Bridgend County Borough Council
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Civic Offices, Angel Street, Bridgend, CF31 4WB / Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB

Legal and Regulatory Services /
Gwasanaethau Cyfreithiol a Rheoleiddiol
Direct line / Deialu uniongyrchol: 01656 643148
Ask for / Gofynnwch am:

Our ref / Ein cyf: Mark Anthony Galvin
Your ref / Eich cyf:

Date / Dyddiad: 5 June 2015

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held in the Council Chamber, Civic Offices, Angel Street, Bridgend on **Thursday, 11 June 2015** at **2.00pm**.

AGENDA

1. Apologies for Absence
   To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.

2. Site Visits
   To confirm a date of Wednesday 22 July 2015 for proposed Site Inspections arising at the meeting, or identified in advance of the next Committee by the Chairperson.

3. Approval of Minutes 5 - 14
   To receive and confirm the Minutes of a meeting of the Development Control Committee dated 30 April 2015

4. Public Speakers
   To advise Members of the names of the public speakers listed to speak at today's meeting (if any).

5. Declarations of Interest
   To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are Town and Community Councillors, in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008. Members having such dual roles should declare a personal interest in respect of their membership of such Town/Community Council, and a prejudicial interest if they have taken part in the consideration of an item at that Town/Community Council contained in the Officer's Reports below

6. Amendment Sheet
That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

7.	Development Control Committee Guidance	15 - 18
8.	Officers' Reports	
(a)	P/15/183/FUL - The White House Briary Way Brackla - Change of use of dwelling to Res. Care Home & 2 Storey Ext.	19 - 70
(b)	P/14/800/FUL - Fmr Council Office Site Glanogwr Road Bridgend - Demolish Council offices and erect 3. No. 4 Detached houses with garages	71 - 114
(c)	P/14/711/FUL - Former Bryncethin Nurseries & S Wales Wood Recycling Pant Hirwaun Heol-Y-Cyw - C/U Former Nursery and dwelling & Vehicle Storage new buildings Access Wood fuelled Boilers & Wood drying facility	115 - 128
(d)	P/15/203/FUL - Glynogwr Lodge Glynogwr Bridgend - Erect 2 No. Log Cabin Holiday Units for motor bike walking and Countryside pursuits	129 - 140
(e)	P/15/25/FUL - Playing Field at Heol Ysgol Bryn Castell Llangewydd Road Bryntirion - Erection of 67 dwellings new Access Car Parking Open Space Landscaping & Associated works	141 - 156
(f)	P/14/543/FUL - Land north Brynheulog Caerau Park Maesteg - 5.1M Solar array with Inverter stations Switchgear Cabins Fencing CCTV & Access	157 - 196
(g)	P/14/742/OUT - Land north of Abergarw Farm Brynmenyn - Provision of 26 Building Plots and Access Road and Remove Modern type Barn	197 - 208
(h)	P/14/464/OUT - Land east of A4061 (BNDR) Coity - Outline application for 220 dwellings	209 - 228
(i)	P/14/824/RES - Island Farm Inst. of Sport Island Farm Bridgend - Res. Matters Highway Infrastructure Green Bridge and Drainage Infrastructure	229 - 242
(j)	P/15/125/FUL - 41 Merthymawr Road Bridgend - Retention of fence to Front/Side of Property	243 - 248
(k)	P/15/55/FUL - New Street Surgery Aberkenfig - Change of Use of No. 1 New Street to form larger Surgery & 2 Storey Ext. with rear Parking Space	249 - 256
(l)	P/15/230/BCB - Caretakers School House Merlin Crescent Cefn Glas - Create New pedestrian & Vehicular access to Dwelling and New close Boarded timber Boundary Fence	257 - 262
9.	Appeals	263 - 268
10.	Review of Old Mineral Planning Consents (ROMP) Cornelly Quarries	269 - 270

11. Training Log 271 - 272

12. Development Control Committee Site Visit Panel 273 - 274

13. Nomination and Appointment to the Rights of Way Sub-Committee 275 - 276

14. Urgent Items
To consider any other item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency

Yours faithfully
P A Jolley
Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:	Councillors	Councillors
N Clarke	JE Lewis	G Thomas
GW Davies MBE	HE Morgan	M Thomas
PA Davies	LC Morgan	JH Tildesley MBE
CA Green	DG Owen	C Westwood
RC Jones	D Sage	R Williams
DRW Lewis	JC Spanswick	M Winter

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DEVELOPMENT CONTROL COMMITTEE – 30 APRIL 2015

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 30 APRIL 2015 AT 2.00PM

Present:

Councillor H M Williams - Chairperson

Councillors	Councillors	Councillors
G W Davies MBE	R C Jones	H J Townsend
P A Davies	D R W Lewis	C Westwood
R M James	D G Owen	R Williams
B Jones	J C Spanswick	M Winter
H E Morgan	M Thomas	R E Young

Officers:

Jonathan Parsons	Group Manager – Development
Julie Jenkins	Development Control Team Leader
Craig Flower	Team Leader (Technical Support)
Robert Morgan	Senior Development Control Officer
Roderic Jones	Senior Lawyer
Eilian Jones	Senior Planning Officer
Tony Godsall	Traffic and Transportation Manager
Liz Woolley	Senior Planning Officer
Satwant Pryce	Head of Regeneration and Development
Jane Dessent	Assistant Lawyer
Mark Galvin	Senior Democratic Services Officer – Committees
Andrew Rees	Senior Democratic Services Assistant (electronic back-up)
Sarah Daniel	Democratic Services Officer - Committees
Philip Thomas	Principal Planning Officer

549 APOLOGIES FOR ABSENCE

Councillor J H Tildesley – Other Council business

550 SITE VISITS

RESOLVED: That the date for site inspections (if any) arising from the meeting, or identified in advance of the next meeting of the Committee by the Chairperson, was confirmed as Wednesday, 10 June 2015 (am).

551 APPROVAL OF MINUTES

RESOLVED: That the minutes of the Development Control Committee of the 2 April 2015 were approved as a true and accurate record.

552 PUBLIC SPEAKERS

The Group Manager Development read out for the benefit of those present the names of the public speakers addressing the following application which was considered at the meeting:

Name	Planning Application Number	Reason for Speaking
Cllr G Phillips	P/14/800/FUL	Local Member
Cllr E M Hughes	P/15/800/FUL	Local Member

R Leonard	P/14/800/FUL	Objector
Cllr C L Jones	P/15/183/FUL	Local Member
	P/15/183/FUL	Objector
D Sage	P/15/183/FUL	Applicant
S Cowling	P/15/96/FUL	Objector
R Hathaway	P/15/60/FUL	Objector
P Baxter	P/15/60/FUL	Applicant

553 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor H Williams	P/15/96/FUL - Councillor Williams declared a prejudicial interest in the application as the agents of the applicant were close friends of his. He vacated the Chair for this item and the Vice-Chairperson took the Chair in his place for this item only
Councillor H Townsend	P/15/183/FUL – Councillor Townsend declared a personal interest as a Member of Brackla Community Council, (as was the applicant) but who took no part in planning matters. P/15/96/FUL – Personal interest as the objector was known to her
Councillor R E Young	P/15/125/FUL – Councillor Young declared a prejudicial interest as the applicant was known to him. He left the meeting whilst the application was being considered
Councillor B Jones	P/15/155/FUL – Councillor Jones declared a personal interest as a Member of Porthcawl Town Council but who took no part in planning matters
Councillor P Davies	P/14/823/RES – Councillor Davies declared a personal interest as a Member of Laleston Community Council but who took no part in planning matters
Councillor M Thomas	P/14/800/FUL – Councillor Thomas declared a personal interest as the applicant and public speaker was known to her
P Thomas	P/14/800/FUL – The Officer declared a prejudicial interest as an objector to the application was a personal friend. He left the meeting whilst this application was being considered
J Jenkins	P/15/183/FUL – The Officer declared a prejudicial interest as she was a close friend of an objector to the application. She left the meeting whilst this application was being considered
C Flower	P/15/183/FUL – The Officer declared a personal interest as his mother had signed a petition against the approval of the application. He explained that he had not declared a prejudicial interest as he did not give advice at Development Control Committees as do the Planning Officers immediately above

554 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson confirmed that he had accepted the Development Control Committee 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.

555 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS GRANTED CONDITIONALLY

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

Code No.	Proposal
P/15/96/FUL	36 Tennyson Drive Cefn Glas Bridgend – Convert garage to living accomm, single storey rear ext, dormer windows to front and rear
P/15/155/FUL	53 Danygraig Avenue Porthcawl – Reconstruct and re-roof existing front bay, internal structural alteration & detached garage extension
P/15/159/FUL	Land off Heol Eglwys Penyfai Bridgend – Two detached dwellings and double garage with new vehicular and pedestrian access

That the following Conditions be added to the consent immediately above:-

12. The proposed parking areas shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter for parking purposes.

    Reason: In the interests of highway safety.

13. The driveway access shall be laid out with vision splays of 2.4m x site frontage to the west (measured to the centre of the carriageway) and 2.4m x 11m to the east before the development is brought into beneficial use and retained as such thereafter.

    Reason: In the interests of highway safety.

14. No structure, erection or planting exceeding 0.6m 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.

15. The driveway entrances shall be set back not less than 1.0m from the back edge of footway and the boundaries splayed at 45 degrees either side.

    Reason: In the interests of highway safety.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the garages shall be retained as such at all times and shall not be converted into living accommodation without the prior written consent of the Local Planning Authority.

    Reason: To ensure the continued provision of adequate off-street parking and minimise on-street parking, in the interests of highway safety.

556 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS DEFERRED

RESOLVED: (1) That the following planning application be deferred for further clarification as to existing and proposed staff and patient numbers.

Code No.	Proposal
P/15/55/FUL	New Street Surgery 1 – 3 New Street Aberkenfig Bridgend – Change of use of No. 1 New Street to form larger surgery & two storey extension with rear parking space.

(2) That the following application be deferred as Members were minded to refuse the application. A further report will be presented to the next Committee meeting to allow Members to consider the reasons for such refusal. However, Members agreed that more favourable consideration may be given to a revised scheme for 3 houses.

Code No.	Proposal
P/14/800/FUL	Former Council office site Glanogwr Road Bridgend – Demolish Council offices, divert Footpath 17 (Bridgend) & erection of 4 no. detached dwellings with int. garages.

557 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATIONS DEFERRED FOR SITE VISITS

RESOLVED: That the following planning applications be deferred for full Development Control Committee site inspections:-

Code No.	Proposal
P/15/125/FUL	41 Merthymawr Road Bridgend – Retention of fence to front and side of property.
P/15/183/FUL	The White House Briary Way Brackla Bridgend – Change of use of existing dwelling to residential care home and two storey extension.

Members also agreed in respect of the application immediately above, to seek confirmation from Planning Officers as to the differentiation between resident and non-resident staff and confirmation of the Parking Guidelines requirements in this respect.

558 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION FOR RESERVED MATTERS

RESOLVED: That the following for reserved matters be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:-

Code No.	Proposal
P/14/823/RES	Island Farm Institute of Sport Island Farm Bridgend – Reserved matters: Site wide soft landscaping and ecological mitigation.

Subject to the following amendment/addition:-

Condition 2 should read:

No development on the bat roost shall take place shall take place until a …

Condition 6 should be added to the report:

This consent does not relate to the use of the existing agricultural access in the south west corner of the application site onto Merthyrmawr Road.

Reason: For the avoidance of doubt as to the extent of the permission granted and to enable the Local Planning Authority to fully assess the future use of the access in the interests of highway safety.

559 TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION SUBJECT TO PLENARY POWERS

RESOLVED: That having regard to the following planning application permission be granted and plenary power be given to the Corporate Director - Communities to issue a decision notice if no adverse representations are received from Natural Resources Wales to the revised Flood Consequence Assessment and subject to any conditions recommended by Natural Resources Wales and also subject to the Conditions contained in the report of the Corporate Director – Communities:-

Code No.	Proposal
P/15/60/FUL	Land at the Rhiw Multi Storey car park Walkway bridge and entrance Bridgend

Subject to the following changes in respect of the above consent:-

Condition 1: The plan numbers should be re-worded accordingly:

The development shall be carried out in accordance with the following approved plan numbers 3924-A-00-01 (Rev C) 02 (Rev D) 03 (Rev C) 04 (Rev C) 05 (Rev B) 06 (Rev C) 07 (Rev C) 08 (Rev C) 09 (Rev C) 10 (Rev C) 11 (Rev C) and 13 (Rev B)

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

Condition 2 should be re-worded as follows:

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

i. The routeing and timing of HGV construction traffic to/from the site in order to avoid congestion on the Rhiw or unnecessary turning and reversing manoeuvres on the Rhiw / Water Street / Queen Street

ii. the provision of temporary demolition/construction traffic signing scheme;

iii. the parking of vehicles of site operatives and visitors;

iv. loading and unloading of plant and materials;

v. storage of plant and materials arising from demolition or used in constructing the development;

vi. wheel washing facilities;

vii. measures to control the emission of dust and dirt during construction;

viii. temporary removal of existing Rhiw car park direction signing during the demolition of the car park and construction of the proposed car park supplemented by a scheme of “Rhiw car park closed” signs;

ix. the provision of temporary traffic and pedestrian management on The Rhiw/Water Street

x. a scheme for re-using existing materials of construction resulting from the demolition and construction works

Reason: In the interests of highway safety.

The wording of Conditions 5, 7, 8, 9, 12, 13, 14, 15 should be amended to read as follows:

‘No development, apart from the demolition of the existing car park and the walkway bridge, shall begin…’

Condition 6 should be amended to read as follows:

'Apart from the demolition of the existing car park and walkway bridge, no development shall commence on any respective phase of the development (as agreed under Condition 3) until the following information has been submitted to and agreed in writing by the Local Planning Authority:

(i) Detailed specification and samples of, the materials to be used in the construction of the external surfaces of each respective phase;

(ii) Details and finishes at a scale of 1:5 of the following, where relevant:
(a) window units,
(b) typical external doors (including fire doors),
(c) the proposed plant screening,
(d) decorative metal ventilation grills,
(e) security gates,
(f) the car parking louvres and cladding panels,
(g) the cantilever support.

Condition 15 should be amended to read as follows:

No development shall commence until a scheme for the provision of a Refuse/Recycling collection Management Plan for the new residential units has been submitted to and agreed in writing by the Local Planning Authority. All refuse/recycling collection vehicle movements to the residential units shall be made in accordance with agreed Refuse/Recycling collection Management Plan once the residential development is brought into beneficial use and retained thereafter in accordance with the Management Plan.

Reason: In the interests of highway safety.

The following additional Conditions should be added to the report:

16. No development, apart from the demolition of the existing car park and the walkway bridge, shall commence until a scheme for the provision of a vehicle height restriction barrier and traffic calming on the car park access has been submitted to and agreed in writing by the Local Planning Authority. The barrier and speed reducing features shall be implemented in accordance with the agreed scheme prior to the new car park being brought into beneficial use and retained thereafter.

    Reason: In the interests of highway safety.

17. The revised highway access to the car park and emergency vehicle turning area shall be laid out in permanent materials in in accordance with the approved layout prior to the car park being brought into beneficial use.

    Reason: In the interests of highway safety.

18. The proposed car park access shall be laid out with a vision splay of 2.4m x 17m before the car park is brought into beneficial use and retained as such thereafter.

    Reason: In the interests of highway safety.

19. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time unless it is in accordance with a detailed scheme to be submitted to and agreed in writing by the Local Planning prior to work commencing on the construction of the new car park. Any works within the vision splay shall be undertaken in accordance with

the agreed scheme and prior to the car park being brought into beneficial use.

Reason: In the interests of highway safety

20. The individual parking spaces in the new multi storey car and undercroft car park serving the residential apartments shall be clearly demarcated in permanent materials in accordance with the approved layout prior to the new multi storey car and undercroft car park serving the residential apartments being brought into beneficial use and shall be retained as such and retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

21. Notwithstanding the submitted plans, no development, apart from the demolition of the existing car park and the walkway bridge shall commence until a revised scheme for the car park pedestrian access onto The Rhiw, including a widened entrance, details of any doorways, hard landscaping and external finishes has been submitted to and agreed in writing by the Local Planning Authority. The revised scheme shall be implemented as agreed prior to the new car park being brought into beneficial use.

Reason: In the interests of highway safety.

559 APPEALS RECEIVED

RESOLVED: That the Appeals received as outlined in the report of the Corporate Director Communities be noted

560 APPEALS DECISIONS

RESOLVED: (1) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeal has directed that it be ALLOWED; the Enforcement Notice be quashed, and subject to a Condition (See Appendix A to the report):-

Code No.	Subject of Appeal
C/15/2227670(1748)	Enforcement Notice which required the reinstatement of the front dormers in accordance with detailed plans as per application P/13/495/FUL : 16 Shelley Drive, Cefn Glas

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

Code No	Subject of Appeal
A/14/2227669(1749)	Re-position dormers to front elevation and construct single storey extension to rear : 16 Shelley Drive, Cefn Glas.

561 TRAINING LOG

The Group Manager - Development reported on an updated training log.

RESOLVED: That the report of the Corporate Director – Communities outlining a forthcoming training session for Members be noted.

562 REPORT OF STATISTICAL INFORMATION FOR 1 APRIL 2014 – 31 MARCH 2015

The Group Manager – Development submitted a report in respect of the above.

He explained that the speed of determining planning applications was a key national indicator of performance as set by the Welsh Government. The target was to determine 80% of all applications within 8 weeks. For the above period, the Welsh Government website shows that Bridgend have determined the following within the 8 week target:-

Quarter 1 = 86%; Quarter 2 = 76%; Quarter 3 = 93%*; Quarter 4 = 90%* (projected)

The Group Manager – Development highlighted that the 93% of planning applications processed in Quarter 3 above, put BCBC joint 1st in Wales for this period.

The Welsh Government now included those planning applications where the applicant/agent has agreed to an extension of the 8 week period. These were included within the report from Quarter 3 onwards, and this partly accounted for the significant percentage increase.

During the year 769 planning applications were determined and Officers negotiated enhancements to 138 of these (18%), which highlighted the continuing work in adding value to the determination process.

He stated that the Development Group had undergone further re-structuring as of April 2015 with the loss of 4 posts.

The following statistical reports were attached as appendices to the report for Members information:-

Appendix A - Section 106
Appendix B - Appeals
Appendix C - Enforcement
Appendix D - Building Control

RESOLVED: That the report be noted

The meeting closed at 5.48pm.

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Development Control Committee Guidance

I submit for your consideration the following report on Planning Applications and other Development Control matters based upon the information presently submitted to the Department. Should any additional information be submitted between the date of this report and 4.00pm on the day prior to the date of the meeting, relevant to the consideration of an item on the report, that additional information will be made available at the meeting.

For Members' assistance I have provided details on standard conditions on time limits, standard notes (attached to all consents for planning permission) and the reasons to justify site inspections.

STANDARD CONDITIONS

On some applications for planning permission reference is made in the recommendation to the permission granted being subject to standard conditions. These standard conditions set time limits in which the proposed development should be commenced, and are imposed by the Planning Act 1990. Members may find the following explanation helpful:-

Time-limits on full permission

Grants of planning permission (apart from outline permissions) must, under section 91 of the Act, be made subject to a condition imposing a time-limit within which the development authorised must be started. The section specifies a period of five years from the date of the permission. Where planning permission is granted without a condition limiting the duration of the planning permission, it is deemed to be granted subject to the condition that the development to which it relates must be begun not later than the expiration of 5 years beginning with the grant of permission.

Time-limits on outline permissions

Grants of outline planning permission must, under section 92 of the Act, be made subject to conditions imposing two types time-limit, one within which applications must be made for the approval of reserved matters and a second within which the development itself must be started. The periods specified in the section are three years from the grant of outline permission for the submission of applications for approval of reserved matters, and either five years from the grant of permission, or two years from the final approval of the last of the reserved matters, whichever is the longer, for starting the development.

Variation from standard time-limits

If the authority consider it appropriate on planning grounds they may use longer or shorter periods than those specified in the Act, but must give their reasons for so doing.

STANDARD NOTES

a. Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

   In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

   The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to enforcement action.

   Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.

c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter).

To determine whether your building work requires Building Regulation approval, or for other services provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at:- http://www.bridgend.gov.uk/buildingcontrol

d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development

e. Attention is drawn to the provisions of the party wall etc. act 1996

f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.

g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136

h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)

i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):- http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en

j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)

k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk

l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.

m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-

- re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
- increase in the volume of a building;
- increase in the height of a building;
- changes to the site area;
- changes which conflict with a condition;
- additional or repositioned windows / doors / openings within 21m of an existing building;
- changes which alter the nature or description of the development;
- new works or elements not part of the original scheme;
- new works or elements not considered by an environmental statement submitted with the application.

n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.

p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

THE SITE INSPECTION PROTOCOL
The Site Inspection Protocol is as follows:-

Purpose
Fact Finding
Development Control Committee site visits are not meetings where decisions are made and neither are they public meetings. They are essentially fact finding exercises, held for the benefit of Members, where a proposed development may be difficult to visualise from the plans and supporting material. They may be necessary for careful consideration of relationships to adjoining property or the general vicinity of the proposal due to its scale or effect on a listed building or conservation area.

Request for a Site Visit
Ward Member request for Site Visit
Site visits can be costly and cause delays so it is important that they are only held where necessary normally on the day prior to Committee and where there is a material planning objection.

Site visits, whether Site Panel or Committee, are held pursuant to:-

1. a decision of the Chair of the Development Control Committee (or in his/her absence the Vice Chair) or

2. a request received within the prescribed consultation period from a local Ward Member or another Member consulted because the application significantly affects the other ward, and where a material planning objection has been received by the Development Department from a statutory consultee or local resident.

A request for a site visit made by the local Ward Member, or another Member in response to being consulted on the proposed development, must be submitted in writing, or electronically, within 21 days of the date they were notified of the application and shall clearly indicate the planning reasons for the visit.

Site visits can not be undertaken for inappropriate reasons (see below).

The Development Control Committee can also decide to convene a Site Panel or Committee Site Visit.

Inappropriate Site Visit
Examples where a site visit would not normally be appropriate include where:-

- purely policy matters or issues of principle are an issue
- to consider boundary or neighbour disputes
- issues of competition
- loss of property values
- any other issues which are not material planning considerations
- where Councillors have already visited the site within the last 12 months, except in exceptional circumstances

Format and Conduct at the Site Visit
Attendance
Members of the Development Control Committee, the local Ward Member and the relevant Town or Community Council will be notified in advance of any visit. The applicant and/or the applicant's agent will also be informed as will the first person registering an intent to speak at Committee but it will be made clear that representations cannot be made during the course of the visit.

Officer Advice
The Chair will invite the Planning Officer to briefly outline the proposals and point out the key issues raised by the application and of any vantage points from which the site should be viewed. Members may ask questions and seek clarification and Officers will respond. The applicant or agent will be invited by the Chairman to clarify aspects of the development.

The local Ward Member(s), one objector who has registered a request to speak at Committee (whether a local resident or Town/Community Council representative) and a Town/Community Council representative will be allowed to clarify any points of objection, both only in respect of any features of the site, or its locality, which are relevant to the determination of the planning application.

Any statement or discussion concerning the principles and policies applicable to the development or to the merits of the proposal will not be allowed.

Code of Conduct
Although site visits are not part of the formal Committee consideration of the application, the Code of Conduct still applies to site visits and Councillors should have regard to the guidance on declarations of personal interests.

Record Keeping
A file record will be kept of those attending the site visit.

Site Visit Summary
In summary site visits are: -

- a fact finding exercise.
- not part of the formal Committee meeting and therefore public rights of attendance do not apply.
- to enable Officers to point out relevant features.
- to enable questions to be asked on site for clarification. However, discussions on the application will only take place at the subsequent Committee.

Frequently Used Planning Acronyms

AONB	Area Of Outstanding Natural Beauty
APN	Agricultural Prior Notification
BREEM	Building Research Establishment Environmental Assessment Method
CA	Conservation Area
CAC	Conservation Area Consent
CIL	Community Infrastructure Levy
DAS	Design and Access Statement
DPN	Demolition Prior Notification
EIA	Environmental Impact Assessment
ES	Environmental Statement
FCA	Flood Consequences Assessment
GPDO	General Permitted Development Order
LB	Listed Building
LBC	Listed Building Consent
LDP	Local Development Plan
LPA	Local Planning Authority
PINS	Planning Inspectorate
PPW	Planning Policy Wales
S.106	Section 106 Agreement
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SINC	Sites of Importance for Nature Conservation
SPG	Supplementary Planning Guidance
SSSI	Site of Special Scientific Interest
TAN	Technical Advice Note
TIA	Transport Impact Assessment
TPN	Telecommunications Prior Notification
TPO	Tree Preservation Order
UCO	Use Classes Order
UDP	Unitary Development Plan

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/15/183/FUL**

APPLICANT: HOMESTYLE CARE LTD
THE WHITE HOUSE BRIARY WAY BRACKLA BRIDGEND

LOCATION: **THE WHITE HOUSE BRIARY WAY BRACKLA BRIDGEND**

PROPOSAL: CHANGE OF USE OF EXISTING DWELLING TO RESIDENTIAL CARE HOME AND TWO STOREY EXTENSION

RECEIVED: 18th March 2015

SITE INSPECTED: 20th April 2015

APPLICATION/SITE DESCRIPTION

This application was initially considered by Committee on 30th April, 2015, when it was resolved to defer consideration to enable the site to be inspected by Members. The application site had previously been inspected by the Site Visit Panel on 29th April, 2015. Three Ward Members, a representative of Brackla Community Council, one of the residents registered to speak and the applicant were in attendance. The Site Visit Panel considered that the report accurately reflected the nature of the proposed development. My original report is reproduced below including additional information, which appeared on the Amendment Sheet, together with further representations received since that time. The recommendation, with all new information, is recommended for approval subject to conditions.

The application proposes the change of use of a substantial detached two and a half storey dwelling into a Residential Care Home specialising in care for autistic or similar needs on a full time basis. The care is to be provided in a family type environment and will be geared towards integrating people back into the community. The Care Home will provide facilities for 4 clients on a full time basis and be staffed by 5 permanent members of staff and 7 part time staff with four members of staff working on a one to one basis together with a Manager or Deputy Manager in attendance at any one time. There will be no sleeping facilities required for staff members.

In order to facilitate the change of use some internal alterations to the existing accommodation are proposed. In addition, a one and a half/two storey extension is proposed to be attached to the southern elevation of the property. This element was originally approved in 2014 (P/14/ 806/FUL refers), however it is now intended to use this element to provide sensory rooms, a rebound room, disabled persons toilet and reception area with three bedrooms, bathing facilities, office and store created at first floor level and two further bedrooms and shower in the roof space over at second floor level. The area between the dwelling and the sliding, electrically operated gates has been hard surfaced in block paviours. The gates are set back just over 5m from the back edge of the footway, which is 1.85m wide.

RELEVANT HISTORY

P/09/645/FUL APPROVED +conditions 18-12-2009
PROPOSED RESIDENTIAL DEVELOPMENT (1NO. DETACHED DWELLING)



N
W E
S

Page 20

Scale 1:1,250

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol
Penybont ar Ogwr
BRIDGEND
County Borough Council

P/11/405/FUL	Retro App + Conds	08-08-2011

REGULARISE THE BOUNDARY WALL

P/14/634/FUL	Retrospect Approved	24-10-2014

RETROSPECTIVE APPLICATION FOR TREE HOUSE

P/14/806/FUL	APPROVED +conditions	14-01-2015

TWO STOREY EXTENSION

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 27th April, 2015.

NEGOTIATIONS

In a letter sent to the applicant's agent concerns in respect of the following issues were raised:-

1. Examination of the submitted plans in respect of the proposed floor plans reveals that, at first floor level, bedroom 2 is effectively being created from the former dressing area, which served the previous master bedroom. The window serving this room is currently obscurely glazed in order to safeguard the privacy of the neighbouring property to the east in Underwood Place. It is not considered appropriate for such an arrangement to serve a bedroom nor would it be acceptable for the window to be replaced with clear glazing as this would infringe the privacy of the adjoining dwelling.

2. In addition, it was highlighted that bedroom one contains no windows as the window, which previously served the master bedroom is now located on the opposite side of a corridor leading to a proposed fire escape.

3. With regard to the proposed fire escape, there is concern that anyone utilising the facility would again overlook the gardens of the properties to the east of the application site. Whilst, it is appreciated that the facility should only be used to provide emergency egress in the event of fire, frequently a platform area is used as an informal balcony area and/or the stairs used as a means of ingress/egress rather than the main entrance.

Amended plans were handed to the case officer during the site inspection on 20th April, 2015. The revisions confirm the omission of the fire escape element, which enables the retention of the existing window within bedroom 1. In addition, bedroom 2 is now to be converted to a store and a corridor created to link bedroom 1 with a bathroom facility. The existing obscurely glazed window, which previously served the former dressing area, will now serve this corridor link. On the basis that the window would not serve a habitable room, the privacy of the neighbouring property would be preserved.

In addition, it was noted during the site inspection that there is a significant difference in land level between the application site and the adjoining property to the east in Underwood Place such that the eaves height of the application site appears to be level with the ground floor of the dwelling in Underwood Place. It was also noted that a close boarded fence, located on top of a grassed

bank and retaining wall runs along the boundary with this neighbour. It is considered that the privacy of the neighbouring property to the east is satisfactorily preserved.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 31st March 2015

Councillor J C Spanswick
Wish to discuss this application further as it appears to be out of accord with the residential street setting. In this regard I wish the application to be referred to Committee for consideration.

Head Of Street Scene (Highways)
No objection subject to condition.

Head Of Street Scene (Drainage)
No objection subject to condition.

Natural Resources Wales
No objection

Welsh Water Developer Services
In the event that the Authority is minded to approve the development, it is requested that advisory notes are included within the decision notice in order to ensure no detriment to existing residents or the environment or Dwr Cymru/Welsh Water's assets.

REPRESENTATIONS RECEIVED

Stephen Rees, 44 Underwood Place
1 As stipulated in residential and nursing care council the criteria for people who are in need of substantial or critical care needs could mean people who have mental illness this could be a wide range of symptoms from agrophobia to schizophrenia I personally believe that this is not the correct environment to integrate these vunerable people into as it is a residential area with many children who are easily impressionable and who also on times can be cruel. Also I am concerned as it is a known fact that people with mental health issues are more likely to have violent outbursts and as some one who as two young children I don't want them subjected to unreasonable behaviour

2 I have been resident for 10 years and on purchasing the house was told by Redrow that the land would not be developed in a matter of time 3 developments have been built

3 As the proposed development will be in operation 24 hrs a day a increase in traffic and noise will be evident along with environmental issues

4 The house was also designed as a private house therefore how is the extra refuse waste to be contained along with sewage/water

5 Is the proposed development a no smoking site

6 Visitor parking where will they park

7 Security will there be 24 hr or no security

8 Will there be any sexual offenders housed there

9 Negative value on the value of my house

I look forward to your answers and comments on this matter yours Stephen Rees

David Miller, 3 Briary Way
I strongly object to this application. It states accommodation for at least 6 residents, so how many could it go up to.
It will have 5 permanent and 7 temporary staff and as there could also be visitors to the home and as the site plans show no parking facilities within the grounds of the home, where will they all park.
This is a quiet residential street and the increase in road traffic and the parking problems this will cause is unacceptable and this application should not be allowed.

W M & B A Jones, 1 The Woods
Strongly object to the application for reasons, which are summarised below and have registered a request to speak at Committee:-

1. The Residential Care Home will provide facilities to 4 persons in need of full time care, who are suffering on the Autistic Spectrum. The surrounding area is a densely populated residential area with families with young children, elderly people and people living alone. The dwellings are highly expensive and residents are quiet and well behaved. We do not consider this location is suitable for this type of facility.

2. The application site lies in close proximity to the objector's home and there is concern regarding noise and anti-social behaviour in the rear garden of the application site with a fear that future occupants may be prone to screaming fits.

3. Additional noise and disturbance from additional traffic resulting from staff, visitors, doctors arriving at the property. The electric gates at the front of the property can also be slow to open and noisy, with the potential for cars waiting to enter potentially queuing and blocking the entrance to the private drive serving the objector's home.

4. Already experience problems from residents occupying the adjoining property The Woods, which is owned and operated by the current applicant. A number of examples of anti-social behaviour have been highlighted including noise, foul language and disturbance from taxis dropping off residents in the early hours of the morning. The same Company will operate the new enterprise and we are not confident that the premises will be operated in a reasonable manner.

5. The development will result in objector being sandwiched between the two facilities to the detriment of residential amenity.

6. The proposed development will impact on 10-12 properties in the area adversely impacting on the quality of life of local residents and resulting in loss of value in the event of sale.

