

**DEVELOPMENT CONTROL COMMITTEE**

**30 APRIL 2015**

**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.**

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i) Additional representations have been received from:

47 (via Members Services), 90 (via Members Services), 116, and 127 Merthyr Mawr Road (via Members Services)  
8, 26, 32, 44 and 36 Glanogwr Road (via Members Services)  
7 and 25 Bowham Avenue (via Members Services)  
64 Ewenny Road (via Members Services)  
40, 49 and 76 Brynteg Avenue (via Members Services)  
49 Grove Road (via Members Services)  
4 Golwg y Fro (via Members Services)  
21 Meadow Walk, Brackla (via Members Services)  
20 Priory Gardens (via Members Services)  
Chair of Governors - Brynteg School (via Members Services)  
109 Westward Place (via Members Services)

The matters raised have already been addressed within the original report.

ii) Additional comments were also received from No.1 Glanogwr Road, making reference to the footfall survey of Footpath 17.

The occupier of No.1 Glanogwr Road has undertaken a footfall survey between April 13 and 23 2015 (during the times of 8-9am and 3-4pm). On each occasion, over 100 pedestrians were counted. In addition, many dogs, mobility scooters, bicycles and prams were observed.

For clarification purposes, the Council conducted their own survey during the hours of 8-9am on Friday 17 April 2015 and 3-4pm on Monday 20 April 2015. The results of the survey have been included within the 'Application/Site Description' section of the report.

iii) Additional information has been submitted on behalf of the occupier of No.36 Glanogwr Road which can be found under Appendix A of the report.

iv) The Crime Prevention Design Officer of the Police has provided additional comments relating to the amended scheme:

"In my original report to you I stated in relation to the proposed path that ideally it would be designed out and this is still my opinion as paths should not run to the rear of properties and provide access to gardens or dwellings as these have been proven to generate crime. They should also be overlooked by surrounding buildings and activities and isolated paths should be at least 3 metres wide.

However if this was not possible I stated the following:-

"If it is not possible for this path to be redirected between the homes, to run in a straight line to the steps, I would ask for it to be lit and measures put in place to exclude motor cycles. The right angle corner should be rounded to extend the line of vision around the corner thus making the path safer.

I would also ask that fencing adjacent to this path be increased in height to 2 metre in order to protect the rear gardens ".

I still have concerns in relation to this path and its location as it runs to the rear of homes and could result in the people living in adjoining properties experiencing anti social behaviour. To try and mitigate against this I asked for the fencing/walls to be raised in height to 2 metres instead of 1.8. This is not shown on the amended drawings.

However the drawings show that the right angle corner on the path has been rounded to extend the line of vision around the corner thus making the path safer and you have assured me that the path will be lit. In addition the architect is prepared for the footpath to be increased in width from 1.5 metres to 1.8 metres."

v) The Road Safety Officer has clarified that the path is well-used by school children and is an adequate route for school children to use.

As indicated in the original report, the path is not registered as a Safe Route for School.

**8b**

**37**

**P/15/183/FUL**

The application site was inspected by the Site Visit Panel on 29 April, 2015. Three Ward Members, a representative of Brackla Community Council, one of the residents registered to speak and the applicant were in attendance. It was considered that the report accurately reflected the nature of the development.

A local resident has highlighted a discrepancy between the application form and the name of the applicant that appears at the head of the Committee Report. For clarity the applicant is Mr Gareth Williams, Company Name, Homestyle Care Ltd.

Since the preparation of the report, letters of objection have been received from the following addresses:-

Briary Way - Nos 1, 2, 15, 18, 33, 36, 37, 39, 40, 48, 50 (2 letters from individual occupants), 51, 61, 62, 65,70 (2 letters), 75,76, 77, 79 (2 letters from individual occupants) and Ty Onnen

Redwing Close - Nos 2 and 3

Wren Close - Nos 2 and 3 (1 email and 1 letter)

Kingfisher Close - Nos 2 (2 emails) and 3 (5 emails)

Underwood Place - Nos 25, 26, 28 (2 letters from individual occupants) and 41

Chaffinch Close - No 1

Ty Melyn, Whitehorn Drive

Bramble Close - Nos 10, 15 and 18 enclosing a petition signed by 118 signatories.

