

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

Present:

Councillor H M Williams - Chairperson

Councillors

P A Davies
R M James
H E Morgan
H J Townsend

Councillors

R C Jones
D R W Lewis
J C Spanswick
M Thomas

Councillors

J H Tildesley MBE
C Westwood
R Williams
M Winter
R E Young

Officers:

Jonathan Parsons	Group Manager – Development
Julie Jenkins	Development and Building Control Team Leader
Susan Jones	Development Planning Manager
Craig Flower	Team Leader (Technical Support)
Robert Morgan	Senior Development Control Officer
Leigh Tuck	Transportation Development Control Officer
Robert Hughes	Senior Lawyer
Mark Galvin	Senior Democratic Services Officer – Committees (electronic back-up)
Kevin Stephens	Democratic Services Assistant (electronic back-up)
Helen Williams	Senior Environmental Health Officer – Pollution
Philip Thomas	Senior Planning Officer

533 APOLOGIES FOR ABSENCE

Apologies were received from the following Members for the reasons so stated:

Councillor G W Davies MBE	-	Holiday
Councillor B Jones	-	Family Commitment
Councillor D Owen	-	Holiday

534 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, 29 April 2015 (am).

535 APPROVAL OF MINUTES

RESOLVED: That the minutes of the Development Control Committee of the 5 March 2015 were approved as a true and accurate record.

536 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>
Mr D Edwards	P/14/293/FUL	Objector
Mr P Vining	P/14/293/FUL	Applicant's Agent

537 DECLARATIONS OF INTEREST

The following declarations of interest were made:

- | | |
|-----------------------|--|
| Councillor H Williams | P/14/540RLX, P/14/541/RLX and P/14/293/FUL - Councillor Williams declared a prejudicial interest in the above Planning Applications as the owners of the land were his close friends and neighbours. Councillor Williams vacated the Chair for this item and Councillor Richard Williams took the Chair in his place for this item only. |
| Councillor H Morgan | P/14/800/FUL – Councillor Morgan declared a personal interest as a Member of Bridgend Town Council’s Planning Committee who deliberated the application, but took no part in Town Council’s decision on the matter. A/15/5/ADV as he took part in discussions on this application when it was considered by Bridgend Town Council, but he took no part in their decision on the application. |

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

539 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION DEFERRED

RESOLVED: That the following application be deferred in order to consider further matters raised at the Site Visit.

<u>Code No.</u>	<u>Proposal</u>
P/14/800/FUL	FMR Council Office Site, Glanogwr Road, Bridgend – Demolish Council Offices, divert Footpath 17 (Bridgend) & erection of 4 No. detached dwellings with Int. garages.

540 TOWN AND COUNTRY PLANNING ACT 1990
SECTION 106 AGREEMENT PLANNING APPLICATIONS

RESOLVED: (1) That the applicant enters into a Section 106 Agreement to:

Provide a Financial Security to ensure that decommissioning works are carried out following cessation of operation of the development.

<u>Code No.</u>	<u>Proposal</u>
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P/14/293/FUL Pant-Y-Wal Wind Farm, east of Ogmere Valley, Bridgend – 12 Wind turbines (36MW), access track and assoc. works for 25 year period.

- (2) That the Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, but not before the applicant has also entered into Section 106 agreements and the planning permissions have been granted for the related Section 73 planning applications P/14/540/RLX and P/14/541/RLX and subject to the Conditions contained within his report.

Subject to the following amended Conditions 7, 10, and 13 as well as the inclusion of the following Condition 38, and further Notes as follows:-

7. The overall height of the wind turbines shall not exceed 125m to the tips of the turbine blades and the maximum output from each turbine shall be limited to 2.5MW unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and landscape protection

10. Subject to the allowance for micro-siting provided in this condition, the turbines shall be erected at the coordinates indicated on the Turbine and Track Layout (Reference: A077143 3-02). Variations to the indicated position of any turbine(s) shall be permitted by up to 50 metres in any direction. A plan showing the position of the turbines as built shall be submitted within one month of the First Export Date.

