

DEVELOPMENT CONTROL COMMITTEE

05 JANUARY 2023

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.

ITEM NO.	PAGE NO.	APPLICATION NO.
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A Full DC Committee Site Visit was undertaken on Wednesday 4 January 2023. As well as DC Committee Members and Officers, the Local Ward Member, the applicant, the agents, a representative from Bridgend Town Council and the local residents who have expressed an interest to speak at the meeting attended the site visit. Local Ward Member, Cllr. Steven Bletsoe, lodged his objections to the original Construction Method Statement on 17 August 2022 as follows:

"I would like to submit my formal objection to the acceptance of the Construction Method Statement in relation to condition 19 of planning approval P/16/610/FUL, known as Coed Parc, Bridgend.

I would firstly like to take this opportunity to thank officers for their assistance in helping me to understand the long and often complex history of this development and how we have arrived at this point.

Having read the appeal decision of Janine Townsley LLB of 13th November 2017 condition 19 reads:-

19) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;*
- ii) loading and unloading of plant and materials;*
- iii) storage of plant and materials used in constructing the development;*
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
- v) wheel washing facilities;*
- vi) measures to control the emission of dust and dirt during demolition and construction;*
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works and;*
- viii) Hours restrictions for construction work*

The very first line of this condition reads "NO DEVELOPMENT SHALL COMMENCE" and is very, very clear. Development has commenced, phase 1 has been completed and residency has been taken up in some houses. This is in direct contravention of the appeal decision, this should not have been allowed to happen and cannot be used as a way to justify an unacceptable Construction Method Statement to be accepted because we "are where we are". We are in this position because the developer on site has clearly acted outside the appeal decision in relation to condition 19. I visited the site this morning and witnessed further development, with a "Braceys" delivery lorry and a number of workmen carrying out activities. This is further contravention of condition 19 of the legal appeal decision.

In relation to material objections to this CMS I will make a few points that I consider to be of material importance as to why I am objecting to it.

- 1. In 4.1.1 it is stated that the “topography and level differences may preclude larger vehicles from using the Park Street Entrance”. This morning, as I have stated, I witnessed a “Bracey’s Lorry” delivering to the site and have photographic evidence that it reached its position from the south entrance and returned back out through the south entrance. This lorry was of ample size to service the site for the remainder of the development time. I also do not accept the use of the word “may” in this point and not the point “will”. I do not accept that “may” is a strong enough justification to rule out the use of the south entrance. Therefore, I make an objection that this does not justify the route proposed and is a material objection.*
- 2. Item 6.3.1 states that “Individual booking slots will be used which will be booked in advance and all bookings will be managed by the PTH project manager”. This proposal has been checked with numerous local suppliers and they have stated that this is not deliverable given the size and nature of the company and/or self-builders. To offer it as a mitigation on a Construction Method Statement without assurances from suppliers that this can be realistic is not acceptable in my opinion. Before accepting this as a valid option a full and complete acceptance of terms from the suppliers should be sought by either the developer or the local authority before the CMS is accepted. I simply do not believe that this 5 hour slot between 10am-3pm is possible and should not be accepted*
- 3. Item 6.4.1 states that “A trained banksperson will be situated at the western end of Walters Road at the junction with St Leanords Road to ensure that vehicles enter and exit safely and at the appropriate times.” I have visited the site and stood at the junction described in the CMS and this simply is not viable, possible or practical in any way. The pavement is small and is this CMS stating that a trained banksperson will be standing at this point? through all weather? at all times between 10am-3pm? to carry out this duty? For the next three years and for the self-builders? It is simply not viable in any way to accept this proposal as being realistic. There is no mention of any provisions to make this possible, it is not possible to place a banksperson at this position to carry out this task*
- 4. Item 7.1.5 states that “if workers break this condition, then suitable disciplinary action will be taken by PTH, which may include financial penalties”. I would question if this proposal is either legal or enforceable in any way under employment law and whether it should be considered in any way. I do not believe that is in any way appropriate to be acceptable.*
- 5. Item 7.1.15 states that “Each delivery unloading point would have one bookable slot per hour”. Again, consultation with local suppliers states that this is completely undeliverable in reality. I am told that these are just words on a document to try to adhere to a requirement and would not be possible in the reality of the building industry given the size of this development. The developer, and especially the self-builders will not have the ability to impose such “windows” of when deliveries will arrive. They will request the items and they will be delivered.*
- 6. Item 7.1.18 states that “in the event of non-compliance, the sub-contractor or supplier will be in breach of contract, potentially allowing disciplinary action against individual drivers”. Again the use of the “potential” is not acceptable and does not ensure compliance with the CMS in any way by those delivering to the site. Again, conversations with local suppliers state that no such action would be enforceable by the developer. I would also add that due to the actions of the developer to date with non-compliance of condition 19 also highly unlikely (although I accept that this final observation about previous non-compliance on my part is not material)*

On the basis of these six items, which I consider to be of a material nature I object to this CMS proposal, I do not buy the argument that we “are where we are” as we are in this position due to the actions of the person who has submitted the CMS a LONG time after it was required to be submitted BEFORE any development commenced. Phase 3 should have been started and completed first, moving down to Phase 1 after Phase 2 had also been done. This could have been achieved if the developer had adhered to the legal requirements of Condition 19 of the appeal from the outset through a CMS that would have ensured that.

I would also like to submit the attached document as part of my objection, which is a report that has been undertaken by the residents who live close to the development, on Walters Road. It goes into a lot more detail than I ever could, given that it has been conducted by a professional, something that I do not have the qualifications for.

I offer this objection as the Ward Councillor for Bridgend Central, which covers the development and surrounding areas and would like it to be considered as a formal objection to accepting the CMS, in its current proposal. I also ask that all development on the land is stopped until a CMS has been approved as laid out in Condition 19 of the appeal decision.”

Local Ward Member, Cllr. Timothy Wood, lodged his objections to the original Construction Method Statement on 18 August 2022 as follows:

“As an elected Ward Councillor for Bridgend Central, which covers the Coed Park Development I would like to request that the Construction Method Statement for Phase 3 of Coed parc, Bridgend, to discharge condition 19 of planning consent P/16/610/FUL is referred to the Development Control Committee for consideration.

After meeting with residents around the development last night I have serious concerns as to whether this document is a satisfactory discharge of the condition 19 and do not believe that it is adequate to protect the safety of residents in the area.

Therefore can I please formally submit an objection to this application and request that it is referred to the Development Control Committee for their consideration.

In my opinion, there are many material planning reasons for doing this, including the proposal to have a "banksman" situation on the corner of Walters Road and St Leonards Roads road administering lorries, this simply isn't possible given the location and any banksman situated there, would cause unreasonable problems for pedestrians on what is already a narrow pathway. The “time slot deliveries” is total fiction as delivery companies would never agree to these. Many other concerns are health and safety issues, from large lorries using school bus routes at the time of the school run to turning from St. Leonards Rd. onto Park St. into the path of oncoming traffic when the corner is far too narrow.

I consider this to be one of many material planning reasons, amongst many in the proposal and therefore, as Ward Councillor for the area, wish to raise an objection to the CMS.”

A Panel Site Visit was undertaken on Wednesday 4th January, 2023.

As well as the Panel (Chair of Planning Committee, Cllr. Richard Granville; the Vice Chair of Planning Committee, Cllr. Heather Griffiths and the Reserve Member, Cllr. Martin

Hughes) and Officers; the Local Ward Member, Cllr. Eugene Caparros and the agent, Mr. John Matthews attended the site visit.

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