The grounds of objection largely repeat the objections already received, however, the following additional reasons for objection have been raised:-

1. Size and appearance of the extension having an adverse impact on neighbouring properties and appear out of keeping with the appearance of the estate.
2. Trees and Hedges - Degree of protection as these are covered by a Tree Preservation Order.
3. Code of Conduct for Councillors - believes applicant has erred on the application form for this and previous submissions.
4. Lack of consultation with local residents by the Local Planning Authority.
5. Pre-application advice - objectors dispute compatibility with Policy SP2 - and in this regard criteria 1, 6, 8 and 12 have been highlighted.
6. Restrictive covenants prevent business uses of properties.
7. One objector considers they would be adversely affected by noise and lights as they overlook the application site.
8. Number of people to be accommodated - 6 young adults too intensive.
9. The reason for the relocation of the applicant's business has been queried.
10. Accuracy of information supplied is questionable given that the presence of a watercourse has been incorrectly answered in Question 13 of the form.
11. Personal safety concerns expressed by 28 Underwood Place.
12. Overlooking - properties in Underwood Place are at a higher level.
13. White House provides insufficient space outdoors for future residents.
14. New access way - works to create this were commenced then ceased.

Most of these issues have already been addressed in the report but for further clarification the following additional observations are provided in respect of the additional representations received.

Proposed extension - The objector's belief that this element of the development would adversely impact on the neighbouring properties cannot be supported in that it will not infringe the privacy of or dominate and overshadow adjoining dwellings. The extension will be partially screened from public view by the existing boundary walls and mature trees and will not therefore so significantly impact on the visual amenities of the area as to warrant refusal particularly as this element of the scheme already benefits from planning permission.

Tree works - objectors allege that unauthorised works to protected trees are being undertaken by the applicant. This is a separate matter that would require investigation and gathering of witness statements from residents in the event that unauthorised works to trees protected by a preservation order were discovered and the pursuit of any legal action considered in this regard.

Conduct for Councillors - whilst the applicant may be subject to a code of conduct as a Member of Brackla Community Council, this would be entirely separate to the code operated by the County Borough in views of the submission of planning applications for Members. The applicant is correct therefore in not declaring this in respect of this or any previous planning applications.

Lack of consultation - residents consider that insufficient publicity has been undertaken during the processing of the application by the Local Planning Authority. Under the provisions of Paragraph 12(5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 any application which is not an EIA development or a major development shall be publicised by giving requisite notice:-

- (a) by site display on or near the application for not less than 21 days or
- (b) by serving notice on any adjoining owner or occupier.

In this case 8 neighbouring properties have been individually notified and clearly these residents have undertaken further publicity themselves. It is therefore considered that the requirements of the regulations have been met.

Compliance with Policy SP2 - residents have highlighted criteria which they consider the application does not meet. The reasons why the Local Planning Authority considers the development to be compatible with Policy have already been provided in the original report.

Restrictive Covenants - separate legal issue not relevant to the planning application.

One objector considers that the development will cause noise nuisance and light pollution to their property. This resident's dwelling lies approximately 132m to the north of the application site. It is considered that the impact on this neighbour will not be so significant as to warrant refusal.

Numbers of persons to be accommodated and staffing numbers - the report is clear in this respect whereas objectors have quoted higher figures which are incorrect. A suggested condition limits future resident numbers to further control this issue.

Concerns relating to the reason for the relocation of the business are not relevant to the assessment of the planning merits of this application.

Accuracy of information - whilst the applicant's agent has incorrectly responded to question 13 on the application form this does not significantly impact on the development which is primarily a change of use of the existing property albeit that an extension is also included within the scheme.

Personal safety - one resident has expressed concern that future residents may be a threat to the safety of residents. It is considered that given the level of care provided on a one to one basis, the development should not significantly impact on local residents. Operators of the Care Home will have responsibilities under other legislation to assess any risk to health and safety which may arise and take any appropriate measures to safeguard future occupiers and the wider community. Local Planning Authorities cannot replicate through the planning system controls which are required under health and safety and care regulations.