The full observations can be reproduced if required.

Nicola Key, 30 Underwood Place
Our back garden backs on to this property, it is a very quiet location, and I am deeply concerned about the future on this project going ahead, and the impact it will have on my home.

Adele Treharne, 6 Redwing Close
I have great concern with this proposal of change of use to property.
My concerns are:

1 - on reading the 'Homestyle care ltd' website it states that their residents have mental health issues and complex and challenging needs, I have grandchildren living with me who play out in the street and I fear for their safety.
2 - increase of vehicles due to staff and any outside agencies that the residents will need.
3 - the property entrance is situated on a bend and with the increase of vehicles will cause disruption to residents in the joining streets.
4 - the increase in traffic will again be a factor in my grandchildren's safety.
5 - increase in noise.
6 - the surrounding area to the proposed property is a well respected sought after area and I feel that the change of use of property would have an adverse affect on the area.
7 - decrease in the value of my house should I wish to sell.

Mrs J Mcardle, 11 Briary Way
We have serious concerns+ object all aspects of proposals

Alan Gifford, Briary Wood
Supports the application and is please to see someone doing something positive for the proposed residents.

Spephen & Jane Price, 46 Briary Way
This is a totally residential area, with a high percentage of retired residents, if this planning application is successful you would be setting a precedent for other residents to convert their homes to businesses.
It would result in additional traffic at shift change (day and night)
Feel it would have an adverse impact on this relatively quiet area of Brackla

B C & M C Kilby, 78 Briary Way
1 The proposed change of use is not suitable for the area.
2 The development will cause a nuisance from the noise of traffic coming and going.
3 We believe the development will adversely affect us.
4 The development will have a adverse impact on the area as a whole.

Andrew Macleod, 8 Briary Way
We strongly object to this planning application for a change of dwelling to a residential care home and therefore a two storey extension , which is contradictory to the planning. NEWLY ELECTED Brackla councillor Mr Gareth Williams has not considered the local residents or area in this matter. There is definitely not enough room for parking. There is already a care residence that is rented out by Mr. Williams nearby and we have a high volume of taxis and police back and for to this residence. We are worried that the street will be used for parking which incidentally is on a bend. Small children use this pavement to walk to the nearby school. Elderly people live nearby and may have difficulty navigating the pavement if cars are parked on it. Referring to your planning act 1990 section 6 Mr Williams has ticked no to a new vehicle access. Today Mr. Williams began to cut into the pavement to create a new access. We fear as this is a closed off residence how in the event of fire or any emergency vehicles will be able to effectively access the property. As stated in the schedule of restrictive covenants, item 3.4 not to convert any private dwelling house into two or more tenements or flats. So as stated by Mrs E Woolley the proposed development appears to comply with planning application I urge you to reconsider. NEWLY ELECTED councillor Mr. Williams was not pleased with our democratic right to inform the neighbours and threatened solicitors letters to some of our residents. We are aware that this is a business and have found anomalies relating to this project. We as residents have collated information and can pass this to yourselves and the local media.

T & D Warren, 9 Briary Way
Objects to the proposals for reasons including suitability of location for a Care Home, increase in traffic, location on a dangerous bend and increase in noise.

Neil Morris, 17 Briary Way
I am extremely concerned about this application. Briary Way is currently a desired street within

Brackla, by having this approved would prove to be of detriment on the street. I'd also like to know why Mr Williams has applied for this when he is no part of Homestyle Care? The only link I have found is that he shares a registered office with them on Brackla Ind Est. I also believe that BCBC have not completed a full due diligence with regard to this & would remind you that as councillor Mr Williams has to abide by The Code of Conduct for members of local authorities in Wales. There will be increased traffic to the street which is a major concern due to the number of children who play in the street. We have already notice an increased police presence regarding another so called care home in The Woods, just off Briary Way. I believe this has not had planning approved for a business & would urge BCBC to investigate this.

Neil Morris, 17 Briary Way

I have numerous objections to this. It states in the deeds of Briary Way that no business shall be run from a property in the street. There will be increased traffic which will end up being parked on the street which will cause obstructions and there have been a number of near misses on the bend where the White House is. Mr Williams does not own Homestyle Care so how can he be applying for planning under this name? It's bad enough he was granted permission to build a house which is not in the style of Briary Way & was also granted permission to knock down trees protected by a preservation order. The trees he planted instead are not an acceptable alternative. There would be a fire/health & safety issue due to the electric gate which has failed to work on several occasions.

Gareth Davies, 14 Briary Way

1)If the application is for a change of use, do you think that the proposed use is suitable for the area?

I do not think that the proposed use is suitable as this is a totally residential area and it does not seem appropriate to have a change of use for business purposes directly in the middle of residential homes.

The application itself does not appear to be accurate as it names Gareth Williams and the Limited Company as the applicants at the home address (The White House), whereas Mr Williams does not appear to be a director or official of the company and the company is not registered at that address. The Application also states that there will be a change from residential usage but the details are not completed in sections 18 and 19 as to what type of business the proposed usage is for.

2)Do you think that the development will affect you by way of loss of daylight, overshadowing, loss of privacy?

No

3)Do you think that the development will cause you any nuisance or disturbance for example from noise, traffic coming and going?

The planning application advises that there will be 5 permanent and 7 part time staff and whilst the plans say there will be parking available within the existing property boundaries, I cannot see that there is sufficient parking for the staff alone, never mind the visitors, relatives etc. Especially when you consider more ground is to be taken up with the proposed extension. Also with the type of facility being proposed, there is likely to be a number of meetings at the property with social workers, care workers, local government officials etc. , which will all require additional parking available. This will mean that a lot of traffic will end up parking outside the property on a 'blind bend', on the pavements etc. this will prove to be very dangerous for all residents and children using the street and the pavements.

The noise pollution caused by all this traffic and people coming to and from the property is also not suitable for a quiet residential area such as this.

As the residents of the proposed care home will require daily care, their behaviour may not be suitable for local children walking to and from the nearby schools, playing in the street etc. Mr Williams is already letting another property he owns (within a few metres of the White House) to people who need care such as the proposed residents and these are already causing some disturbances with their behaviour (for example after coming home from the pub late at night). There has been an increase in traffic to this property with taxis beeping, often again late night,

and police cars being called or visiting etc. The additional traffic is also likely to cause more noise pollution.

4)Do you think that the development will adversely affect you in any way?
Likely to be affected by the traffic increase, particularly the parking on the blind bend and noise disturbance as well as the general quietness of the street.

5)Do you think that the development will have any adverse impact on the area as a whole?
The traffic, noise, type of business and points mentioned above I believe will adversely impact the area as a whole.

Ian Hedley, 10 Briary Way
Hedley Part 2

Briary Way is an attractive street with a charm which attracts people to buy here. This business development submitted by Mr Williams will destroy the very fabric of the area and all residents of the street and surrounding area are vehemently opposed to the proposal. There will certainly be increased traffic at all times of the day and night, which will cause parking issues and cause nuisance. There are several elderly residents living in very close proximity to the White House who did not know of the proposal and they have voiced their own concerns and they are extremely afraid of what the future holds.

It is evident to most Briary Way residents that Mr Williams has desperately been trying to sell his house for sometime without success. The White House is a large 6 bedroom property with numerous rooms and did not require an extension to be built given that Mr Williams lives there with his partner and only child. This only adds to the speculation that his application to build an extension which was approved in December was pre-meditated and a smoke screen to hide his true intent.

I believe that due diligence has not been carried out sufficiently throughout this planning application and would like the full planning committee to hold a review of the plans, intent, and falsities of this whole proposal taking into account the observations I have detailed in this submission.

Ian Hedley, 10 Briary Way
Mr Hedley Part 1
The Applicant is Mr Gareth Williams, who states his company as Homestyle Care giving his address as the White House, Briary Way. Mr Williams does not have a company called Homestyle Care and has falsified his details. Homestyle Care is run by Mr Robert Sage with his wife Lisa, and are the only 2 directors. The address for Homestyle Care is Poplar House, 14 Poplar Avenue, Porthcawl, Mid Glamorgan. They are linked to Mr Williams by virtue that Homestyle Care is registered at 10 Garth Drive, Brackla Industrial Estate. This is also the address as Mr Williams' other companies.

Design and Access Statement 18/03/2015 Application Details. The agent states "a similar care facility is currently provide in Porthcawl and that his client wishes to locate to Brackla." This is a false statement as Mr Williams does not own the care facility in Porthcawl and therefore has nothing to relocate. Additionally, Poplar House has recently been refurbished to a high standard making you wonder why Homestyle Care would need to relocate.

Design and Access Statement dated 30/03/2015 states that the site provides easy walking areas to all facilities, shops, etc. To access the shops etc, there is a steep hill to climb and it is also 1/4 of a mile to the nearest bus stand up this hill which would be challenging for wheelchair bound residents. In contrast, Poplar House is on level ground and boasts that is within walking distance of shops, cafes, beaches, parks, bus stops etc.; far more than what is on offer in Brackla.

Design and Access Statement dated 30/03/2015 states that the new 2 storey extension has the

benefit of Planning Permission. This planning P/14/806/FUL was for a games room and is different to that proposed for the Rebound room in the new application. Decision Notice for 2 storey extension, page 3 para a. states that any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. P/15/183/FUL should be considered as a new application.

Why would Mr Williams apply for an extension 3 months earlier only to re-submit new plans once he had P/14/806/FUL approved?

Proposed Elevation and Site and Ground Floor Plans submitted on 19/03/2015 are incorrect as these are original build plans dated July 2009. Proposed plans exclude what the completed house would look like with the fire escape and new extension. This contravenes BCBC policy which requires properly drawn up plans showing the building or land as it is now and the proposed changes.

Plans state car parking spaces for 8 cars but there will only be enough room for 4 cars given they need space to manoeuvre. Lack of parking will result in staff and visitors parking on the street on a dangerous bend in the road. There have been numerous near misses on this corner over the years and also we are seeing more cars half parked on the pavement causing pedestrians to cross over the road to the opposite pavement.

Concerns iaw Building Regulations Approved Document B, that the cars parked in the property could hamper access to fire vehicles in the event of a fire. Also concerns that the requirements for fire vehicle access and the design of access routes listed in section 16 would not be met.

Concerns about the fabric and materials of the building being suitable for a residential home as it has been constructed as a domestic dwelling.

Fire Safety Risk Assessment for Residential Homes states about the Final exit doors and escape away from the premises. The White House has a 2 m wall surrounding the property and access is controlled by an electric gate. This gate has broken down several times and in the event of a fire, this could hinder escape for residents whilst also stopping fire crews from accessing the property.

The Schedule of Restrictive Covenants states that the land should not be used for any trade or business or permit or suffer anything which could become a nuisance.

A J & I A L Davies, 69 Briary Way
Strongly objects to the proposal for the reasons summarised below:-

1. Proposals not sufficiently precise in respect of numbers of residents;
2. Inappropriate location as young adults with learning difficulties/mental health issues could pose a high risk and a danger to young families in the area;
3. Additional traffic
4. Potential that residents may roam freely posing a threat to the community;
5. Applicant seeking personal financial gain at the expense of the neighbourhood;
6. Devaluation of property if development approved

Mr C Evans, 8 Redwing Close
Due to the location of this property, which was erected as a family home, I have concerns over the proposed further development on such a small plot. It has been stated there will be at least 6 residents, 5 permanent and 7 temporary staff. The location is on bend in the road. The existing resident parks vehicles outside the premises on occasions. Where would the vehicles of potential employees be parked during their working hours?

Amanda Parsons, 12 Kingfisher Close

As a resident in this area and having to pass this property several times a day, I do have concerns regarding parking issues. This property is situated on a corner and on occasions even one vehicle can cause a problem (the application states that there will be 7 staff plus then any health visitors as well as family/friends)in summary I feel that there will be a parking issue which will cause a danger to cars on the bend and to residents on the footpaths.

Keith Hughes, 18 Bramble Close

Firstly,I do not feel that BCBC have met the minimum statutory requirements under Article 13 of the Development Management Procedure Order in consulting the whole of BRIARFIELDS residents, as the potential implications of the change of use proposed under this application could well impact on us all.Not even having the decency to display a site notice near THE WHITE HOUSE to alert the very constituents that Mr.Williams as a Brackla Community Councillor represents is somewhat underhand in my opinion.

I also wish to register the following points in registering my objection to the change of use proposal:-

current Human Rights Law means that residents are entitled to a 'no locked door policy" allowing them free access to the local community .BRIARFIELDS is a quiet respectable community with a good mix of age groups and the prospect of having young adults (whose primary care needs relate to learning difficulties but they may have associated mental health problems and complex and challenging needs),freely accessing the area is very concerning .

The change of use proposed is not in character with the area and so far as my research has revealed to date not included in any Local Development Plan.

Integrating of young people with demanding needs is important but I do not feel that BRIARFIELDS is in any way the right place as I understand that there are already issues concerning Mr.Williams other property at BRIARY WOODS where three adults are already looked after.

When BRIARYWOODS was placed on the market BCBC planning gave permission for one property to be built on the site with a large raft of conservation requirements having previously denied EASTLAKE BUILDERS (A VERY REPUTABLE BUILDER WITH GOOD STANDING IN THE DEVELOPMENT)Mr.WILLIAMS has now built four properties on the site with the approval of BCBC and in fairness he has improved the whole outlook of the previous Eastlake site office base.

However,I am really concerned with the change of use proposed for his main residence and knowing that BCBC have already demonstrated their willingness to allow additional properties at BRIARYWOODS I suspect that this will not be the last planning applicatiopn that we need to be alert to!!

Whilst most residents would agree with me in supporting new job creation I have been led to understand that the positions mentioned in the proposal could well be existing jobs with Homestyle Care LTD being relocated from Porthcawl.

Whilst additional traffic and parking flows will no doubt impact in an adverse way on the immediate neighbours I do not expect it to affect myself.

However I do feel that if the proposal is accepted and pursued the likely value of the surrounding properties is likely to fall (as discussed with local estate agents).We are all aware that BCBC are bnot in a position to reimburse residents for any such shortfall under current case law.

Finally,whilst I have no objection to Mr.WIILIAMS seeking to profit from his residence I do not feel it should be at the expense of the BRIARFIELDS residents who is was appointed to look after their interests and needs.

Wynfred Marien Loveluck, 8 Bramble Close

I wish to object most strongly to the Change of Use of The White House from a family home, to that of a Limited Company, opening the door to applications for any sort of commercial venture "for profit". I am interested to know the owners motive.

The occupancy by "challengingly disturbed" young people (whilst a noble cause) would undoubtedly create an immediate fall in value of all properties in Briary Way. Not something to be welcomed by owner occupiers.

The extra foot fall ensuing - the whole of the estate being connected by walk-ways - fills me with concern. The residents of Bramble Close already experience damage to their rear fences

from young adult users of the Path backing their homes, not to mention random objects being thrown into gardens, including large rocks. I fear my quality of life will be severely reduced by constant worry as to what will happen next with a new invasion of privacy by young challenged adults wandering around the estate.

Martyn & Yvonne Page, Ty Onnen

1 The proposal for the change of use to a care home is non conformant with the class use allocated to the area which is predominantly family residential dwellings (the class use of care home is not covered by any of the LDP policies mentioned in the Design and Access Statement)

2 If approved the application will set a president for further properties in the area being changed to what is essentially a business premises.

3 The change of use is likely to affect high way safety with increased traffic flow on a quiet residential road, which currently provides a safe pedestrian route, in particular children walking to the numerous schools in the area.

4 The possibility of problems with increased parking on the highway adjacent to the property which is on a bend.

5 The description 'autistic spectrum' covers a wide range of disorders and from the limited information provided in the design and access statement there is a possibility that the property could house people with severe learning difficulties and problems with interaction which could cause disruption and noise thus harming the amenity of properties in the area.

6 It is noted in the Design and Access Statement that care is to be provided for four individuals and that no sleeping facilities are required for staff yet there are seven bedrooms indicated on the plan, what is the future plan for these?

Mr/Mrs Richards, 75 Briary Way

My husband & I object to this application as we feel that this extension to the house will be an eyesore to the street, the house as it is doesn't fit in with the rest of briary way. There's the issue with the volume of cars that will increase also the parking for staff & visitors where are they to park I can envisage cars being parked on the road which is on a bend leading to all sorts of issues. At present it is a safe spot not much traffic only residents. Also with the type of clients that will be residents some of which have issues and are challenging at the moment briary way is quiet with no asb issues we only see police when there is a problem. This type of residence will see more police back & forth dealing with the mispers, challenging behaviour if staff can't control, do we want this on our quiet estate and our children seeing police all the time No!! Mr Williams won't care as he would have sold the house & no doubt left brackla. I think that most of the residents of briary way feel the same and if this is approved it begs the question is it because he is on the panel of county councillors?
Thank you

Gareth Smith, 2 Redwing Close

To Whom It May Concern:

I am writing this in regards to planning application P/15/183/FUL, which I am strongly against for a multitude of substantive reasons. Despite the overall good a care home of this nature can provide to its occupants, the detriment to the locality, infrastructure and well-being can be irrevocable.

The highways agency states that prior to development, car park spaces for 3 vehicles must be constructed. I find this troublesome as 12 staff will occupy the care home, also potential visitors will overwhelm the 3 designated, contained vehicle spaces with no space for overflow. It is even stated in the planning application by Mr. Williams that they will require space for 8 vehicles. Despite the property being large in size there is not adequate space to house this amount of vehicles. The house is situated on a bend where a family based neighbourhood allows children

to play, especially on the open ground opposite the house in question. With the increased traffic during staff change over and a single ingress point into the property, the street will become too busy and will be a safety problem, especially on the blind corner in which the house is situated. Also I believe staff members and visitors will have to park on the street due to an inadequate amount of contained vehicle parking spaces, thus increasing the danger to the local inhabitants and increasing traffic flow.

Due to the vast increase in inhabitants of the property it is inevitable that garbage and recycling will increase. There is no provision of this mentioned in the planning application. The house is situated on a single pavement with no alternative for people to walk on the opposite side of the road. With a vast increase of refuse material, families, children and also mothers with prams, will have to walk on the road to pass the house on the way to school, once again increasing danger to pedestrians.

Along with this there are further problems associated but not feasible to mention in a planning application, I am happy to discuss the mentioned points further and hope that my points are taken seriously. I feel the safety implications that will be creates will outweigh any help that it can offer. Especially when the company already owns an established residence.

Thank you and kind regards,

Gareth Smith

Sally Hillman, 2 Wren Close
Not a suitable location for various reasons
Too near to the school and possible repercussions with pupils
very likely to cause alarm and distress to neighbours
Fear of domestic issues
I would not have expected a residential home to be located so close to my home which I can clearly see from my back windows and garden, in short I would never have purchased my property
Devaluation of properties in close proximity
Increase in traffic flow both day and night very likely to increase noise levels
Having previously worked in this environment I have first hand knowledge of the behavioural issues associated with those who suffer with mental health issues
I feel that this could cause an unsafe environment for myself, family and many of my elderly neighbours

Mr Alun Cripps, 51 Briary Way
This application for residential home will impact on resale values of surrounding properties. There are young children residing in this area in addition to four primary schools, dependant on the client "type" there may be a danger to their wellbeing and safety.

C & D Barber, 50 Briary Way
I feel that it would be detrimental to the neighborhood, increasing traffic and parking problems.There could also be an increase in noise pollution, causing a disruption to residents.

Colin House, 3 Wren Close
1.unsuitable for a residential area.
2,not in keeping with other properties
3. will cause problems with increase in traffic and unnecessary obstructions contrary to R T Act.
4.we could be affected as our garden in adjacent to the land belonging to the white house.
5.this will be detrimental to the area as a whole.
6.I also object as being a direct neighbour to the land associated with the white house I received NO notice of this planning application.

Carolyn Morgan, 77 Briary Way
Lack of information regarding the proposed clientelle.
What are the "challenging issues" and how will they be controlled?

A residential property becoming a commercial property , is inappropriate in this area.
Concern for parents with young children who have the freedom to play and travel safely in this area at present.
Security for all residents of Briary Way , what security will be in place.
Increased traffic from staff, visitors, deliveries,limited parking spaces available.
As one of our Community Councillors why would Mr Gareth Williams support this venture when it is obviously going to have an adverse affect on this area.

Mr & Mrs D. Self, 79 Briary Way

With regard to this planning application we wish to make the following observations.
We feel that the change of use from a private residential property to a commercial premises is inappropriate in the quiet residential area of Briarfields.As far as we are aware, no public consultation has taken place. We are unclear as to the precise nature of the clientele and any challenging/antisocial behaviour that they might present. The plans indicate that the safety and security of the residents has been carefully considered but no such consideration has been given to the concerns and impact on other people living in the area. Will parents still feel confident allowing their children to play outside without constant, close supervision? Will elderly people feel safe, both in their homes and when walking around the area? Will we be given assurances that the residents will be closely monitored? It appears that there is a great deal of land with this building. This raises the concern that further development of this site could take place in the future exacerbating the points already raised.
The change of use to a residential home is going to cause an increase in traffic using the one road that provides access to Briarfields. We are concerned that the parking spaces required by staff, visitors and those delivering the products and services needed at the premises will lead to congestion on the road outside.
We are surprised that a community councillor, elected to improve the quality of life for people in his ward, has made a planning application that could have a detrimental effect on the lives of the very people he was elected to serve.
We hope that you will take all these comments into account before you reach your decision.

C & D Barber, 50 Briary Way

This would have a detrimental effect on our neighbourhood with increased traffic,noise pollution, parking issues all of which will disrupt current residents.

Martin Luff, 39 Briary Way

The change of use is not suitable for the area due to the nature of the briary way development as it is in a cul de sac not a through road as is the rest of the area.

The increased traffic and frequent visitors, staff and possible emergency vehicles required make it extremely difficult for a business such as this to be run without having a high impact on the surrounding roads and all the residents.
There is already a property being used for this purpose opposite and there are anti social behaviour issues in this area now where we had none before.

This further property if changed from residential would have a negative impact on property values and a detrimental effect on our neighbourhood.

Miss Kimberley J Jones, 28 Underwood Place

1. I do not feel correct processes have been followed with regards to this application. We have not received notification of this application despite being a neighbouring property and there has been no notification around the proposed site. I have heard of this application as a matter of coincidence on the 26.04.2015 with the comments closing date being 27.04.2015
2. Brackla was not intended to be an area to house a facility of this type as it is a residential area. There are many facilities of this nature within Bridgend County and another is not needed.
3. This facility is very close to Archbishop Mcgrath Comprehensive School where children learn and walk along the surrounding areas. This proposed facility could be a risk to those children. In addition to this, there are four primary schools within Brackla whose children could also be at risk of those staying at this facility. The potential occupants are a high risk group of people who

could potentially cause risk to the community.
There is also a children's play park within Underwood Place (next door to my property and neighbouring the proposed site) where children often play unaccompanied. Again I am concerned for the safety of the children playing here due to the potential occupants at this dwelling.
4. The increase in traffic to Brackla is a concern with potential congestion surrounding The Triangle, Brackla Dentist, Oaktree Surgery, Ultimate Physique and Archbishop Mcgrath Comprehensive. The increase in traffic would also cause a potential safety risk for children using the roads.
5. Upon looking at the Homestyle Care Ltd. website for guidance on their current occupants at their current facility, this is very broad and therefore gives little information on the needs of those who stay with them. No specific details are provided on the type of needs residents have, something which I deem to be a high risk.
6. On a more personal note, I am concerned for my safety and the safety of my property and belongings. My partner and I are planning on starting a family and I would feel unsafe allowing my children to play in my back garden when I am unsure of the risk posed by those living in such close proximity.
7. A facility of this nature would devalue properties within the local area (Brackla) causing an overall impact on Bridgend County and the wealth within the area.
I also wish to point out that nobody can be sure of the nature and needs of potential occupants. Whilst I appreciate that every person has equal rights, I feel that these occupants could be potentially high risk and again I have grave concerns for mine, my family and my communities' welfare and safety.
In conclusion, I strongly object the planning application made and am disappointed that appropriate notice was not given to the residents within the surrounding area. This I believe to be a failing in following the correct planning application policies. I request to be notified in writing (via email or letter) of all further developments made with regards to this application.

Miss Kimberley J Jones, 28 Underwood Place
I have the following concerns regarding this application

- I have not been formally informed about the application, even though we have adjoining land to the proposed site. Nor is there any signage regarding the application in the immediate area around the site of application.

- the correct procedures have therefore not been followed to inform the immediate surrounding community regarding the application

- the proposed change of use is not inkeeping with the current residential area and could cause a potential risk to the neighbouring community and schools. Brackla is a residential area only and the proposed application does not comply with this.

- there is no need for a care home in this immediate area with sufficient provision of such facilities in surrounding areas such as Bridgend town centre and Porthcawl

- Access to the site is only through residential streets which will increase road traffic. This is not only a concern to the safety of children and locals within a residential area but will also lead to potential congestion near the triangle shopping centre and Archbishop comprehensive school in particular.

- the type of occupants to be housed is very vague and Homestyle Care Ltd to do provide any specific details about the type of people they support. This would be of particular concern to mine and my family's safety and wellbeing as well as concern to my property and possessions. This group of people would pose a high risk to the community.

- the proposed change of use would have s negative impact on the surrounding properties, devaluing their value as well as having a negative impact of how the homeowners and occupants

use and enjoy their properties.

Based on the above issues in that the correct application procedures have not been correctly and accurately followed and the concerns highlighted about the proposed application I object to the change of use.

I look forward to any feedback.

Bruce Vaughan, 36 Briary Way
It has come to my attention that a planning application has been submitted by Local Councillor, Gareth Williams, for change of use on his property, The White House Briary Way. The change will be from domestic to a residential home for at least 6 young adults with learning difficulties who may also have associated mental health issues. In addition there will be a further 12 members of staff.

I am 91 and my wife is 87 and neither of us feel that granting this application would benefit the neighbourhood. I am extremely concerned at the prospective increase in traffic levels and the associated parking problems that would result as the current infrastructure was not designed for anything other than residential use. Insufficient parking space will result in on-road parking which will present a real safety issue for the numerous elderly residents on Briary Way, myself included. The property is on a bend causing further safety issues and would I feel result in an increased level of risk of accident for both pedestrians and drivers.

The size of the extension would have an adverse impact on neighbouring properties and the development as a whole, and would be out of keeping with other properties and detrimental to the general appearance of the estate. As this is a residential area, I am also worried that the change of usage will result in increased noise and nuisance and will be a detriment to residential amenity.

Mr A. Lloyd, 41 Maes Tanrallt
I do not think the application for change of use is suitable for the area as it is highly populated with families and the house in question is better suited as a family dwelling. We do not understand why the residents are being moved from Porthcawl to this particular area which is built up and confined in terms of the grounds and does not have the infrastructure to cope with a care home.

The property is already particularly large for the area without the further planned 2 story extension. As the property sits lower than the all the neighbouring houses it is in constant view with very little privacy for us, or the occupants of the property. The proposed plans in the current location would make this incredibly intrusive.

Agreeing to the proposed plans would greatly affect our privacy as the property is directly overlooked by our rear garden. We do not know the severity of disability of the residents and are deeply concerned as to what behaviours our young child may witness (as well as the many other young families in close proximity).

The plans will cause a guaranteed increase in traffic and people coming and going at all hours due the 24 hour care required. This would increase noise pollution and reduce the security of the area. Their recreation area would be the rear garden which is directly overlooked by ourselves, what level of disruption would this impose.

The proposed plans would adversely affect us. As well as the many concerns outlined above; security, noise pollution, privacy, appearance, suitability and what behaviour could be witnessed. They would guarantee to devalue the price of our home.

Would BCBC have granted permission for this dwelling in the first instance for a business use of

this nature?

Neil Mealey And Sally Powell, 3 Clos Glas Y Dorlan
We object to the change of use from residental to a commercial/business address because of the restrictive covenants which apply to all properties in this area and we feel that by granting this application this will set a precedent for other applications for further business use. Also working for the emergency services I regularly visit properties that have had a similar change of use and see first hand the disturbance and problems it creates to surrounding properties and residents

Neil Mealey And Sally Powell, 3 Clos Glas Y Dorlan
I object to the Change of Use from a residental property to a commercial/business address as this is a residental area where the properties are covered by restrictive covenants. If planning permission is granted for change of use this will only set a precedent for other applications to be made in the future for any other business venture to be run from another residental property. Working for the emergency services I regularly visit premises which have had a change of use as proposed here and I know from first hand experience the problems asociated with this type of business cited within a residential area and the disturbance which it can cause to residents

Mr & Mrs A Self, 61 Briary Way
We wish to object to proposed change of use of this property. We do not consider it appropriate to permit use of this property for anything other than a C3 Dwelling House for a single person or a family, and have particular concern about the likely use of a facility for multiple residents with complex and challenging needs.
We do not understand why the applicant feels it necessary to relocate the existing facility from its current location close to Sandy Beach, and question the stated intention to provide care facilities only for four persons when the proposals clearly indicate creation of SEVEN bedrooms - with clarification provided that sleeping facilities are NOT required for staff.
We suggest there is adequate development land currently available for sale in nearby locations which should be encouraged for this type of development rather than permitting change of use on a dwelling located within an existing, well established, housing estate.
We find the Design & Access statement brief in content and do not consider it has provided sufficient information about the application, particularly in respect of associated traffic; neither volumes, frequency, or, type, that would inevitably result from the proposed change of use.
The applicant does not appear to have declared his position as an elected member of the Community Council as part of the planning process. Whether or not this is relevant we wish to note that the applicant who - in capacity as a Community Councillor - should support & represent the community he serves, has not undertaken prior consultation with the residents of the estate who will be directly impacted by this application.
Given the nature of this planning proposal we are also disappointed about the limited notification circulated by Bridgend Council only to immediate neighbouring properties, and a failure to communicate significant change to the wider development.
Finally, we wish to raise an observation that the application (section 13) indicates that the property is NOT within 20m of a watercourse. We can see from the plan that a pond is located in very close proximity to the property and are aware a natural stream runs sufficiently close to the property to make us question the accuracy of information supplied.

Mrs C. Jenkins, 79 Briary Way
I do not support the application. I have young great grandchildren growing up in Briary Way. I would like them and all the other children in the area to enjoy the security of living in a purely residential area. As an elderly person, living alone, I am also concerned that I, and others like me, could feel less safe in our own homes.

Mrs P Hitchins, 40 Briary Way
I oppose the application to the change of use as Briary Way is an established residential area. I am concerned that if the change goes ahead the area could become less safe especially for children and the elderly. I am also concerned that there could be a detrimental effect on house prices.

L B Hicks, 18 Briary Way
With the proposed change in use, there will be an increase in people using/ and visitors to the

property. In light of the fact the property is located on a bend in the road with access controlled via a electronically controlled gate. I am therefore concerned about a possible increase in on road parking alongside the property creating a choke point, resulting in congestion and a reduction in road safety as traffic is forced to over take parked cars on the bend in the road.

Sian Davies, 48 Briary Way
I wish to object to the planning proposal on the grounds that it does not seem a suitable Chang of use for this area. The appearance and scale will certainly be out of character for the area. The increase in traffic will be disruptive to the area, as traffic will be coming ang going at all times. I certainly think this will have an adverse impact on the area as a whole.

Petition On Behalf Of Residents, C/O 18 Bramble Close
The covering letter advised:-

I have been asked to submit the attached petition to you on behalf of the 'signatories' who all object strongly to the above proposal.

We are perplexed as to why BRIDGEND COUNTY BOROUGH COUNCIL felt it unnecessary to consult everyone living in BRIARFIELDS and parts of UNDERWOOD CLOSE on this proposal as it is likely to impact on us all in one way or another.

The majority of local BRIARFIELDS residents were only made aware of this application within the last week, thanks to a neighbourly gesture from one of the few recipients of the official notification. The timescale for response has made it impossible to enable all BRIARFIELDS residents to respond on this proposal and the attached petition partly reflects this.

We will be consulting with the Ombudsman, our local Member of Parliament and local officials on this application and some contact has already been established. The press to my knowledge are not involved to date.

The general feeling amongst residents is that we have been let down badly by both BRIDGEND COUNTY BOROUGH COUNCIL and Councillor Gareth Williams on this matter and that the guidelines/intentions of the Planning Code of Practice have not been enforced.

The Petition stated:-

We the undersigned object strongly to the above proposal on the following grounds:-

* BRIARFIELDS is a quiet, respectful and close knit residential area and the introduction of this residential home and in particular its potential residents could well impact adversely on the whole CHARACTER of the area:

* Local residents in particular the elderly and those with young families have already expressed concerns over the likely impact on the whole safety and security of BRIARFIELDS knowing these young adults will have access to the area given their legal rights and freedoms;

* Traffic flows, increased noise and lighting levels coupled with 24 hour access is also a big concern for those living in close proximity of the proposed Residential Home;

* Adverse impact on property prices and the overall attractiveness of BRIARFIELDS as a place to live is also likely;

* Lack of consultation by BCBC with the wider BRIARFIELDS community.

