

PLANNING AND DEVELOPMENT CONTROL COMMITTEE

(Civic Centre, Port Talbot)

Members Present:

22nd April, 2014

Chairman: Councillor R.G.Jones

Vice Chairman: Councillor A.P.H.Davies

Councillors: Mrs.P.Bebell, Mrs.A.Chaves, Ms.C.Clement,
Mrs.R.Davies, P.Greenaway, S.K.Hunt, I.B.James,
A.Jenkins, E.E.Jones, E.V.Latham, J.Miller,
J.D.Morgan, Mrs.K.Pearson, Mrs.S.M.Penry,
H.G.Rawlings, A.Taylor, A.L.Thomas, R.Thomas,
D.Whitelock, I.D.Williams and Mrs.A.Wingrave

Observer: Councillor P.A.Rees

Officers in Attendance: S.Ball, D.Adlam, I.Davies and Mrs.T.Davies

1. MEMBERS' DECLARATIONS

The following Members made declarations at the commencement of the meeting:-

Councillor A.Taylor - Report of the Head of Planning – Item:
No. 5, Delegated Application No.
P/2013/843 – as he is an employee of
Tata Steel.

Councillor Mrs.A.Wingrave - Report of the Head of Planning – Item:
No. 5, Delegated Application Nos.
P/2013/1083, P/2014/34 and
P/2014/179 - as she was Chairman of
Coedffranc Community Council,
Skewen when the Community Council
was consulted on the applications and
had pre-determined on the items.

2. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED: that the Minutes of the Planning and Development Control Committee, held on 1st April 2014, as circulated, be confirmed as a correct record subject to the following amendment. Councillor D.Whitelock's declaration should read '...as Councillor Whitelock is a Member of St Michaels Parochial Church Council' and not '...as Councillor Whitelock is a Member of Pelenna Community Council'.

3. **MINUTES OF THE PLANNING (SITE VISITS) SUB COMMITTEE OF THE 10TH APRIL 2014**

RESOLVED: that the Minutes of the Planning (Site Visits) Sub Committee, held on the 10th April 2014, as circulated, be confirmed as a correct record.

Report of the Head of Planning

(Note: An amendment sheet – attached and agreed – was circulated at the meeting, as detailed in Appendix A hereto).

4. **PLANNING APPLICATION APPROVED SUBJECT TO THE SIGNING OF A SECTION 106 LEGAL AGREEMENT**

Planning Application P/2012/1116

Application for demolition of existing scrap metal yard/ buildings and adjacent dwelling/ancillary outbuildings, and construction of 56 dwellings including access, drainage and associated works (amended layout and house types received 02.04.14) at Graig Yr Awel and Industrial Unit, Lane From Lon Hir to Glyndole Farm, Gellinudd, Pontardawe, SA8 3DE.

RESOLVED: that the above mentioned application be approved subject to the Conditions contained within the circulated report and subject to the signing of a 106 Legal Agreement to secure the sum of £276,120 for the provision of affordable housing within the Pontardawe spatial area and a management company for dealing with open space, landscaping, drainage infrastructure and associated infrastructure that lie outside the curtilage of any individual property, as identified within the circulated report.

(Note: with regard to the amendment sheet referred to above and attached as an Appendix, on which the Chair had allowed sufficient time for Members to read, in respect of application items on the published agenda, the Chairman had permitted urgent circulation/consideration thereof at today's meeting, the particular reasons and the circumstances being not to further delay the planning process, unless the Committee itself wanted to defer any applications and to ensure that Members take all extra relevant information into account before coming to any decision at the meeting).

5. **PLANNING APPLICATION FOR DETERMINATION FOLLOWING A SITE VISIT BY THE PLANNING (SITE VISITS) SUB COMMITTEE HELD ON THE 10TH APRIL 2014, AND ALSO SUBJECT TO THE SIGNING OF A SECTION 106 LEGAL AGREEMENT**

The Development Control Manager presented the undermentioned application which required determination in conjunction with the circulated Minutes of the Planning (Site Visits) Sub Committee held on the 10th April 2014, which were confirmed as a true record.

Planning Application P/2014/104

Residential development of 18 units comprising 8 x two-bed dwellings, 4 x three-bed dwellings and 2 blocks of three flats, plus associated engineering works at the former Briton Ferry School, Heol Ynysmaerdy, Llansawel, Castell Nedd, SA11 2TL.

RESOLVED: that the above mentioned application be approved subject to the Conditions contained within the

circulated report, and subject to the signing of a 106 Legal Agreement with the following Heads of Terms:-

- (1) Prior to the commencement of development, a payment of £7,727.88 will be provided to the Local Planning Authority for the development and maintenance of outdoor leisure facilities within the Briton Ferry East Area;
- (2) The development, as approved under application P2014/0104, shall be for the provision of 100% Affordable Housing only, and retained in perpetuity as such thereafter, as identified within the circulated report.

6. **MYNYDD MARCHYWEL APPEAL**

Planning Application P2012/999

A decision regarding the Mynedd Marchywel Wind Turbine proposal (App No. P/2012/999, erection of 5 wind turbines with a maximum blade tip height of 126.5m, control building, electricity substation, transformers crane hard standings, 82m anemometry mast, improvements to access off A474, new bridge, upgrading of existing on site tracks and construction of new on site access tracks, underground electricity cables. Temporary construction compounds and two temporary 82m anemometry masts. Additional information in respect of highways, hydrogeology, landscape, visual and ecological impacts received 13.09.13 at Mynydd Marchywel, between Rhos & Cilfrew, Neath) had previously been made by the Planning and Development Control Committee on 18th February 2014. The Officers' recommendation at today's meeting, as detailed within the circulated report, was to amend the previous decision. Under rule 13.1 of the Council's Rules of Procedure, a motion or amendment to rescind a decision made within the past six months cannot be moved unless a Notice of Motion is signed by at least two Members. No such motion had been signed in respect of this item, therefore the Committee voted under Rule 21.1 of the Council's Rules of Procedure to suspend the Rules of Procedure for the duration of this item, in order for the decision to be revisited. Twenty two of the forty three Planning and Development Control Committee Members were present for the vote to suspend the Rules of Procedure.

