document and to adopt it as SPG to the Bridgend Local Development Plan (LDP).

On 16 January 2020 the Development Control Committee resolved to approve Draft SPG 5 – Outdoor Recreation Facilities and New Housing Development as the basis for public consultation.

A 6 week period of public consultation was held between 21st February and 3 April 2020. The consultation was advertised in the following ways:

- Statutory notices were placed in the *Glamorgan GEM* on the 27 February and the 5 March
- The consultation documents were made available for inspection with representation forms at the reception desk of the Civic Offices, Angel Street
- Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's website.
- A copy of the draft SPG was sent to approximately 300 targeted consultees including Community Councils, planning consultants, house builders and housing associations taken from the LDP database.

By the end of the consultation period nine representations were received on the draft SPG. These representations have been summarised in Appendix 1 to the report.

Appendix 1 also set out proposed changes to the SPG.

In summary, the main areas of change, were as follows:-

- Amend the average household occupancy rates based on 2011 Census data and to keep the rates under review to inform future revisions of the SPG;
- Clarify the relationship between Outdoor Recreation Facilities and Sustainable Drainage Systems (SuDS) and emphasise the importance of pre-application discussions;
- Confirm that financial contributions in-lieu of on-site facilities should be of the equivalent value of providing the required facilities on-site; and
- Add sections on Section 106 Agreements, Negotiations with Developers and Viability to ensure consistency with the Education SPG and to provide greater clarity as to how the SPG will be implemented.

RESOLVED:

1. That Committee agreed to:

- approve the suggested reasoned responses and the consequential proposed changes to the draft Outdoor Recreation Facilities and New Housing Development Supplementary Planning Guidance contained in Appendix 1.

2. Recommended to Council that:

- (a) SPG5 – Outdoor Recreation Facilities and New Housing Development (as amended by the changes in Appendix 1 to the report and highlighted in paragraph 4.3 of the report) be adopted as Supplementary Planning Guidance (SPG) to the adopted Bridgend Local Development Plan.
- (b) The SPG, in its adopted form, be published on the Council's website.

572. LISTED BUILDING CONSENT DELEGATION

The Team Leader Conservation and Design, together with colleagues, presented a report, the purpose of which was to advise Members of the intention to apply for Listed Building Consent Delegation and to outline the necessary procedures, commitments and benefits of acquiring such delegation.

She confirmed, that on 9 December 2019 Cadw sent an invitation to all local planning authorities to apply to remove the requirement to notify Cadw of applications for LBC affecting grade II listed buildings (except total demolition). The removal of the requirement to notify Cadw takes out a time-consuming and resource intensive part of the LBC cycle for both Cadw and the local planning authority. It strengthens local decision making, makes it timely and efficient, and improves the service available to the public. If successful, the notification process will continue to apply to any application which involves the demolition of a listed building or works to grade I or II* listed buildings. In applying, local planning authorities will need to demonstrate that they have the right expertise and processes in place to make robust and sound decisions which protect and preserve the historic environment.

Listed Building Consent Delegation is given to local authorities that have a robust local policy framework supported by sound processes, practices and decision making informed by specialist conservation officer advice aimed towards the conservation and protection of the historic environment. Cadw maintains close working relationships with those local planning authorities that obtain delegation through an annual review process and can continue to provide advice and guidance at the request of the conservation officer.

Paragraph 4.3 of the report, confirmed in bullet point format, what Cadw required each local authority to do, on the basis of a minimum level of criteria.

It was therefore intended, that an application is made to Cadw in line with the guidance provided with the Senior Conservation and Design Officer within the Communities Directorate identified as the named Officer.

The Team Leader Conservation and Design concluded her report, by stating that the full requirements of the application process, were included at Appendix 1 to the report.

RESOLVED: That the Development Control Committee:-

- Noted the contents of the report;
- Supported an application for listed building consent delegation;
- Awaits a further report on the outcome of that application.

573. **BCBC LPA RESPONSE TO WELSH GOVERNMENT CONSULTATION ON AMENDMENTS TO THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995**

The Corporate Director – Communities submitted a report, in order to advise Members of the Local Planning Authority's (LPA) response to the Welsh Government's (WG) consultation on amendments to the General Permitted Development Order (GPDO) 1995. The consultation document was attached at Appendix 1 to the report and the completed response form was attached at Appendix 2.

The Development and Building Control Manager by way of background information stated that, Members will be aware that in order to support the reopening of businesses and efforts to create safe environments, enabling the public to feel confident to return to the high street, the Welsh Government temporarily relaxed planning control for specified development through amendments to the GPDO (the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (Wales) Order 2021). 3.2 Greater flexibility was provided for changes of use within town centres on a temporary basis (e.g. longer periods for temporary use of land, holding of markets, temporary changes of use within town centres and outdoor seating and awnings for hospitality uses).

Turning to the present position, he advised that the Welsh Government want to understand the benefits of retaining the additional days for temporary uses to take place and gain a better understanding of the impacts.

He then expanded upon paragraphs 4.1 to 4.17 of the report, which outlined further information regarding the detail of the BCBC LPA response to amendments to the Order.

In conclusion, he added that as the deadline for the response to the Welsh Government consultation expired on 15 February, the response has been submitted and the

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recommendation to Committee is therefore to note the content of the report. If Members have any questions about the proposed changes to the Permitted Development Rights in Wales, he urged them to contact him accordingly.

The Development and Building Control Manager in response to a Members question, confirmed that the costs associated with the conducting of site visits of planning application sites etc, was largely absorbed into the overall budget of the Planning Service and was part of the delegated powers on Listed Buildings section not the WG Consultation

RESOLVED: That Committee noted the report and the LPA's response to the WG consultation as illustrated in Appendix 2 of the report.

574. **TRAINING LOG**

RESOLVED: That the training sessions as detailed in the report of the Corporate Director – Communities on various topics relating to Planning and Development over the coming months, be noted.

575. **URGENT ITEMS**

None.

The meeting closed at 16:10