

DEVELOPMENT CONTROL COMMITTEE – 5 FEBRUARY 2015

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 5 FEBRUARY 2015 AT 2.00PM

Present:

Councillor H M Williams - Chairperson

Councillors

G W Davies MBE
P A Davies
R M James
R C Jones
B Jones

Councillors

D R W Lewis
H E Morgan
C E Rees
J C Spanswick
M Thomas

Councillors

H J Townsend
C Westwood
R Williams
M Winter
R E Young

Officers:

| | |
|------------------|--|
| David Llewellyn | Group Manager – Development |
| Jonathan Parsons | Development and Building Control Manager |
| Nicola Gandy | Principal Planning Officer (Development Control) |
| Robert Morgan | Transportation Development Control Officer |
| Helen Williams | Senior Environmental Health Officer - Pollution |
| Roderic Jones | Senior Lawyer |
| Jayne Dessent | Lawyer |
| Craig Flower | Team Leader (Technical Support) |
| Mark Galvin | Senior Democratic Services Officer – Committees |
| Andrew Rees | Senior Democratic Services Officer – Committees (electronic back-up) |

506 APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

| | | |
|------------------------------|---|------------------------|
| Councillor D Owen | - | Work Commitments |
| Councillor J H Tildesley MBE | - | Other Council Business |

507 SITE VISITS

RESOLVED: That the date for site inspections (if any) arising from the meeting, or identified in advance of the next meeting of the Committee by the Chairperson, was confirmed as Wednesday, 4 March 2015 (am).

508 APPROVAL OF MINUTES

RESOLVED: That the minutes of the Development Control Committee of the 8th January 2015 were approved as a true and accurate record.

509 PUBLIC SPEAKERS

The Group Manager Development read out for the benefit of those present the names of the public speakers addressing the following application which was considered at the meeting:

| <u>Name</u> | <u>Planning Application Number</u> | <u>Reason for Speaking</u> |
|----------------------|------------------------------------|----------------------------|
| Councillor C A Green | P/14/772/OUT | Local Member |
| Mr D Dolling | P/14/840/OUT | Objector |

510. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- Councillor G W Davies - P/14/714/FUL - Councillor Davies declared a prejudicial interest as the objector is personally known to him, and he withdrew from the meeting during consideration of the application.
- Councillor P A Davies - P/14/714/FUL and P/772/OUT – Councillor Davies declared a personal interest as a Member of Laleston Community Council but took no part in planning matters
- Councillor C E Rees - P/14/840/OUT – Councillor Rees declared a prejudicial interest in that she was the applicant. She left the meeting whilst this application was being discussed.
- P/14/714/FUL – Councillor Rees declared a personal interest as the objector is known to her as she is a former employee of the Authority.
- P/14/763/FUL – Councillor Rees declared a personal interest as a Member of Porthcawl Town Council but took no part in consideration of planning matters.
- Councillor J C Spanswick - P/14/714/FUL – Councillor Spanswick declared a personal interest as the objector is known to him as a former employee of the Authority.
- Councillor M Thomas - P/14/840/OUT - Councillor Thomas declared a personal interest as the objector is known to her as she is a former employee of the Authority.
- Councillor H M Williams - P/14/772/OUT – Councillor Williams declared a personal interest in that the objector was known to him.
- Councillor D R W Lewis - P/14/772/OUT – Councillor Lewis declared a personal interest in that the public speaker was known to him
- Councillor B Jones - P/14/763/FUL and P/14/840/OUT – Councillor Jones declared a personal interest as a Member of Porthcawl Town Council but took no part in the consideration of planning matters
- Group Manager Development P/14/714/FUL The Group Manager declared a personal interest as the objector is known to him as she is a former employee of the Authority

All Members present declared a personal interest in Planning Application P/14/840/OUT in that they knew the applicant.

511 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson confirmed that he had accepted the Development Control Committee amendment sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council's Procedure Rules, in order to allow for the Committee to consider modifications to the Committee

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report, so as to take account of any late representations and revisions that require to be accommodated.

