

## DEVELOPMENT CONTROL COMMITTEE

11 DECEMBER 2014

### AMENDMENT SHEET

<u>ITEM NO.</u>	<u>PAGE NO.</u>	<u>APPLICATION NUMBER</u>	<u>APPLICATION ADDRESS</u>	<u>RECOMMENDATION</u>
1	11	P/14/168/FUL	BLUE SEAS GUEST HOUSE 72 BEACH ROAD PORTHCAWL	GRANT WITH CONDITIONS
2	19	P/14/714/FUL	LAND ADJACENT 11 CARN WEN BROADLANDS BRIDGEND	GRANT WITH CONDITIONS
3	28	P/14/618/FUL	LAND AT MADOC CLOSE BRACKLA	SECTION 106 AGREEMENT
4	39	P/14/518/FUL	LAND OFF TYTHEGSTON CLOSE PORTHCAWL	SECTION 106 AGREEMENT
5	49	P/14/337/FUL	LAND NEAR COURT COLMAN	
6	53		APPEALS	
7	62		TRAINING LOG	

**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.**

<b>ITEM NO.</b>	<b>PAGE NO.</b>	<b>APP. NO.</b>
<b>1</b>	<b>11</b>	<b>P/14/168/FUL</b>

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

<b>2</b>	<b>19</b>	<b>P/14/714/FUL</b>
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A panel site visit took place on Wednesday 10 December 2014, the local member, applicant and objector were present. Following the Site Panel Visit queries were raised as to the accuracy of the plans.

#### **RECOMMENDATION**

Consideration of the application be deferred to allow the Planning Officer to confirm the dimensions of the site.

<b>4</b>	<b>39</b>	<b>P/14/518/FUL</b>
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A full site visit took place on Wednesday 10 December 2014. The local Member, a representative from Porthcawl Town Council and the Agent were present.

<b>5</b>	<b>49</b>	<b>P/14/337/FUL</b>
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Network Rail provided the Local Planning Authority with the following comments:-

'I can confirm that Network Rail are happy with the information provided by Amy Waites of PFA Consulting, this will be subject to prior notice of commencement, together with the spec of the lorries in use (specifically size and weight) and the actual route agreed to be taken being submitted to Network Rail's Asset Protection Engineer Richard Coles email [Richard.ColeWales@networkrail.co.uk](mailto:Richard.ColeWales@networkrail.co.uk) prior to any works taking place.'

The Team Leader - Highways Structures advised that the bridge is Network Rail's liability and if they are content with the development then there is no concern with the proposed loads crossing the bridge.

The Traffic Management Officer advised that the layby at Pyle on the A4229 can be busy during day times and the layby on the A48 could provide an alternative location for vehicles to meet representatives from the site. However, it is considered that to

ensure a layby is available during the construction period a Temporary Traffic Order should be progressed.

In addition to the documentation received in relation to highways and drainage a document titled 'Clarification of the assessed effects on visual amenity' was also submitted by the applicant and can be viewed at **Appendix A**.

A letter of objection was received from Mary Sinclair of Narberth at the request of the local residents.

The objection reiterates objections previously raised and queried the reason why, after the vote had been taken to refuse, the application had been deferred for a month. The letter also raises concern regarding the use of agricultural land for a solar farm. It is suggested that the applicant should consider other sites first.

In response members are advised that there is no requirement for any 'sequential' test for renewable energy proposals and each application should be determined on merit. This is the proposal that is before members and must be determined in accordance with legislation.

The objection also makes reference to the potential of an appeal against any refusal. It points out that an award of costs need not be granted if an appeal is heard via the written representations procedure. This is correct, however, given the nature of the proposal it is likely that any appeal will be subject to a hearing or a public inquiry where costs may be awarded if any party is considered to have acted unreasonably. Unreasonable behaviour can also include adding reasons for refusal where there is no evidence to demonstrate the harm concerned.

The reference to a significant costs award against the Council should not be seen as a threat to Members rather it is the duty of the Planning Officer to point out to Members the potential implications of any decision.

In line with adopted protocol, it is standard practice for applications to be deferred for one month if Members are  minded  to refuse an application, against the recommendation of the Planning Officer, in order to allow time for reasons for refusal to be drafted.

A petition from Court Colman Solar Farm Supporters Group has been received and can be viewed at **Appendix B**.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR – COMMUNITIES**  
**11 DECEMBER 2014**