Overlooking and Privacy - Occupiers of properties in Underwood Place have expressed concern in respect of overlooking. The objector considers that the development will infringe their privacy as the application site is overlooked by their rear garden. This is an existing arrangement but as indicated in the report there is a significant difference in land levels between the objector's home and the site such that there will be no infringement of privacy standards between habitable room windows. Note 6 of SPG2, although relating to householder development, provides guidance on privacy in such a residential context and acknowledges that few rear gardens are entirely private. In this case existing fencing of the objector's rear garden, the land levels and the screening provided by some mature trees prevent a sense of unreasonable overlooking.

Insufficient space for future residents - The existing property enjoys a reasonable rear private amenity space which will be available to future occupants. It is also noted that the woodland to the north of the site is controlled by the applicant who may consider granting supervised access to future residents.

Works to create a new access were alleged to have commenced on site. The applicant has assured the case officer that he has not commenced development. The matter has, however, been referred to the Enforcement Officer for investigation.

In a lengthy letter from the occupier of 2 Briary Way many of the above issues have been raised, however, contextual comments on the development of this area of Briary Way since 2007 have been provided, which are not relevant to the assessment of the current application which must be considered on its individual merits.

The objector, whilst acknowledging that the application falls well below the requirements to conduct an Environmental Impact Assessment, believes that the Local Planning Authority has the authority to require an EIA which would relate to the whole of the former Briary Wood, owned by the applicant. This would, the objector considers, assist Members to understand the wider picture together with any current or future impact. As the application relates to a change of use and an extension to the property, the development falls below thresholds and does not meet criteria in Schedule 2 of the Town and Country Planning (EIA) (England and Wales) Regulations 1999. The development, the subject of this application would not be likely to have significant impacts on the environment and therefore the development is outside the scope of the regulations and a determination to this effect was adopted on 30 March 2015.

Since the preparation of the report, it has been confirmed that two members of staff will be on duty throughout the night time but not resident at the property. It has also been clarified that the two existing attic space bedrooms will be used to provide further amenity facilities such as a cinema/television room. It is recommended that an additional condition be imposed to control the use of these rooms to prevent them becoming sleeping facilities for staff. In terms of the use of the premises, to ensure that the Local Planning Authority retains effective control in the interests of highway safety and residential amenity, an additional condition limiting the use to that providing residential care for persons requiring care only and for no other use within Class C2 of the Town and Country Planning (Use Classes) Order, 1987.

In addition, the applicant's agent has submitted a parking layout indicating the three parking spaces required to meet the Authority's adopted parking standards and referred to in Condition 2. The Highways Department consider that the proposed parking layout is acceptable. It is therefore proposed to amend the wording of Condition 2 to require the parking spaces to be provided in accordance with this submitted layout prior to the Care Home use commencing.

Dwr Cymru/Welsh Water have provided revised observations in respect of this application and these will be attached to the decision notice for the applicant's information and consideration in lieu of the earlier comments.

### **RECOMMENDATION:**

The following additional conditions are attached to the consent:-

Condition 3 : The premises shall be used for a residential care home for persons in need of care as described in the Design and Access Statement and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason : To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.

Condition 4 : Notwithstanding the submitted plans the two attic rooms shall be used solely to provide ancillary amenities and facilities for residents of the Care Home and shall not be used as sleeping accommodation at any time.

Reason : To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety.

Condition 5 : The development shall be carried out in accordance with the following approved plans and documents: plan numbers HCL/15/03A, HCL/15/04A, HCL/15/05, HCL/15/06A and Drg No. 07

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

Condition 6 : The materials to be used in the construction of the external surfaces of the approved extension shall match those used in the existing building.

Reason : To secure the maximum degree of unity between existing and proposed development so as to enhance and protect the visual amenity of the area.

The wording of Condition 2 be amended to read as follows:-

The development shall not be brought into beneficial use until three parking spaces have been laid out within the curtilage of the site in accordance with the approved parking layout plan and retained in perpetuity.

Reason: To ensure adequate off street parking is provided in the interests of highway safety.

Add Note C

C. Trees within the site are protected by a Preservation Order and no works whatsoever should impact on these trees.

**8c**                                 **51**                                 **P/15/96/FUL**

The application was subject to a site panel meeting that took place on 29 April 2015. The panel meeting included three panel members, the Local Member and the agent on behalf of the applicant. The panel considered that the Officer's report accurately described the circumstances of the site and the proposed development.