512 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION GRANTED CONDITIONALLY (PLENARY POWERS)

RESOLVED: That the following application be granted, and plenary power be given to the Corporate Director – Communities to issue a decision notice after 11 February 2015, if no new adverse representations are received, subject to the Conditions contained in the report, in addition to the standard Conditions:-

| <u>Code No.</u> | <u>Proposal</u> |
|-----------------|---|
| P/14/840/OUT | Land rear 14 Manor Grove, Porthcawl – Detached residential dwelling (Outline Application) |

Subject to the following Conditions 8, 9 and 10 and Note o) :-

8. Notwithstanding the submitted plans, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the site frontage boundary with Manor Grove being set back and a 1.2m wide segregated footway which shall appropriately link into the existing footway on the South Eastern side of Manor Grove. Such a scheme shall be fully implemented in accordance with the agreed details before the development is brought into beneficial use.

Reason: In the interests of highway safety and to promote sustainable means of transport to/from the site

9. The development hereby approved shall be served by a single means of access from Manor Grove

Reason: In the interests of highway safety

10. There shall be no means of pedestrian or vehicular access created at any time on the northern, eastern or south eastern site boundaries of the dwelling

Reason: In the interests of highway safety

Note:

o) The applicant/developer is advised that the south-eastern corner of the application site boundary appears to include part of the highway. Final plot layout and detailed designs of the development shall not include this land within the scheme.

513. TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION SUBJECT TO A DEPARTURE APPLICATION

RESOLVED: (1) That the following application be referred to Council as a proposal that is a departure from the Development Plan that the Development Control Committee is not disposed to refuse, for the reason outlined in (A) (i) of the report of the Corporate Director - Communities:-

| <u>Code No.</u> | <u>Proposal</u> |
|-----------------|--|
| P/14/763/FUL | The Rest Convalescent Home, Rest Bay, Porthcawl – C/u The Rest to 34 Res. Units, build 34 Res. Units, demolish unsympathetic Ext., car park, landscape and assoc. works. |

- (2) That if the Council were minded not to refuse the development then the Corporate Director – Communities be given plenary powers to issue a decision notice in respect of this proposal once the applicant has entered into a Section 106 Agreement, subject to the provisions outlined in Paragraph (B) (i) and (ii) and the Conditions contained in the report.

514. TOWN AND COUNTRY PLANNING ACT 1990
SECTION 106 AGREEMENT PLANNING APPLICATION

RESOLVED: (1) That having regard to the following application the applicant be required to enter into a Section 106 Agreement to agree a route for heavy goods vehicles which only permits them to travel to and from the site and the A48 via Mount Pleasant Road and Heol y Splott, and that such vehicles only turn left from Heol y Splott onto the A48:

| <u>Code No.</u> | <u>Proposal</u> |
|-----------------|--|
| P/14/700/FUL | Parc Stormy, Stormy Down Airfield, Stormy Down – Anaerobic digestion facility for 30 year period with associated buildings and works |

- (2) That the Corporate Director – Communities be given plenary powers to issue a decision notice granting respect of this proposal once the applicant has entered into the afore mentioned Section 106 Agreement, subject to the Conditions contained in the report.

Subject to the following further Conditions being included in the consent:

24. No development shall commence until such time as a scheme to dispose of foul drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as agreed.

25. No development shall commence until a scheme for the provision of a widened access/egress (supported by vehicle swept path diagrams) has been submitted to and agreed in writing by the Local Planning Authority. The improved access shall be implemented in permanent materials for a distance of no less than 15M before the development is brought into beneficial use and retained as such thereafter.

515 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS GRANTED CONDITIONALLY

RESOLVED: That the following application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities in addition to the standard Conditions:-

| <u>Code No</u> | <u>Proposal</u> |
|----------------|---|
| P/14/772/OUT | Land at Carreg Llwyd, Broadlands, Bridgend – Site access and two detached dwellings |

516 PLANNING REFERENCE NUMBER: P/14/714/FUL
APPLICANT: MR J GRIFFITHS
LOCATION: LAND ADJ 11 CARN WEN, BROADLANDS
PROPOSAL: DOUBLE GARAGE WITH SELF CONTAINED FLAT ABOVE