More detailed individual objections will be through the appropriate channels.

C Dale, 3 Redwing Close

Our concerns lie in the matter of parking in and around the property and the danger to pedestrians. The whole area suffers with parking problems for residents (see Kingfisher Close), people parking on footpaths and speeding drivers. The property lies on a blind corner. I have had numerous near misses with cars aleady. I am sure workers and visitors will park on the corner and vicinity causing more problems. As soon as extensions are built on the property there will be limited parking within its walls and it will be easier for them to park on the highway and footpaths. The area is very quiet and peaceful and I believe increased traffic and a business of this type will cause unnecessary problems for residents.

Sian Lewis, 25 Underwood Place

I have not received any notice of this application nor seen any lampost notices. I found out by chance last night that I have until today to comment. Underwood Place borders the White House land and I am extremely concerned about the proposed change of use in the heart of a residential area, not least because of the protected woodland and currently very quiet family environment that the location affords. With two schools in the immediate area I also feel that it is an inappropriate location for a care home. I cannot understand why residents in Underwood place have not been consulted.

Tracey Greening, 10 Bramble Close

Briar fields is allocated as part of the Brackla Estate for residential development by policy H1(4) of the Bridgend Unitary Development plan. A change of use from a domestic residence is in conflict with the local plan for this area as this would result in the loss of a family home instead of the intended aim of supporting housing and growth.

The intended change of use to a care home which, as the companies' website states 'provide care for young adults whose primary care need is learning difficulties but who may also have mental health and challenging needs' is a concern.

I am anxious over the type of residents to be accommodated and of the integration of challenging/mental health patients into the community. I have concerns over the security and safety of children both at my home and around Briarfields - a care home has the potential to have a great impact on what is a quiet residential area.

Policy 4.7.3 Amongst other things the policy highlights The wider importance of good housing is to determine 'quality of life' & the contribution it can make to good health, educational opportunities community spirit & controlling criminal behaviour'. This is part of the councils 2002 housing strategy which also focuses on how it 'gives consideration how best to maintain and preserve the fabric of existing communities' it is also claimed that an aim of UDP is to identify specific local and social needs.

Conversion of the existing building could potentially alter what is a quiet residential area with a nice community feel - this in itself is taking away amenities from the surrounding neighbourhood. With at least 6 residents plus 5 permanent and 7 temporary staff it is likely that there will be an increase in traffic as well as to question whether there is sufficient parking on site to accommodate both staff as well as potential visitors? There is limited information as to whether the residents catered for by Homestyle Care would be non-acute mental health? Whether there would be a security risk to public? In which case this in itself would have an impact on the neighbourhood who as a whole work together to create a safe community.

Melanie Watkins & Paul Tucker, Ty Melyn Whitethorn Drive

We have several concerns regarding the proposed change of use

1) There is a covenant in our deeds stating that we are unable to run a business from our home. If this change of use is agreed then what's stopping several other people changing the use of their residential property which will have an impact on the community and local area.

2) Value of the properties in the surrounding area will reduce.

3) The information in the planning states that the residents of the proposed home would have one to one care in the day but no staff sleeping there does that mean that there is not one to one care in the nights? If there is no care how can you leave the residents unsupervised in the evening but not during the day?

4) Increased traffic & noise; there is already a substantial amount of traffic in the area and parking on the road outside the house is not a possibility due to location on a blind bend.

5)Is this application because Mr Williams has been unsuccessful selling his property for a substantial sum?
6) What is Mr Williams' connection with the company relocating as currently it seems the only connection is a shared registered office, how is this a relocation?

Robert Hawksworth, 62 Briary Way
I have concerns over the long term effect to the area. This is a private residential area and I would like to see it kept that way. Also the type of residents, now and in the future. What sort of risk do they pose ? I for one would be worried about potential high risk residents in the area.

Philip Norman, 76 Briary Way
The application is to introduce a business premises into a established residential area.The business will operate 24 hours a day and access will be required 24 hours per day 7 days per week. The building will change from a residence to one of multiple occupation. it is therefore wholly inappropriate to allow this change of use as it will by definition introduce a 24/7 business unit into a wholly residential area. If granted it will set a precedent that will open the way for other businesses to apply for permission and further denigrate a residential area.
On a separate point I am surprised that such a significant application has not received more widespread notification and that the time scales for response have been somewhat limited.
I am not sure of the legal position but I do find it somewhat disturbing that the application is in respect of a residence which I understand is owned and occupied by a local councillor who is supposed to represent his constituents views and yet has not ensured a more widespread communication of his intentions.

Mr & Mrs D Jones, 65 Briary Way
Please note that we wish to object to this application on the following grounds.

1. Change of Useage - unsuitable for the area due to the adverse impact on the area as a whole.

2. The general appearance is not in keeping with the reidential area.

3. N/A

4. We believe the development will cause problems due to the excess traffic and parking difficulties.

Since The Preparation Of The April Report, Letters Of Objection Have Been Received From:-
Briary Way - Nos 1, 2, 10, 15, 18, 33, 36, 37, 39, 40, 48, 50 (2 letters from individual occupants), 51, 61,62, 65,70 (2 letters), 75,76, 77, 79 (2 letters from individual occupants) and Ty Onnen
Redwing Close - Nos 2 and 3
Wren Close - Nos 2 and 3 (1 email and 1 letter)
Kingfisher Close - Nos 2 (2 emails) and 3 (5 emails)
Underwood Place - Nos 25, 26, 28 (2 letters from individual occupants) and 41
Chaffinch Close - No 1
Ty Melyn, Whitehorn Drive
Bramble Close - Nos 10, 15 and 18 enclosing a petition signed by 118 signatories.

The grounds of objection largely repeat the objections already received, however, the following additional objections have been raised:-

1. Size and appearance of the extension having an adverse impact on neighbouring properties and appear out of keeping with the appearance of the estate.

2. Trees and Hedges - Degree of protection as these are covered by a Tree Preservation Order.

3. Code of Conduct for Councillors - believes applicant has erred on the application form for this

and previous submissions.

4. Lack of consultation with local residents by the Local Planning Authority.

5. Pre-application advice - objectors dispute compatibility with Policy SP2 - and in this regard criteria 1, 6, 8 and 12 have been highlighted.

6. Restrictive covenants prevent business uses of properties.

7. One objector considers they would be adversely affected by noise and lights as they overlook the application site.

8. Number of people to be accommodated - 6 young adults too intensive.

9. The reason for the relocation of the applicant's business has been queried.

10. Accuracy of information supplied is questionable given that the presence of a watercourse has been incorrectly answered in Question 13 of the form.

11. Personal safety concerns expressed by 28 Underwood Place.

12. Overlooking - properties in Underwood Place are at a higher level.

13. White House provides insufficient space outdoors for future residents.

14. New access way - works to create this were commenced then ceased.

15. Claims that the parking arrangements have been altered.

16. Lack of Fire Escape.

17. Operational parking should be in accord with guidelines for residential homes for the elderly and nursing homes.

COMMENTS ON REPRESENTATIONS RECEIVED

Initially, the following observations were provided in response to the objections raised by local residents:-

Suitability of Location for Type of Use - Whilst objectors consider that the establishment of a Residential Care Home providing care for autistic or similar needs persons at the application site to be inappropriate, it is considered that the facility will provide residential care for up to four occupying the property as if living as a family. Notwithstanding the provision of care on a one to one basis for the residents, the use of the property will remain residential in this residential area.

Fear of Disturbance and Anti-Social Behaviour of Occupants - The objectors have expressed concerns in respect of noise and anti-social behaviour from future occupants on the basis of their disabilities. One objector is fearful that future occupants may have violent outbursts. However, the applicant has highlighted that care is to be provided on a one to one basis throughout the day and in this regard, it is considered that the occupants will be no more likely to disturb or adversely impact on neighbours than any other family.

Traffic, Parking & Noise - Whilst the property will provide accommodation for four clients, who will be cared for on a one to one basis together with a Manager or Deputy Manager also in

attendance, it was noted during the site inspection that the forecourt area of the property is capable of accommodating a significant number of vehicles within the gated area. Given that staff vehicles are likely to be parked for the duration of their shift rotation, it is considered that the level of noise and disturbance would not be so significantly greater than if the property were to be occupied by a large family. The Highways Department has assessed the parking requirements against the Authority's adopted Supplementary Planning Guidance 17 : Parking Standards. A condition ensure the submission of a scheme demonstrating that the required number of spaces will be laid out to accord with the use proposed i.e. residential care home.

Extra Refuse & Sewage - It is considered that the proposed use will be unlikely to generate significantly increased amounts of refuse or waste above that generated in normal family occupation.

Smoking Restrictions - The prohibition of smoking at the premises would be a matter controlled by other regulations and the issue is not considered relevant to the assessment of the planning merits of the development.

Visitor Parking - The substantial forecourt area, which is already hard surfaced is capable of accommodating sufficient parking spaces to serve the development. As indicated above the Highways Department has suggested that a scheme demonstrating the parking layout be required by condition to ensure the provision of adequate facilities for visitors in addition to staff provision.

Security - The submission does not clarify whether there is to be 24 hour security, however, the application site is enclosed by electrically controlled gates at the front onto Briary Way and fencing encloses the side and rear garden separating it from the stream that runs along the western site boundary.

Occupancy - One objector has queried whether sexual offenders will be accommodated - The Design and Access Statement, which accompanies the submission has clarified that the premises will specialise in providing care for persons on the autistic spectrum or similar needs.

Devaluation - Objectors believe the development will adversely impact on the value of their properties but this is not material to the consideration of the planning merits of the scheme.

Capabilities of Operators - One objector highlights that the company operated by the applicant already operates a house adjacent to their home and has listed problems that they have experienced from occupants of this dwelling. The objector has questioned the capability of that company to operate the proposed development. The property identified by this objector was investigated in 2014 when it was found to be occupied on a shared basis by four persons and, notwithstanding that the occupants may require an element of care, this was not considered to constitute a material change of use of the property. In that instance, it was considered that planning permission was not required for the use of the property. In the event that the objector remains concerned about the professional capabilities of the carers or level of care provided to residents, this would be a matter to be resolved by Care Regulators not the planning system.

Fear of Occupants - One objector considers that future occupants may threaten or cause local residents to fear for their safety. As previously stated, care is to be provided on a one to one basis and the application site is enclosed by security gates so it would appear that future occupiers would have limited contact with surrounding residents.

A number of email observations have been received from a number of occupiers of Briary Way in which issues relating to the applicant's business status and his reasons for submitting the application, the applicant's conduct as a Community Councillor, the sustainability of the location in terms of access to amenities, questioning the motives behind the earlier consented application for the two storey extension, the accuracy of the submitted plans in that the fire

escape is not shown, space within the curtilage for parking, building regulation matters, restrictive covenants, increased traffic and parking problems and finally that the Authority has not been duly diligent in reviewing the plans, intent and alleged falsities in the submission.

Many of the matters referred to in the letter such as the applicant's business status, that the applicant is a Community Councillor on the Brackla Community Council, motivations for this or any previous applications, building regulations and restrictive covenants are not relevant to the assessment of the planning merits of the proposal. With regard to the issue of car parking, as previously indicated, the Highways Department is satisfied that, subject to a condition requiring the submission of a scheme showing the layout of parking spaces, the development can meet with the Authority's parking standards. In this regard it is clarified that, whilst the application form refers to 5 permanent and 7 part time staff, there will only be four staff together with the Manager or Deputy Manager present at any one time. In respect of the accuracy of the plans, it is highlighted that the fire escape has been omitted from the scheme and updated elevational drawings obtained from the applicant's agent.

One objector has advised that work to create a new access appears to have commenced in the last few days. The extent of this work was separately investigated by the Enforcement Officer but in planning terms, the creation of a vehicular access from a non classified highway does not require planning permission. It is emphasised that any works within highway limits would be controlled by the Highways Maintenance Manager.

On the Amendment Sheet the following additional observations were provided to respond to the further objections received following preparation of the report:-

A local resident has highlighted a discrepancy between the application form and the name of the applicant that appears at the head of the original Committee report. For clarity, the applicant is confirmed as Mr Gareth Williams, Company Name - Homestyle Care Ltd.

Proposed extension - The objector's belief that this element of the development would adversely impact on the neighbouring properties cannot be supported in that it will not infringe the privacy of or dominate and overshadow adjoining dwellings. The extension will be partially screened from public view by the existing boundary walls and mature trees and will not therefore so significantly impact on the visual amenities of the area as to warrant refusal particularly as this element of the scheme already benefits from planning permission.

Tree works - objectors allege that unauthorised works to protected trees are undertaken by the applicant. This is a separate matter that would require investigation and gathering of witness statements from residents in the event that unauthorised works to trees protected by a preservation order were discovered and the pursuit of any legal action considered in this regard. Such action would also be relevant if it is found that any alteration to the parking area has affected the protected trees.

Conduct for Councillors - whilst the applicant may be subject to a code of conduct as a Member of Brackla Community Council, this would be entirely separate to the code operated by the County Borough in views of the submission of planning applications for Members. The applicant is correct therefore in not declaring this in respect of this or any previous planning applications.

Lack of consultation - residents consider that insufficient publicity has been undertaken during the processing of the application by the Local Planning Authority. Under the provisions of Paragraph 12(5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 any application which is not an EIA development or a major development shall be publicised by giving requisite notice:-

(a) by site display on or near the application for not less than 21 days or
(b) by serving notice on any adjoining owner or occupier.

In this case 8 neighbouring properties have been individually notified. It is therefore considered that the requirements of the regulations have been met.

Compliance with Policy SP2 - residents have highlighted criteria which they consider the application does not meet. The reasons why the Local Planning Authority considers the development to be compatible with Policy are provided in the appraisal.

Restrictive Covenants - this is a separate legal issue and not relevant to the planning application

One objector considers that the development will cause noise nuisance and light pollution to their property. This resident's dwelling lies approximately 132m to the north of the application site. It is considered that the impact on this neighbour will not be so significant as to warrant refusal.

Numbers of persons to be accommodated and staffing numbers - the report is clear in this respect whereas objectors have quoted higher figures which are incorrect. A suggested condition limits future resident numbers to further control this issue.

Concerns relating to the reason for the relocation of the business are not relevant to the assessment of the planning merits of this application.

Accuracy of information - whilst the applicant's agent has incorrectly responded to question 13 on the application form this does not significantly impact on the development which is primarily a change of use of the existing property albeit that an extension is also included within the scheme

Personal safety - one resident has expressed concern that future residents may be a threat to the safety of residents. It is considered that given the level of care provided on a one to one basis, the development should not significantly impact on local residents. Operators of the Care Home will have responsibilities under other legislation to assess any risk to health and safety which may arise and take any appropriate measures to safeguard future occupiers and the wider community. Local Planning Authorities cannot replicate through the planning system controls which are required under health and safety and care regulations. With regards to Building Regulations this is a separate matter and cannot be dealt with under the planning system.

Overlooking and Privacy - Occupiers of property in Underwood Place have expressed concern in respect of overlooking. One objector considers that the development will infringe their privacy as the application site is overlooked by their rear garden. This is an existing arrangement but, as indicated in the report, there is a significant difference in land levels between the objector's home and the site such that there will be no infringement of privacy standards between habitable room windows. Note 6 of SPG2, although relating to householder development, provides guidance on privacy in such a residential context and acknowledges that few rear gardens are entirely private. In this case existing fencing of the objector's rear garden, the land levels and the screening provided by some mature trees prevent a sense of unreasonable overlooking.

Insufficient space for future residents - The existing property enjoys a reasonable rear private amenity space which will be available to future occupants. It is also noted that the woodland to the north of the site is controlled by the applicant who may consider granting supervised access to future residents.

Works to create a new access were alleged to have commenced on site. The applicant assured the case officer that he had not commenced development. The matter was, however, referred to the Enforcement Officer for investigation and that investigation concluded that no works were being carried out at the site.

The occupier of 2 Briary Way has also raised many of the above issues, however, contextual comments on the development of this area of Briary Way since 2007 have also been provided. These comments include the potential future development as well as some historical

information. These are not considered as being relevant to the assessment of the current application as this can only be considered on its individual merits as would any future development.

The objector, whilst acknowledging that the application falls well below the requirements to conduct an Environmental Impact Assessment, believes that the Local Planning Authority has the authority to require an EIA which would relate to the whole of the former Briary Wood, owned by the applicant. This would, the objector considers, assist Members to understand the wider picture together with any current or future impact. As the application relates to a change of use and an extension to the property, the development falls below thresholds and does not meet criteria in Schedule 2 of the Town and Country Planning (EIA) (England and Wales) Regulations 1999. The development, the subject of this application would not be likely to have significant impacts on the environment and therefore the development is outside the scope of the regulations and a determination to this effect has been adopted on 30 March 2015.

APPRAISAL

The application is referred to Committee at the request of the Ward Member and to enable consideration of the objections received from local residents.

The application seeks consent for the change of use of a substantial detached two and a half storey dwelling into a Residential Care Home specialising in care for autistic or similar needs on a full time basis. The care is to be provided in a family type environment and will be geared towards integrating people back into the community. The Care Home will provide facilities for 4 clients on a full time basis and be staffed by 5 permanent members of staff and 7 part time staff with four members of staff working on a one to one basis together with a Manager or Deputy Manager in attendance at any one time. There will be no sleeping facilities required for staff members.

In order to facilitate the change of use some internal alterations to the existing accommodation are proposed. In addition, a one and a half/two storey extension is proposed to be attached to the southern elevation of the property. This element was originally approved in 2014 (P/14/ 806/FUL refers), however it is now intended to use this element to provide sensory rooms, a rebound room, disabled persons toilet and reception area with three bedrooms, bathing facilities, office and store created at first floor level and two further bedrooms and shower in the roof space over at second floor level. The area between the dwelling and the sliding, electrically operated gates has been hard surfaced in block paviours. The gates are set back just over 5m from the back edge of the footway, which is 1.85m wide.

The application site is located on the north eastern side of Briary Way adjacent to a sweeping bend in the highway. A stream runs along the western site boundary and a private drive serving two detached properties known as The Woods runs on the western bank of the stream. An area of mature trees is located on the south-eastern site boundary. It was noted during the site inspection that there is a significant difference in land level between the application site and the neighbouring dwellings to the east in Underwood Place such that the eaves of the application site appear to be at land level to the properties in Underwood Place.

The applicant confirms that the Care Home will accommodate four residents at any one time. Whilst there will be 5 permanent and 7 part time members of staff, a maximum of 5 only, including the manager, will be present at any one time.

In terms of Development Plan Policy, this application for the change of use of the property falls to be assessed against Policy SP2 of the Bridgend Local Development Plan. This Policy requires that all development should contribute to creating high quality, attractive sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment:-

1. Complying with all relevant national policy and guidance where appropriate;
2. Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character;
3. Being appropriate to the scale, size and prominence;
4. Using land efficiently by:-
(i) being of a density which maximises the development potential of the land whilst respecting that of the surrounding development; &
(ii) having a preference for development on previously developed land over greenfield land;
5. Providing for an appropriate mix of land uses;
6. Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;
7. Minimising opportunities for crime to be generated or increased;
8. Avoiding or minimizing noise, air, soil and water pollution;
9. Incorporating methods to ensure the site is free from contamination (including invasive species);
10. Safeguarding and enhancing biodiversity and green infrastructure;
11. Ensuring equality of access by all;
12. Ensuring that the viability and amenity of neighbouring uses and their occupiers will not be adversely affected;
13. Incorporating appropriate arrangements for the disposal of foul sewage, waste and water;
14. Make a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change; and
15. Appropriately contributing towards local, physical, social and community infrastructure which is affected by the development.

As a change of use to an existing dwelling, the majority of the above criteria are not particularly relevant to the development, however, issues relating to access, parking, security/crime, refuse collection and foul drainage and the amenities of neighbouring properties have been raised by objectors and addressed in the previous section of the report providing comments on representations received. With regard to sewage disposal, the Land Drainage Department has suggested a condition requiring a drainage scheme. It is noted that the development largely relates to a change of use with no alteration to existing foul drainage arrangements. The proposed extension is also to be constructed on an existing hard surfaced area and therefore there will be no increase in surface water drainage. The suggested condition is, therefore, not considered to be necessary.

Following the site visit the applicant confirmed that two members of staff will be on duty throughout the night but not resident at the property. It was also clarified that the two existing attic space bedrooms will be used to provide further amenity facilities such as a cinema/television room for clients. Additional conditions to limit the type of Care Home use of the property, control of the attic space bedrooms, ensuring that the materials to be used on the exterior of the extension match the existing property and identifying the approved plans were added to the originally proposed conditions.

At Committee, two Ward Members expressed concern regarding the assessment of parking requirements to serve the development. An explanation of the Authority's adopted SPG 17 in respect of Residential Care Homes was provided. For clarification, the Parking Standards require:-

1 space for every 3 non resident members of staff
1 visitor space for every 4 residents.

In this case this would equate to 2 spaces for staff - there being a maximum of 5 staff present at any one time and 1 visitor space - there being 4 residents - making a total of 3 spaces required to meet currently adopted guidelines. A plan showing the required three spaces was available at

Committee and identified in the proposed condition specifying the approved plans. There was a suggestion from Members that this would not be acceptable and a minimum of 5 spaces should be required to cater for staff parking on the basis that the staff would be resident at the property and SPG requires one space for each member of resident staff. Following consultation with the Social Services and Wellbeing Directorate it has been clarified that:-

"From a children's home perspective, residential workers are not seen as residing at the premises, it's simply a place of work. If the service is also looking to have two wakeful staff, the likelihood is then there will be no sleeping in staff."

Notwithstanding the explanation of the residential status of staff, the applicant has submitted additional information including a photograph demonstrating a total of nine vehicles parked within the curtilage of the property. A supplementary plan has also been submitted showing five parking spaces, each of which can be independently accessed.

Further information explaining the proposal and responding to the matters raised at the previous Development Control Committee meeting has been submitted by the applicant and is reproduced at Appendix A. The information provides details of future residents including their interests. Whilst the tenure of the individual residents is not material to the determination of this application, it is indicative of the nature of the use proposed.

The use as a care home falls within Class C2 of the Town and Country Planning (Use Classes) Order 1987. This class also includes hospitals, boarding schools and residential colleges. A condition would be added to any consent restricting the use to a care home, which would prevent any future change to other uses. Although the use is residential in nature, the increased level of care proposed would generate movements outside the normal scope of a dwelling. However, it is considered that the scale of the proposal would not result in a use that would be detrimental to the amenity of the area. Furthermore the site is located within its own grounds and there will be no impact on the character of the area.

The proposal does not raise any other issues in terms of amenity or design.

CONCLUSION

The application is recommended for approval as the development complies with Council Policy and guidelines and will not adversely impact on highway safety, visual amenity, privacy nor so significantly harm the residential amenities of neighbouring occupiers as to warrant refusal of the scheme.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 The use of the property as a Residential Care Home shall accommodate a maximum of four residents in need of care at any one time.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the property.

2 The development shall not be brought into beneficial use until five parking spaces have been laid out within the curtilage of the site in accordance with the approved parking layout plan. The 5 parking spaces shall thereafter be retained in perpetuity.

Reason: To ensure adequate off street parking is provided in the interests of highway safety.

3 The premises shall be used for a residential care home for persons in need of care as described in the Design and Access Statement and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason : To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.

4 Notwithstanding the submitted plans the two attic rooms shall be used solely to provide ancillary amenities and facilities for residents of the Care Home and shall not be used as sleeping accommodation at any time.

Reason : To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety.

5 The development shall be carried out in accordance with the following approved plans and documents: plan numbers HCL/15/03A, HCL/15/04A, HCL/15/05, HCL/15/06A and Drg No. 07

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

6 The materials to be used in the construction of the external surfaces of the approved extension shall match those used in the existing building.

Reason : To secure the maximum degree of unity between existing and proposed development so as to enhance and protect the visual amenity of the area.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) The application is recommended for approval as the development complies with Council Policy and guidelines and will not adversely impact on highway safety, visual amenity, privacy nor so significantly harm the residential amenities of neighbouring occupiers as to warrant refusal of the scheme.

(b) The observations of Dwr Cymru/Welsh Water are attached for the developer's information and consideration.

(c) Trees within the site are protected by a Preservation Order and no works whatsoever should impact on these trees.

(d) The developer is advised to contact the Building Control Section with respect to a possible Building Regulations requirement for a Sprinkler System.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

APPENDIX A

Homestyle Care Proposal for Residential Care Home



Proposed Address – The White House, Briary Way, Brackla, Bridgend, CF31 2PT

Please see pictures below of eight cars parked in the forecourt of The White House, there is also one visitor's space: -



There is space to maneuver and park at ease, as shown.



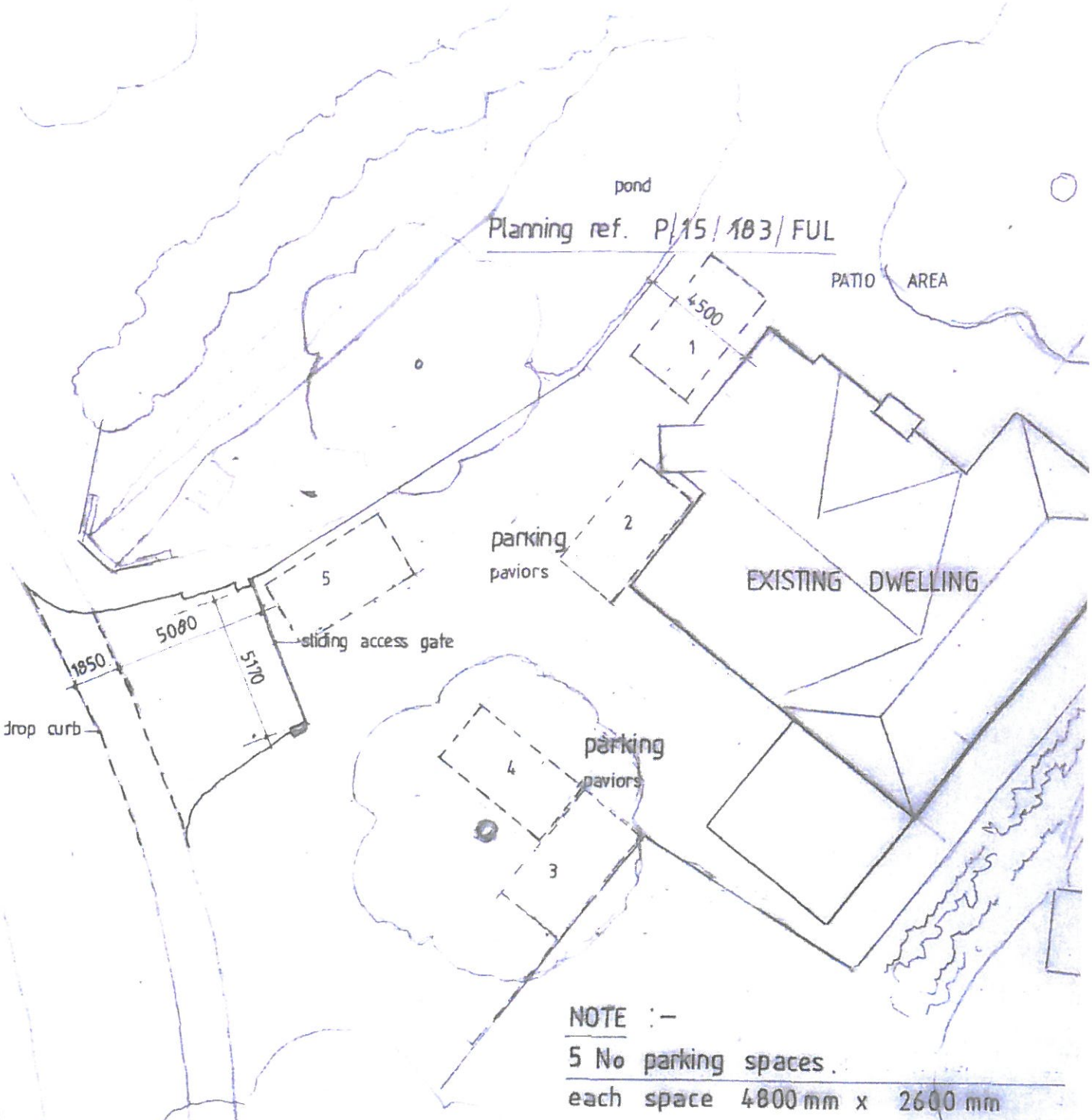








The pictures above show parking spaces for eight cars with one visitor's space still available. There is more space in the forecourt available to be converted into parking if needed. Total number of visits today will be three.



Site Layout Plan - 1 : 200

HCL/15/06

4

From Councilor Spanswicks comments regarding his concerns about the pavement being blocked from waiting cars, you can see from the photos below that this is not an issue when there is a car entering the house as it is clearly set off the road.







From Councilor Hayley Townsends comments regarding the Tree preservation, please see below comment from the councils Ecologist: -

As this is a retrospective assessment, it has not been possible to fully assess what habitats host tree may have supported prior to the construction of the treehouse. However, on accoun its outdoor characteristics and construction from largely natural materials, its continued imp on the biodiversity and habitats of the application site is considered to be benign. In addition, construction of the treehouse is not considered to have caused any discernible damage or ha to the protected tree that supports it. The Council's Ecologist has verbally confirmed that he h no objection to the retention of the treehouse.

The use of the treehouse itself is considered to be incidental to the enjoyment of the curtilage the host dwellinghouse, it is a consequence of its height and location forward of the princi elevation that it requires planning permission.

Our Residents: -

P.D.

As PD enjoys her own space to relax she will benefit from a ground floor apartment, which will include her own living room, bedroom and bathroom. We know PD enjoys the bath so we can install a large bath to suit her taste and needs.

Her apartment will be extremely adaptable offering an internal entrance and exit, plus an external entrance/exit. The rooms will be fully padded on all walls and specialist flooring will be used.

PD will also benefit from the large outside space that the house offers, but we will also provide a private garden area of her own.

With this possible new experience PD will benefit by using the Sensory Room, which will be located on the ground floor plus the new Rebound Room that we propose to build within the new extension. She will also love the woodland walk close by and the quiet and tranquil area located next to the duck pond.

Porthcawl is under 15 minutes drive away and can be easily accessed using our company bus.

We understand this is a big move for everyone involved, but our motives behind it is that we keep providing quality care and support as well as offer new experience's with better facilities' within a better home.

We want the future to be bright and we want to create more individual care and support with new ideas, experiences and opportunities.

The most important thing is that PD is happy, and then we are happy.

N.T.

As we know NT loves music and light, he especially loves watching the cars go by. As previously, every effort will go into electrifying NT's room to his personality and his love of VW vans. As well as his love of watching the world go by and the cars that pass.

NT loves to be active and so the abundant of outside space will surely be a huge positive for him. Not only can he enjoy the swings with RT as they enjoy this so much, but the abundant of new activities like Sensory room on site. I am sure NT favourite activity by far will be the proposed Rebound Room where he will thrive from this new activity being on site in his home.

Homestyle Care is always striving to become better. To offer better care, support and to create better positive experiences and opportunities.

We would like the future to be better for NT and we want to create new positive experiences. Whether he will love to be out feeding the ducks or simply enjoying music in his room, the most important thing is that he is happy. Then we are happy.

We understand that this is a huge move if we were to take this up, but our motives behind it is to create a new better home for NT with new opportunities and some amazing new experiences.

R.D.

We know RD loves being around people and especially has his favourites within our staff team. Within the new proposed home RD would benefit from the extra social aspect that the house will provide.

Firstly with so much more space and secondly the onsite Sensory Room and Rebound Room that we know he will love. RD can enjoy the interaction with staff he loves so much but within a much-improved environment. Whether he's out feeding the ducks or enjoying the Sensory Garden. RD will have so many more opportunities and new experiences onsite, we believe he will thrive in this environment.

We as a company are always striving to become better, to offer better care and support also to create better individual experiences and opportunities.

I am sure RD will enjoy the woodland walk that is close by hopefully as much as he enjoys bingo, which is again very close by and a pint in the two local pubs, which are located minutes from the house.

With all this in mind we understand this is a huge move if it was to be undertaken, but every effort will be made to make the move on an individual bases. Extreme care will be undertaken and we would gradually introduce the new home and experiences over a period of time. We would make sure RD is happy every step of the way.
The most important thing is that RD is happy, and then we are happy.

R.T.

RT enjoys his music and his own space. He also has a love of his toys. The new Sensory garden and outdoor toys will surely be a favorite. He loves his outside space and especially enjoys the swings with NT, so having swings on site at his home will again make him very happy.