Reason: To comply with the environmental assessments undertaken of the proposed development and to take account of local environmental conditions.

Condition 13 should be amended to amend point (x) and include point (xi):

x. There shall be no access to the site other than via the existing access track on the route A4093 as approved under P/08/962/FUL

xi. The submission of a scheme showing a temporary 30mph restriction in speed limit on route A4093 from the existing 30 mph speed limit in Glynogwr village in the West to the Common County Borough Boundary with Rhondda Cynon Taf in the East. Such a scheme shall include all appropriate signing and carriageway markings and shall be fully implemented including the necessary traffic order before the development commences and shall be maintained during the construction phase of the development and removed after construction has ended.

38. No material arising from any excavation on the site shall be transported away from the site.

Reason: In the interests of highway safety

Additional Notes:

The developer is required to enter into a Section 59 Agreement under the Highways Act 1980 to ensure that any damage to street furniture, highway verges or carriageway during the transportation of the turbines is reinstated to the satisfaction of the Highway Authority.

No lorries associated with the construction of the site should enter or leave the site during the periods of half hour either side of the times school commencing and ending and contact the Head Teacher of Bryncethin Primary School, in order to make the school aware of the additional traffic movements.

It is noted that the components for the windfarm turbines will be brought to site under police escort.

It is noted that works will be carried out adjacent to the highway and the applicant is advised to contact the Highways Maintenance Manager in this respect.

The applicant should be advised to consult with the Highway Authority regarding the various Public Rights of Way, crossing the site, before details are submitted to the Local Planning Authority for approval.

(3) That the applicant enters into a Section 106 Agreement to:

To agree not to action, implement or rely on Consent P/06/417/FUL and to agree that the table of noise limits set out as Table 5.11 (Set 2) Proposed Planning Condition Limits for the Existing Pantywal Wind Farm Bridgend CBC Turbines 1-10 (Other Times) and Table 5.12 (Set 2) Proposed Planning Condition Limits for the Existing Pantywal Wind Farm Bridgend CBC Turbines 1-10 (Night Time) in the White Young Green Noise Assessment dated March 2015

shall be implemented and observed by the Developer from the date of the Section 106 Agreement.

Code No.

Proposal

P/14/540/RLX

Pant-Y-Wal Wind Farm, Glynogwr, Bridgend – Relax Condition 29 of P/06/417/FUL Relating to Noise Limits

(4) That the Corporate Director Communities be given plenary 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 within his report.

(5) That the applicant enters into a Section 106 Agreement to

To agree not to action, implement or rely on Consent P/06/1080/FUL and to agree that the table of noise limits set out as Table 5.13 (Set 3) Proposed Planning Condition Limits for the Existing Fforch Nest Wind Farm: Bridgend CBC Turbines 11-14 (Other Times) and Table 5.14 (Set 3) Proposed Planning Condition Limits for the Existing Fforch Nest Wind Farm: Bridgend CBC Turbines 11-14 (Night Time) in the White Young Green Noise Assessment dated March 2015 shall be implemented and

observed by the Developer from the date of the Section 106 Agreement.

Code No. Proposal

P/14/541/RLX Fforch Nest Wind Farm, Glynogwr, Bridgend – Relax Condition 29 of P/06/1080/FUL Relating to Noise Limits

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

541 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION FOR ADVERTISEMENT CONSENT

RESOLVED: That Advertisement Consent be granted and plenary power be given to the Corporate Director – Communities to issue a decision notice after 7 April 2015 if no adverse representations are received, subject to the Conditions contained within his report:-

Code No. Proposal

A/15/5/ADV Railway Tavern, Derwen Road, Bridgend – Various signage to front of building including Illuminated signage and LED floodlights.