**8d**                                 **59**                                 **P/15/60/FUL**

(A) The site was inspected by the Development Control Committee on 29<sup>th</sup> April 2015.

(B) Since the preparation of the report, additional objections have been received from the following:

Chairman of Bridgend Market Traders Association;

Chairman of the Bridgend Town Traders Association; (two communications);

Officers Club Unit 6, Rhiw Shopping Centre;

Select Unit 4-5, Rhiw Shopping Centre;

The Smokers Angel, 21 Rhiw Shopping Centre;

Jenkins - Local Bakers, Rhiw Shopping Centre;

Mr John - Ty Hafan, Rhiw Shopping Centre;

The following is a brief summary of the objections received:

(i) Rhiw Car park is critical to town centre – generates a significant income – new housing does not address the issue of a crumbling car park;

(ii) Reduction in car parking spaces by 120 is not acceptable – additional car parking should be provided to cater for a growing population; clear link between footfall and car parking provision - public money should not be used to reduce the number of spaces on offer in the town centre;

(iii) Position of new car park not appropriate – increased walking distance to shops – car park should be integrated with the Rhiw Centre;

(iv) Removal of walkway - no formal consultation. Loss of link will result in reduction of footfall and subsequent loss of trade in town centre. Should only be permitted if a suitable alternative crossing (Light Controlled) is proposed; in 2012 the link to the indoor market was supported as a value to Bridgend Traders - now dismissed as having no bearing on footfall;



(v) New car park will be less accessible by able and disabled patrons, walkway should have been retained – road crossing not as safe and convenient

(vi) Loss of car park will cause massive disruption - it will affect trade. What mitigation/management is proposed by Council - adequate signage required? Mitigation scheme should be agreed with traders before development commences - parking charges should be amended to encourage customers to put up with inconvenience. No alternative provision being offered during the building.

A planning consultant acting on behalf of Colliers International has offered further comments following the publication of the committee report. They are summarised as follows:

(i) The report should indicate the full extent of the loss of in town public car parking spaces in numerical and % terms. It should indicate the loss of shopper car parking spaces against the current 671 short term spaces;

(ii) The officer report says that no evidence is produced to show that a significant loss of car parking will lead to reduction in economic activity. It is for the applicant to show that the loss of car parking complies with planning policies to support the vitality and viability of the town centre – not the objectors.

(iii) The officer report says that the loss of car parking is only acceptable if there is an appropriate mitigation strategy. No evidence is presented to show that this exists for the temporary or permanent situation. The relocation of the shop mobility service will lose further spaces in Brackla Street MSCP. It is recommended that if any consent is eventually granted it is conditional on an agreed mitigation strategy for alternative town centre spaces that is approved and implemented before the removal of car parking spaces at the Rhiw.

(iv) Reducing the overall short stay numbers by over 10% and having 100% use will create delays and congestion;

(v) Moving the shop mobility will disadvantage people with impaired movement as the relocated site is edge of town centre not located in the heart of the town centre.

(B) The Head of Street Scene (Highways) has no objections to the development subject to conditions. The following observations on the application have also been provided:

'It is noted that the demolition and redevelopment of the Rhiw Car park and associated walkway will reduce parking provision for the Town Centre by 71 spaces. An independent parking study, that has been prepared on behalf of the Authority, indicates that, despite this loss, the demand on parking can be absorbed by the remaining existing public town centre parks run by the Authority. (In arriving at this conclusion the study has taken into account the worst case scenario that the staff parking surrounding Sunnyside offices will not be operational). It should be appreciated that the Town Centre is also served by privately operated public car parks which fall outside of the study but could provide a degree of overspill parking as they do currently.

Notwithstanding the above it should be appreciated that, once the existing Rhiw car park is closed for demolition and the site is being redeveloped, there will be a greater loss of parking (321 spaces). The independent report prepared confirms that, without additional temporary parking provision the existing authority operated public car parks would need to operate at 100% capacity to cope with the demand. A threshold of 85% capacity is accepted as the point at which the operation of car parks begins to become problematic

with drivers circulating to find spaces which can impact upon the highway. It should be appreciated that this would be a temporary situation during the demolition and redevelopment and, in order to ease the situation, the Authority will introduce short term measures in order to mitigate this loss during construction.