Whether RT enjoys feeding the ducks or just enjoys experiencing all these new activities this home will have to offer, with the care and support he receives from our staff.

Homestyle Care is always striving to become better. To offer better care, support and to create positive experiences and opportunities.

With all this in mind we understand this is a huge move if it was to be undertaken, but every effort will be made to make the move on an individual bases. Extreme care will be undertaken and we would gradually introduce the new home and experiences over a period of time. We would make sure RT is happy every step of the way.

The most important thing is that RT is happy, and then we are happy.

Letter from our Care Manager: -

I understand that you have some concerns regarding the change of use to The White House. However on behalf of the four people who would like to live there I would like to state the following: -

They are four people ranging from age 18 to 57 years of age who require 24 hour staffing support to be able to live a full and normal life.
Where they now reside they are valued by all who know them through, their community presence and are spoken to on a daily basis by members of their community, wider community, local police officers, shopkeepers and shop assistants, to name only some.
Two of them have recently taken part in a sponsored run for Ty Hafan Hospice (The Rainbow Run in Porthcawl) with staff and they had an excellent day.
I am not sure what your expectations are of the type of person who would like to live in The White House but I would like to reassure you that they are in no way a challenge to members of the public. They would not cause any risk to any neighbours or people within the community. Under my duty of care and in relation to confidentiality I would not be prepared to discuss what their issues are however I would state that they are not under any circumstances a risk to those who reside within the vicinity of the proposed home. When they access the community or activities they are supported by a member of staff and do not access the community or activities alone.
Two of them are wheelchair users. They have their own transport. As for parking there is more than adequate parking within the grounds of the premises to accommodate staff or visitors.
Unfortunately they do not have many visitors and when they do they are always happy to see them.
It is very unfortunate that we are not all born the same and all these young people would like to do is reside within a community setting where they can be valued as the individual they are. Believe it or not they all have a very wicked sense of humour in their own way.
They enjoy music, dancing, going out on public transport (using a normal bus) and have done this for over four years, they attend regular social events which are within the Bridgend area (Gateway Club) and they also attend Trinity Social Club in Porthcawl.
They all are very happy human beings, they are not to be feared and are probably far more afraid of you.

Here are a few photos of our residents enjoying the Rainbow Run held in Porthcawl in aid of Ty Hafan Hospice: -







A Poem for our office at Homestyle

A meeting was held quite far from Earth
It was time again for another birth.
Said the Angels to the Lord above "This special child will need much love."
His progress may be very slow
Accomplishment he may not show.
And he'll require extra care
From the folks he meets down there.

He may not run or laugh or play
His thoughts may seem quite far away
So many times he will be labelled different, helpless and disabled.

So, let's be careful where he's sent.
We want his life to be content.
Please, Lord, find the parents who
Will do a special job for you.
They will not realize right away
The leading role they are asked to play.

But with this child sent from above
Comes stronger faith, and richer love.
And soon they'll know the privilege given
In caring for their gift from heaven.
Their precious charge, so meek and mild

Is heaven's very special child."

Outside the Property

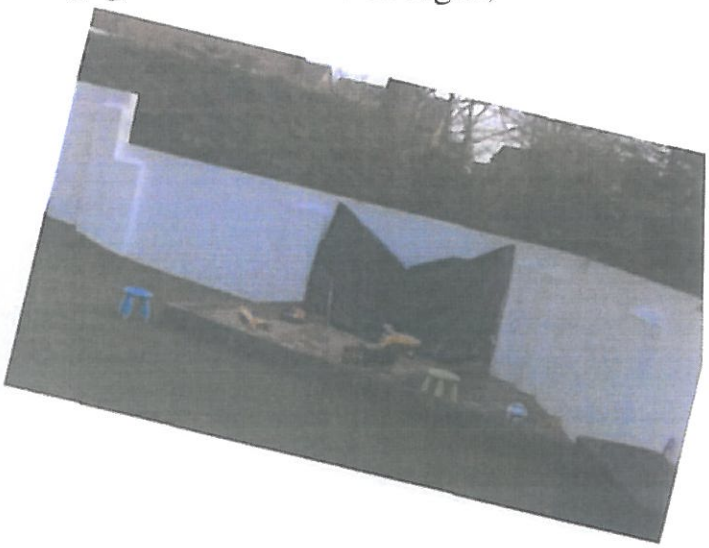
Below is a list of options we are looking to include in the grounds outside the house: -

Adult swings in garden

Sensory Garden

A sensory garden is a garden environment that is designed with the purpose of stimulating the senses. This stimulation occurs courtesy of plants and the use of materials that engage one's senses of sight, smell, touch, taste, and sound.

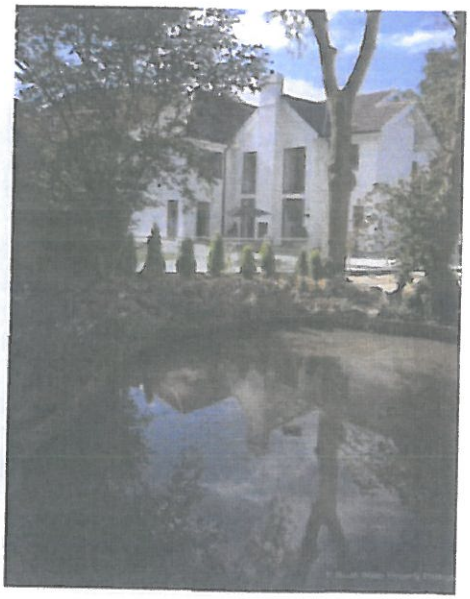




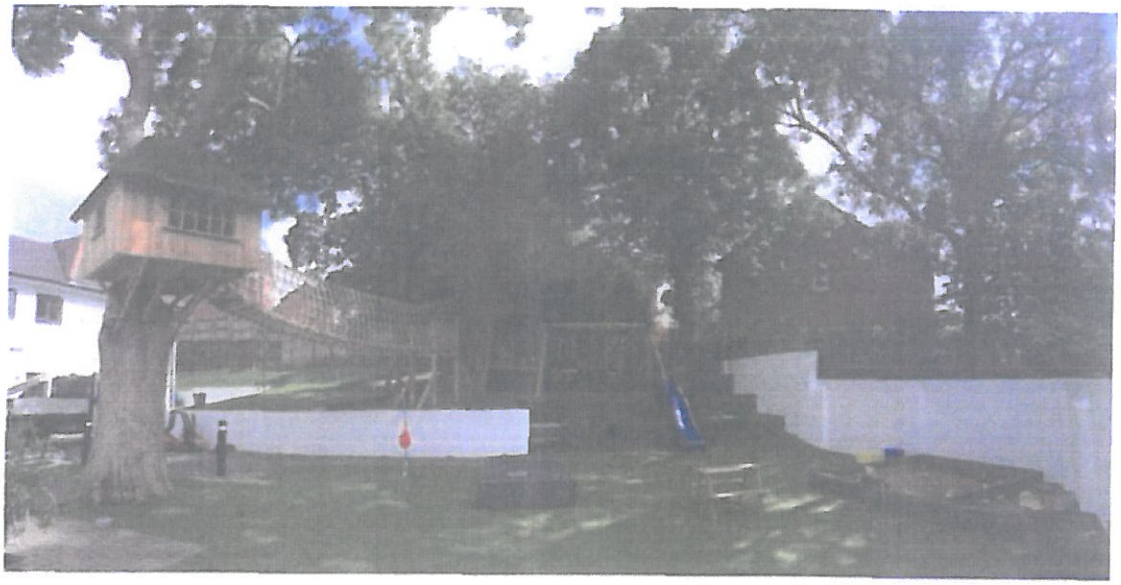
Feed the ducks area at the ponds







Vegetable patch and gardening area
Messy craft area outside - includes sand / dough / paints etc.



Inside the Property

Activities room and areas - Includes sand/dough/paints etc.

Activity rooms are designed to encourage, creative – and sometimes used for messy projects. Individuals are encouraged to initiate and participate in whatever activity appeals.

The house will consist of: -

1. Cinema Room/Music Room
2. Large bedrooms each with a sofa area, decorated to tenants taste
3. Own Personal Shower/Bathroom if wanted.

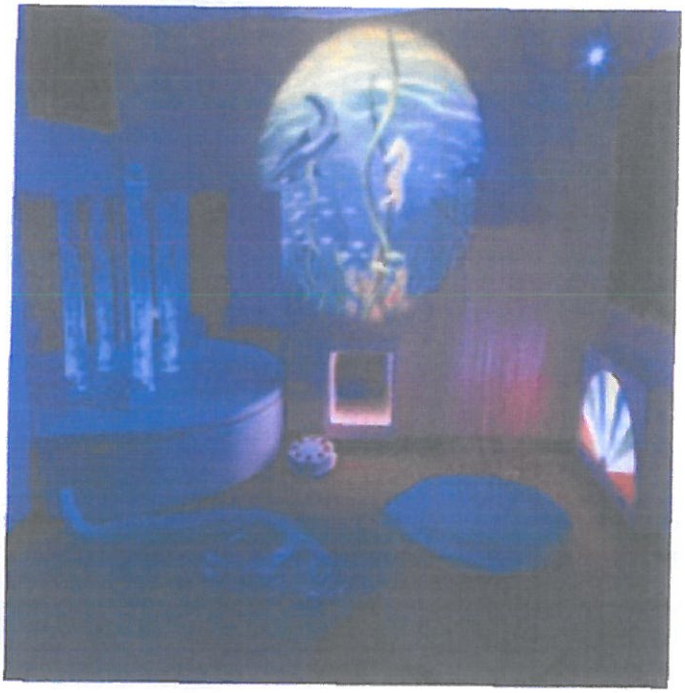


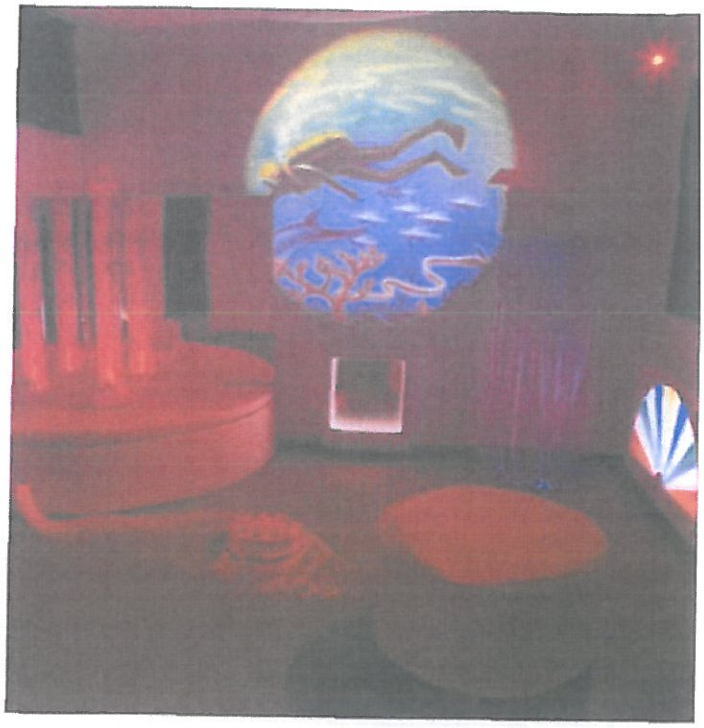




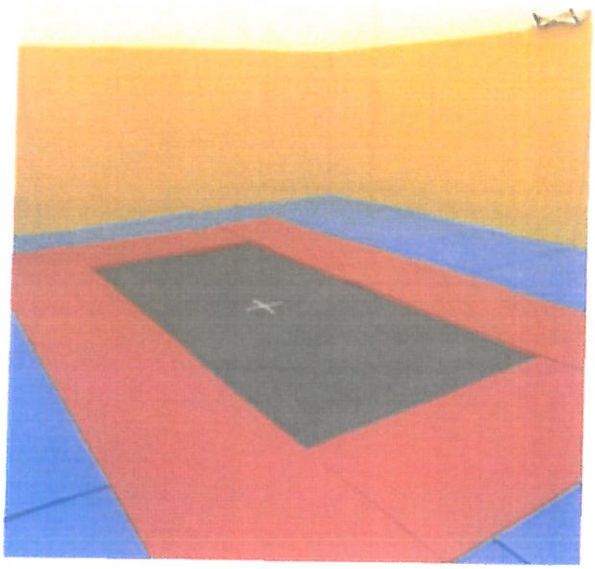


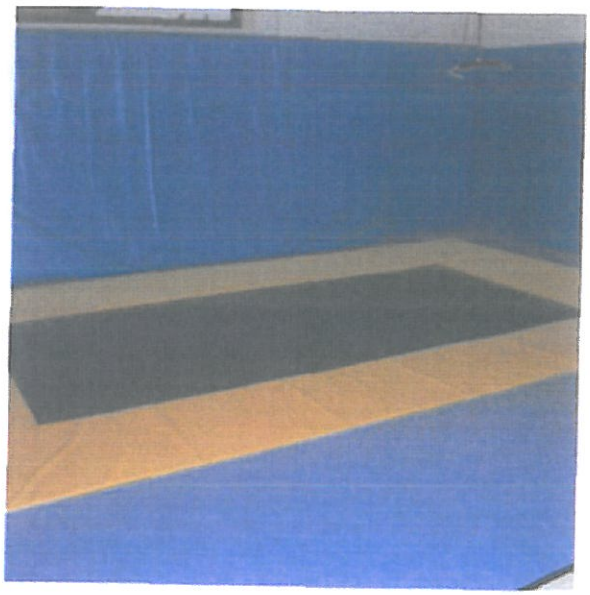
The relocation of the residential home will enable us to provide a leading Sensory Room for our residents: -





Also a new extension will be built onto the house to enable us to provide a brand new Rebound Room: -





Local Amenities

1). Brackla Community Centre is within 3 minutes walk. It is a great opportunity for us to use this facility with a host of different activities.

For Example:

- Coffee mornings
- Parties
- Play Activities

We would also look to use the center to explore new activities and gain new experiences.









2). The Woodlands walk is located 5 minutes from the property and is approximately 1km long, offering a range of wildlife and greenery.







3). The Triangle Shopping Centre Brackla contains a small shopping center, consisting of a Co-operative Supermarket and other convenience stores - Lloyds Pharmacy branch. Again this is a 5-minute walk from the house.



3). Oak Tree Surgery - located opposite the Community Centre, which is a 5-minute walk from the house.



4). Brackla Dental Surgery



5). The Haywain -

The Haywain is open 7 days a week and serve lunch and evening meals every day, except for Sundays where traditional Sunday lunch from 12.30 - 5pm is served. A wide selection of home cooked pub food. There are plenty of choices available, from lighter bites section, homemade pizzas, traditional pub favorites and a steak and grill section.





6). The Two Brewers -

The Two Brewers is open 7 days a week, serving food lunchtime and evenings. Two Brewers offer a range of food from light bites to hearty main meals. They also host a pub quiz every Wednesday evening at 8:45pm.

Nearby day trips: -

Porthcawl - 8.2 miles Time - 15 minutes (Normal traffic conditions)





Southerndown - 5.1 miles time - 11 minutes (Normal traffic conditions)

Bryngarw Country Park. - 4.7 miles - 11 minutes (Normal traffic conditions)





Ogmore by sea -5.2 miles Time - 12 minutes (Normal traffic conditions)





Newbridge Fields – 1.7 miles Time- 5 minutes drive

Bridgend Life Centre – 1.7 miles Time 5 minutes drive





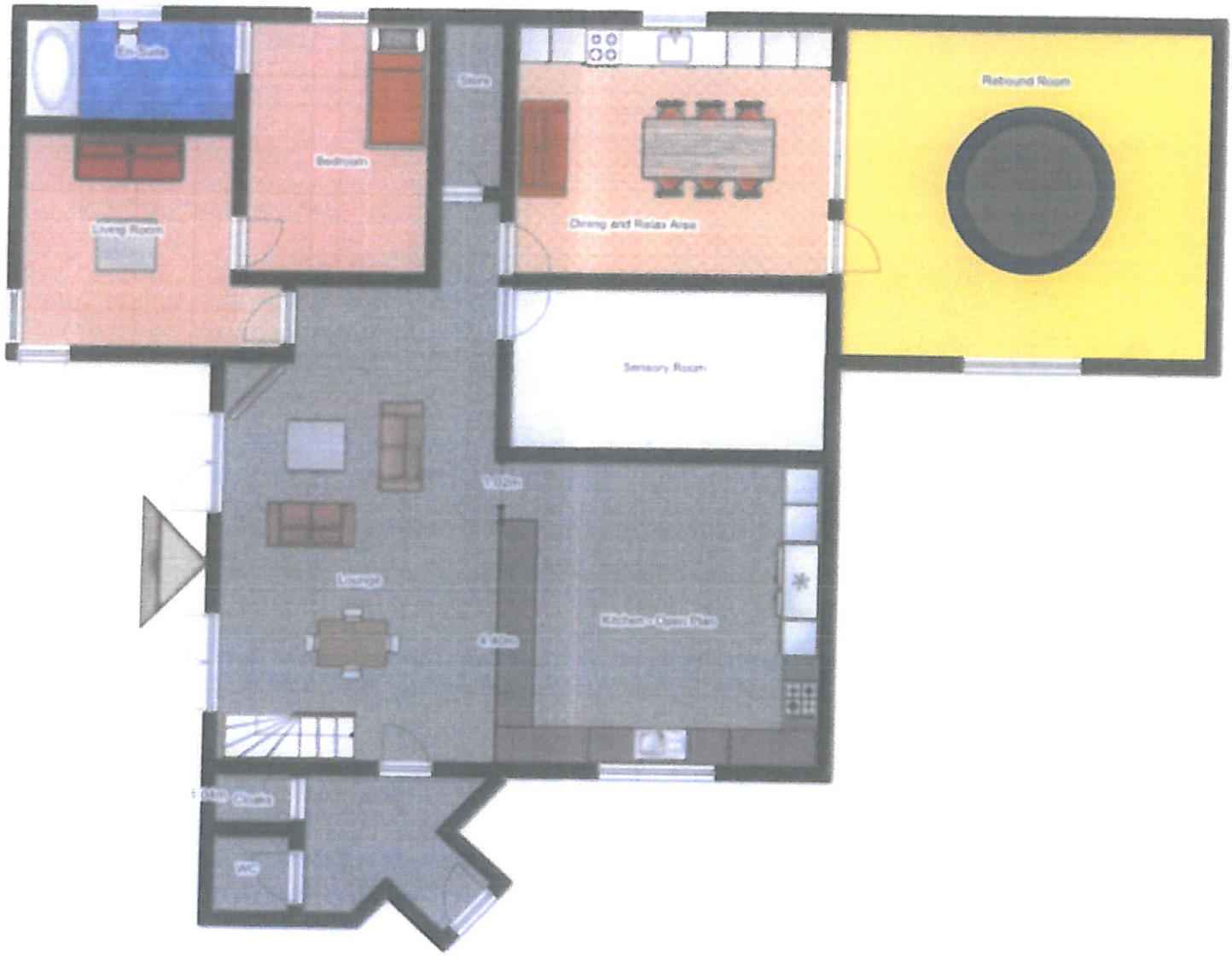


Proposed Plans & 3D Models

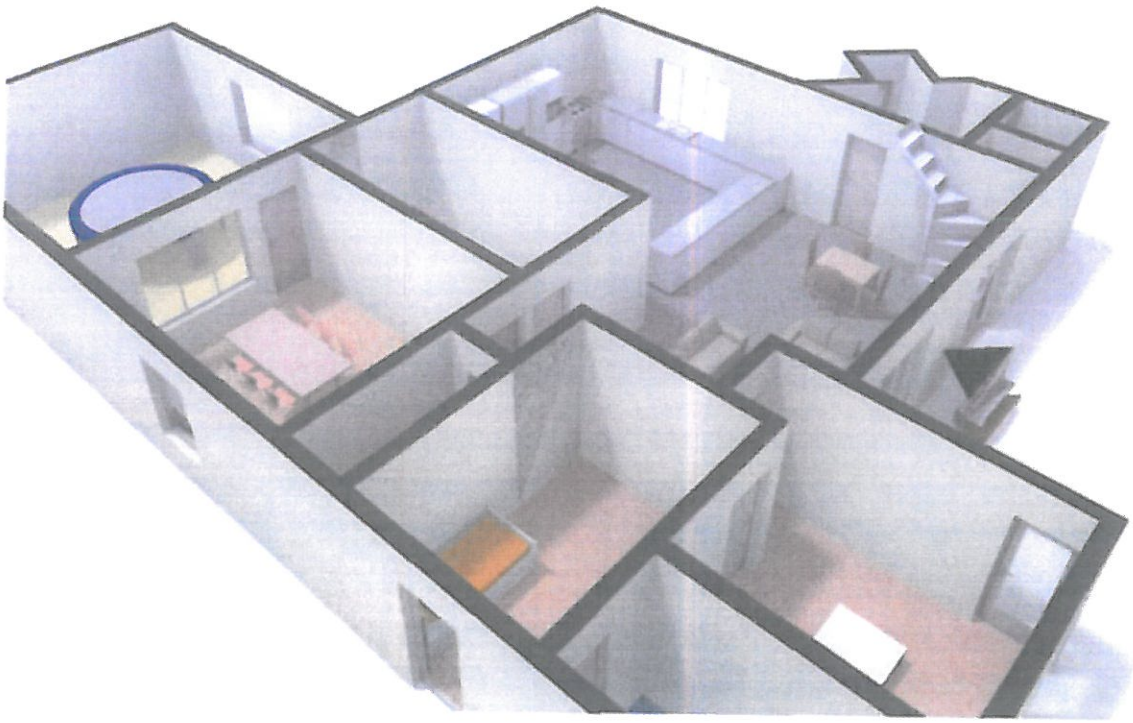
Ground Floor Description: -

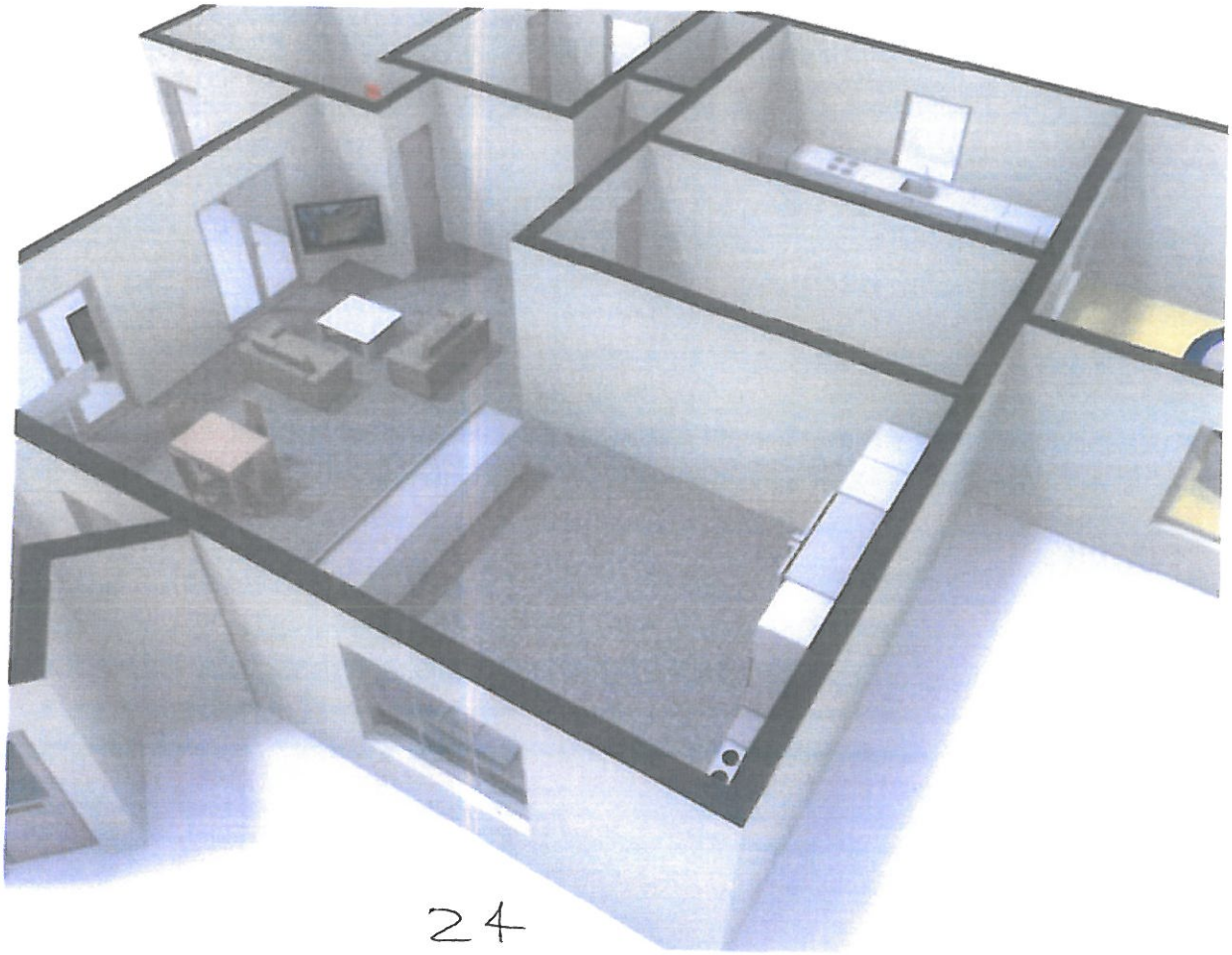
- Open Plan Kitchen, Dinner & Lounge
- Apartment including lounge, bedroom and bathroom
- Dining and relaxation room
- Rebound Room
- Sensory Room
- Store Cupboard
- Staff W/C

Ground Floor Plan: -



3D Ground Floor Models:-





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RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/14/800/FUL**

APPLICANT: MANNING CONSTRUCTION LTD
BRODAWEL COYCHURCH BRIDGEND

LOCATION: **FMR COUNCIL OFFICE SITE GLANOGWR ROAD BRIDGEND**

PROPOSAL: DEMOLISH COUNCIL OFFICES & ERECT 3NO. 4-BED DETACHED DWELLINGS WITH GARAGES

RECEIVED: 5th December 2014

SITE INSPECTED: 17th April 2015
SITE INSPECTED: 1st April 2015
SITE INSPECTED: 23rd July 2014
SITE INSPECTED: 20th February 2015

APPLICATION/SITE DESCRIPTION

The application seeks consent for the demolition of a Council office building known as 'Glanogwr' and the redevelopment of the site for three detached dwellings with garages.

The site covers an approximate area of 0.18 hectares and is located in an area that is otherwise entirely residential.

According to the proposed site layout plan, the site would be divided into three plots that would be generally of equal shape and size (rectangular with an approximate area of 13m x 35m). Two different house-types are proposed, however, they would have a very similar scale and footprint:

House Type A would have a general footprint of 10m x 11m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge). This house type would have an integral garage.

House Type B would have a general footprint of 10m x 10.2m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge). This house type would have a detached double garage, measuring 6m x 5.9m and would be finished with a hipped roof, reaching maximum heights of 2.4m (eaves) and 3.3m (ridge).

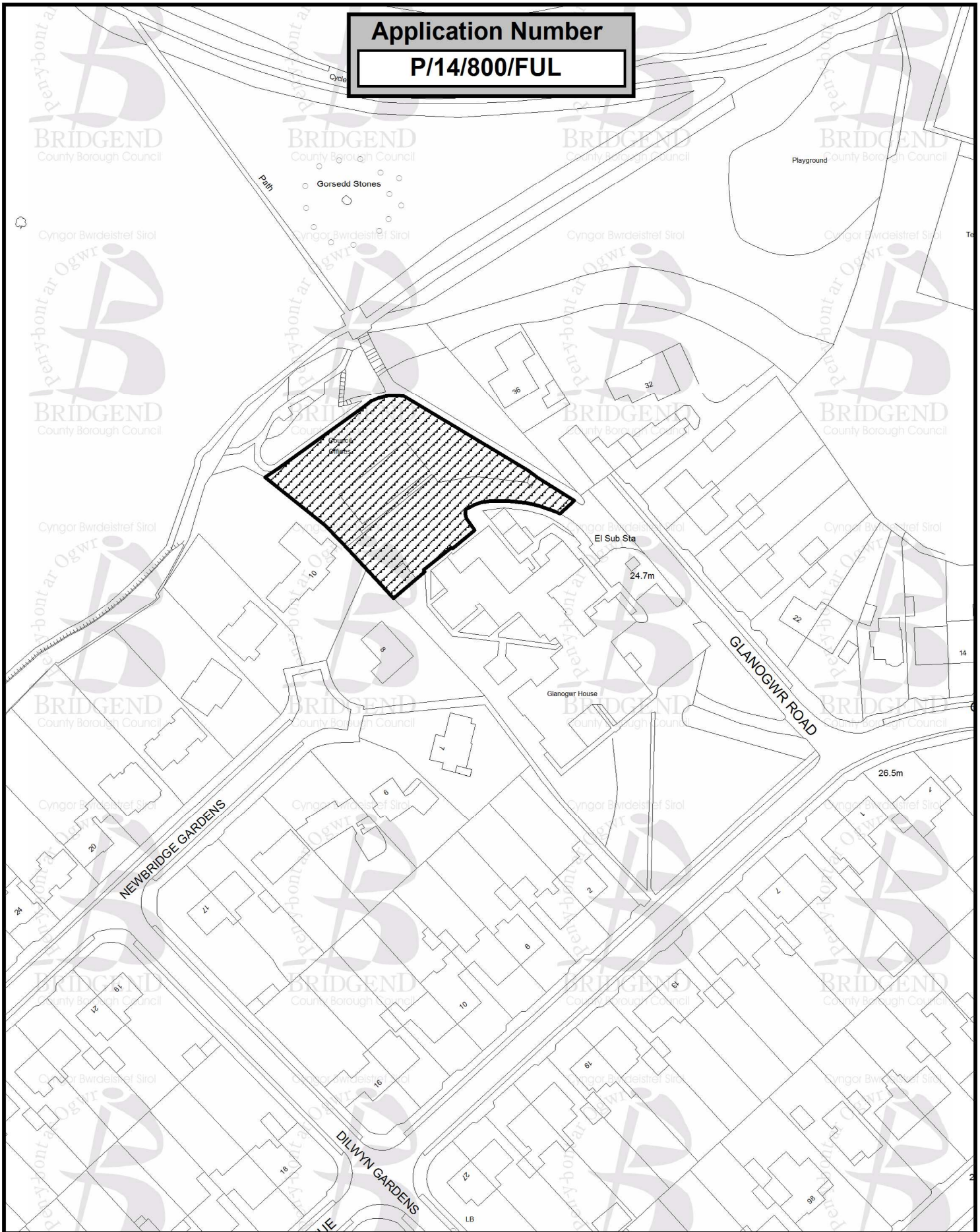
Vehicular and pedestrian access is from the east. This access extends from the termination point of Glanogwr Road and curves behind the extended parts of Glanogwr House. At this termination point, a registered public footpath (Footpath 17, Bridgend) is located adjacent to the eastern section of the site, providing pedestrian links from Glanogwr Road to Newbridge Fields. This footpath, inclusive of an area of open space, is located outside the application site.

To the south of the site is Glanogwr House, which contains numerous flats and is a Grade II Listed Building. This building is predominantly three-storeys in scale and has been extended several times to form a relatively high density development.

There are residential properties to the east and west of the site, mainly two-storeys in scale. They reflect a much lower density to Glanogwr House, with the majority on spacious plots, benefitting from multiple areas of outdoor amenity and off-street parking. It is, however, noted that to the east of the site is a bungalow (36 Glanogwr Road) and Glanogwr Coach House, which is a Grade II Listed Building and currently in office use with a residential flat above. These properties are separated from the site by the public footpath and open space.

Application Number

P/14/800/FUL



N

W E

S

Scale 1:1,250

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

To the north of the site is a large recreational and leisure area known as Newbridge Fields. It is located at a significantly lower level to the application site and is separated by a dense and mature woodland. This woodland is not covered by a tree preservation order and is located outside the application site.

RELEVANT HISTORY

75/227 - Construction of Glanogwr Offices (Approved)

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 4 June 2015.

NEGOTIATIONS

The scheme was subject to extensive pre-application discussions, which involved informal advice being given on a number of different aspects of the proposal. During the determination of this formal application, the agent was requested to:

1. Improve the design of the dwellings by amending the external finishes
2. Submit a suite of tree-related surveys and reports
3. Sign Certificate B and serve Notice on the Council
4. Reduce the size of the application site to exclude the public footpath and open space.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 9th December 2014
No comments recieved in respect of the amended scheme.

Councillor G Phillips
No comments recieved in respect of the amended scheme.

