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DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 12 MAY 2016

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 12 MAY 2016 AT 2.00 PM

Present

Councillor M Thomas – Chairperson

N Clarke	PA Davies	CA Green	RC Jones
DRW Lewis	JE Lewis	HE Morgan	D Patel
JC Spanswick	G Thomas	JH Tildesley MBE	C Westwood
R Williams			

Officers:

Craig Flower	Planning Support Team Leader
Nicola Gandy	Principal Planning Officer
Rhodri Davies	Development and Building Control Manager
Claire Hamm	Conservation and Design Team Leader
Tony Godsall	Traffic & Transportation Manager
Eilian Jones	Senior Planning Officer
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Satwant Pryce	Head of Regeneration and Planning
Elizabeth Woolley	Senior Planning Officer
Gary Jones	Head of Democratic Services
Mark Galvin	Senior Democratic Services Officer - Committees

721. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:-

Councillor GW Davies MBE
Councillor LC Morgan
Councillor M Winter

722. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor NC Clarke – P/15/787/FUL – Personal interest as a Member of Porthcawl Town Council who takes no part in planning matters, and also a prejudicial interest as a patient of the Portway surgery and therefore of the proposed development. Councillor Clarke left the meeting whilst this item was being discussed. P/15/648/OUT, P/15/647/CAC and P/16/173/FUL, as a Member of Porthcawl Town Council who takes no part in planning matters.

723. SITE VISITS

RESOLVED: That Committee agreed to confirm a date of Wednesday 8 June 2016 for proposed Site Inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.

724. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 31 March 2016 be approved as a true and accurate record.

725. PUBLIC SPEAKERS

The Chairperson read out for the benefit of those present, the names of the public speakers addressing the following applications considered at the meeting:-

<u>Name</u>	<u>Planning Application No.</u>	<u>Reason for speaking</u>
S. Judd	P/15/648/OUT	Objector
G. John	P/15/648/OUT	Applicant
S. Judd	P/15/647/CAC	Objector
G. John	P/15/647/CAC	Applicant

726. AMENDMENT SHEET

The Chairperson advised that in accordance with procedures and protocols, and following the Chairperson's consent, Members had received the 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.

727. P/15/647/CAC - ST CLARES CONVENT, CLEVIS LANE, PORTHCAWL

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

<u>Code No.</u>	<u>Proposal</u>
P/15/647/CAC	Demolition of buildings on the site inc. Convent building, Prayer Centre and Clevis Cott. & remove part of wall

The Condition 3 attached to the application for Conservation Area Consent, be amended to read as follows:-

Condition 3:

3. No development shall take place, including any works of demolition/site clearance until a Construction Traffic Management Plan and Demolition Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall provide for:-

- (i) The proposed timetable for the phasing of demolition works.
- (ii) The timing of HGV construction traffic to/from the site to avoid school starting and leaving times.
- (iii) The routing of HGV construction traffic to/from the site to avoid the southern end of Clevis Lane.
- (iv) The parking of vehicles of vehicles of site operatives and visitors.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 12 MAY 2016

- (v) Loading and unloading of plant and materials.
- (vi) Storage compound for plant and materials to be used in the construction phase and any retained from the demolition phase.
- (vii) Wheel washing facilities.
- (viii) Measures to control the emission of dust and dirt from the demolition and construction phase.
- (ix) Provision of temporary traffic and pedestrian management along Clevis Lane.
- (x) Methods of dealing with any controlled waste including removal to a registered site by a registered waste carrier.
- (xi) Details of fencing for the protection of retained trees protected by a Preservation Order before any equipment, machinery or materials are brought onto the site for the purposes of the development. The fencing shall be maintained throughout the course of the development, with no other materials stored or placed in any area fenced in accordance with this condition. The ground levels within the fenced areas shall not be altered nor shall any excavation be made.

The demolition and construction works shall thereafter be undertaken in accordance with the agreed method Statement and Traffic Management Plan.

Reason: In the interest of highway safety.