During the demolition of the existing car park a scheme of temporary traffic signing and temporary traffic (both vehicle and pedestrian) management would be required. Furthermore it is deemed that, during the demolition of the overhead walkway, a temporary road closure of the Rhiw will also be required.

Whilst the proposed development does not seek to replace the existing overhead walkway arrangement an at grade uncontrolled pedestrian crossing point has been provided on the Rhiw in the vicinity of the access to the Rhiw shopping centre and the car park pedestrian access which is deemed to be acceptable.

The location of the bin store for the residential element of the development gives rise to concern regarding the method of collection of the refuse / recycling. In order to overcome potential issues of large vehicles undertaking turning / reversing manoeuvres at the junction of the Rhiw / Car park / Queen Street / Water Street or blocking the Rhiw Hill unnecessarily, the developer will be required to submit a refuse management plan which will identify the method, timing and location of waste collection.

It is noted from internal discussions that the new car park will be operated by the Authority and that the method of charging will not include for any "barrier" control which may generate queuing or reversing manoeuvres onto the highway.

(C) In order to exercise greater control over the phasing of the development, changes to the wording of a number of conditions are proposed and a number of additional planning conditions will be imposed in response to the observations received from the Head of Street Scene (Highways):

Condition 1: the plan numbers should be re-worded accordingly:

The development shall be carried out in accordance with the following approved plan numbers 3924-A-00-01 (Rev C) 02 (Rev D) 03 (Rev C) 04 (Rev C) 05 (Rev B) 06 (Rev C) 07 (Rev C) 08 (Rev C) 09 (Rev C) 10 (Rev C) 11 (Rev C) and 13 (Rev B)

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

Condition 2 should be re-worded as follows:

No development shall take place, including any works of demolition/site clearance, until a Demolition and Construction Method Statement has been submitted to, and agreed in writing by, the Local Planning Authority. The agreed Statement shall be adhered to throughout the demolition and construction periods. The Statement shall provide for:

- i. The routing and timing of HGV construction traffic to/from the site in order to avoid congestion on the Rhiw or unnecessary turning and reversing manoeuvres on the Rhiw / Water Street / Queen Street
- ii. the provision of temporary demolition/construction traffic signing scheme;
- iii. the parking of vehicles of site operatives and visitors;

- iv. loading and unloading of plant and materials;
- v. storage of plant and materials arising from demolition or used in constructing the development;
- vi. wheel washing facilities;
- vii. measures to control the emission of dust and dirt during construction;
- viii. temporary removal of existing Rhiw car park direction signing during the demolition of the car park and construction of the proposed car park supplemented by a scheme of “Rhiw car park closed” signs;
- ix. the provision of temporary traffic and pedestrian management on The Rhiw/Water Street
- xi. a scheme for re-using existing materials of construction resulting from the demolition and construction works

Reason: In the interests of highway safety.

The wording of conditions 5, 7, 8, 9, 12, 13, 14, 15 should be amended to read as follows:

‘No development, apart from the demolition of the existing car park and the walkway bridge, shall begin...’

Condition 6 should be amended to read as follows:

‘Apart from the demolition of the existing car park and walkway bridge, no development shall commence on any respective phase of the development (as agreed under Condition 3) until the following information has been submitted to and agreed in writing by the Local Planning Authority:

- (i) Detailed specification and samples of, the materials to be used in the construction of the external surfaces of each respective phase;
- (ii) Details and finishes at a scale of 1:5 of the following, where relevant:
  - (a) window units,
  - (b) typical external doors (including fire doors),
  - (c) the proposed plant screening,
  - (d) decorative metal ventilation grills,
  - (e) security gates,
  - (f) the car parking louvres and cladding panels,
  - (g) the cantilever support.

Condition 15 should be amended to read as follows:

No development shall commence until a scheme for the provision of a Refuse/Recycling collection Management Plan for the new residential units has been submitted to and agreed in writing by the Local Planning Authority. All refuse/recycling collection vehicle movements to the residential units shall be made in accordance with agreed Refuse/Recycling collection Management Plan once the residential development is brought into beneficial use and retained thereafter in accordance with the Management Plan.