Councillor Mrs E M Hughes
Should the access way from Glanogwr road be a minimum width for a double buggy and contra flow to enter and leave. This could be at risk if the proposed wall is extended to create a pinch point at this access. Can it be confirmed that this "pinching effect" will not occur as a result of this wall being erected? Also, residents would like to know if the open space will be protected in the future? Can this be guaranteed?

Head Of Street Scene (Highways)
No objections to the proposal subject to conditions and advisory notes.

Destination & Countryside Management
No objections to the proposal subject to a condition and advisory notes.

Head Of Street Scene (Drainage)
No objections to the proposal subject to a condition and advisory notes.

Natural Resources Wales
No objections to the proposal subject to a condition and advisory notes. A copy of their observations was forwarded to the applicant's agent on 19/03/2015.

Welsh Water Developer Services

No objections to the proposal subject to advisory notes.

Glamorgan Gwent Archaeological Trust
No objections to the proposal subject to an advisory note.

Crime Prevention Design S.Wales Police
No objections to the amended proposal subject to advisory notes. A copy of his observations was fowarded to the applicant's agent on 03/06/2015.

Conservation & Design
No objections to the proposal subject to conditions.

Rights Of Way Team
No objections to the proposal.

Confirms that the area of hardstanding off Footpath 17 (Bridgend) to the Glanogwr Offices access road was not included in the registration of the public footpath because it would not have linked to another public right of way or any other part of the maintainable highway network.

It is noted that the developer intends to provide a dropped kerb at the end of Footpath 17 Bridgend and that this arrangement is acceptable particularly as this facility does not currently exist at this point and this will then enable the footpath to be accessed by wheelchair users, families with pushchairs and people with limited mobility.

REPRESENTATIONS RECEIVED

A number of representations were received in connection with the original scheme for four dwellings on a larger site which included Footpath 17 (Bridgend) and an area of open space. Th representations made and the responses to those comments received, are included in Appendix A.

Amended plans have been received which have reduced the size of the application site to exclude the public footpath and the area of open space. This has resulted in a smaller proposal consisting of three dwellings. Consultation has been undertaken on the amended scheme and representations have been received from the following:

34 and 36 Glanogwr Road

33 Glanogwr House

7 & 9 Bowham Avenue

39 Merthyr Mawr Road

4 Golwg y Fro

28 Esgair y Maes

Their objections and concerns have been summarised as follows:

1. Impact of the development on Footpath 17 (Bridgend) with specific regard to its width, its current condition, ensuring that it remains accessible to all and that there is access for maintaining the open space. A request has been made for a condition/legal agreement for the developer to provide financial contribution towards the upgrading of the path;
2. Future proposals on the open space;

3. Impact on parking/highway safety;
4. The refuse store would be in a prominent position and detrimental to visual amenity and setting of listed building. It could also give rise to littering, odours and attract vermin.
5. The garages must remain ancillary to enjoyment of the dwellinghouse it serves;
6. Adverse noise and disruption from the development. A request has been made for compensation as a result of this matter.

COMMENTS ON REPRESENTATIONS RECEIVED

The objections and concerns are addressed as follows:

1. Public Footpath 17 (Bridgend) travels adjacent to the immediate eastern boundary of the site. This registered path is located outside the application site and, subsequently the width of the path would not be narrowed nor would the path be directly affected by this proposal.

Whilst it is acknowledged that one end of the path would be adjacent to new boundary treatments enclosing the new residential development, this does not encroach onto the registered path and, as such, would not unreasonably inhibit its use. The other end of the path would be adjacent to an area of open space and both of these elements are located outside the application site.

It has been noted that there is a small section of hardstanding extending from the registered path which appears to allow level access. This links the path to the vehicular access into Glanogwr Offices. This hardstanding area has been included within the application site and is part of the sale of the land by the Council.

Whilst it does not form part of the registered footpath and the plans indicate that this link would be removed, the applicant has indicated an alternative arrangement to ensure that the accessibility of the path is maintained. In this respect, the amended plan illustrates that a dropped-kerb would be provided on highway-controlled land. This alteration would be secured by a condition.

Whilst access for the maintenance of the adjacent open space is not material to the determination of this planning application, it is understood from correspondence with the Property Department of the Council that, in view of the revised site boundary of the former Glanogwr office site, provision has been made to ensure that access rights are reserved for future maintenance of the Council's retained land.

Since the registered footpath is located outside the application site, the imposition of planning conditions or requiring the applicant to enter into legal agreements to upgrade the path is onerous and unreasonable. This would be contrary to the tests outlined within Welsh Office Circular 13/97 and Welsh Government Circular 016/2014.

2. The open space is located outside the development site. As such, this parcel of land and any future proposals on the open space, cannot be considered during the determination of this application. Any future proposals would need to be considered on their own individual merit.

3. Each dwelling would have sufficient private space to store bins and waste. Additionally, the immediate site entrance will include an area to deposit bins for waste collection days. This is a requirement of Policy ENV15 of the BLDP. Whilst this element of the scheme would be located outside the gated and enclosed cul-de-sac, this 'drop-off' area is only intended to be occupied during collection days since bins must have unrestricted and public access by refuse staff as they do not enter onto private roads/drives.

Having regard to the above, this location and arrangement is considered appropriate and, subject to conditions for the agreement of boundary treatments, external finishes and hard and soft

landscaping, it is not considered that this element of the scheme would have any significant adverse effect on visual amenity, on the setting of adjacent listed buildings or on residential amenity.

Littering, adverse odours and pest control are mainly management issues which are enforced under separate legislation. Consequently these matters can only be given limited weight in the determination of this planning application. Notwithstanding the above, it is considered that this scheme satisfies the criteria of Policy ENV7 of the BLDP which is concerned with natural resources and public health. An advisory note would be attached to any consent issued, explaining that the 'drop-off' area should be used only on designated waste collection days.

4. The scheme proposes two detached double garages and these are intended to serve Plots 1 and 3. The dwelling on Plot 2 would include a single integral garage.

The use of the garages for any other purpose other than for the enjoyment of the dwellinghouse that it serves would normally be deemed as a material change of use and would subsequently require separate planning consent.

Given the detached nature of the two double-garages and in the absence of a plan to clearly define the residential curtilages of each plot, it is considered prudent to impose a condition which limits the use of the garages to that ancillary to the enjoyment of the dwellinghouse that it serves

In addition to the above, the garages, inclusive of the integral garage of the dwelling on Plot 2, are formally considered as off-street parking spaces. To ensure that all dwellings retain the required amount of off-street parking, it is considered prudent to remove the permitted development rights of the dwellings so that none of the garages can be converted into habitable rooms without a further planning application.

The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to conditions and advisory notes. Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety and satisfies Policies SP2 and PLA11 of the BLDP.

5. It is acknowledged that there would be a degree of adverse noise and disturbance during the demolition and redevelopment phases of the site, this is considered to be short-term only. As such, it is not considered reasonable to refuse the application on such grounds.

The long-term use of the site would be residential. This is considered compatible with its surroundings, especially since the site is within an area which is almost entirely residential. It is not considered that the residential use of the site would generate such unreasonable nuisance, disturbance or adverse noise to local residents so as to warrant refusal of the scheme.

The issue of compensation is not considered material to the determination of this planning application and would, in any event, be a private matter between the respective parties.

APPRAISAL

Amended plans have been received which illustrate a smaller scheme consisting of three dwellings. This report assesses the amended scheme, whilst the original report, together with suggested reasons for refusal as requested by Members, has been included as Appendix A.

The site is located within the designated settlement boundary of Bridgend, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan (BLDP). Policy COM3 of the BLDP states that residential developments within settlement boundaries defined in Policy PLA1 on 'windfall' and 'small scale' sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land will be permitted where there is no over-riding need to retain the existing use

of the building or land for an alternative use.

The Council has deemed this building to be surplus to requirements and there is no over-riding need to retain the offices, especially since such uses are normally directed to allocated sites defined within the BLDP. In general terms, the site is within an area which is almost entirely residential and the redevelopment of this site for residential purposes is compatible, in principle. The development, therefore, is considered to satisfy the requirements of Policy COM3 of the BLDP.

With the principle established, the scheme must be considered against other relevant planning policies, guidelines and material considerations.

Policy COM5 of the BLDP states that affordable housing should be sought from sites capable of accommodating 5 or more dwellings or exceeding 0.15ha in size. The affordable housing target for Bridgend is 20%.

Whilst the whole site marginally exceeds 0.15 hectares, the area which would be developed for residential purposes falls below the affordable housing threshold. Policy COM5, therefore, does not apply in this particular instance.

Since the site proposes 3 dwelling units, the development does not meet the threshold of 5 or more residential units contained within SPG16: Educational Facilities & Residential Development. As such, a contribution towards education is not required.

Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making of any new development. The proposed development and site context have been outlined under the 'Application/Site Description' Section of the report.

The site is largely inconspicuous from prominent public views. This is mainly due to the land being located behind a large two/three storey building (Glanogwr House), being adjacent to a dense and mature woodland and only being accessible from a private lane extending from the termination point of Glanogwr Road.

In respect of the residential element of the scheme, the proposal is based on good design principles and the layout of the site and the design of the dwellings generally follow the principles of Design Guide 1: Dwellings and Domestic Scale Buildings. The design, character and appearance of the dwellings would also be similar to one another and would benefit from design interest. The dwellings would be visually interpreted to be part of the same complex of development, thereby creating a small cul-de-sac with its own identity, but responding to the local context and the general character and density of the area.

The plans indicate that the dwellings would be largely finished in render and slate. These finishes are considered acceptable, in principle, however, in the absence of a full specification of all the finishes to be used, it is considered necessary to impose a condition for such details to be agreed.

The submitted plans indicate that the boundary treatments to enclose the site would be timber panelling reaching a height of 1.8m. This type of boundary treatment is considered visually acceptable, in principle, and would complement the landscaped open space and the mature trees located outside the application site. However, in the absence of a full specification of the boundary treatments, it is considered necessary to impose a condition for such details to be agreed.

The site would be visible from the public footpath located outside the site (Footpath 17, Bridgend). This footpath can only be used by pedestrians and not vehicles travelling from Glanogwr Road to Newbridge Fields (or vice versa). The existing footpath allows views of the

existing Glanogwr offices, which is a building with no significant design merit and is considered to have a detrimental effect on the setting of both adjacent listed buildings and an incompatible relationship with the character and appearance of its surroundings.

It is considered that this scheme would improve the visual appearance of the site and enhance the setting of the listed buildings, which must be given special regard in the determination of this planning application. The Conservation and Design Team of the Council has no objections to the proposal subject to conditions requiring the agreement of materials. Glamorgan Gwent Archaeological Trust has no objections to the proposal subject to an advisory note. It is, therefore, considered that the scheme satisfies Policies SP5, ENV8 and the design and visual amenity criteria of Policy SP2 of the BLDP.

This scheme would include two double garages. They would have a design and appearance which would complement the new dwellings and its surroundings. Their scale and massing have been reduced as much as possible, especially with a shallow pitch, hipped-style roof. One of the garages would be sited in the south-western corner of the site and away from any significant public views.

The other garage would be publicly visible since it would be sited adjacent to the site access and the footpath. In conjunction with boundary treatments, new planting would be introduced at the immediate entrance to the site, thereby reducing the visual impact of this structure. Having regard to the above and the low-profile scale of the garage, which has a roof sloping away from the footpath, it is not considered that the proposed garages would have any significant adverse effect on the visual amenities of the area, on the setting of the listed buildings or on the adjacent footpath and open space.

A site level survey has been submitted which shows the access and parking area being higher than the office building, with the land sloping downwards, towards the public footpath along the northern boundary of the site. The proposed levels indicate that the dwellings on Plots 1 and 2 would be built up to be level of the access road. The dwelling on Plot 3, which is the nearest to Footpath 17 (Bridgend), would be approximately 300mm lower. The proposed levels are considered appropriate since it will ensure that the dwellings are appropriately assimilated within the site whilst respecting the surrounding context.

There would be a considerable visual improvement to the site frontage. This is mainly due to the massing of tarmac which forms part of the office parking area being removed and replaced with areas of soft landscaping and more suitable hard landscaping. This would result in improved visual integration between the site and the setting of the adjacent listed buildings.

The rear of each dwelling would contain an upper and lower level of outdoor amenity, consisting of elevated patios with steps leading to the lower 'soft' landscaped gardens. However, in the absence of specific details concerning hard and soft landscaping, it is considered necessary to impose a condition for such details to be agreed.

The application site contains a number of trees and there are further trees located outside the site, mainly along the northern boundary and within the open space to the east. A tree survey, a Tree Evaluation Method for Preservation Orders (TEMPO) survey and a Tree and Root Protection Methodology for retained trees have been submitted by a qualified arborist.

The trees separating the site from Newbridge Fields play a fundamental part in establishing the setting of the site. Whilst these trees are not protected by a Tree Preservation Order, they are located outside the site and would not be significantly affected by the proposed development, especially with the implementation of tree and root protection measures and pruning works.

With regards to the trees that are situated on the amended site, the survey indicates that there are approximately 17 present. The submitted tree survey accurately reflects the health and

condition of the trees. The TEMPO survey has indicated that 4 trees located on the amended site have some amenity value, however, further consideration must be given to their qualities and be balanced against other material considerations, in particular the potential benefits gained from the redevelopment of the site.

The majority of the trees are conifers (Lawson). This species is mainly planted in urban environments to screen physical structures, especially since they are considered to be fast-growing species and the crown delivers good all-year-round density. In this particular case, it would appear that they were deliberately planted to screen the office building. However, due to lack of maintenance, they have become taller than any neighbouring building and excessively dominate the site. Whilst it is acknowledged that they are prominent, they are not native to this area and are not considered to be a rare species, so as to warrant any special merit. The survey has identified several of the Lawson trees having weak limbs and, due to the size and density of the crown, they represents high risk of collapse and splitting. In view of their proximity to one another, the root pattern is likely to be intertwined and the removal of one is likely to undermine the other. Furthermore, several of the trees are located immediately adjacent to the office building and are likely to be adversely affected by the demolition of this structure. Coniferous trees are also prone to being a source of nuisance by reducing residential amenity, in particular light and outlook.

Having regard to the above, it is considered that their removal would significantly improve the openness of the site. More importantly, they would improve public views of the adjacent listed buildings and enable the trees outside the site, which benefit from higher amenity value, to be brought into sight.

The remaining trees on the site are not considered to offer such significant public amenity value as to warrant retention. Furthermore, the benefits gained by this scheme, which would accommodate a more compatible use (residential) and a more visually sympathetic development (especially with regards to the setting of the listed buildings), outweighs the need to retain the remaining trees on the site. It is also noted from the plans that the scheme would involve new planting. This, in conjunction with the numerous benefit grained by this scheme, is considered to be adequate mitigation for any loss of public amenity from the removal of the existing trees on the site.

Subject to conditions requiring (i) the submission of a landscaping scheme (to include new planting) and (ii) the submission of tree and root protection measures for existing trees located outside the northern and eastern boundaries of the site, it is considered that the scheme would not have such an adverse effect on public amenity as to warrant refusal of the scheme and the development satisfies Policy ENV6 of the BLDP.

The open space to the east of the site is located outside of the application site and would not be significantly affected by this proposal. Further consideration of the open space can be found under the 'Comments on Representations Received' section of the report.

A bat survey, which has been conducted by a licenced surveyor, indicates that a small number of bats occupy the existing office building. Any demolition or redevelopment proposals must, therefore, be subject of a derogation licence. Natural Resources Wales (the authorising body) has no objections to the proposal subject to conditions and advisory notes. The Council's Ecologist also has no objections to the proposal subject to conditions and advisory notes. It is not considered that the proposal would have any significant adverse effect on biodiversity/ecology.

The site is not located within a flood risk area and currently the office building contains drainage infrastructure. The Land Drainage Section of the Council has no objections to the proposal subject to a condition for the submission of a comprehensive drainage scheme. Welsh Water also has no objections to the proposal subject to advisory notes. It is, therefore, considered that

this scheme would not have any significant adverse effect on drainage or materially increase the risk of flooding. The scheme, therefore, satisfies Policies SP2 and ENV7 of the BLDP. The site is reasonably served with all other utilities necessary for residential uses.

The existing office car park would be modified to provide off-street parking and access to the three proposed dwellings. In conjunction with the required parking spaces for each dwelling, one visitor space would also be provided within the site. The site would be predominantly enclosed with access being limited to the occupiers of the new dwellings.

Public Footpath 17 (Bridgend) travels adjacent to the immediate eastern boundary of the site. This registered path is located outside the application site and would not be directly affected by this proposal. Further consideration of the footpath can be found under the 'Comments on Representations Received' section of the report.

The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to conditions and advisory notes. The design and appearance of the gated entrance would be controlled by a condition for the agreement of boundary treatments.

The Crime Prevention Design Officer (Police) has no objections to the amended proposal subject to a series of advisory notes.

Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety nor would it unreasonably result in increases in the incidence, or fear of crime/antisocial behaviour within the locality. The scheme, therefore, satisfies Policies SP2, PLA9 and PLA11 of the BLDP.

The proposed dwellings would benefit from a reasonable degree of residential amenity. All habitable rooms in particular would benefit from adequate light, outlook and privacy. The amount of outdoor amenity would be sufficient for family-sized dwellings and would be comparable to the amount serving properties in the immediate locality. Having considered the size of the dwellings and the provision of outdoor amenity space and parking requirements to serve each plot, it is considered that the proposed scheme would not represent overdevelopment of the site.

The site is bounded on three sides by residential properties, albeit the properties to the east would be separated from the application site by the Footpath 17 (Bridgend) and an area of open space.

To the south-east of the site is a block of flats known as Glanogwr House. The front elevation of the proposed dwellings would face an extended part of the flats. In this respect, most habitable windows on the front elevation of all the dwellings would achieve the recommended distance of 21m between directly facing habitable room windows of the flats at Glanogwr. Whilst some of the windows would be marginally within 21m, they would be at an indirect angle, or facing secondary windows which can already be viewed into from the office car park.

Having regard to the above, it is considered that the proposed development complies with the guidelines of Supplementary Planning Guidance 2: Householder Development (SPG2) and would not so significantly worsen the existing level of amenity associated with a small number of flats at Glanogwr as to warrant refusal of the scheme.

The south-western boundary of the site is primarily adjacent to 10 Newbridge Gardens, which is a two-storey detached dwelling constructed in the 1960s (66/66 refers) and extended in 1972 and 1983 (110/72 and 83/1297 respectively). The Case Officer visited the site from the grounds of this property since the proposed dwelling on Plot 1 would be adjacent its boundary.

In this respect, the nearest part of the dwelling on Plot 1 to No.10 would be adjacent to a single-storey flat roof structure containing a utility room. The frontage of the proposed dwelling on Plot 1

would generally align with the orientation and building-line of No.10.

It was noted during the site visit that the side elevation of No.10, which faces the application site, has one window on the ground floor and two windows on the first floor. The ground floor window is largely enclosed by the single-storey flat roof structure, a garden shed, a 1.8m high fence and a coniferous hedge. As such, the window does not benefit from any significant amount of light or outlook. Furthermore, this window serves an open plan kitchen/diner and the main source of outlook and light serving this room is from the windows positioned on the front elevation.

Two windows are proposed to be positioned on the side elevation of the dwelling on Plot 1 that would face No.10. Both windows, however, would serve non-habitable rooms (W.C. and en-suite). The ground floor window would be adequately screened by boundary treatments, however, it is considered prudent to impose a condition for the first-floor en-suite window to be fitted with obscured glazing.

With regards to the two first-floor windows of No.10, it would appear that they serve habitable rooms. Approximate calculations indicate that the proposed development would comply with the guidelines of SPG2, especially with regards to dominance and loss of light, privacy and outlook. Conversely, the two first floor windows of No.10 would not result in any significant loss of privacy to the occupiers of the dwelling on Plot 1 since the relationship and orientation of the proposed development to the windows of No.10, including the proposed patio screening, would obscure a large part of the private rear amenity space.

To the south of the site is 8 Newbridge Gardens. The property and its rear garden predominantly back onto the grounds and flats of Glanogwr House. Part of the rear garden would back onto the parking area for Plot 1. This would include a detached double garage set-in approximately 1m from the boundary with No.8. There is a tall coniferous hedgerow along the boundary which would screen a significant part of the development from this neighbouring property. Furthermore, the garage would have three blank elevations and would have a shallow-pitched hipped roof which slopes away from the neighbouring property. Having regard to the above, it is considered that this proposal would not have any significant adverse effect on the amenities of No.8, with particular regards to dominance or loss of light, privacy and outlook.

The north-eastern boundary of the site would be adjacent to Footpath 17 (Bridgend) and open space. Further away is No.36 Glanogwr Road which is a detached bungalow granted planning consent in 1973 (121/73 refers). A maintained hedgerow forms the boundary between the bungalow and open space.

The proposed dwelling on Plot 3 and its detached double garage would be the nearest part of the development to No.36. The separation of this plot by the footpath and open space reduces the impact of the development on No.36. The scheme would not cause any significant adverse effect on the amenities of this property in terms of loss of light or dominance.

Two windows are proposed to be positioned on the side elevation of the dwelling on Plot 3 that would face the open space. Both windows, however, would serve non-habitable rooms (W.C. and en-suite). The ground floor window would be adequately screened by boundary treatments and the first floor window would meet the recommended distances within SPG2. It is, therefore, considered that the scheme would not result in any significant loss of privacy to the occupiers of No.36.

The proposed detached double garage on Plot 3 would not have a direct relationship with any neighbouring property. Furthermore, the garage would have a shallow-pitched hipped roof which slopes away from neighbouring properties. Supplemented by the separation of the site by the footpath and open space, it is not considered that this proposal would have any significant adverse effect on the amenities of No.36.

Glanogwr Coach House is currently occupied by offices on the ground floor and a residential flat above. This listed building is located to the east of the site and is adjacent to the access road off Glanogwr Road.

The dwelling on Plot 3 would be at a right angle to the coach house and set back at an approximate distance of 25m. The detached double garage on Plot 3 would be at an approximate distance of 15m from the coach house and given its single-storey scale, it is not considered that the flat or offices would be unreasonably affected by the proposal.

34 Glanogwr Road is located between The Coach House and 36 Glanogwr Road. Whilst its vehicular and pedestrian access is adjacent to the open space which separates the application site, the property is located further away at an approximate distance of 30m from the boundary. The proposal would meet the guidelines set within SPG2 and, consequently, it is not considered that the proposal would have a significant adverse effect on the amenities of the occupiers of this property, with particular regards to dominance or loss of light, privacy and outlook.

All other neighbouring properties would be further away from the application site and would not be unreasonably affected by the proposal. It is concluded that, subject to conditions, the proposal would satisfy the requirements of Policy SP2 of the BLDP and would generally meet the guidelines of SPG2. As such, it is considered that the scheme would not have such a significant adverse effect on the amenities of neighbouring properties as to warrant refusal of the scheme.

CONCLUSION

This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 The development shall be carried out in accordance with the following approved plans and documents:

014:14/02 Rev.A Site Layout Plan (received 3 June 2015)

014:14/03 Ground Floor Plan - Type A (received 26 May 2015)
014:14/04 First Floor Plan - Type A (received 26 May 2015)
014:14/05 Elevations - Type A (received 26 May 2015)

014:14/06 Ground Floor Plan - Type B (received 26 May 2015)
014:14/07 First Floor Plan - Type B (received 26 May 2015)
014:14/08 Elevations - Type B (received 26 May 2015)

014:14/09 Plan, Section, Elevations - Double Garage (received 26 May 2015)

014:14/12 Cross Sections Through Plots 1-3 (received 3 June 2015)

014:14/13 Site Layout Showing Cross Section Lines A-D (received 3 June 2015)

014:14/14a Plots 1-3 Rear Elevational Treatment (received 3 June 2015)

Ecology Mitigation/Compensation Section of Bat Survey conducted by: The Countryman - Wildlife Consultancy (received 5 December 2014)

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

2 Notwithstanding the requirements of condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings, garages and refuse area, hereby permitted, have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area and to preserve and enhance the setting of adjacent listed buildings.

3 Notwithstanding the requirements of condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason: To ensure that the general amenities of the area are protected and to preserve and enhance the setting of adjacent listed buildings.

4 Notwithstanding the requirements of condition 1, no development (including demolition) shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme. The scheme shall include:

i) Proposals for all hard and soft surface treatment;
ii) Details of any tree works to be undertaken;
iii) Details of new tree planting;
iv) Measures for all retained trees and hedgerows on-site and those adjacent to the northern and eastern boundaries of the site to be protected during the course of the development.

The landscaping works shall be carried out prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed with the Local Planning Authority prior to any development commencing on site.

Reason: To maintain and improve the appearance of the area, in the interests of visual amenity and to promote nature conservation.

5 Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage and surface water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the beneficial occupation of any of the dwellings hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

6 Notwithstanding the requirements of condition 1, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing a 1.7m high solid screen to be erected along both ends of the elevated patio to the

rear of the proposed dwellings. The screening shall be erected in accordance with the agreed scheme prior to the beneficial occupation of any of the dwellings and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

7 Notwithstanding the requirements of condition 1, the access and parking areas, as shown on drawing number '014:14/02 - Site Layout Plan' (received 3 June 2015), shall be completed in permanent materials before the beneficial occupation of any of the dwellings hereby approved and shall be retained thereafter in perpetuity.

Reason: In the interests of highway safety.

8 Notwithstanding the requirements of condition 1, no development (including demolition) shall commence until an Ecology method statement has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall be based on the mitigation outlined in the section titled 'Mitigation/Compensation' of the bat survey report conducted by The Countryman (received 5 December 2014) and shall include (but not be limited to):

i) The timing of works
ii) Measures to avoid killing & injuring bats during demolition and development works
iii) Use of materials (such as timber, roof membranes)
iv) The positioning and size of entrances
v) The size and location of roosting areas
vi) Details of any vegetation retention/management
vii) Details of any proposed artificial lighting
viii) Details of suitable roosting resource for bats to be incorporated within the site

Development (including demolition) shall be carried out in accordance with the agreed method statement.

Reason: In the interests of ecology.

9 Notwithstanding the requirements of condition 1, the first floor en-suite window serving the dwelling on Plot 1 shall be fitted with obscure glazing to a minimum of level 3 on the Pilkington index of obscurity. The obscure glazing shall be fitted prior to the beneficial occupation of the dwelling and shall be retained as such in perpetuity.

Reason: In the interests of residential amenity.

10 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the detached and integral garages, hereby approved, shall be used only for purposes incidental to the enjoyment of the dwellinghouse and for no other purpose whatsoever. The garages shall also be retained as such at all times and shall not be converted into living accommodation.

Reason: To safeguard the character and amenity of the area and in the interests of highway safety.

11 Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the provision of an uncontrolled pedestrian crossing including tactile paving to

be located at the Glanogwr Road end of the public footpath has been submitted to and agreed in writing by the Local Planning Authority. The crossing shall be implemented prior to the beneficial occupation of any of the dwellings hereby approved.

Reason: In the interests of Active Travel, accessibility and pedestrian safety.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

b) The applicant/developer is advised that this consent does not preclude the need for a protected species (development) derogation licence prior to the commencement of any development or demolition.

c) The applicant/developer is advised that Footpath 17 (Bridgend) must not be obstructed. If temporary closure of the path is necessary, please contact the Rights of Way Manager on (01656) 642 537.

d) Foul water and surface water discharges shall be drained separately from the site.

e) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

f) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

g) If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru/Welsh Water's Developer Services on 0800 917 2652.

h) An adoption agreement from Dwr Cymru/Welsh Water may be required if a connection to the public sewerage system is required. For further information, please contact Developer Services.

i) The applicant/developer is advised that the site is crossed by a public sewer. Under the Water Industry Act 1991, Dwr Cymru/Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.

j) In respect of Condition 5 (Drainage), the applicant/developer is required to submit an assessment into the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in Technical Advice Note 15. The submitted details must include:

(1) A ground investigation report sufficient to support the design parameters and suitability of the proposed system.
(2) Information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures to prevent the pollution of the receiving groundwater and/or surface water.
(3) A timetable for its implementation; and
(4) A management and maintenance plan, for the lifetime of the development and any agreements to secure the operation of the scheme throughout its lifetime.

k) The applicant/developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system.

l) Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.

m) Where any species listed under Schedules 2 or 5 of the Conservation of Habitats and Species Regulations 2010 is present on site, or other identified area, in respect of which this permission is hereby granted, no works of site, clearance, demolition or construction shall take place unless a licence to disturb any such species has been granted by Welsh Government / Natural Resources Wales, in accordance with the aforementioned Regulations.

n) If at any time nesting birds are observed, any works which may disturb them must cease immediately and advice sought from the Council's Ecologist. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species is involved, mitigation for impacts, e.g. loss of nesting site, should be devised and implemented.

o) The applicant/developer is advised that should any unknown archaeological features be encountered during the development of the site, to cease works immediately and seek advice of Glamorgan Gwent Archaeological Trust on (01792) 655 208.

p) The applicant/developer is advised that the refuse 'drop-off' area should only be used for the depositing of bins on collection days and should not be occupied by waste at any other time.

q) The applicant/developer is advised that the proposed site access gates must be fitted so as to open inwards and not out over the highway.

r) In respect of Condition 3 (Boundary Treatments), the applicant/developer is advised to submit details which include the proposed boundary treatment to the north of the site to be increased to 2m in height.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

APPENDIX A

PLANNING REFERENCE NUMBER: P/14/800/FUL

APPLICANT: MANNING CONSTRUCTION LTD

LOCATION: FORMER COUNCIL OFFICE SITE, GLANOGWR ROAD

PROPOSAL: DEMOLISH COUNCIL OFFICES & ERECT 4 x 4-BED DETACHED DWELLINGS

The application was considered by the Development Control Committee on 30 April 2015 and Members were minded to refuse planning permission, contrary to the Officer's recommendation.

The application was deferred for draft reasons for refusal to be formulated and presented to Committee on 11 June 2015 for consideration. The draft reasons for refusal reflect concerns raised by Members and are reproduced below. A copy of the original report and amendment sheet is attached.

The draft reasons for refusal are set out below:-

1. The proposal constitutes an overdevelopment of the site since it would result in the loss of an essential and attractive open space within the existing built up area which should remain free from development, in the interests of visual amenity and to the enjoyment of the local community. As such, the scheme is contrary to Policies SP2 and COM4 of the adopted Bridgend Local Development Plan.

2. The proposed diverted footpath, by virtue of its design, width and alignment, does not represent a route of similar or improve quality to that of the existing route and is likely to result in an increase in the incidence, or fear of crime and encourage antisocial behaviour within the locality, to the detriment of the users of the path and the safety of the local community, contrary to Policies PLA9 and SP2 of the Bridgend Local Development Plan.

3. The proposed development, by virtue of its layout, siting, scale and design would dominate 36 Glanogwr Road to an unacceptable degree, thereby resulting in a significant loss of residential amenity, contrary to Policy SP2 of the adopted Bridgend Local Development Plan.

RECOMMENDATION:-

That Members consider the draft reasons for refusal.

RECOMMENDATION : SECTION 106

REFERENCE: **P/14/800/FUL**

APPLICANT: MANNING CONSTRUCTION LTD
BRODAWEL COYCHURCH BRIDGEND

LOCATION: **FMR COUNCIL OFFICE SITE GLANOGWR ROAD BRIDGEND**

PROPOSAL: DEMOLISH COUNCIL OFFICES, DIVERT FOOTPATH 17 (BRIDGEND) & ERECTION OF 4NO. DETACHED DWELLINGS WITH INT. GARAGES

RECEIVED: 5th December 2014

SITE INSPECTED: 17th April 2015
SITE INSPECTED: 23rd July 2014
SITE INSPECTED: 20th February 2015

APPLICATION/SITE DESCRIPTION

The application seeks consent for the demolition of a Council office building known as 'Glanogwr' and the redevelopment of the site for four detached dwellings.

The site covers an approximate area of 0.23 hectares and is located in an area that is otherwise entirely residential. Extensive pre-application advice was given concerning the redevelopment of the site for residential purposes. A number of indicative layout sketches were submitted as part of the enquiry, one of which demonstrated a 4-dwelling scheme that is broadly similar to that presented in this formal application.

According to the proposed site layout plan, the site would be divided into four plots that would be generally of equal shape and size (rectangular with an approximate area of 13m x 33m). Two different house-types are proposed, however they would have a very similar scale and footprint:

House Type A would have a general footprint of 10m x 11m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge).

House Type B would have a general footprint of 10m x 10.2m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge).