The Corporate Director – Communities submitted a report, advising that Members at the last scheduled meeting of Committee on 8 January 2015 had been minded to refuse planning permission for the above planning application, contrary to the Officer's recommendation contained within that report, and that a further report be presented to Members today, including draft reasons for refusal. These reasons were shown reference numbered 1. and 2. on page 65 of the report. However, the Amendment Sheet to the Committee report outlined two alternative draft reasons that Officers felt should be considered as alternatives to those contained in the report, together with certain other further information deemed relevant to the application. During the course of debate upon the report, a motion was made, duly seconded and carried, to add to the amended draft reason 2. for refusal, the words "and in addition, the proposal was not in accord with ENV 6 of the Local Development Plan"

The Group Manager Development advised Members that following the last Committee meeting, a Member made a request for further information on the level of amenity space proposed for the development. The response to this was outlined in the report, and the Officer gave a resume of this for the benefit of Committee Members.

Members then debated the report and Officers responded to the points they made in respect of the application. The Group Manager Development advised Members that the reasons put forward for refusal of the application, were unlikely to be defended upon Appeal by the applicant.

Following this, a vote was taken individually, as to whether or not to agree to each of the two reasons for refusal of the application, as outlined in the report.

Members subsequently voted not to accept the draft reasons for refusal put forward (as amended), with the second such reason being voted against by the Chairperson by way of a second casting vote.

As a result of the above, Committee

RESOLVED: That the above application be granted subject to the Conditions (and Notes) received in the report of the Corporate Director – Communities to the Development Control Committee dated 8 January 2015, and subject to the following:-

That Condition of the above report 2 be replaced as follows:-

- (2) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification), no development which would be permitted under Article 3 and Classes A, B

, C , D , E & G of Part 1 to Schedule 2 of the Order shall be carried out within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenities.

The addition of the following Note l)

l) The developer is reminded:-

- i. To ensure that he/she has full control of the land to which this consent (the red line boundary) relates, and;
- ii. Failure to comply with Condition 1 above will result in enforcement action being pursued.

517 APPEALS DECISIONS

RESOLVED: (1) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal has directed that it be ALLOWED, and the disputed Condition removed.

Code No. Subject of Appeal

A/14/2225002(1743) Relax Condition 13 of P/11/798/FUL to omit the provision of a pedestrian crossing on Blackmill Road: Former Maesgwyn hospital, Highland Avenue, Bryncethin.

(2) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal has directed that it be DISMISSED:

Code No. Subject of Appeal

A/14/2226395(1744) Change of use of ground floor to tea rooms (A3) and retain residential use to 1st floor: The Breakers, 17 West Drive, Porthcawl

(3) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following Appeal has directed that it be Allowed subject to Conditions:

Code No. Subject of Appeal

A/142225624(1745) Change of use from A1 to A3 (Take away), 31 Commercial Street, Kenfig Hill

(4) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following Appeal has directed that it be ALLOWED subject to a new Condition:-

Code No Subject of Appeal

A/14/2226490(1746) Relaxation of Condition 4 of P/12/878/OUT to allow opening between 0700 – 2300 every day of the week: 270/270A New Road, Porthcawl

518. PLANNING OFFICER'S SOCIETY WALES CUSTOMER SATISFACTION SURVEY 2014

The Group Manager Development submitted a report attaching data regarding a customer satisfaction survey undertaken by Data Unit Wales on behalf of the Planning Officer's Society Wales (POSW).

He then gave a resume of the data included in Appendix A to the report, confirming overall that the Planning Department of Bridgend County Borough Council performed above the all Wales average in respect of the time taken to process planning applications and other elements that comprised positive characteristics of a good and effective planning service.

RESOLVED: That the report be noted with pleasure.

519. TRAINING LOG

RESOLVED: That the following date for a training session of the Development Control Committee to take place as outlined in the report of the Corporate Director – Communities was noted, with it further noted that a request was made for training sessions on car parking and calculations regarding the allocation of school places for schools at new developments:

| <u>Facilitator</u> | <u>Subject</u> | <u>Date</u> | <u>Time</u> |
|--------------------|----------------------|--------------|-------------|
| Planning Officers | Planning Enforcement | 5 April 2015 | 12.45pm |

The meeting closed at 3.35pm.