RESOLVED: that following re-examination of the case, the Authority will not be contesting the appeal on grounds relating to the socio-economic impacts on tourism, and the reason for refusal stated within the report (for the purposes of the appeal) will be amended (amendments in bold) to read:

‘Notwithstanding the boundaries of the Strategic Search Area E and the associated buffer zone, as defined within TAN 8, the proposed development by virtue of the central location of Mynydd March Hywel in relation to a number of communities, together with the prominent and linear siting of the turbines which dominate the landform upon which they are to be located, would result in the introduction of visually incongruous structures which would unacceptably detract from the landscape character areas within which they were to be located, and as a consequence would also adversely affect the amenities of residents and visitors within and adjoining these areas. The application is therefore contrary to the objectives of TAN 8, the criteria within the Council’s Interim Planning Guidance ‘Wind Turbines’ and Policies GC1, GC2, ENV1, ENV3, IE6, and EC5 of the Neath Port Talbot Unitary Development Plan.’

7. **APPEALS RECEIVED**

RESOLVED: that the following Appeals received, as detailed within the circulated report, be noted:

(a) Appeal Ref: A2014/0004

Partial change of use of ground floor of dwelling to shop (Class A Hairdresser), construction of single storey side extension and vehicular access at 50 Park Avenue, Glynneath.

(b) Appeal Ref: A2014/0005

Retention of raised freestanding outbuilding at
Seven Oaks, Penscynor, Cilfrew, Neath.

8. **DELEGATED APPLICATIONS DETERMINED BETWEEN 25TH
MARCH AND 11TH APRIL, 2014**

Members received a list of planning applications which had been determined between 25th March and 11th April 2014, as contained within the circulated report.

RESOLVED: that the report be noted

CHAIRMAN

APPENDIX A

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
22nd APRIL 2014

ENVIRONMENT

REPORT OF THE HEAD OF PLANNING – N. PEARCE

AMENDMENT SHEET

<u>ITEM 1.1</u>	
<u>APPLICATION NO:</u> P/2012/1116	<u>DATE:</u> 22/04/2014
PROPOSAL: Application for demolition of existing scrap metal yard/buildings and adjacent dwelling/ancillary outbuildings, and construction of 56 dwellings including access, drainage and associated works (amended layout and house types received 02.04.14)	
LOCATION: Graig Yr Awel And Industrial Unit, Lane From Lon Hir To Glyndole Farm, Gellinudd Pontardawe, SA8 3DE	
APPLICANT:	Redrow Homes
TYPE:	Full Plans
WARD:	Alltwen

ADDITIONAL REPRESENTATIONS RECEIVED

Subsequent to the report being finalised, the department has received additional representations from Cilybebyll Community Council and 1 additional letter of objection, which are summarised and responded to below: -

An additional letter of objection has been received from **Cilybebyll Community Council** who express their disappointment at not being given longer to consider the amended plans. It is also stated that the authority's discussions with the applicant have not been successful in meeting the concerns raised by local residents. They also reiterate their original comments sent to the LPA.

In response, the publicity of the application was carried out in accordance with the Town & Country Planning (Development Management Procedure) (Wales)

Order 2012, with the recent re-consultation relating to an amended layout and amended house types.

In respect of the authority's discussions with the developer, the LPA consider that the proposed scheme is generally acceptable and policy compliant. The Community Council's original comments that have been reiterated have already been addressed in the main report.

In addition, the applicant has written to the LPA clarifying issues in respect of outstanding road infrastructure works in regards to Phase 1 (Alltwen Gardens). It is anticipated that the outstanding S278 works from Phase 1, are commenced and completed before the summer to facilitate phases 1 and 2. It is also stated that the reasons these works haven't been completed to date is that there has been a lack of survey information on the manholes that are needing to be relocated and the applicants ground works contractor going into administration when they had hoped to have completed the works.

1 additional letter of objection has been received in relation to the proposal. Generally its contents have been raised via other objection letters already received but are summarised as follows: -

- Clarification required as to what is happening with the open plan culvert
- When will building works start behind my fence (121 Alltwen Gardens)
- The council can not supply the Phoenix drainage report that is referred to on plans

In response, the applicant has confirmed that the proposals are for the open culvert to the rear of plots 42 – 45 on phase 1 site to remain open as existing. The applicant also states that as the boundary enclosures layout plan confirms, the open culvert will be fenced off from the proposed access road with a 1.1m timber ranch rail fence. In respect of the Phoenix drainage report, this document has not formed part of the consideration of this application. However, it should be noted that the applicant has submitted a proposed foul and storm water drainage strategy report prepared by Healer Associates. This report is available for inspection but it should be noted that much of its contents will have been superseded by the amended drainage strategy as discussed in detail already in this report.

In respect of when development may commence, this is not a matter over which the LPA has control. Nevertheless, in the event permission is granted the applicant has 5 years to commence development, while it is understood that the applicant intends to commence development without delay in order to ensure continuity from the phase 1 development.