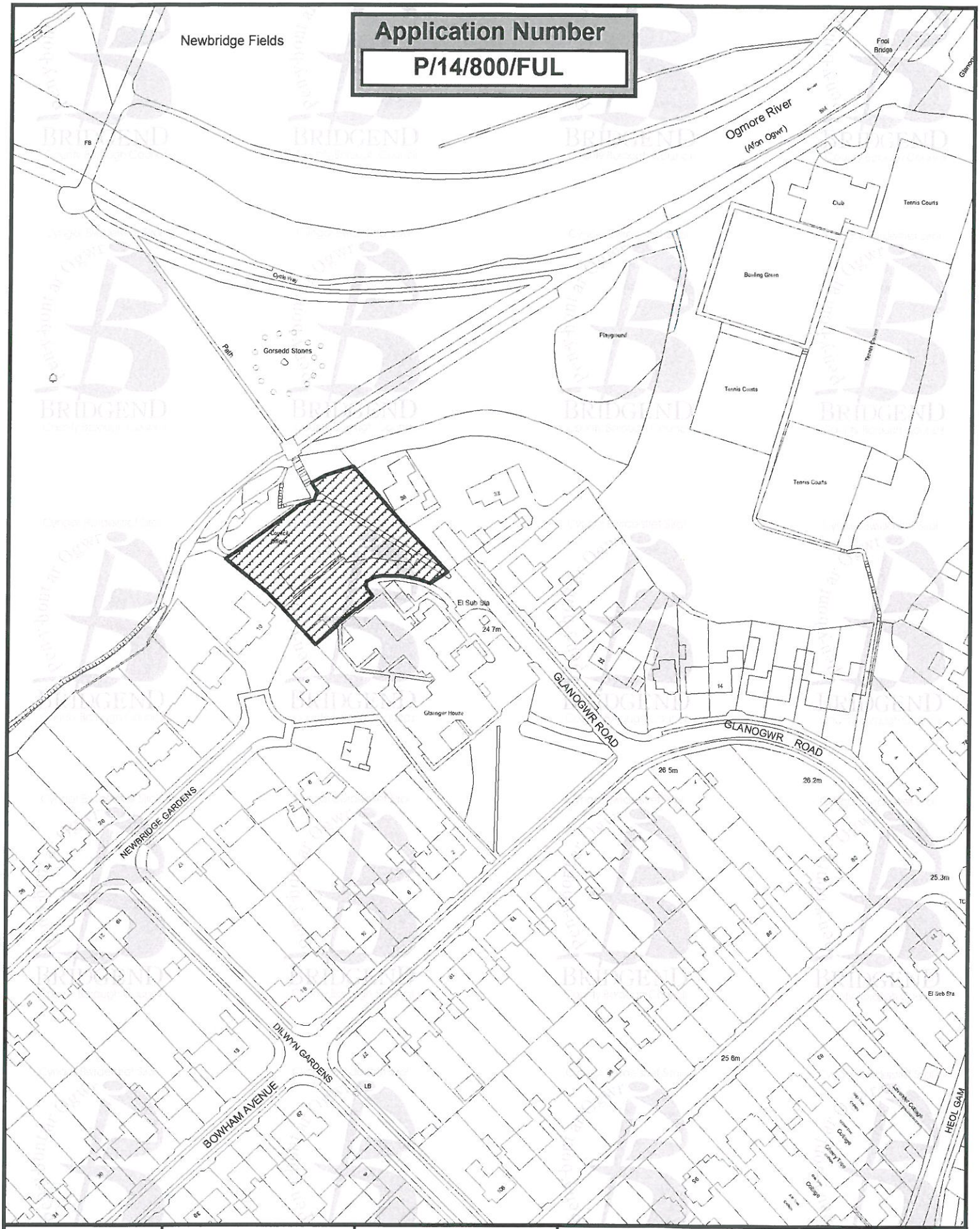
Vehicular and pedestrian access is from the east. This access extends from the termination point of Glanogwr Road and curves behind the extended parts of Glanogwr House. At this termination point, a registered public footpath extends across the eastern section of the site, providing pedestrian links from Glanogwr Road to Newbridge Fields.

There are other residential properties to the east and west of the site, mainly two-storeys in scale. They reflect a much lower density to Glanogwr House, with the majority on spacious plots, benefitting from multiple areas of outdoor amenity and off-street parking. It is, however, noted that to the immediate east of the site is a bungalow (36 Glanogwr Road) and Glanogwr Coach House, which is a Grade II Listed Building and currently in office use with a residential flat above

To the south of the site is Glanogwr House, which contains numerous flats and is a Grade II Listed Building. This building is predominantly three-storeys in scale and has been extended several times to form a relatively high density development.

To the north of the site is a large recreational and leisure area known as Newbridge Fields. It is located at a significantly lower level to the application site and is separated by a dense and

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Scale 1:1,750

Date Issued: 22/04/2015

Development-Mapping
Tel: 01656 643176

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Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

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O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

mature woodland. This woodland is not covered by a tree preservation order and is located outside the application site.

The application was deferred at the Development Control Committee meeting on 3 April 2015 to allow for more information to be obtained in respect of the footpath.

A site survey was undertaken by the Local Planning Authority which found that a total of 103 (12 adults and 91 children) people used the footpath between the hours of 0800 and 0900 and a total of 141 (33 adults and 108 children) people used the footpath between the hours of 1500 and 1600. The survey was carried out on a week day during school term time and in fine weather.

The applicant provided the following additional information in relation to the application:-

'The North Eastern boundary between the application site and No.36 Glanogwr Road is defined by a scruffy timber post and rail fence obscured from general view by a hedge. The alignment of the fence/ hedge is shown on the topographical survey plan submitted with the application documents. As you know the environmental quality of the hedgerow varies along its length and discussions between representatives of the Applicant Company and the occupier of 36 Glanogwr Road revealed that maintenance of the facility was proving increasingly difficult, the neighbour considered that the hedge/fence would be better replaced by a screen wall comprising entirely of face brickwork which Manning Construction is willing to provide. The alignment of the wall would be straight and positioned so as not to extend beyond the boundary of the development site. '

RELEVANT HISTORY

75/227 - Construction of Glanogwr Offices (Approved)

PUBLICITY

The application has been advertised in the press and on site.
The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 27 January 2015.

NEGOTIATIONS

The scheme was subject to extensive pre-application discussions, which involved informal advice being given on a number of different aspects of the proposal. During the determination of this formal application, the agent was requested to:

1. Improve the design of the repositioned public footpath
2. Submit plans of the rear patio area of the dwellings
3. Confirm, in principle, alternative external finishes
4. Submit a suite of tree-related surveys and reports
5. Sign Certificate B and serve Notice on the Council
6. Confirm their intention to enter into a legal agreement for a financial payment of £50,000 towards the provision of affordable housing

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 9th December 2014
Objects to the proposal:
1. Overdevelopment of the site
2. Loss of public open space, biodiversity and ecology

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3. Detrimental to residential amenity of neighbouring properties
4. Highway safety and parking (including emergency vehicles)
5. Improper design for the proposed diverted footpath, thereby raising safety concerns (including the incidence and fear of crime and antisocial behaviour) and the loss of amenity to its users
6. The size and location of the refuse drop-off area serving the development would be inappropriate
7. Incorrect certificate signed within the application forms

Councillor G Phillips
Requested to speak against the development at the Development Control Committee and objects for the following reasons:-

- The development will destroy public access to Newcastle playing fields.
- Brynteg Governing body are concerned the development will lead to a problem with children using the footpath.
- The proposed footpath will create a platform for anti social behaviour

Councillor Philips advised that he is objecting as a local Member and on behalf of Brynteg School in his role as a Governor.

Councillor Mrs E M Hughes
Requests that the application be referred to Committee and requests to speak. The referral is based on the following grounds:

"The general opinion of people using the fields is that the approach to the fields will be spoiled and these concerns have been detailed to the Planning Department and Rights of Way. I trust there will be a site meeting. The opinion is that 3 homes may be acceptable but not 4 as this entails moving the path to the right and causing a channel which could be intimidating to users of the path. I and others have lodged a more detailed objection to moving the path and I hope due consideration has been given to our concerns."

Head Of Street Scene (Highways)
No objections to the proposal subject to a condition.

Destination & Countryside Management
No objections to the proposal subject to a condition and advisory notes.

Head Of Street Scene (Drainage)
No objections to the proposal subject to a condition and advisory notes.

Natural Resources Wales
No objections to the proposal subject to a condition and advisory notes. A copy of their observations was forwarded to the applicant's agent on 19/03/2015.

Welsh Water Developer Services
No objections to the proposal subject to advisory notes.

Glamorgan Gwent Archaeological Trust
No objections to the proposal subject to an advisory note.

Crime Prevention Design S.Wales Police
Provided a series of recommendations and advisory notes concerning the design and layout of the development. A copy of the observations was forwarded to the applicant's agent on 26 January 2015.

Conservation & Design
No objections to the proposal subject to conditions.

Rights Of Way Team
Provided the following comments on the process of applying for a footpath diversion:-

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If it is determined that a Right of Way requires diversion a report will be presented to the Rights of Way Sub Committee for approval to make the Order. If this is received (it doesn't necessarily follow that the ROW sub committee will approve the report) an Order is made and advertised on site and in the press. Statutory bodies and user interest groups are served with copies of the Notice. The Notice will indicate a date on which any objections need to be received by. I objections are received the Council would need to forward the matter to the Planning Inspectorate for determination if the Council intends to proceed with the Order. The Inspectorate can then chose to deal with the matter by written representation, hearing or by a full public inquiry.

The Rights of Way Officer also advised that the width of a Public Right of Way is not set by legislation but instead by the width stated in the Definitive Statement which accompanies the Definite Map. In the case of Footpath 17 Bridgend, which crosses the site, the width has been recorded as being 1.6m tapering to 1.4m as it runs down the slope. Any diversion order would have to propose a path no less than the registered width. However, as part of any diversion under the Town and Country Planning Act 1990 the Council has a set list of specifications for any footpath affected by development. In specification 3 it states "If the diversion is to b enclosed on both sides it shall be 1.8m wide. If the diversion is unfenced, or only fenced on one side, it shall be 1.4m wide."

The Footpath has only recently been formally designated as a Public Right of Way by means of a dedication by the Council as landowners. Prior to this the footpath was not recognised as a Public Right of Way and did not form part of the maintainable highways network. As such it was never designated as a safe route to school or included in any wider strategy.

REPRESENTATIONS RECEIVED

R C Hathaway On Behalf Of Mr D & M Forman, 36 Glanogwr Road
Advised that Mr D and Mr M Forman have no intention of allowing the hedge, which they own, to be taken down to be replaced with a brick wall, as suggested by the agent in the additional information submitted on 21 April 2015.

Mr Jefferey Dong, 8 Newbridge Gardens
We have no objections to the above planning application subject to our continued access to the north (rear) of our property, 8 Newbridge Gardens to Newbridge fields and that any building work does not undermine/damage any of the fabric of our house, outbuildings or boundary walls.

Petition, C/O Mike Minton
containing 289 signatories objecting on the following grounds:

1. The sale of the land surrounding the existing office building
2. Loss of public open space
3. Loss of parking

Objections and concerns have been received from the following:

3 (Speaker), 5, 7 (Speaker), 9, 10, 11, 15, 20, 21, 25, 27, 31, 42, 43, 44, 50 Bowham Avenue

1, 4, 8, 16, 18, 20, 22, 26, 30, 32, 34, 36 Glanogwr Road

48, 90, 101, 108 (Speaker), 127 Merthyr Mawr Road

6

20, 30 (Speaker), Newbridge Gardens

77 Bryntirion Hill

94, 100 Fairfield Road

3 Heol Tre Dwr

7 Melton Drive

7 College Close

4 Golwg y Fro

3 Dillwyn Gardens

32 Heol Bradford

14 Shelley Drive

111 Park Street

10 Grove Road

86 Grove Road (Speaker)

Bridgend Civic Trust

18a Gwaun Bant (Pontycymmer)

Winterstream, Penllyn (Cowbridge)

18 St Agnes Road (Cardiff) (Speaker)

Bethan Jenkins, AM

Carwyn Jones, AM

Additional comments were received from the resident of 36 Glanogwr Road with specific concern regarding the impact on their property.

Their objections and concerns have been summarised as follows:

1. Overdevelopment of the site, plot size not in keeping with area and there are already sufficien residential properties in the area and is subsequently unsuitable for additional dwellings. The development does not fully comply with Council policy and guidelines.

2. Loss of public open space and this land is not legally available for sale. The Council have an interest in this land.

3. Loss of visual amenity and adverse impact on local character and listed buildings, including alterations to the natural and historic surroundings

4. The design of the relocated footpath would restrict access to recreation and be unsuitable for its users, especially due to its width, alignment, accessibility and that it could raise fear and incidence of Crime/Anti-Social behaviour. It is also claimed that this element of the scheme

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would breach Building Regulations and the Equality Act 2010

5. Loss of trees and adverse impact on biodiversity and ecology

6. Impact of the development on the amenities of neighbouring properties

7. Nuisance/Disturbance/Annoyance and adverse noise to local residents

8. Inappropriate size and location for the refuse area and increase in litter which could attract pests and adverse odours

9. Dog fouling and impact on public health

10. Loss of parking and adverse impact on highway/pedestrian safety, including traffic and access for emergency vehicles

11. No provision of bathrooms on the ground floor of the dwellings, therefore, the scheme discriminates disabled people

12. Lack of consultation

13.Where will the affordable housing contribution be spent?

COMMENTS ON REPRESENTATIONS RECEIVED

The objections and concerns are addressed as follows:

1. The site is within an area which is almost entirely residential and the redevelopment of this site for residential purposes is compatible, in principle. The development, therefore, is considered to satisfy the requirements of Policy COM3 of the BLDP.

The proposed dwellings would be visually interpreted to be part of the same complex of development, thereby creating a small new cul-de-sac with its own identity, but responding to the local context and the general character and density of the area.

The proposed dwellings would benefit from a reasonable degree of residential amenity. All habitable rooms in particular would benefit from adequate light, outlook and privacy. The amount of outdoor amenity space would be sufficient for family-sized dwellings and would be comparable to the amount serving properties in the immediate locality. Having considered the size of the dwellings, the provision of outdoor amenity space and parking requirements to serve each plot, together with the need to include a footpath which meets the standard width of the Public Rights of Way Section, it is considered that the proposed scheme would not represent overdevelopment of the site.

2. Refer to the 'Appraisal' section of the report for the assessment into the loss of public open space/amenity.

With regards to the sale of this land, following discussions with the Property and Legal Departments of the Council, it is understood that there are no legal restrictions or covenants associated with the sale of this land or that it must be retained for public use. In any event this is not a material planning consideration. Furthermore, the applicant has served notice on the Council and signed a Certificate B.

3. The existing Glanogwr offices, which is a building with no significant design merit, is considered to have a detrimental effect on the setting of both adjacent listed buildings and an incompatible relationship with the character and appearance of its surroundings. Whilst the proposal would increase the amount of development within the site, rather than being confined to

the footprint of the existing office building, it is considered that this scheme would result in the net improvement on the visual appearance of the site and enhance the setting of the listed buildings, which must be given special regard in the determination of this planning application. The Conservation and Design Team of the Council has no objections to the proposal subject to conditions requiring the agreement of materials. Glamorgan Gwent Archaeological Trust has no objections to the proposal subject to an advisory note. It is, therefore, considered that the scheme satisfies Policies SP5, ENV8 and the design and visual amenity criteria of Policy SP2 of the BLDP.

4. It is understood that that the footpath which travels through the site has recently been formally registered as Footpath 17 (Bridgend). At pre-application stage, it was made clear that the pedestrian links between Glanogwr Road and Newbridge Fields must be retained and incorporated within any redevelopment proposals. The Public Rights of Way Team provided input at pre-application stage and recommended that any diversion of this footpath must achieve a minimum width of 1.8m. The width meets the accepted requirement for footpaths and adequate gradients can be provided, thereby ensuring that the footpath is accessible to a range of users, including the disabled. Notwithstanding any planning consent issued for the redevelopment of the site, separate consent would be required to formally divert the footpath which would be assessed on its own merits at that time.

However, the impact of a development on a Public Right of Way is a material consideration and for the purpose of this application, consideration must be given to the suitability of the footpath in the context of Policies SP2 and PLA9 of the BLDP. In this respect, the Police Crime Prevention Design Officer initially raised concern regarding the original design of the proposed footpath. The concerns were relayed to the agent and it subsequently led to the submission of amended plans.

Whilst the amended footpath does not wholly meet the recommendations of the Crime Prevention Design Officer, a reasonable attempt has been made to satisfy the requirements of Policies SP2 and PLA9 of the BLDP, particularly with regards to safety and the incidence and fear of crime. For example, the footpath would be at least 1.8m wide and meets the minimum requirements as provided by Public Rights of Way Team. The vision of users of the footpath has been greatly improved by chamfering the northern section of Plot 4, thereby creating a curved boundary treatment and removing the ability for concealed spaces. In doing so, the footpath would widen to approximately 6m at the critical section of the footpath which changes direction, thereby addressing the principal concern of the Crime Prevention Design Officer. Supplemented with boundary treatments consisting of rendered walls with timber panelling and agreement of the levels of the relocated footpath (both of which would be subject to conditions), it is considered that the footpath would not result in a development that would have an 'alleyway' ambience.

Whilst it is appreciated that the current footpath is not inherently enclosed by physical structures, the user is required to travel through a number of trees, some of which are coniferous which restrict light, vision and can be used as concealing areas.

The proposal, however, would 'standardise' the footpath by providing a clear and defined route for the user without encountering any concealed spaces or significant loss of vision. It is also noted that views of the new development would be from a relatively small section of the overall length of the footpath and pedestrians would retain the enjoyment and experience of walking through the woodland along the northern sections of the footpath. Having regard to the assessment of both the existing and proposed footpaths, it is considered that there would be negligible adverse impact on public safety, on the incidence and fear of crime or on the enjoyment of walking along the footpath. It must be emphasised that the use of the existing or the proposed diverted footpath, particularly during late evening and during the night, would be a matter of choice for the user. Additionally, since the footpath only provides access to recreational fields, it is not considered that the footpath would be significantly used during hours of darkness. There is, however, a street light at both ends of the footpath which enables a degree of

illumination to users of the footpath. Additionally, consideration is given to other footpaths in the locality. In this respect, it is considered that the proposed footpath would achieve a better standard of design than for example the existing footpath linking Newbridge Gardens and Bowham Avenue, which travels alongside the south-western boundary of Glanogwr House. Having regard to the above, it is considered that the proposal satisfied the requirements of Policies SP2 and PLA9 of the BLDP.

The Building Regulations are covered under separate legislation and the 1.8m wide footpath meets the requirement of the Equality Act 2010.

5. The application site contains a number of trees and there are further trees outside the site, mainly along the northern boundary. A tree survey, a Tree Evaluation Method for Preservation Orders (TEMPO) survey and a Tree and Root Protection Methodology for retained trees have been submitted by a qualified arborist.

The trees separating the site from Newbridge Fields play a fundamental part in establishing the setting of the site. Whilst these trees are not protected by a tree preservation order, they are located outside the site and would not be significantly affected by the proposed development, especially with the implementation of tree and root protection measures and pruning works.

With regards to the trees that are situated on the site, the survey indicates that there are approximately 22 present. The submitted tree survey accurately reflects the health and condition of the trees. The TEMPO survey has indicated that 8 trees have some amenity value, however, further consideration must be given to their qualities and balanced against other material considerations, in particular the potential benefits gained from the redevelopment of the site.

The majority of the trees are conifers (Lawson). This species is mainly planted in urban environments to screen physical structures, especially since they are considered to be fast-growing species and the crown delivers good all-year-round density. In this particular case, it would appear that they were deliberately planted to screen the office building. However, due to lack of maintenance, they have become taller than any neighbouring building and excessively dominate the site. Whilst it is acknowledged that they are prominent, they are not native to this area and are not considered to be a rare species, so as to warrant any special merit. The survey has identified several of the Lawson trees having weak limbs and, due to the size and density of the crown, they represents high risk of collapse and splitting. In view of their proximity to one another, the root pattern is likely to be intertwined and the removal of one is likely to undermine the other. Furthermore, several of the trees are located immediately adjacent to the office building and are likely to be adversely affected by the demolition of this structure. Coniferous trees are also prone to being a source of nuisance by reducing residential amenity, in particular light and outlook.

Having regard to the above, it is considered that their removal would significantly improve the openness of the site. More importantly, they would improve public views of the adjacent listed buildings and enable the trees outside the site, which benefit from higher amenity value, to be brought into sight.

T14 (Red Oak) and T17 (Common Oak) have been identified with the highest public amenity value within the site. However, the scheme has taken these two trees into consideration. T17 will be retained so that it is situated at the immediate end of the rear amenity space of Plot 4. T14 would be transplanted elsewhere within the site. In this particular instance, the soft landscaped area between the front boundary of Plot 4 and the site entrance has been identified as the most suitable location for transplanting, especially since it will be a publicly prominent location.

The remaining trees are not considered to offer a significant amount of public amenity value and, as such, are not worthy of retention. Furthermore, the benefits gained by this scheme, which would accommodate a more compatible use (residential) and a more visually sympathetic

development (especially with regards to the setting of the listed buildings), outweighs the need to retain the remaining trees on the site.

Subject to conditions requiring (i) the retention of T17, (ii) the transplanting of T14, (iii) the submission of a landscaping scheme and (iv) the submission of tree and root protection measures for T17, T14 and the trees located outside the northern boundary of the site it is considered that the scheme would not have such an adverse effect on public amenity as to warrant refusal of the scheme and the development satisfies Policy ENV6 of the BLDP.

A bat survey, which has been conducted by a licenced surveyor, indicates that a small number of bats occupy the existing office building. Any demolition or redevelopment proposals must, therefore, be subject of a derogation licence. Natural Resources Wales (the authorising body) has no objections to the proposal subject to conditions and advisory notes. The Council's Ecologist also has no objections to the proposal subject to conditions and advisory notes.

Having regard to the tree assessments and a number of conditions relating to trees, landscaping and protected species, it is not considered that the proposal would have any significant adverse effect on biodiversity/ecology.

6. The site is bounded on three sides by residential properties. To the south-east of the site is a block of flats known as Glanogwr House. The front elevation of the proposed dwellings would face an extended part of the flats. In this respect, most habitable windows on the front elevation of all the dwellings would achieve the recommended distance of 21m between directly facing habitable room windows of the flats at Glanogwr. Whilst some of the windows would be marginally within 21m, they would be at an indirect angle, or facing secondary windows which can already be viewed into from the office car park.

Having regard to the above, it is considered that the proposed development generally complies with the guidelines of Supplementary Planning Guidance 2: Householder Development (SPG2) and would not so significantly worsen the existing level of amenity associated with a small number of flats at Glanogwr as to warrant refusal of the scheme.

The south-western boundary of the site is primarily adjacent to 10 Newbridge Gardens, which is a two-storey detached dwelling constructed in the 1960s (66/66 refers) and extended in 1972 and 1983 (110/72 and 83/1297 respectively). The Case Officer visited the site from the grounds of this property since the proposed dwelling on Plot 1 would be adjacent its boundary.

In this respect, the nearest part of the dwelling on Plot 1 to No.10 would be adjacent to a single-storey flat roof structure containing a utility room. The proposed dwelling on Plot 1 would angle away from No.10, thereby increasing the distance between both properties towards the rear.

It was noted during the site visit that the side elevation of No.10 which faces the application site has one window on the ground floor and two windows on the first floor. The ground floor window is largely enclosed by the single-storey flat roof structure, a garden shed, a 1.8m high fence and a coniferous hedge. As such, the window does not benefit from any significant amount of light or outlook. Furthermore, this window serves an open plan kitchen/diner and the main source of outlook and light serving this room is from the windows positioned on the front elevation. No windows are proposed on the side elevation of the dwelling on Plot 1.

With regards to the two first-floor windows of No.10, it would appear that they serve habitable rooms. Approximate calculations indicate that the proposed development would comply with the guidelines of SPG2, especially with regards to dominance and loss of light, privacy and outlook. Conversely, the two first floor windows of No.10 would not result in any significant loss of privacy to the occupiers of the dwelling on Plot 1 since the proposed dwelling would screen the large part of the private rear amenity space.

To the south of the site is 8 Newbridge Gardens. The property and its rear garden predominantly back onto the grounds and flats of Glanogwr House. Part of the rear garden backs onto the parking area for the application site and there is a tall coniferous hedgerow along the boundary which would screen a significant part of the development from this neighbouring property. Having regard to the above, it is considered that this proposal would not have any significant adverse effect on the amenities of No.8, with particular regards to dominance or loss of light, privacy and outlook.

The north-eastern boundary of the site is primarily adjacent to 36 Glanogwr Road which is a detached bungalow granted planning consent in 1973 (121/73 refers). A maintained hedgerow forms the boundary between the bungalow and the application site.

The proposed dwelling on Plot 4 would be the nearest part of the development to No.36. The submitted site layout plan indicates that the footpath linking Glanogwr Road to Newbridge Fields would be diverted to be along this hedgerow and alongside new boundary treatments to enclose Plot 4. The applicant has indicated that a brick wall will be erected along the boundary of No.36, however, in order to ensure that the proposed diverted footpath and boundary treatment at this location does not have an adverse impact on the residential amenities of No.36, a condition shall be attached to any permission granted for the agreement of boundary treatment. With regard to the impact of the proposed dwelling on No.36, whilst the dwelling will be on a higher level, it will be set in line with No.36 and, as such, will not cause any significant adverse effect on the amenities of this property in terms of loss of light or dominance. In respect of the impact of the development on privacy standards, it was noted during the site visit that No.36 has a number of side facing windows which will face the proposed dwelling at Plot 4, however, due to the siting of the proposed dwelling at Plot 4, the privacy standards of these windows are considered to be retained. The rear garden serving No.36 enjoys a relatively high level of privacy and the rear first floor windows at Plot 4 will overlook the garden area as will the elevated rear patio. In order to ensure that privacy standards are retained a condition shall be attached to any permission granted requiring a screen to be erected at the end of the elevated rear patio of Plot 4 and the first floor window serving bedroom 3 to be fitted with obscure glazing up to 1.7m in height.

Glanogwr Coach House is currently occupied by offices on the ground floor and a residential flat above. This listed building is located to the east of the site and is adjacent to the access road off Glanogwr Road. The dwelling on Plot 4 would be at a right angle to the coach house and set back at an approximate distance of 16m. It is, therefore, considered that there would not be any significant adverse impact on the amenities of the first floor flat or the occupiers of the new dwellings, with particular regards to dominance or loss of light, privacy and outlook. Loss of view is not deemed to be a material planning consideration in the determination of planning applications.

34 Glanogwr Road is located between The Coach House and 36 Glanogwr Road. Whilst its vehicular and pedestrian access is adjacent to the application site, the property is located further away at an approximate distance of 16m from the boundary. The proposal would meet the guidelines set within SPG2 and, consequently, it is not considered that the proposal would have a significant adverse effect on the amenities of the occupiers of this property, with particular regards to dominance or loss of light, privacy and outlook.

All other neighbouring properties would be further away from the application site and would not be unreasonably affected by the proposal. As such, the scheme would satisfy the requirements of Policy SP2 of the BLDP and the guidelines of SPG2.

7. Whilst the footpath would be aligned to be along the boundary with neighbouring properties, it is not considered that the proposal, subject to a boundary treatments condition, would generate such unreasonable levels of noise, disturbance or loss of amenity to the occupiers of No.36 as to warrant refusal of the scheme. The land is currently open and there is no evidence to suggest that there will be any net increase in noise from the relocated path.

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It is acknowledged that there would be a degree of adverse noise and disturbance during the demolition and redevelopment phases of the site, this is considered to be short-term only. As such, it is considered unreasonable to refuse the application on such grounds.

The long-term use of the site would be residential. This is considered compatible with its surroundings, especially since the site is within an area which is almost entirely residential. It is not considered that the residential use of the site would generate such unreasonable nuisance, disturbance or adverse noise to local residents so as to warrant refusal of the scheme.

8. The immediate site entrance will include an area to deposit bins for waste collection days. This is a requirement of Policy ENV15 of the BLDP. Whilst this element of the scheme would be located outside the gated and enclosed cul-de-sac, this 'drop-off' area is only intended to be occupied during collection days since bins must have unrestricted and public access by refuse staff since they do not enter onto private roads/drives. As such, this location and arrangement is considered appropriate and, subject to conditions for the agreement of boundary treatments and hard and soft landscaping, it is not considered that this element of the scheme would have any significant adverse effect on visual or residential amenity. Littering, dog fouling and pest control are mainly management issues which are enforced under separate legislation. Consequently, these matters can only be given limited weight in the determination of planning applications, however, the scheme satisfies the criteria of Policy ENV7 of the BLDP which is concerned with natural resources and public health. An advisory note would be attached to any consent issued, explaining that the 'drop-off' area should be used only on designated waste collection days.

9. Dog fouling is enforced by separate legislation and, as such, cannot be given significant weight in the determination of a planning application which is primarily for residential purposes and the repositioning of the public footpath.

10. The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to a condition relating to parking provisions. Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety and satisfies Policies SP2 and PLA11 of the BLDP.

11. Whilst there would not be any bathrooms located on the ground floors of the proposed dwellings, there is a WC. It is considered that this matter is outside of planning control and the accessibility of the dwellings would be subject to separate Building Regulations consent.

12. The application has been subject to formal consultation letters being sent to 46 local residents, the two local Members and Bridgend Town Council. Site notices were placed adjacent to the site and advertisements were placed in the press due to the proximity of the site to listed buildings and as the scheme would involve the diversion of Footpath 17 (Bridgend). The statutory time period for public consultation has been given and it is considered that adequate public consultation has been undertaken.

13. With regards to the Town Council's comments regarding an incorrect certificate, this matter was subsequently addressed by the agent by signing Certificate B within the application forms and serving the relevant Notice on the Property Department of the Council.

14. With regard to the comment raised in relation to the affordable housing S106 contribution, the contributions will be used to support overall affordable housing provision within the County Borough to be delivered in partnership with RSLs. Contributions will be used to provide either part or full funding for schemes, projects and initiatives which may include:
- To enable the purchase and refurbishment of long term empty properties by an RSL for reuse as affordable housing
- Purchase of land for Affordable Housing
- Delivery of Mortgage Rescue
- Development of Supported or Adapted Housing Schemes

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- Supplementing on site affordable housing provision on other developments in the local area
- Any other scheme identified by the Council that will increase the supply of affordable housing in the County Borough.

APPRAISAL

The site is located within the designated settlement boundary of Bridgend, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan (BLDP). Policy COM3 of the BLDP states that residential developments within settlement boundaries defined in Policy PLA1 on 'windfall' and 'small scale' sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land will be permitted where there is no over-riding need to retain the existing use of the building or land for an alternative use.

The Council has deemed this building to be surplus to requirements and there is no over-riding need to retain the offices, especially since such uses are normally directed to allocated sites defined within the BLDP. In general terms, the site is within an area which is almost entirely residential and the redevelopment of this site for residential purposes is compatible, in principle. The development, therefore, is considered to satisfy the requirements of Policy COM3 of the BLDP.

With the principle established, the scheme must be considered against other relevant planning policies, guidelines and material considerations.

Policy COM5 of the BLDP states that affordable housing should be sought from sites capable of accommodating 5 or more dwellings or exceeding 0.15ha in size. The affordable housing target for Bridgend is 20%.

This site extends to approximately 0.23ha and therefore falls to be considered by this policy. However, having considered the need in the area and the type of units proposed, the Council's preferred means of securing affordable housing would be an off-site contribution which should be of 'broadly equivalent value' to what would have been provided on-site. Advice provided in a planning statement in January 2014 and in pre-application discussions in July 2014 stated that the sum required would be approximately £50,000. The applicant has offered a financial contribution of £50,000 towards affordable housing. On this basis, and following discussions with the Principal Section 106 Officer, it is considered that this sum fulfils the affordable housing requirements of Policy COM5. The applicant will be required to enter into a legally binding planning obligation to secure this contribution.

Since the site proposes 4 dwelling units, the development does not meet the threshold of 5 or more residential units contained within SPG16: Educational Facilities & Residential Development. As such, a contribution towards education is not required.

Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making of any new development. The proposed development and site context have been outlined under the 'Application/Site Description' Section of the report.

The site is largely inconspicuous from prominent public views. This is mainly due to the site being located behind a large two/three storey building (Glanogwr House), being adjacent to a dense and mature woodland and only be accessible from a private lane extending from the termination point of Glanogwr Road.

In respect of the residential element of the scheme, the proposal is based on good design principles and the layout of the site and the design of the dwellings generally follow the principles of Design Guide 1: Dwellings and Domestic Scale Buildings. The design, character and appearance of the dwellings would also be similar to one another and would benefit from design interest. The dwellings would be visually interpreted to be part of the same complex of development, thereby creating a small cul-de-sac with its own identity, but responding to the

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local context and the general character and density of the area.