Reason: In the interests of highway safety.

The following additional conditions should be added to the report:

16. No development, apart from the demolition of the existing car park and the walkway bridge, shall commence until a scheme for the provision of a vehicle height restriction barrier and traffic calming on the car park access has been submitted to and agreed in writing by the Local Planning Authority. The barrier and speed reducing features shall be implemented in accordance with the agreed scheme prior to the new car park being brought into beneficial use and retained thereafter.

Reason: In the interests of highway safety.

17. The revised highway access to the car park and emergency vehicle turning area shall be laid out in permanent materials in accordance with the approved layout prior to the car park being brought into beneficial use.

Reason: In the interests of highway safety.

18. The proposed car park access shall be laid out with a vision splay of 2.4m x 17m before the car park is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

19. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time unless it is in accordance with a detailed scheme to be submitted to and agreed in writing by the Local Planning prior to work commencing on the construction of the new car park. Any works within the vision splay shall be undertaken in accordance with the agreed scheme and prior to the car park being brought into beneficial use.

Reason: In the interests of highway safety

20. The individual parking spaces in the new multi storey car and undercroft car park serving the residential apartments shall be clearly demarcated in permanent materials in accordance with the approved layout prior to the new multi storey car and undercroft car park serving the residential apartments being brought into beneficial use and shall be retained as such and retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

21. Notwithstanding the submitted plans, no development, apart from the demolition of the existing car park and the walkway bridge shall commence until a revised scheme for the car park pedestrian access onto The Rhiw, including a widened entrance, details of any doorways, hard landscaping and external finishes has been submitted to and agreed in writing by the Local Planning Authority. The revised scheme shall be implemented as agreed prior to the new car park being brought into beneficial use.

Reason: In the interests of highway safety.

(D) Natural Resources Wales (NRW) has objected to the development indicating that the submitted Flood Consequence Assessment (FCA) has failed to demonstrate that the consequences of flooding can be acceptably managed in accordance with TAN15 over the lifetime of the development. It is understood however that the principle issues relate to the flood modelling which does not fully comply with the NRW's requirements. The applicant's agent has confirmed that revised modelling will be undertaken and a revised FCA will be submitted to NRW in the forthcoming days. Furthermore, there is a realistic expectation that the revised modelling and FCA will address the outstanding concerns which, in turn, should result in NRW withdrawing their objection. It is therefore requested that Members grant plenary powers to the Corporate Director Communities to issue a decision notice if no adverse representations are received from Natural Resources Wales to the revised Flood Consequence Assessment and subject to any conditions recommended by Natural Resources Wales and also subject to the conditions in the report and on this amendment sheet. The Recommendation should be amended as follows:-

That permission be GRANTED and plenary power be given to the Corporate Director Communities to issue a decision notice if no adverse representations are received from Natural Resources Wales to the revised Flood Consequence Assessment and subject to any conditions recommended by Natural Resources Wales and also subject to the following conditions.

**8e**

**81**

**P/14/823/RES**

(A) Natural Resources Wales have indicated verbally that they have no objection to the proposal.

(B) The applicant's agent has submitted a construction method statement which indicates that access to the site of the ecological mitigation works will be from Merthyr Road via an existing agricultural access. This was not indicated as part of the original submission and therefore is not being consented as part of this application. The Department are likely to receive an application for the temporary use of this access and will be the subject of the normal publicity and considerations. An additional condition will need to be added to the report relating to the issue of access and a variation to condition 2 is also proposed.

Condition 2 should read:

No development on the bat roost shall take place shall take place until a ...

Condition 6 should be added to the report:

This consent does not relate to the use of the existing agricultural access in the south west corner of the application site onto Merthyr Road.

Reason: For the avoidance of doubt as to the extent of the permission granted and to enable the Local Planning Authority to fully assess the future use of the access in the interests of highway safety.

**8g**

**97**

**P/15/55/FUL**

A Site Panel Meeting was held on 29 April 2015. In attendance were the Local Members Cllr. Winter, Cllr. Townsend and the applicant.