542 APPEALS RECEIVED

RESOLVED: That the Appeals received as outlined in the report of the Corporate Director Communities be noted

543 TRAINING LOG

The Group Manager Development reported on an updated training log.

RESOLVED: That the report of the Corporate Director – Communities outlining forthcoming training sessions for Members be noted.

544 MARGAM OPENCAST COAL SITE

The Corporate Director – Communities presented a report, the purpose of which was to provide Members with an update on the current position regarding the site.

The Group Manager – Development gave a resume of the report and confirmed that in relation to the control of water levels at the site, Neath Port Talbot and Bridgend County Borough Council's would enter into discussions with the land owner and operator as to the scope and nature of the after use/restoration scheme, however, this was not likely to take place until after the East Pit application had been determined sometime in April.

In the meantime, the situation regarding the water levels in the void would continue to be monitored.

RESOLVED: That the report be noted

545 BRIDGEND COUNTY BOROUGH COUNCIL – JOINT HOUSING LAND AVAILABILITY STUDY 2014

The Development Planning Manager presented a report on the above matter, and of the requirement to maintain a five year supply of readily developable housing land in each local planning authority across Wales, which was a key planning policy requirement of Welsh Government.

Bridgend's latest 2014 JHLAS was published in March 2015 and has a base date of 1st April 2014 (See Appendix A to the report). Set against the housing requirement of the adopted LDP the study demonstrates that Bridgend County Borough has a 6 year housing land supply (in excess of the TAN 1 5 year requirement).

The Council is the responsible body for preparing the JHLAS which is subject to an agreed timetable. In preparing the document the Council consulted with the 'Study Group' which consisted of house builders' representatives, including the Home Builders Federation (HBF), landowners, Registered Social Landlords, statutory undertakers and infrastructure providers. At the request of the HBF a Study Group meeting took place on 14th July 2014 and this was attended by representatives of the Council, HBF, Persimmon Homes / Charles Church, Boyer Planning, Redrow Homes, Taylor Wimpey and United Welsh.

She went on to state, that in consultation with the 'Study Group' the Council subsequently prepared a Statement of Common Ground, setting out the extent of agreement on site delivery. However, 19 sites remained in dispute at the end of this consultation process.

It was therefore necessary for an appointed Planning Inspector to look at the evidence submitted as part of a Statement of Common Ground and resolve matters in connection with the disputed sites. The Inspector's subsequent recommendations have been incorporated into the final study. In this case the Inspector determined that the land supply figure for Bridgend County Borough Council is 6 years. The Inspector's report and recommendations in response to the evidence submitted is included as Appendix 4 of the 2014 JHLAS.

In terms of the next steps, the Group Manager – Development advised that preparation of the 2015 JHLAS is currently ongoing. A timetable has been jointly agreed with the 'Study Group' and survey work of sites and the preparation of site schedules and proformas for new sites will be undertaken before the end of April 2015. The outcome of the 2015 JHLAS will be included within the Council's first AMR of the LDP which is required to be agreed by Council and submitted to Welsh Government by October 2015.

RESOLVED: That the report be noted.

546 COITY PRIMARY SCHOOL, BRIDGEND – DEVELOPMENT PLANNING BRIEF

The Development Planning Manager presented a report for the Committee to consider the Coity Primary School Development Planning Design Brief and approve its content as a material consideration in the determination of future planning applications and conservation area consent applications.

The report gave some background information, following which she advised that the Coity Primary School site, due to its location partly within the settlement boundary of the village Coity offers a potential redevelopment opportunity but requires thoughtful development, especially in how it addresses its locational context..

The Development Planning Design Brief was attached at Appendix 1 to the report, and its purpose is to guide the redevelopment of the Coity Primary School site. A summary of the document was outlined in paragraph 4.2 of the report for the benefit of Members.

RESOLVED: That the Committee approved the Coity Primary School Development Planning Design Guide as Development Control guidance, to be used as a material consideration in the determination of future planning applications and conservation area consent applications for the site.