Following discussions with the agent, the dwellings would be largely finished in render and slate. However, since such details have not been submitted on plan, it is considered necessary to impose a condition for the external finishes of the dwellings to be agreed.

The submitted plans indicate that the boundary treatments to enclose the site would be rendered walls with timber panelling. This type of boundary treatment is considered visually acceptable, in principle, and would complement the external finishes of the new dwellings, thereby reinforcing the appearance of the development as a whole. However, in the absence of specific details, it is considered necessary to impose a condition for such details to be agreed.

It is acknowledged that the site would be visible from the retained but diverted footpath. This footpath can only be used by pedestrians and not vehicles travelling from Glanogwr Road to Newbridge Fields (or vice versa). However, the existing footpath allows views of the existing Glanogwr offices, which is a building with no significant design merit and which is considered to have a detrimental effect on the setting of both adjacent listed buildings and an incompatible relationship with the character and appearance of its surroundings.

It is considered that this scheme would improve the visual appearance of the site and enhance the setting of the listed buildings, which must be given special regard in the determination of this planning application. The Conservation and Design Team of the Council has no objections to the proposal subject to conditions requiring the agreement of materials. Glamorgan Gwent Archaeological Trust has no objections to the proposal subject to an advisory note. It is, therefore, considered that the scheme satisfies Policies SP5, ENV8 and the design and visual amenity criteria of Policy SP2 of the BLDP.

A site level survey has been submitted which shows the access and parking area being higher than the office building, with the land sloping downwards, towards the public footpath along the northern boundary of the site. The proposed levels indicate that the dwellings would be built up to be level of the access road. There would be a considerable visual improvement to the site frontage. This is mainly due to the massing of tarmac which forms part of the office parking area being removed and replaced with areas of soft landscaping and more suitable hard landscaping. This would result in improved visual integration between the site and the setting of the adjacent listed buildings.

The rear of each dwelling would contain an upper and lower level of outdoor amenity, consisting of elevated patios with steps leading to the lower 'soft' landscaped gardens. The proposed levels are considered appropriate since it will ensure that the dwellings are appropriately assimilated within the site whilst respecting the surrounding context. However, in the absence of specific details concerning hard and soft landscaping, it is considered necessary to impose a condition for such details to be agreed. A condition would also be imposed for the levels of the footpath to be agreed so that an appropriate balance can be secured between the levels of the proposed and existing dwellings, boundary treatments and the relocated footpath. This would be in the interests of visual, residential and public amenity.

The application site contains a number of trees and there are further trees outside the site, mainly along the northern boundary. A tree survey, a Tree Evaluation Method for Preservation Orders (TEMPO) survey and a tree and Root Protection Methodology for retained trees have been submitted by a qualified arborist.

A detailed assessment of the trees can be found under the 'Comments of Representations Received' Section of the report. Subject to conditions requiring (i) the retention of T17 (Common Oak), (ii) the transplanting of T14 (Red Oak), (iii) the submission of a landscaping scheme and (iv) the submission of tree and root protection measures for T17, T14 and the trees located outside the northern boundary of the site (backing onto Newbridge Fields), it is considered that

the scheme would not have such an adverse effect on public amenity and biodiversity as to warrant refusal of the scheme and, consequently, satisfies Policy ENV6 of the BLDP.

It is understood that that the footpath which travels through the site has recently been formally registered as Footpath 17 (Bridgend). At pre-application stage, it was made clear that the pedestrian links between Glanogwr Road and Newbridge fields must be retained and incorporated within any redevelopment proposals. The amended plan demonstrates that the 1.8m width of the footpath would meet the standard requirements of footpaths (as advised by the Rights of Way Team) and adequate gradients could be provided, thereby ensuring that the path is accessible to a range of users, including the disabled. Notwithstanding any planning consent issued for the redevelopment of the site, separate consent would be required to formally divert the footpath which would be assessed on its own merits at that time.

A full assessment of the proposed relocated footpath can be found under the 'Comments of Representations Received' Section of the Report. In summary, the proposal suggests an alternative footpath that will satisfy the requirements of the Public Right of Way Team, the Crime Prevention Design Officer (Police) and Policies SP2 and PLA9 of the BLDP, particularly with regards to design, safety and the incidence and fear of crime. It is, therefore, considered that the proposal would not result in such unreasonable loss of public amenity as to warrant refusal of the scheme.

The proposal would result in a loss of a limited amount of public open space, mainly due to the realignment of the footpath to facilitate four plots. This open space is largely considered to represent the landscaped grounds of the office building and is deemed to be ancillary to users of the footpath and the offices rather than operating as a standalone function. It is apparent that users encounter this open space briefly before entering or when leaving the expanse of public open space located to the north of the site (Newbridge Fields). In this respect, the most important aspect of any proposal to redevelop the site is to retain a public footpath linking nearby streets to the large recreation fields. The scheme presented in this application has successfully achieved this aim. Furthermore, it is considered that the benefits gained from the demolition of a visually detrimental building (Glanogwr offices) and the construction of a more compatible and sympathetic form of development, clearly outweighs the limited loss of public open space or the negligible adverse impact of the diversion of the footpath. Having regard to the above and given the proximity of such expanse of recreational space within Newbridge Fields, it is considered that the scheme satisfies Policies SP13 (Social and Community Facilities) and COM7 (Protection of Social and Community Facilities) and would not result in such loss of public open space/amenity as to warrant refusal of the scheme.

The site is not located within a flood risk area and currently the office building contains drainage infrastructure. The Land Drainage Section of the Council has no objections to the proposal subject to a condition for the submission of a comprehensive drainage scheme. Welsh Water also has no objections to the proposal subject to advisory notes. It is, therefore, considered that this scheme would not have any significant adverse effect on drainage or materially increase the risk of flooding. The scheme, therefore, satisfies Policies SP2 and ENV7 of the BLDP. The site is reasonably served with all other utilities necessary for residential uses.

The existing office car park would be modified to provide off-street parking and access to the four proposed dwellings. The site would be entirely enclosed with the private access being limited to the occupiers of the new dwellings. The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to a condition related to parking provisions. The design and appearance of the gated entrance would be controlled by a condition for the agreement of boundary treatments. Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety and satisfies Policies SP2 and PLA11 of the BLDP.

The proposed dwellings would benefit from a reasonable degree of residential amenity. All

habitable rooms in particular would benefit from adequate light, outlook and privacy. The amount of outdoor amenity would be sufficient for family-sized dwellings and would be comparable to the amount serving properties in the immediate locality. Having considered the size of the dwellings and the provision of outdoor amenity space and parking requirements to serve each plot, and the need to include a footpath which meets the standard width of the Public Rights of Way Section, it is considered that the proposed scheme would not represent overdevelopment of the site.

The site is bounded on three sides by residential properties. An assessment into the impact of the proposed development on the amenities of immediate neighbouring properties can be found under the 'Comments of Representations Received' Section of the Report. It is concluded that, subject to conditions for the agreement of boundary treatments and screening along the ends of the elevated rear patios of all four dwellings, the proposal would satisfy the requirements of Policy SP2 of the BLDP and would generally meet the guidelines of SPG2. As such, it is considered that the scheme would not have such a significant adverse effect on the amenities of neighbouring properties as to warrant refusal of the scheme.

CONCLUSION

This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

RECOMMENDATION

(A) The applicant enters into a Section 106 Planning Obligation to provide a financial contribution for the sum of £50,000 towards the provision of affordable housing;

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Planning Obligation subject to the following conditions:

1 The development shall be carried out in accordance with the following approved plans and documents:

014:14/02 Rev.C Site Layout Plan (received 19 March 2015)

014:14/03 Ground Floor Plan - Type A (received 5 December 2014)
014:14/04 First Floor Plan - Type A (received 5 December 2014)
014:14/05 Elevations - Type A (received 5 December 2014)

014:14/06 Ground Floor Plan - Type B (received 5 December 2014)
014:14/07 First Floor Plan - Type B (received 5 December 2014)
014:14/08 Elevations - Type B (received 5 December 2014)

014:14/09 Cross Sections - Plots 1 & 2 (received 5 December 2014)
014:14/10 Cross Sections - Plots 3 & 4 (received 5 December 2014)

014:14/14 Plots 1-4 Rear Elevational Treatment (received 20 March 2015)

Ecology Mitigation/Compensation Section of Bat Survey conducted by: The Countryman - Wildlife Consultancy (received 5 December 2014)

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

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2 Notwithstanding the requirements of condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area and to preserve and enhance the setting of adjacent listed buildings.

3 Notwithstanding the requirements of condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason: To ensure that the general amenities of the area are protected and to preserve and enhance the setting of adjacent listed buildings.

4 Notwithstanding the requirements of condition 1, no development (including demolition) shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme. The scheme shall include:

i) Proposals for all hard and soft surface treatment;
ii) Details of any tree works to be undertaken;
iii) Measures for all retained and transplanted trees and hedgerows to be protected during the course of the development.

The landscaping works shall be carried out prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed with the Local Planning Authority prior to any development commencing on site.

Reason: To maintain and improve the appearance of the area, in the interests of visual amenity and to promote nature conservation.

5 Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage and surface water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the beneficial occupation of any of the dwellings hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

6 Notwithstanding the requirements of condition 1, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing a 1.7m high solid screen to be erected along both ends of the elevated patio to the rear of the proposed dwellings. The screening shall be erected in accordance with the agreed scheme prior to the beneficial occupation of any of the dwellings and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

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7 Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the provision of 3 off street parking spaces per plot and 1 off-street visitor parking space has been submitted to and agreed in writing by the Local Planning Authority. The parking areas shall be implemented in permanent materials before the beneficial occupation of any of the dwellings hereby approved and shall be retained thereafter in perpetuity.

Reason: In the interests of highway safety.

8 Notwithstanding the requirements of condition 1, no development (including demolition) shall commence until an Ecology method statement has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall be based on the mitigation outlined in the section titled 'Mitigation/Compensation' of the bat survey report conducted by The Countryman (received 5 December 2014) and shall include (but not be limited to):

i) The timing of works
ii) Measures to avoid killing & injuring bats during demolition and development works
iii) Use of materials (such as timber, roof membranes)
iv) The positioning and size of entrances
v) The size and location of roosting areas
vi) Details of any vegetation retention/management
vii) Details of any proposed artificial lighting
viii) Details of suitable roosting resource for bats to be incorporated within the site

Development (including demolition) shall be carried out in accordance with the agreed method statement.

Reason: In the interests of ecology.

9 Notwithstanding the requirements of condition 1, no development shall take place until details of the proposed surface levels of the relocated footpath in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of public amenity, residential amenity and to ensure that the development relates appropriately to the topography of the site and the surrounding area.

10 Notwithstanding the submitted plans, the window serving bedroom 3 at Plot 4 shall be fitted with obscure glazing to a height of 1.7m from first floor level and to a minimum of level 3 on the Pilkington index of obscurity. The obscure glazing shall be retained as such in perpetuity.

Reason: In the interests of residential amenity.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

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b) The applicant/developer is advised that this consent does not preclude the need for a protected species (development) derogation license prior to the commencement of any development or demolition.

c) The applicant/developer is advised that this consent does not preclude the need to obtain additional consent to formally divert Footpath 17 (Bridgend).

d) Foul water and surface water discharges shall be drained separately from the site.

e) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

f) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

g) If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru/Welsh Water's Developer Services on 0800 917 2652.

h) An adoption agreement from Dwr Cymru/Welsh Water may be required if a connection to the public sewerage system is required. For further information, please contact Developer Services.

i) The applicant/developer is advised that the site is crossed by a public sewer. Under the Water Industry Act 1991, Dwr Cymru/Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.

j) In respect of Condition 5 (Drainage), the applicant/developer is required to submit an assessment into the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in Technical Advice Note 15. The submitted details must include:

(1) A ground investigation report sufficient to support the design parameters and suitability of the proposed system.
(2) Information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures to prevent the pollution of the receiving groundwater and/or surface water.
(3) A timetable for its implementation; and
(4) A management and maintenance plan, for the lifetime of the development and any agreements to secure the operation of the scheme throughout its lifetime.

k) The applicant/developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system.

l) Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.

m) Where any species listed under Schedules 2 or 5 of the Conservation of Habitats and Species Regulations 2010 is present on site, or other identified area, in respect of which this permission is hereby granted, no works of site, clearance, demolition or construction shall take place unless a licence to disturb any such species has been granted by Welsh Government / Natural Resources Wales, in accordance with the aforementioned Regulations.

n) If at any time nesting birds are observed, any works which may disturb them must cease immediately and advice sought from the Council's Ecologist. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species is involved, mitigation for

impacts, e.g. loss of nesting site, should be devised and implemented.

o) The applicant/developer is advised that should any unknown archaeological features be encountered during the development of the site, to cease works immediately and seek advice of Glamorgan Gwent Archaeological Trust on (01792) 655 208.

p) The applicant/developer is advised that the refuse 'drop-off' area should only be used for the depositing of bins on collection days and should not be occupied by waste at any other time.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

21

DEVELOPMENT CONTROL COMMITTEE

30 APRIL 2015

AMENDMENT SHEET

22

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.	APP. NO.
8a	17	P/14/800/FUL

i) Additional representations have been received from:

47 (via Members Services), 90 (via Members Services), 116, and 127 Merthyr Mawr Road (via Members Services)
8, 26, 32, 44 and 36 Glanogwr Road (via Members Services)
7 and 25 Bowham Avenue (via Members Services)
64 Ewenny Road (via Members Services)
40, 49 and 76 Brynteg Avenue (via Members Services)
49 Grove Road (via Members Services)
4 Golwg y Fro (via Members Services)
21 Meadow Walk, Brackla (via Members Services)
20 Priory Gardens (via Members Services)
Chair of Governors - Brynteg School (via Members Services)
109 Westward Place (via Members Services)

The matters raised have already been addressed within the original report.

ii) Additional comments were also received from No.1 Glanogwr Road, making reference to the footfall survey of Footpath 17.

The occupier of No.1 Glanogwr Road has undertaken a footfall survey between April 13 and 23 2015 (during the times of 8-9am and 3-4pm). On each occasion, over 100 pedestrians were counted. In addition, many dogs, mobility scooters, bicycles and prams were observed.

For clarification purposes, the Council conducted their own survey during the hours of 8-9am on Friday 17 April 2015 and 3-4pm on Monday 20 April 2015. The results of the survey have been included within the 'Application/Site Description' section of the report.

iii) Additional information has been submitted on behalf of the occupier of No.36 Glanogwr Road which can be found under Appendix A of the report.

iv) The Crime Prevention Design Officer of the Police has provided additional comments relating to the amended scheme:

"In my original report to you I stated in relation to the proposed path that ideally it would be designed out and this is still my opinion as paths should not run to the rear of properties and provide access to gardens or dwellings as these have been proven to generate crime. They should also be overlooked by surrounding buildings and activities and isolated paths should be at least 3 metres wide.

However if this was not possible I stated the following:-

4 23

"If it is not possible for this path to be redirected between the homes, to run in a straight line to the steps, I would ask for it to be lit and measures put in place to exclude motor cycles. The right angle corner should be rounded to extend the line of vision around the corner thus making the path safer.

I would also ask that fencing adjacent to this path be increased in height to 2 metre in order to protect the rear gardens ".

I still have concerns in relation to this path and its location as it runs to the rear of homes and could result in the people living in adjoining properties experiencing anti social behaviour. To try and mitigate against this I asked for the fencing/walls to be raised in height to 2 metres instead of 1.8. This is not shown on the amended drawings.

However the drawings show that the right angle corner on the path has been rounded to extend the line of vision around the corner thus making the path safer and you have assured me that the path will be lit. In addition the architect is prepared for the footpath to be increased in width from 1.5 metres to 1.8 metres."

v) The Road Safety Officer has clarified that the path is well-used by school children and is an adequate route for school children to use.

As indicated in the original report, the path is not registered as a Safe Route for School.

APPENDIX A

BCBC
RECEIVED
29 APR 2015
CORPORATE DIRECTOR - COMMUNITIES DEVELOPMENT

plan

D & M FORMAN 36 GLANOGWR RD, BRIDGEND

OBJECTION TO DEMOLISH COUNCIL OFFICES, DIVERT FOOTPATH 17 (BRIDGEND) & ERECTION OF 4 NO. DETACHED DWELLINGS WITH INT. GARAGES AT GLANOGWR, BRIDGEND PLANNING APPLICATION NO. P/14/0800/FUL

Please see attached table that itemises issues that we would like brought to the attention of councillors via the 'amendment sheet' now that the officer's report is publically available.

Page Number	Planning Officer Comment	Objector Comment
17	Extensive Pre Application Advice comments.	Pre application advice is without prejudice and Committee can arrive at its own decision and neither has to agree with the cabinet approved brief or pre application advice.
17	Surrounding spacious plots to proposed development.	We have asked that the density of the development is compared with Newbridge Gardens and Glanogwr Rd – but have received no reply?
17	Glanogwr House Flats	These are owned by Hafod Housing and are sheltered homes and occupied by many older residents with limited mobility.
20	Observations of Crime Prevention Design South Wales Police	Given the importance of Community Safety to the application the report should clearly state that the observations of South Wales Police have not been followed.
21	Diversion Order	The DC Committee should be advised that a Public Inquiry will be required to divert the footpath based on the number of objections that will be made.
21	Lack of Designation as Safe Route to School or included in part of wider strategy	Its lack of recognition by the Council does not mean that the route does not perform that function. Given the Council's own survey and the views of Brynteg School Governors – it obviously does perform the function of a safe route at present.
23	The scheme does not lead to overdevelopment.	The resultant gulley and alley way constrained between two 1.8m high boundaries, so close to 36 Glanogwr Rd plus the 9.5m high house dominating it suggests otherwise.
24	Community Safety	Given the importance of Community Safety to the application the report should clearly state that the observations of South Wales Police have not been followed. The planning service has not re consulted the Crime Prevention Officer at South Wales Police to advise that their views of a minimum wide 3m path have not been followed.

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24	The development would not create an alley way.	Most people would see the proposal as creating exactly that – an inescapable alleyway. The proposed footpath would inevitably increase fear of crime and many current users say they will not use the alley way in the future. Decreasing the use of walking routes conflicts with LDP policies.
25 and 26	Loss of many trees justified along with relocation of red oak.	Omission of plot 4 would retain trees and green route and green gateway into Newbridge Fields.
27	No adverse effect from relocated footpath 3ft from bedrooms at 36 Glanogwr Rd and no threat to amenity from plot 4.	Major statutory footpath carrying hundreds of users per hour is of course going to create noise disturbance - 3ft away from the bedrooms. Plot 4 on raised ground with a ridge of 9.5m high will result in a two storey flank wall dominating the house and gardens at 36 Glanogwr Rd.
29	The site is inconspicuous from public views.	The site is highly visible from Newbridge Fields and the statutory footpath.
30	Proposed levels of land built upto access road levels	Hence the enhanced negative effect on 36 Glanogwr Rd.
31	Limited loss of open space	This misses the qualitative element of the open space and its role as a safe green gateway to Newbridge Fields,
General	General	The development **does not comply** with the criterion listed in LDP Policy SP2 namely: **2) Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character;** **3) Being of an appropriate scale, size and prominence;** **6) Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;** **7) Minimising opportunities for crime to be generated or increased;** **8) Avoiding or minimising noise, air, soil and water pollution;** **10)Safeguarding and enhancing biodiversity and green infrastructure;** **11) Ensuring equality of access by all;** **12)Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;**

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RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/14/711/FUL**

APPLICANT: SOUTH WALES WOOD RECYCLING LTD
C/O TECHNIA ENV. & PLANNING SUITE 4 ST MARGARETS PARK PENGAM ROAD ABERBARGOED

LOCATION: **FORMER BRYNCETHIN NURSERIES & S WALES WOOD RECYCLING PANT HIRWAUN HEOL Y CYW**

PROPOSAL: C/U FORMER NURSERY & DWELLING TO VEHICLE STORAGE NEW BUILDINGS ACCESS WOOD FUELLED BOILERS & WOOD DRYING FACILITY

RECEIVED: 24th October 2014

SITE INSPECTED: 10th December 2014

APPLICATION/SITE DESCRIPTION

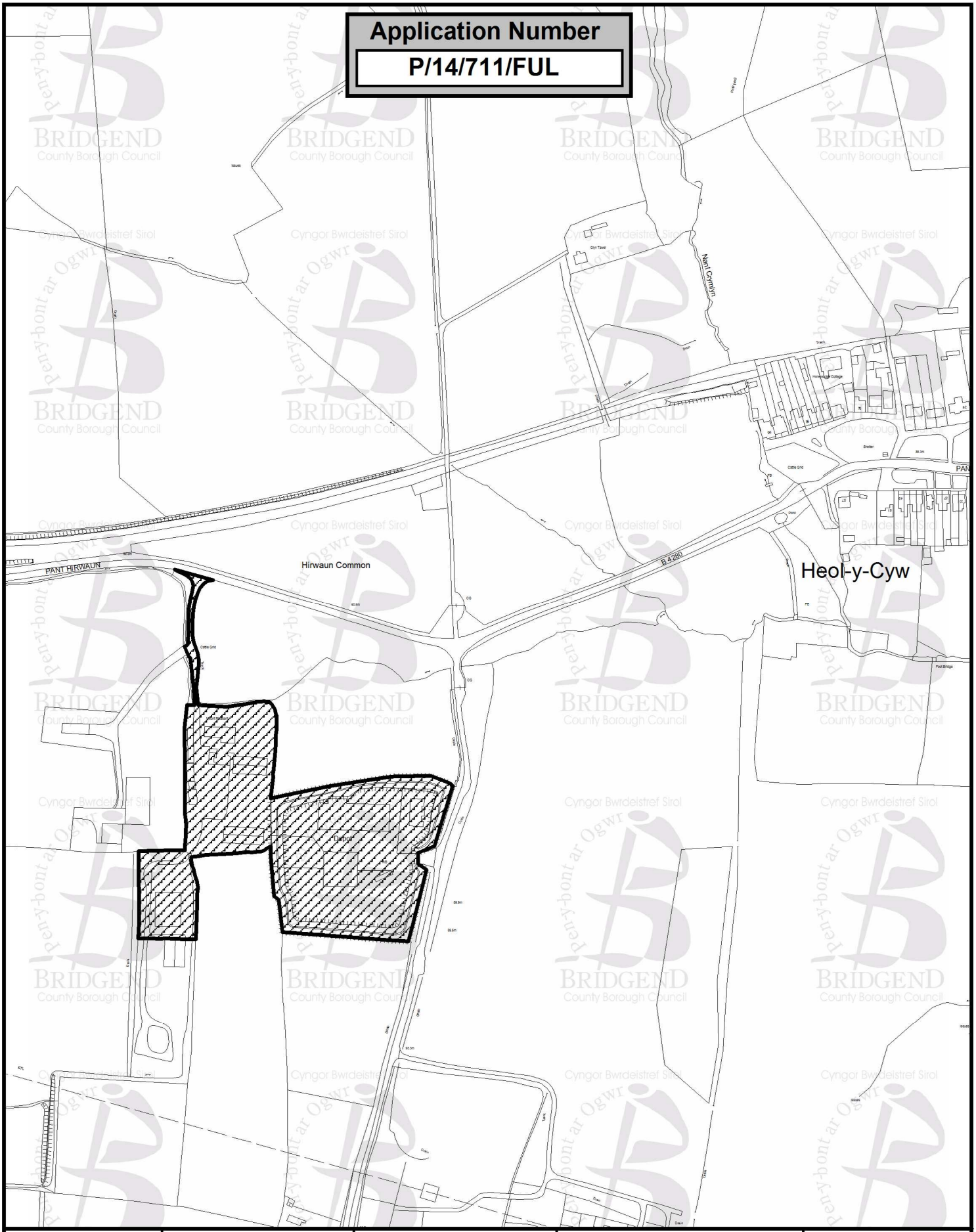
The application proposes the change of use of the former Bryncethin Nursery including the residential bungalow to a vehicle storage and welfare facilities. In addition, an existing glasshouses and polytunnels are to be removed on the nursery site and a workshop building within the existing Locks Yard site. This will facilitate the reconfiguration and amalgamation of the two sites into one unit. The existing Locks Yard will accommodate a retained offices/stores building in the north eastern corner of the site, a product hall within the existing building with a new extension attached to the western elevation to be used for drying of the woodchips with a link to the product hall and an extension to the northern elevation of the product hall to be used for storage. The outside storage area will now be subdivided into the respective grades of processing with vehicles able to access each of these areas. An office and weighbridge facility is to be located to the south west of the existing site entrance. A new workshop building will be constructed on an area previously occupied by glasshouses within the Nursery site. A HGV parking area together with container storage will be created immediately to the west of Locks Yard on an area previously occupied by polytunnels within the Nursery. Staff and visitor parking will be provided on the area to the south of the existing bungalow, previously occupied by the shop. A new building, the use of which is not specified on plan is to be constructed to the east of the existing bungalow again on an area previously occupied by glasshouses/polytunnels.

The dimensions of the built elements are as follows:-

Existing Wood Storage Shed - 57.5m by 21.4m with a pitched roof reaching 13.35m
Proposed Drying Area - 30m by 21.4m with a pitched roof reach 13.35m
Proposed Storage Extension to wood storage shed - 57.5m by 4.55m by 10.66m
Proposed storage - 25m by 6.2m by 9.5m
Proposed workshop - 30m by 25m by 7.07m
Proposed Weighbridge Office - 6.4m by 2.6m by 2.7m

The Design and Access Statement clarifies that the extension to the wood storage shed and workshop will be steel portal frame buildings with both the sides and roof clad in profiled sheeting or fibre cement profiled sheeting in light grey. The proposed weighbridge building will also be of profiled steel wall with a flat roof containerised office type construction in dark green. CCTV will be used for monitoring and security purposes with camera locations yet to be determined.

RELEVANT HISTORY



N
W E
S

Scale 1:4,000

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

89/0460	CC	01-JUN-89

DOMESTIC EXTENSION

P/03/902/FUL	APPROVED +conditions	30-09-2003

WOOD STORAGE AND RECYCLING PLANT

P/13/230/RLX	Retro App + Conds	11-08-2014

VARY RESTRICTIONS ON HEIGHT OF WOOD STOCKPILES - COND 4 OF P/03/902/FUL

P/13/472/FUL	APPROVED +conditions	27-08-2014

RETENTION OF WOOD STORAGE AND RECYCLING PLANT/FACILITY

PUBLICITY

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 25th November, 2014.

NEGOTIATIONS

The applicant's agent was advised of the concerns expressed by the Public Protection Department and required to provide the following additional information:-
1. Details of the wood burners, net rated thermal input of each boiler and an assessment of the emissions from the boilers and air quality impact, including a chimney height calculation to demonstrate that the emissions from the wood burner would be effectively dispersed.
2. A complete description of the wood pelleting process including how the shredded wood will be introduced into the process to begin with and how it will be transferred to this process from the recycling operation.
3. Full explanation of what is meant by consolidation of the existing recycling operation including a description of the whole process and height of stock piles.
4. Details of how dust from all operations concerned with the receipt, processing, storage, movement, loading and unloading of wood and processed material, including dust emissions from the wood drying and pelleting manufacture and points of transfer between each process will be controlled and clarification of how these measures will be effective.
5. A full noise assessment of the whole process including an assessment of the noise from the proposed pellet manufacturing and wood drying/burning operation, to be carried out by a qualified noise consultant and undertaken in accordance with BS 4142:2014. The report to include details of any necessary specific mitigation measures to be provided to reduce noise to an acceptable level.

In addition, the agent's attention was drawn to comments from the Authority's Ecologist which expressed concern that the application did not provide any details of the potential zone of influence for the development and whether the development would impact on ecologically sensitive designated sites or protected habitats or species. It was highlighted that the Blackmill Woodland Special Area of Conservation and Site of Special Scientific Interest is located within 2km of the site and also that the development is immediately surrounded by the Cefn Hirgoed Site of Importance for Nature Conservation as well as a number of other ecologically sensitive

sites. In the circumstances, it was considered that it would be necessary for an assessment of the potential impact of the future operation of the development on ecologically sensitive sites. A copy of the Ecologist's observations was provided for guidance on the type of assessments that are being sought.
The agent was also advised that significant numbers of local residents had objected to the application in individual letters.
Eventually the applicant's agent submitted the following additional information:
* A flow chart clarifying the processes undertaken at the site;
* Noise Appraisal;
* Dust Management and Monitoring Methodology;
* Septic Tank Details;
* Detailed Air Quality Assessment
The agent also confirmed that, since submitting the original application, the applicants have decided not to pursue the development of wood pelleting at the site. The consolidation of the existing recycling operation refers to the desire of the applicant to enhance the existing operation by delivering improvements in the operational layout, improve health and safety and environmental controls and to improve on site facilities for staff and visitors. As originally indicated, all wood processing activities will continue to be undertaken within the existing recycling facility boundary and no increase in capacity or additional traffic movements are proposed above those already consented. The applicants collect and receive waste wood from a variety of commercial and industrial and municipal customers. All incoming wood is inspected and separated and processed into woodchips of various size fractions and grades, which are then dispatched to various end-user customers. A major proportion of woodchip outputs are currently supplied as raw material for manufacturing panel board products but other products include mulches, animal bedding and biofuels.

Moisture content of woodchip is critical to meeting the specifications of some markets and woodchip drying facilities proposed in this application would enable the company to increase the quality of its woodchip and expand the available market for its product. In this regard small scale wood fuelled boilers to generate heat to dry woodchip are to be installed details of these installations and their fuel consumption are provided for assessment.

With regard to the Ecologist's comments, the air quality report submitted in connection with the boilers considers the potential impacts on ecologically sensitive sites. Similarly the dust management and monitoring methodology will also reduce impacts. The applicants have also commissioned consulting engineers to investigate and map on site drainage infrastructure and prepare a drainage plan and a lighting design strategy for biodiversity is also to be prepared and could be included by condition in the event that the Authority is minded to grant consent.

The applicant's agent has highlighted that the applicants held a public exhibition to provide an opportunity for the local community to understand more above the development proposed by the application. The event was publicised in the local newspaper and invitations circulated to around 380 postal addresses surrounding the site. The event was attended by approximately 35 residents (30 of whom signed the visitors book) and also by the local MP and Cllr Alex Owen. A summary of the feedback received from the event has been submitted.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 28th October 2014

Councillor G Thomas
There are concerns in respect of increased levels of noise and dust and this operator's non compliance with regulations in the past. A site inspection is requested to enable the Committee

to better appreciate the nature of the development and the constraints of the site.

Head Of Street Scene (Highways)
It is noted that the applicant intends to cut back a highway hedge to improve visibility at the road bend adjacent to the Pant Hirwaun access. This has not been conditioned as it lies outside the application site. This is acceptable in principle but the applicant will need to contact the highway maintenance inspector prior to undertaking these works. In addition, before surfacing the access drive onto Pant Hirwaun, the highway maintenance inspector for the area should be contacted so that he is aware of works immediately adjacent to the highway.

It is noted that the proposal is likely to result in a small reduction of HGV movements to and from the Heol Llan entrance and that the use of the former Nursery, accessed off Pant Hirwaun for staff and visitors will not result in any additional increase over and above that of the former nursery use. It is also considered that the relatively low level of construction traffic required to implement the works will have minimal impact on the highway network. Subject to conditions, therefore, there are no objections to the submitted proposals.

Destination & Countryside Management
No objection subject to conditions.

Head Of Street Scene (Drainage)
No objection subject to conditions

Natural Resources Wales
Following submission of the additional information, Natural Resources Wales have recently been re-consulted. Any further observations will be reported on the Amendment Sheet.

Welsh Water Developer Services
In the event that the Authority is minded to grant consent for the development, it is requested that advisory notes are included within the decision in order to ensure no detriment to existing residents or the environment or to Dwr Cymru/Welsh Water's assets.

The Coal Authority
No objection subject to condition

Economic Development
Support the proposal

Group Manager Public Protection
No objection subject to conditions

REPRESENTATIONS RECEIVED

Coychurch Higher Community Council, Strawberry Fields
Historically the Community Council has had many complaints relating to South Wales Wood Recycling and since the submission has received many telephone calls. For this reason, a public meeting was held on 17th November, 2014 which was attended by more than 70 local residents from both this Community Council area and St Brides Minor Community Council area. The concerns relate to:-

Noise - Residents are already bothered by noise from the existing site. The application states

that boilers and driers will be used on site and it queried what these will be used for and the operating hours proposed for their use.

Vehicular increase - The transport statement says there will be no increase in vehicles at the site. However, since the last planning application, there has been an increase in the number of lorries at the site together with an increase in staff of nearly 50% (note the proposed number of increased parking spaces) and the operating hours have increased. Confirmation is requested as to how the number of lorries using the site is currently measured/monitored and what measures will be put in place to ensure there is no increase from the current number accessing the site.

