

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

27 JULY 2016

REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES

DEPARTURE FROM DEVELOPMENT PLAN - PLANNING APPLICATION P/16/309/FUL

1. Purpose of Report

- 1.1 On 7th July, 2016, the Development Control Committee considered planning application P/16/309/FUL as a departure from the Local Development Plan. The Development Control Committee resolved not to refuse planning permission so the application is referred to Council which is requested to approve the application subject to conditions.
- 1.2 A copy of the Development Control Committee report is attached at Appendix 1.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 The delivery of the County Borough Council's planning functions has links to all three of the Council's corporate priorities as outlined in the Corporate Improvement Plan 2016-2020.

3. Background

- 3.1 The retrospective application relates to the retention of a steel portal framed extension to the side of an existing industrial unit at Unit 8, Heol Ty Gwyn Industrial Estate, Maesteg. The unit is occupied by Industrial Pipework Ltd.
- 3.2 The extension is located outside the employment allocation boundary and settlement development boundary, therefore, LDP Policy ENV1, which seeks to protect the countryside from inappropriate development, applies. When the original permission was granted for the existing industrial unit, the application was assessed under the policies of the Unitary Development Plan (UDP) and, at that time, the application site was also included within the settlement development boundary. When the LDP was prepared the area was excluded as part of the settlement boundary review process. However, it is considered that the extension to the building is not so detrimental to the surrounding countryside to justify the refusal of planning permission.
- 3.3 As the application is outside the employment allocation and settlement development boundary as defined in the LDP, this application is required to be assessed as a departure to the LDP, considered by the Development Control Committee and referred to Council. The relationship of the extension/application site with the original industrial unit and the settlement boundary of Maesteg under both the Unitary Development Plan and the Local Development Plan is illustrated in Appendix 2.
- 3.4 Officers consider that the incursion into the countryside beyond the settlement boundary will not compromise the integrity of the settlement boundary or damage the character or appearance of the surrounding countryside.

4. Current Situation

- 4.1 The application site is located within Heol Ty Gwyn Industrial Estate which is allocated and protected for employment uses falling within uses B1, B2 and B8 employment uses by policy REG1(12) of the adopted Bridgend Local Development Plan (LDP). The application seeks retrospective consent for a steel portal framed extension to the side of an existing industrial unit and business.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 Whilst the application does not fully accord with the policies of the Bridgend Local Development Plan the extension has already been erected and is required by the business to expand its operations and create additional jobs.

6. Equality Impact Assessment.

- 6.1 A screening for Equality Impact has been undertaken and no negative issues have been identified.

7. Financial Implications

- 7.1 There are no direct financial implications as a result of this report.

8. Recommendation

- 8.1 That if Council is 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 to include the following conditions:

1. Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 31 and 32 of the 1990 Town and Country Planning Act (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the of the above Act, shall have been deemed to have been implemented on 27 April 2016.

Reason: To comply with Section 73A of the above Act.

2. Within 1 month of the date of this consent a scheme of remedial works to treat any areas of shallow mine workings present beneath the extension shall be submitted to and agreed in writing with the Local Planning Authority. Any remedial works identified shall be implemented within 3 months of the date of this consent.

Reason: To ensure the safety and stability of this development within the Development High Risk Area.

3. The development shall be carried out in accordance with condition 1. above and the approved plans labelled DRAWING: PLAN AND SECTION and DRAWING: ELEVATIONS and date stamped 27 April 2016.

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

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Corporate Director Communities
27th July, 2016

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Background documents

Appendix 1: Development Control Committee Report

Appendix 2: Plan illustrating the extension, the original industrial unit and the amended settlement boundary for Maesteg from the UDP to the LDP