728. P/15/847/FUL - ST JOHNS AMBULANCE HALL, BEDFORD CLOSE, CEFN CRIBWR

RESOLVED: That the following application be deferred until further land ownership issues on the site are resolved:-

<u>Code No.</u>	<u>Proposal</u>
P/15/847/FUL	Create 12 flats comprising 3 x 2 bed flats and 9 x 1 bed flats in one 2 storey building

729. P/16/43/FUL - WINDRUSH, HEOL LAS, MAWDLAM TO HEOL DREWI, TON KENFIG, KENFIG, BRIDGEND

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

<u>Code No.</u>	<u>Proposal</u>
P/16/43/FUL	New dwelling

730. P/16/173/FUL - 36 FFORDD SANDERLING, PORTHCAWL, BRIDGEND

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

<u>Code No.</u>	<u>Proposal</u>
P/16/173/FUL	Extend and re-orientate dwelling including partial demolition to provide additional accommodation and sea views.

731. P/13/808/OUT - LAND OFF OAKWOOD DRIVE, MAESTEG

RESOLVED: That the following application be deferred, in order to negotiate increased on-site provision of open space.

Code No. Proposal

P/13/808/OUT Mixed-Use development:138 dwellings, public house, restaurants, retail and employment

732. APPEALS

RESOLVED: (1) That the Appeal received since the last Committee report, Code No. A/16/3145806 (1774) and Application No. P/15/493/FUL, be noted.

(2) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following Appeal, has directed that the Appeal be ALLOWED subject to Conditions (Appendix A to the report refers):-

Code No. Subject of Appeal

A/15/3133430 (1764) 5.1MW Solar array with Inverter stations, switchgear cabins, fencing, CCTV & access: Land north Brynheulog, Caerau Park, Maesteg

(3) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following Appeals has directed that they be DISMISSED (Appendices B and C to the report refers):-

Code No. Subject of Appeal

A/15/3140007 (1766) Single storey split level dwelling with double garage: land adjoining 22 Sycamore Close, Litchard, Bridgend

A/15/3140154 (1767) Outline application to demolish 2 No. dwellings and erect 1 No. dwelling and garage: Mayfield, Laleston

A/15/3137898 (1768) Retention of two storey garage with store above (re-sub of P/12/714/FUL): Land at Dan Yr Eglwys Farm, (Ty Newydd farm) Bettws

(4) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following Appeal has directed that the Appeal be DISMISSED and the Enforcement Notice be upheld with variation (Appendix D to the report refers):-

Code No. Subject of Appeal

C/15/3139097 (1769) Non-compliance with approved plans P/12/714/FUL, Land at Dan Yr Eglwys Farm, Bettws

733. WLGAS DRAFT PLANNING COMMITTEE PROTOCOL - FORMAL CONSULTATION RESPONSE

The Corporate Director Communities submitted a report, to seek Development Control Committee Members' approval of the Local Planning Authority's formal consultation response to the Draft Planning Committee Protocol prepared by the Welsh Local Government Association (WLGA).

The Development and Building Control Manager advised that Members should recall an initial draft of the consultation response was presented to the Development Control Committee for comment on 31st March, 2016 and was considered as part of the Member Training Session on the same day.

He then referred to paragraph 3.2 of the report, and confirmed that a recent study commissioned by the Royal Town Planning Institute into the "Study into the Operation of Planning Committees in Wales" (undertaken by Arup and Fortismere Associates) provided an insight and recommendations about improving Planning Committees in Wales.

As a result of the study, the Welsh Government had invited local authorities to draft a voluntary planning committee protocol. The drafting group included representatives from the Planning Officer's Society Wales and Planning Solicitors in Local Government. The draft protocol for consultation was attached at Appendix 1 to the report, and the Officer's draft response to the consultation questions attached at Appendix 2.

The Development and Building Control Manager stated that the existing Development Control Committee Protocol was included within the Council's "Planning Code of Practice – How We Deal with Planning Applications and Other Planning Issues". The Planning Department also published a note on the Council's website which explains public speaking procedures at Development Control Committee meetings (Appendix 3 of the report referred).

He then stated that the WLGA drafting group, following the end of the consultation period, would then review all comments received and would amend the protocol where appropriate. It was anticipated that the final version of the protocol would be available in June 2016 for consideration by each local authority at the appropriate Council meeting.