It is recommended that consideration of the application be deferred for further clarification as to existing and proposed staff and patient numbers.

**8h**

**103**

**P/15/125/FUL**

The application was subject to a Panel Site Visit on 29 April 2015. Also in attendance were the Local Member, Councillor E Hughes, and the applicant. The Panel considered that the Officer's report accurately described the circumstances of the site and the proposed development.

The applicant has provided the following comments, which have been repeated in full-

*I feel that the way the boundary walls and fences in the Merthyr Mawr Road and surrounding streets are described is very misleading.*

*There are many older properties in Merthyr Mawr Road that have high walls fronting on to the street and many of the newer properties have high walls.*

*I am led to believe that my house which is the oldest house on MMR South once had such a wall but it became unsafe and was removed and replaced with a lower wall.*

*Planning permission was granted to the last property on Grove Road, a bungalow with a side boundary on to MMR for a wall of over 5 feet.*

*My next door neighbour at 39 Merthyr Mawr Road has a 2m high low quality fence abounding St Marie Street, it is less than 15 metres from my side fence.*

*Number 67 Merthyr Mawr Road, has a 2 metre fence fronting on to Merthyr Mawr Road (I feel it is incongruent and would like to complain).*

*The property known as Austin Friars on the corner of MMR and Bowham Avenue has a 2 metre fence which runs for over 100 metres along Bowham Avenue.*

*Number 130 Merthyr Mawr Road, has a fence virtually the same as mine running for approximately 20 metre along his boundary on Bowham Avenue (I feel it is incongruent with the surrounding street scene and would like to complain as it hasn't been there 4 years).*

*Property on the corner of Bowham Avenue and Dilwyn Gardens has a 2 metre fence.*

*The property on Merthyr Mawr Road, where it joins Brynteg Avenue has a wall of 2 metres.*

*Properties on Bowham Avenue / Dilwyn Gardens on both sides of the road as it goes into Newbridge Gardens have 2 metre fences directly onto the pavement.*

*Every property in Preswylfa Court that abound MMR have fences of 2 metres behind low walls.*

*You actually feature several of the Prysylfa Court properties in your brochure entitled "Planning & Building Control Information" under the heading "County Borough" where it outlines all the planning policies, amusing, don't you think!*

*So when it says that the majority of the properties have low level front walls and railings it doesn't really give a true picture of Merthyr Mawr Road.*

*I also dispute the ridiculous comment "The proposal would set an undesirable precedent for similar development in the area"!*

*The person who wrote that obviously does not know Merthyr Mawr Road and I think you'll agree that precedents were set before my fence was erected!*

*I fully intend to appeal any refusal and take my application to keep my fence as far as legally possible and will use all means available to me to highlight that my fence is in no way "incongruous to the surrounding street scene" as the objection from Bridgend Town Council claims and in no way sets a precedent as Mark Shephard claims!*

#### Officer comment

It is considered that the Report adequately handles the issues raised above. However, where the applicant has alleged breaches of planning control, these will be investigated separately.

8i

107

P/15/159/FUL

A panel site visit took place on Wednesday 10 December 2014, the local member and applicant were present. The Site Visit Panel considered that the report accurately reflects the site conditions.

Paragraph 3 of the 'Comments on Representations Received' should read :-

'Whilst the proposed dwellings will be on a higher level than the properties on Protheroe Avenue they are not considered to overshadow or overbear to an unacceptable degree as they will be located directly north of the gardens and will be some 10.5m from the rear elevations of the properties on Protheroe Avenue. '

#### Recommendation

The following conditions be added:-

12. The proposed parking areas shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter for parking purposes.

Reason: In the interests of highway safety.

13. The driveway access shall be laid out with vision splays of 2.4m x site frontage to the west (measured to the centre of the carriageway) and 2.4m x 11m to the east before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

14. No structure, erection or planting exceeding 0.6m in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

15. The driveway entrances shall be set back not less than 1.0m from the back edge of footway and the boundaries splayed at 45 degrees either side.

Reason: In the interests of highway safety.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the garages shall be retained as such at all times and shall not be converted into living accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the continued provision of adequate off-street parking and minimise on-street parking, in the interests of highway safety.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR – COMMUNITIES**  
**30 APRIL 2015**