547 SAFEGUARDING EMPLOYMENT SITES SUPPLEMENTARY PLANNING GUIDANCE (SPG 21)

The Development Planning Manager submitted a report on the outcome of the consultation exercise on the draft Safeguarding Employment Sites Supplementary Planning Guidance (SPG 21) document, and to seek Committee's endorsement of the draft document and to recommend to Council it's adoption as SPG to the Bridgend Local Development Plan.

The report confirmed that the SPG had been put out to consultation by way of the methods outlined in paragraph 3.3 of the report.

She advised that 6 individuals and external organisations had submitted comments on the draft SPG, and in response, the Council had produced a Consultation Report which was attached at Appendix 2 to the SPG, in the way of the Authority's response to such representations received. The SPG was attached at Appendix 1 to the report.

The Development Planning Manager confirmed that the representations had been considered, and it had been established by Officers that none of these warranted in any amendments being made to the provisions of the document.

Committee was therefore requested to consider each of the representations received, to endorse the suggested reasoned response, approve the decisions and actions (not to amend the document as a result of the consultation), and recommend that Council adopts the document for publication.

RESOLVED: That the Development Control Committee:

- (1) Considered the representations received, to endorse the suggested reasoned responses and decisions and actions proposed in Appendix 2 in the SPG not to amend the document.
- (2) Recommend that Council adopts SPG 21 – Safeguarding Employment Sites attached as Appendix 1 to the report as Supplementary Planning Guidance to the adopted Bridgend Local Development Plan.

548 REFERENCE: P/11/21/FUL
APPLICANT: MORGAN CREDIT ENERGY (WALES) LTD
C/O MR ISSA SAWABINI, WEBB & CO
LOCATION: FMR LLYNFI POWER STATION SITE, LLANGYNWYD MAESTEG
PROPOSAL: BIOMASS POWER STATION OF 25 MW ELECTRIC OUTPUT (AMENDED LOCATION PLAN TO INCLUDE LAND TO SOUTH)

The Chairperson accepted the following item as urgent in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, as the project is at a critical point in securing funding and the amendment to the application site boundary and condition is

required in order to progress matters. Any delay in obtaining consent could result in the loss of funding and place the project in jeopardy. The status of the proposal as a major development with significant investment and job creation opportunities is considered justification for accepting the report as an urgent item.

The Group Manager – Development advised that this application was reported to the Development Control Committee on 12 January 2012 where Members resolved to approve the application subject to the applicant entering into a Section 106 Agreement, which included the payment of £23,340 towards highway improvements, and subject to 37 planning conditions. The scheme involved the construction of 25MW electricity generating plant fuelled by wood transported to the plant by rail. The scheme also included the construction of a roundabout on the A4063 to improve the vehicular access to the site.

Discussions commenced to progress the completion of the Section 106 Agreement which required the signature of another landowner. However, the applicant has encountered complications with the Section 106 Agreement and the relevant landowners. In order to overcome the complications encountered, the applicant submitted a plan on 30 March 2015 amending the red line boundary of the site to enable the roundabout on the A4063 to be accommodated wholly within land under the control of Morgan Credit Energy Ltd.

The layout and design of the roundabout is subject to a pre-commencement condition which will require the submission of detailed plan to ensure that the roundabout is acceptable in terms of highway safety.

RESOLVED: (1) That the amended location plan be approved subject to the same requirements of the Section 106 Agreement and conditions attached to the recommendation in the Committee report dated 12 January 2012.

(2) That Condition 23 be replaced with the following:-

No development shall commence on site until a detailed scheme has been submitted to and agreed in writing by the Local Planning Authority showing a roundabout controlled junction on Route A4063 at the site access. The agreed scheme shall be completed before the beneficial use of the development, hereby permitted, commences.

Reasons: In the interests of highway safety.

The meeting closed at 4.30pm.