RESOLVED: That the Committee approved the consultation response to the draft Planning Committee Protocol produced by the WLGA at Appendix 1 to the report.

734. PROPOSED EXTENSION TO PORTHCAWL CONSERVATION AREA AND PROPOSED ARTICLE 4(2) DIRECTION

The Conservation and Design Team Leader presented a report (together with Appendices A, B and C), the purpose of which, was to advise Members of the feedback received from the public consultation on the proposed extension of the Porthcawl Conservation Area, and to seek approval for revising the designation to include the new area.

She reminded Members that on 15 October 2015, the Committee authorised Officers to consult on the proposed extended Conservation Area boundary. This decision was made in the context of the benefits of conservation area designation in preserving or enhancing the special character of Porthcawl, and with a view to the submission of a Phase II THI bid to the Heritage Lottery Fund in August 2016.

The consultation was launched at the Jennings Open Day on 20 November 2015, with Consultation letters being sent to all properties within the existing and proposed conservation area. An exhibition was held for 2 weeks in the Grand Pavilion Café, where Officers attended each morning to discuss issues and views raised by local residents and visitors on the proposed plans to extend the conservation area. As a result of this and other discussion sessions, of the comments received as feedback shown in paragraph 4.1 of the report, and re-assessment of the new area to be included in the Conservation Area, the Committee

- RESOLVED:**
- (1) To approve the extension of the Porthcawl Conservation Area to include the additional area shaded in red at Appendix C to the report.
 - (2) Authorised Officers to notify property owners affected

735. **TRAINING LOG**

- RESOLVED:** That the Committee noted and agreed the up and coming Training sessions for Members, with the addition of a training session on the Open Space Supplementary Planning Guidance Note once that has been drafted, as detailed in the report of the Corporate Director Communities

736. **URGENT ITEMS**

None

737. **P/15/787/FUL - ADJ. BELLWAY DEVELOPMENT OFF NEWTON NOTTAGE ROAD, NEWTON, PORTHCAWL**

- RESOLVED:**
- (1) That having regard to the following application, the applicant enters into a S 106 Agreement to secure that:-
 - (i) The Primary Health Care Centre shall be operated in accordance with the submitted Travel Plan
 - (ii) The Primary Health Care Centre shall be operated in accordance with a Parking Management Plan to be agreed in writing by the Local Planning Authority
 - (iii) The applicant provide an extended bus service from Nottage to the Primary Health Care centre for the period the building is utilised as a Primary Health care Facility
 - (iv) Prior to any planning permission being issued the applicant contributes £8,000.00 (index linked) towards the provision of a traffic order and necessary signs and line painting
 - (v) Prior to any planning construction commencing on site an area of land within close proximity to the site shall be secured by the developer to provide a

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 12 MAY 2016

- minimum of 20 staff car parking spaces for the period the building is utilised as a Primary Health Care facility.
- (vi) The Applicant pays a contribution of £6,000 towards the provision of a Bus Shelter at the bus stop on Newton Nottage Road.

<u>Code No.</u>	<u>Proposal</u>
P/15/787/FUL	Primary Care Centre, Pharmacy with undercroft car park, associated works and landscaping

The following conditions be added:-

10. No development shall take place, including any works of demolition/site clearance, until a 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 construction period. The Statement shall provide for:

- i. The routing of HGV construction traffic to/from the site directly to the A4106
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. the provision of temporary traffic and pedestrian management along Newton Nottage Road and Woodland Avenue.

Reason: In the interests of highway safety.

11. The parking areas shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

12. No development shall commence until a scheme for the provision of 20 off site staff off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the agreed layout prior to the development being brought into beneficial use and shall be retained for parking purposes thereafter.

Reason: In the interests of highway safety.

13. No development shall commence until a scheme for the provision of 21 cycle parking stands has been submitted to and agreed in writing by the Local Planning Authority. The stands shall implemented before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of promoting sustainable means of travel to / from the site.

14. The proposed means of access shall be laid out with 3.0 metre radius kerbing on both sides of the entrance, constructed and retained in permanent materials with vision splays of 2.4m x 14m to the South West and 2.4m x 25 to the North East before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

15. No structure, erection or planting exceeding 0.6 metres 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.

16. No development shall commence until a scheme for the provision of a Traffic & Delivery Management Plan has been submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicles movements to the facility shall be made in accordance with agreed Traffic & Delivery Plan once the development is brought into beneficial use and retained thereafter.

Reason: In the interests of highway safety.

17. No development shall commence until a scheme for the provision of pedestrian crossing facilities across the A4229 Pyle Road at the Northern Splitter Island of the A4229 / A4106 / Fulmar Road roundabout has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall include Stage 2 Safety Audit which shall be submitted to and agreed in writing by the Local Planning Authority before any works commence. Such scheme shall be implemented as agreed by the Local Planning Authority prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

18. No development shall commence until a scheme for the provision of a safe pedestrian route between the site and the agreed off-site staff off street parking area has been submitted to and agreed in writing by the Local Planning Authority. Any required footway improvement works shall be implemented in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety and promoting Active Travel.

19. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a shared cycleway/footway on the Southern side of Newton Nottage Road, between the site and existing cycleway along Woodland Avenue together with an uncontrolled pedestrian crossing facility on Woodland Avenue in proximity to its junction with Newton Nottage Road. Such a scheme shall be implemented, as agreed, in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety.

738. P/15/648/OUT - ST CLARES CONVENT, CLEVIS LANE, PORTHCOWL

RESOLVED: (1) That having regard to the following application, the applicant enters into a S 106 Agreement to:-

1. Provide a financial contribution of £416,208.00 towards the provision of affordable housing.
2. Provide a financial contribution of £5,640.00 towards the upgrading of a local play facility

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 12 MAY 2016

3. Provide a financial contribution of £7,000.00 to cover the cost of a Road Traffic Order in respect of amending and extending the existing One Way Traffic Order that applies to the southern section of Clevis Hill.
4. Agree that no demolition or site clearance works shall be commenced until a contract for carrying out development works has been made and submitted to the Local Planning Authority and a detailed scheme for the redevelopment of the site has been approved.

<u>Code No.</u>	<u>Proposal</u>
P/15/648/OUT	Demolition of St Clares Convent & Redevelop site for Residential Use

That Condition 1 be amended to read as follows:-

1. The development, hereby approved, shall be limited to no more than 12 dwellings, comprising 11 new build single units together with a further single residential unit created from the partially retained Prayer Centre Building with the access located to the south of the retained section of the Prayer Centre Building and shall be substantially in accordance with the 1:500scale sketch site plan dated 24th February 2016.

The Condition 4 attached to the Outline application be amended to read as follows:-

Condition 4:

4. No development shall take place, including any works of demolition/site clearance until a Construction Traffic Management Plan and Demolition Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall provide for:-

- (i) The proposed timetable for the phasing of demolition works.
- (ii) The timing of HGV construction traffic to/from the site to avoid school starting and leaving times.
- (iii) The routing of HGV construction traffic to/from the site to avoid the southern end of Clevis Lane.
- (iv) The parking of vehicles of vehicles of site operatives and visitors.
- (v) Loading and unloading of plant and materials.
- (vi) Storage compound for plant and materials to be used in the construction phase and any retained from the demolition phase.
- (vii) Wheel washing facilities.
- (viii) Measures to control the emission of dust and dirt from the demolition and construction phase.
- (ix) Provision of temporary traffic and pedestrian management along Clevis Lane.
- (x) Methods of dealing with any controlled waste including removal to a registered site by a registered waste carrier.
- (xi) Details of fencing for the protection of retained trees protected by a Preservation Order before any equipment, machinery or materials are brought onto the site for the purposes of the development. The fencing shall be maintained throughout the course of the development, with no other materials stored or placed in any area fenced in accordance with this condition. The ground levels within the fenced areas shall not be altered nor shall any excavation be made.

The demolition and construction works shall thereafter be undertaken in accordance with the agreed method Statement and Traffic Management Plan.

Reason: In the interest of highway safety.

The meeting closed at 3.45 pm