Highway - On 17th November, six lorries were stacked up outside the present site, were stacked up outside the present site waiting to access the site to offload. The access road to the site is narrow and comprises of a T junction which is not designed to accommodate the size of lorries being used. The road in the vicinity is now damaged and in need of repair. The application states the site entrance is to remain as it is. Confirmation is requested as to whether the access road has been visited by Highways. Additionally, there has been a serious accident along the B4280 involving one of the site lorries but there is nothing pertaining to this in the application. Confirmation is therefore requested as to whether Highways are aware of the accident. Additionally, despite the current working hours being 8am-6pm, lorries from South Wales Wood Recycling have been sighted on the B4280 at 3am.

Pollution - Whilst most lorries leave the site with a cover over the wood chip, the covers are not tied down around the whole of the vehicle. The mess on the roads and in the gutters is appalling and photographic evidence of this has been supplied. Woodchip, which has fallen from the lorries can be found in the verges and even in the fields and many residents at the public meeting complained of the need to replace car tyres. Also along the river alongside Brynteg, has had to be unblocked due to being blocked by woodchip, which has fallen off the lorries. The biggest concern, however, is that there is already a problem with dust from the site. If, in the future, the wood chip is to be dried on site, the dust problem is going to be much worse. In the last two years, adders have been found nesting on the common near the site, as well as birds of prey. The impact of the dust on the wildlife and local livestock as well as local residents is a cause of grave concern. Confirmation is therefore requested as to whether an Environmental Impact Survey has been carried out in the area. Confirmation is also requested as to whether the DMP report, requested by the Council within 3 months of the approval of planning application P/13/230/RLX was received.

* Stack - South Wales Wood Recycling originally had a licence of stacks not exceeding 3m. This was increased to 5m with conditions. Residents reported stacks being way above 5m so confirmation is requested as to how the conditions are being monitored, how often and by whom
* Trees - In the previous planning application for this site, one of the conditions was that no trees could be cut down without a formal report being produced, to protect the impact this could have on visual amenity. In this current application, it is stated that trees will be cut down. Confirmation is requested as to whether a formal report on the nature and size of the trees proposed to be removed has been produced.
* Working hours - In the last planning application, one of the conditions stated that the use permitted shall not operate between the hours of 1800hour and 0800 hours on any day and the reason for the condition was that it was in the interests of the amenity of the surrounding area. This new application wants to extend the working hours by proposing to operate 7 days a week. This will affect the amenity of the local area.
* Drainage - The previous application stated no land drainage run off will be permitted to discharge to the public sewerage system in order to prevent hydraulic overload of the public sewerage system and pollution of the environment. There is a stream that runs behind the shed on the land of Mr Hedley Lane at Heol Llan and the stream travels right through the current site and continues through Mr Yeoman's land and the garden centre (the proposed new extension site) right down to the cattle grid. Confirmation is requested as to how the wildlife in the stream will be protected and the stream kept free from pollution from the site.

Whilst no-one at the public meeting wished anyone to lose their jobs at the site, there is serious concern as to the monitoring of licences and the management of the site. There is no doubt conditions imposed on planning application P/13/230/RLX are not being met. For this reason, the Community Council on behalf of those present at the public meeting strongly object to this application as it stands and will welcome a response to the questions contained in this letter.

49 Individual Letters Or Emails Objecting To The Application, Have Been Received From Local Residents.

The grounds of objection can be summarised as follows:-

Dust - This is already apparent in surrounding areas and photographs have been provided.
Contamination - Concern that dust already contaminates the area and it is questioned whether the proposed drying of the wood will exacerbate this.
Adverse impact on livestock and ponies grazing in adjacent fields.
Drainage - Potential pollution/blockage of existing ditches which run through the site.
Increased risk of flooding if existing ditches/watercourses become blocked.
Noise levels - the current operators do not conform to conditions.
Access - existing access is not considered wide enough for size of vehicles using the site - photographs have been attached.
Gas main under the B4280 at risk of damage from heavy vehicles.
No confidence that applicant will adhere to any conditions attached to planning permissions.
Poor condition of fencing and lack of maintenance allows wind blown rubbish outside the site.
Lorries leaving the site are not properly sheeted and frequently leave trail of wood chips which cause accidents and damage to car tyres.
Existing highway network incapable of coping with size of vehicles currently visiting the premises - particular problems at junctions.
Inappropriate countryside location for heavy industry.
Hours of operation proposed are considered too long and will result in adverse impact on amenities of neighbours.
Large scale of buildings proposed and buildings which will replace existing polytunnels will have an adverse visual impact.
Current plant and traffic levels are disputed and therefore consider that proposals will significantly increase traffic.
How is the site monitored to ensure compliance.
Removal of conifer trees which screen the existing yard will result in adverse visual and general amenity impacts.
Impact on Wildlife
Light Pollution
Lack of consultation
Environmental Impact Assessment not provided.

COMMENTS ON REPRESENTATIONS RECEIVED

The objections raised by local residents will be addressed within the following Appraisal Section of this report.

APPRAISAL

The application is referred to Committee to consider the objections received from local residents and at the request of the Ward Member and Community Council.

The application seeks consent for the amalgamation of the Bryncethin Nurseries into the existing Lock's Yard Recycling Depot to consolidate the existing recycling operation to enhance the

existing operation by delivering improvements to the site layout, health, safety and environmental controls and staff facilities. Revisions to the site layout including an extension to the main product building to install boilers for drying the woodchip, installation of a weighbridge close to the existing entrance, resiting of a workshop building onto the southern section of the former nursery and reconfiguration of HGV parking, container storage and staff car parking with improved internal vehicular flows around the site as enlarged.

The site forms part of 'Lock's Yard' which has a long planning history dating back to the 1970s when the site was used as a depot for the parking, repair and maintenance of civil engineering contractors plant, in connection with open cast coal mining in the wider area. The site owners gained consent in 1987 to change the use of the site to general industry in addition to its existing use in order to diversify the forms activities because of the decline in its traditional markets. The permission was however subject to two conditions, one restricting the consent to Lock's (Contractors Equipment) Ltd and the other restricting the use of the site to general industry. In a subsequent permission (Code No. 89/1674 refers) the use of the yard for general industrial purposes was approved subject to conditions requiring the implementation and maintenance of a scheme of screen planting which is still retained on the site's boundaries. No other conditions were imposed controlling the scale and type of operations. Planning records suggest that a number of subsequent uses have operated from the site under the aforementioned consents since.

In 2003, R J C Chumley sought permission to develop a wood storage and recycling facility on the south western corner of 'Lock's Yard'. The committee report on the application described the process as the storage of locally collected waste and timber products which would be turned into bark-like mulch which would be distributed around the local area for use in horticultural and domestic gardening purposes. Details of the machinery to be used, including noise levels were submitted with the application. It was considered that, given the noise levels and the distances involved, the development would not be prejudicial to residential amenity. In view of the foregoing and the historical use of the site, the proposal was considered acceptable and permission was granted. Conditions were imposed controlling the products that could be processed, the protection and retention of existing trees and hedges, site drainage, hours of operation and the height of the stored materials.

With reference to planning policy, the application site is located in the countryside where development is strictly controlled by policy ENV1 of the adopted Bridgend Local Development Plan. It also lies within mineral safeguarding areas which is defined and protected by Policy ENV9. As referred to above the yard has a long established industrial use. Similarly, the Nurseries has cultivated and sold shrubs and plants to the public with substantial glasshouses and polytunnels covering large areas to the south of the existing bungalow with a shop building for sales located to the rear of the property.

As the wood storage and recycling facility processes industrial and commercial waste it must be considered against Policy ENV16 of the LDP which states:

Proposals for the treatment, processing and distribution of commercial and industrial waste such as: (i) Materials Recycling Facilities (MRF); (ii) Mechanical Biological Treatment facilities (MBT); (iii) In-vessel/anaerobic digestion composting facilities, will be directed to sites outlined in Policy SP7. Other waste management facilities will be permitted at appropriate locations primarily within allocated employment sites with specified B2 employment use class allocations provided they meet all of the following criteria:

1) There is no unacceptable impact on the amenity of local residents or adjoining industrial users through noise, dust, vibration, smells or vermin;

2) Arrangements can be made to prevent the pollution of surface or underground water and air;

3) The traffic generated can be accommodated safely on the existing highway network; and

4) A programme of site management is agreed for the duration of the development.

Policy ENV7 reinforces the aforementioned criteria and states that development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity due to: 1) Air pollution; 2) Noise pollution; 3) Light pollution; 4) Contamination (including invasive species); 5) Land instability; 6) Water (including groundwater) pollution and 7) Any other identified risk to public health or safety.

Furthermore, the policy confirms that in development areas that are currently subject to the above, any development will need to demonstrate mitigation measures to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level.

With reference to Policy ENV16 it is recommended that the operation subject of this application would be most appropriately located on employment sites with specified B2 (General Industrial) employment uses. Whilst the application site is not formally designated as such in the LDP, the planning history suggests that B2 uses are long established at this location. It is therefore reasonable to determine that recycling wood at this location is in land use policy terms, broadly acceptable.

Policy ENV16 is, however, a criteria based policy and there has been a significant level of representation received from the local residents in respect of all of the criteria. Negotiations with the applicant's agents resulted in the submission of additional information to address these matters, which include a series of measures and controls to minimise the impacts of the operation on the surroundings and, in particular, the impacts on the occupiers of the nearest residential properties and the environment. The Public Protection Department considers that, subject to conditions requiring the installation of the measures to mitigate impacts, the development is acceptable and to some degree will improve operations, which have been allowed over the long period of time over which the site has operated. The conditions will require implementation of a dust management plan, will limit the height of stockpiles and will specify the approved use of the site as enlarged. In respect of air quality a flue or stack projecting from the drying unit will adequately control emissions from the boiler and a condition specifying the optimum height has been recommended. Whilst the 22m recommended may appear excessive, it is considered that the additional 5.65m above the ridge of the building will not be so significantly detrimental to the visual amenities of the area as to warrant refusal. With regard to noise, conditions controlling opening hours, times for shredding operations and processing of waste together with a noise management plan containing a scheme of works to minimise the noise being experienced at existing residential receptors will adequately address this concern. It is also considered that a condition requiring a comprehensive and integrated drainage scheme for the site will overcome concerns in respect of pollution of the ditches and watercourses in and around the application site. Similarly a condition requiring a lighting design strategy can be imposed to mitigate light pollution.

With regard to local residents' fears that the applicants will not adhere to conditions imposed by the Local Planning Authority based on past experience, it is noted that breaches of planning control in respect of the existing operations at Locks Yard are being separately investigated and pursued with the applicant. Much of the information submitted to address concerns in respect of this application also address conditions attached to earlier consents and will be assessed prior to determination of whether discharge of these matters can be granted. It is emphasised that each application must be assessed on its individual merits and it would not be possible for a Local Planning Authority to withhold a planning permission in respect of an acceptable development on the basis of previous breaches of control nor it is considered grounds for not using further planning conditions to control the operation. The circular on planning conditions advocates the use of conditions to enhance the quality of development and to enable many

development proposals to proceed where it would otherwise have been necessary to refuse planning permission.

A number of the objectors raised concerns in respect of traffic movements to and from the site. Conditions requiring the sheeting of lorries will again be imposed, compliance with the submitted Transport Statement and the incorporation of a separation system of HGV and other vehicular traffic by the erection of a barrier at the entrance to the former nursery which will, it is considered, address many of the issues raised. The Highway Authority is unable, however, to control the right of vehicles to utilise the public highway so that issues of road safety outside the application site, damage to verges are not material to the assessment of the planning merits of this application.

A number of respondents have been critical of the publicity arrangements undertaken in respect of the application on the basis that they have not been individually notified of the submission. It should be appreciated that given the countryside location, there are a limited number of properties in close proximity to the application site and none that share a common boundary. Nevertheless, the Authority has individually notified the closest five residences and in addition has placed site notices and advertised the application in the local press. One objector has questioned the absence of an Environmental Impact Assessment to accompany the application. The submission has been assessed as a non EIA development and therefore there is no requirement to provide such information.

Whilst the application site is located in the countryside where development is strictly controlled by Policy ENV1 of the adopted Bridgend Local Development Plan and the application site is not formally designated in the LDP, the planning history suggests that B2 uses are long established at this location and, similarly, the Nurseries has cultivated and sold shrubs and plants to the public with substantial glasshouses and polytunnels covering large areas to the south of the existing bungalow with a shop building for sales located to the rear of the property.

On this basis it is considered reasonable to determine that recycling wood on the main site with a workshop building, reconfigured HGV parking, container storage and staff car parking on the former nursery site is acceptable. It is considered that the imposition and subsequent compliance with the suggested conditions will ensure that the development will accord with the Local Development Plan policy and, importantly, the impacts on the local amenities will be minimised.

Whilst determining this application Policies ENV1, ENV7, ENV16 & SP7 of the Bridgend Local Development Plan were considered.

CONCLUSION

This application is recommended for approval because the development complies with Government and Council policy and does not so significantly harms, highway safety, visual amenities, neighbours' amenities or the environment as to warrant refusal. The development will also result in a limited number of additional jobs at the site.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the extensions and buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed

details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

2 All vehicles, including trailers, which are carrying any woodchip or wood dust, processed on the site, away from the site shall be securely sheeted prior to leaving the premises.

Reason : In the interests of safeguarding the environment, preventing pollution and highway safety.

3 The recommendations contained in Sections 4.3 and 4.3.1 of the Dust Management Plan shall be implemented within three months of this consent being granted. All works, which form part of the Dust Management Plan shall thereafter be maintained in accordance with the approved details.

Reason : In the interests of safeguarding the environment and preventing pollution.

4 Apart from the measures identified in Condition 3 above, all other measures detailed in the Dust Management Plan, including the complaints procedures (Section 4.1.4) which are in place to control and monitor dust shall be maintained in accordance with that plan throughout the duration of the operation of the site as a Wood Recycling Facility.

Reason : In the interests of safeguarding the environment and the prevention of pollution.

5 The height of all external stock piles shall not exceed 5m in height.

Reason : In the interests of visual amenity and the prevention of pollution.

6 The development shall be carried out in accordance with the following approved plans and documents: plan numbers 10914-000-B, 10914-00-C, 10914-00-D, 10914-000-E, 10914-001-A and 10914-001-B .

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

7 The premises shall be used for storage and processing of wood, drying the wood within the drying shed with associated boiler, staff, visitor and HGV parking, workshops and container storage associated with South Wales Wood Recycling and for no other purpose including any wood pelleting processing or any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the site in the interests of general amenity.

8 No development shall take place until a detailed specification for the stack on the drying unit has been submitted to and agreed in writing by the Local Planning Authority. The specification as agreed shall be implemented prior to the drying unit being brought into beneficial use.

Reason : In the interests of preventing pollution and safeguarding the environment.

9 No more than two external shredders shall be operated at any one time.

Reason : In the interests of preventing noise nuisance and safeguarding the amenities of neighbouring occupiers.

10 Opening hours for the receipt of waste wood shall only occur between:-

08.00 hours and 18.00 hours Mondays to Saturdays

And not at all on Sundays, Bank and Public Holidays.

Reason : To ensure that the Local Planning Authority retains effective control over operation of the premises.

11 Shredding operations and processing of waste shall only be carried out between the following times:-

08.00 hours - 18.00 hours Mondays to Fridays;
08.00 hours - 13.00 hours Saturdays;

And not at all on Sundays, Bank and Public Holidays.

Reason : To ensure that the Local Planning Authority retains effective control over the operation of the shredders in the interests of safeguarding the amenity of neighbouring occupiers.

12 Within 3 months of the date of this consent, a noise management plan containing a scheme of works to minimise the noise being experienced at existing residential receptors from site operations, including use of the shredders and investigation of complaints shall be submitted to and agreed in writing by the Local Planning Authority. The Noise Management Plan shall include the following:

* A scheme of work to reduce the noise from the chipping/shredding and screening operations and all plant associated with the movement, loading and stockpiling of materials;
* If barriers are to be used as a form of noise mitigation, the design/height and construction of the barriers must be submitted, together with the noise, reduction it is intended to achieve. Stockpiles shall not be used a suitable mitigations measures as the height and location of these will vary depending on the inputs and outputs of the site;
* For permanent bunds that are being used as a barrier, the location, height and materials used for the bund must also be included. It is understood from the last Noise Management Plan that the height of the bund has been increased, but it is not stated to what height or what noise reduction this has achieved.
* A complaints investigation procedure and the action that will be taken if complaints are found to be justified e.g. details of the current noise being emitted from this plant when it is operating inside the building and outside in the yard, the predicted or measured noise levels at the nearest residential receptor and the expected noise reduction that is expected from any mitigations measures.

Reason : In the interests of safeguarding the amenities of neighbouring occupiers.

13 The Noise Management Plan referred to in Condition 12 above shall include a time scale for the implementation of mitigation works, which shall be agreed in writing with the Local Planning Authority. All mitigation works, which form part of the agreed noise management plan, shall be completed in accordance with the agreed time scales and thereafter maintained in accordance with the agreed details.

Reason : To ensure the timely provision of the noise management plan mitigation measures in the interests of safeguarding the amenities of neighbouring occupiers.

14 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard water and surface water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the development being brought into beneficial use.

Reason : To ensure that effective drainage facilities are provided for the proposed development, that flood risk is not increased and pollution prevented.

15 Prior to installation, a lighting design strategy for biodiversity for the site shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall:-
* Identify those areas/features on and surrounding the site that ae particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
* Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding or resting places.

All external lighting shall be installed in accordance with the agreed specification and locations set out in the agreed strategy and thereafter maintained in accordance with the strategy. No other external lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason : In the interests of safeguarding a European Protected Species, the environment and the amenities of neighbouring occupiers.

16 No construction works shall commence on site until the intrusive site investigation works identified in the Coal Mining Risk Assessment have been undertaken. In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the development, these remedial works shall be undertaken prior to the development being brought into beneficial use.

Reason : In the interests of safety and to mitigate potential adverse impacts from any coal mining legacy present on the site.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) This application is recommended for approval because the development complies with Government and Council policy and does not so significantly harms, highway safety, visual amenities, neighbours' amenities or the environment as to warrant refusal. The development will also result in a limited number of additional jobs at the site.

(b) The developer is reminded of their responsibilities in respect of the management of non-native invasive plant species such as Himalayan Balsam and Japanese Knotweed under the provisions of the Wildlife and Countryside Act, 1981

(c) To satisfy the drainage condition, the following supplementary information is required:-
* Full details of any existing arrangements and/or
* Infiltration tests to confirm acceptability of any proposed soakaway
* Design calculations, storm period and intensity, method employed to delay and control the surface water discharged from the site and measures taken to prevent the pollution of receiving groundwater and/or surface water
* A timetable for implementation
* A management and maintenance plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.

(d) Foul and surface water discharges shall be drained separately from the site.

(e) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system.

(f) land drainage run off shall not be permitted to discharge either directly or indirectly into the sewerage system.

(g) The developer is reminded that the site is permitted under the Environmental Permitted (England and Wales) Regulations (As Amended) 2014. Any extension or change in operation may require a change to the permit and therefore Natural Resources Wales recommend the enquiries line is contacted on 0300 065 3000 or enquiries@naturalresourceswales.gov.uk.

(h) With respect to Condition 8 the details shall reflect a stack with a minimum height of 22m.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/15/203/FUL**

APPLICANT: MR DAVID WILLIAMS
GLYNOGWR LODGE TY PENTWYN GLYNOGWR BRIDGEND

LOCATION: **GLYNOGWR LODGE TY PENTWYN GLYNOGWR BRIDGEND**

PROPOSAL: ERECT 2NO. LOG CABIN HOLIDAY UNITS FOR MOUNTAIN BIKE / WALKING AND GENERAL COUNTRYSIDE PURSUITS

RECEIVED: 25th March 2015

SITE INSPECTED: 15th April 2015

APPLICATION/SITE DESCRIPTION

The application proposes the erection of 2 detached three bedroom log cabins for mountain biking/walking and general countryside pursuit tourist accommodation. The proposed development is intended to be ancillary to the existing tourist accommodation at Glynogwr Lodge, which is a four bedroom (8 person) self catering establishment. In addition, the submitted plans show revised access arrangements into the site with the existing easterly access blocked up and a new wider centrally located access created to serve both the existing property, existing tourist lodge and the proposed development.

The cabins are to be sited just over 7m south of the northern site boundary to the rear of the properties known as Windmill House and Ty Maes Y Deri. One of the cabins will be positioned approximately 5.5m (at its nearest point) from the eastern site boundary with the Cemetery. Both of the structures will measure 13m long by 6.3m wide with a ridged roof reaching 3.2m in height. A roof canopy 1500mm will project from the southern elevation of the property over a timber decked area projecting a further 2.5m to the south of the cabin and 2m wider than the cabin. Internally the cabins will provide an open kitchen/dining/lounge area with three bedrooms, bathroom and utility. Photographs have been supplied showing the exterior of these buildings to be horizontally clad with timber logs with a felt type covering over the roof. The second cabin will be sited 10.5m to the west of the first cabin and be separated from it by a 4m wide vehicular driveway and turfed areas either side of the driveway. A courtyard area to be used for parking/turning purposes is shown to the west of the proposed cabins. This area measures 20m wide.

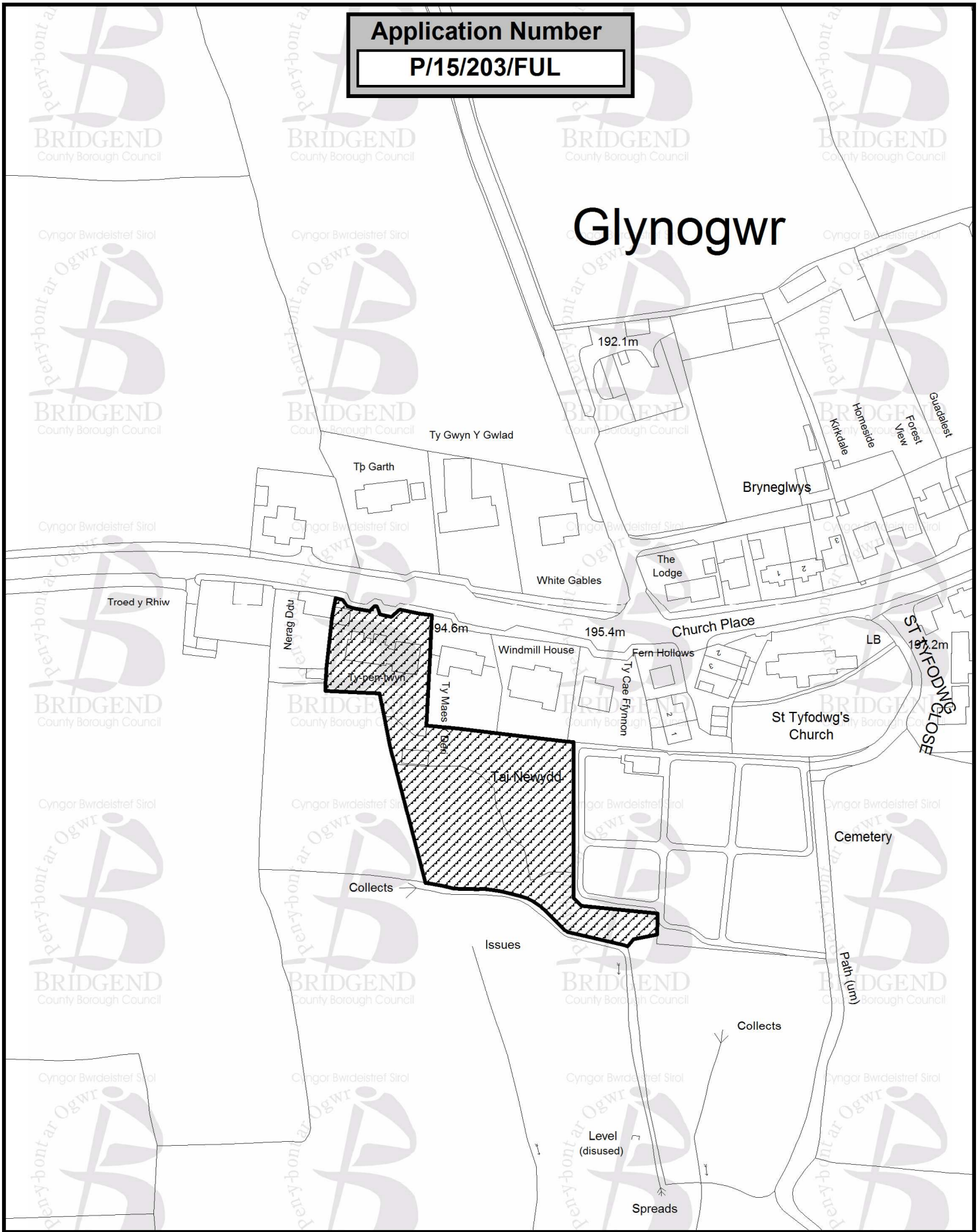
In the Design and Access Statement, which accompanies the submission, the applicant's agent considers that:-

14. The proposal is seeking to retain the character of the immediate area as a low density residential area with the development ensuring reasonable space remains in the development area following the erection of the log cabins and the upgrading of the associated building. In addition, the sloping nature of the site ensures that the log cabins are situated at a significantly lower level than the existing residential properties so that there will be no adverse effect on residential amenity.

15. The boundaries consist of stock proof fencing to the majority of the site and timber fencing between the development site and the residential properties to the northern boundary, which will remain in situ.

Application Number

P/15/203/FUL



N W E S	**Scale 1:1,750**	**Mark Shephard** **Corporate Director-Communities**	**(c) Crown Copyright and database rights (2015) Ordnance Survey (100023405)**	Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr BRIDGEND County Borough Council
	Date Issued: 04/06/2015	**Communities Directorate, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.**	**(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)**	
Page 130	**Development-Mapping Tel: 01656 643176**	O/Drive/Plandraw/new MI layouts/ Committee DC Plan	**(c) Cities Revealed Aerial Photography copyright, The Geoinformation Group (2009)**	

RELEVANT HISTORY

P/14/677/FUL REFUSED 03-02-2015
ERECT 2NO. LOG CABIN HOLIDAY UNITS FOR EQUINE AND/OR MOUNTAIN BIKE HOLIDAY LETS & UPGRADE EXISTING STABLE

For information, the reasons for refusal in respect of the earlier application were as follows:-

1. The proposed development will generate additional vehicular turning movements to or from the public highway at the substandard access, creating further traffic hazards to the detriment of highway safety.
2. Insufficient details of the associated building identified to be used for stables/storage of mountain bikes in connection with the tourist accommodation have been submitted to enable the implications of the proposal on the viability and amenity of neighbouring uses and their users/occupiers to be properly evaluated by the Local Planning Authority.

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 8 May 2015.

NEGOTIATIONS

None

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 13th April 2015

Head Of Street Scene (Highways)
No objection subject to a condition.

Head Of Street Scene (Drainage)
No objection subject to a condition.

Natural Resources Wales
No objection subject to notes.

Welsh Water Developer Services
As the applicant intends utilising a septic tank facility, the applicant is advised to contact Natural Resources Wales, who regulate this method of drainage disposal.

REPRESENTATIONS RECEIVED

Objections Have Been Received From:-, .
Mr P Haslewood: Ty Cae Ffynon
Derry Evans: Ty Maes y Deri
Michael & Clare Edwards: Windmill House

The grounds of objections can be summarised as follows:-

Unsuitable Location - Glynogwr is a small and quiet community that does not benefit from facilities such as shops, bus services or pubs etc. It is considered that the proposed development would be not in keeping with adjoining residential properties.

Loss of view - residents of adjoining properties currently enjoy uninterrupted views over the valley from windows in their rear elevations and from their rear gardens. The proposed development will significantly change this and be contrary to criterion 12 of Policy SP2, which requires development to ensure the viability and amenity of neighbouring uses and their occupiers are not adversely affected.

Noise - Problems that have occurred with the existing holiday accommodation have been highlighted and it is considered that the proposed development will exacerbate these issues contrary to criterion 8 of Policy SP2 and criterion 2 of Policy ENV7. There will also be an increase in noise and disturbance due to movement and parking of vehicles with engine noise and slamming of car doors due to the proximity of the proposed parking areas.

Lighting - Given that the application site is currently an open field, the introduction of lighting would be disruptive and contrary to criterion 8 of Policy SP2 and Policy ENV7

Topography - This submission has not been accompanied by details of land levels and it is considered that there is a potential for the proposed cabins to adversely impact on neighbouring properties.

Out of accord with Local Development Plan - Development is proposed to be located outside the settlement boundary for Glynogwr in countryside where there are stricter controls.

Infringement of Privacy - One objector considers that the proposed log cabins will include windows that will overlook their private rear garden and permit views into habitable room windows in the rear elevation of their property.

Stables - It is highlighted that the applicant has already upgraded the existing stables without the benefit of planning permission and this submission does not include these works.

Crime and Security - The introduction of the proposed log cabins at the rear of existing residential properties may compromise the security of these dwellings given that the cabins could be occupied by relatively large numbers of people.

Bats - These are known to frequent the nearby church and churchyard with its maintenance buildings and are protected by law. The existing multiple open fields and woodland provide a natural feeding habitat for these creatures. A full bat survey should be required before any permission is granted.

Refuse Collection - It is highlighted that storage details and collection points have not been specified in the submission.

Access - Insufficient space to provide for parking and turning facilities particularly given the existing business already operated adjacent to the site. The access to and from the proposed development and the volume of traffic on the A4093 fronting the site are not considered to be safe particularly for longer vehicles with trailers/horseboxes in view of the proposed tortuous manoeuvre that would be required to access the parking area at the rear or the existing stables.

Lack of detail - No information in respect of the proposed courtyard area to be created to the east of the stables has been submitted as part of this application.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by local residents:-

Application Form Errors and contradictory information - One of the objectors has highlighted what they consider to be inconsistencies on the application form and the delegated powers report in respect of the previous application. These largely relate to matters that are to be assessed or re-assessed as part of this determination process and could potentially be the subject of conditions in the event approval is recommended.

Unsuitable Location - Objectors consider Glynogwr is a small and quiet community that does not benefit from facilities such as shops, regular bus services or pubs etc and that a proposal of this scale would not be in keeping particularly with adjoining residential properties. Policy SP11 of the Bridgend Local Development Plan states that appropriate tourism developments, which promote high quality accommodation, upgrade facilities, promote sustainable and activity based tourism, business, events and cultural tourism will be permitted.

Tourism development linked to regeneration initiatives will be promoted at:- The Ogmore Valley, at the destination hubs of Nantymoel and Blackmill. The proposed development would promote high quality accommodation in connection with activity based tourism close to a destination hub and is therefore considered to be compatible with this aim.

Policy REG12 relating to new or extended tourist facilities, accommodation and attractions establishes four criteria for such development in a countryside location. On the basis that the proposals do not adversely impact on nature conservation interests, is an appropriate rural enterprise as the existing tourist accommodation, achieves a high level of occupancy, would assist in the promotion of a destination hub and in terms of its form, materials and details is compatible with its context, the development is generally in accord with this Policy.

One objector considers that it is misleading to assess the success of the existing tourist accommodation purely on occupancy rates and suggests that more rigorous assessment of a business plan would be more appropriate. It is considered, however, that the planning system is seeking to assess whether the establishment of new tourist accommodation at the location is compatible with Local Development Plan Policy and the high occupancy rates demonstrated in respect of the applicant's existing tourist accommodation provides a reasonable indication that such an enterprise could be successful.

Conditions to ensure that the proposed cabins are occupied solely for tourism purposes can be imposed to prevent permanent residential occupation of the units.

Loss of View - The occupiers of adjoining properties currently enjoy uninterrupted views over the valley from windows in the rear elevations of the homes. It is clear that the proposed cabins will significantly change the existing situation in this regard. Contrary to the objector's belief that this renders the development out of accord with criterion 12 of Local Development Plan Policy SP2, loss of view is not a material planning consideration.

Noise - Some of the objectors have referred to problems encountered with the existing tourist accommodation, operated by the applicants, adjacent to the application site and consider that the proposed development may exacerbate this issue contrary to criterion 8 of Policy SP2 and criterion 2 of Policy ENV7. It has also been highlighted that no mitigation measures have been proposed within the application details. The problems relate to loud and inconsiderate behaviour of some of the guests staying at the aforementioned tourist accommodation. It is considered that such matters relate to appropriate management of the facilities or in extreme events may be anti-social behaviour warranting Police involvement rather than constituting a statutory noise nuisance, which the criteria attached to the Policies seek to control. The objector has suggested

that the Police have stated that any ongoing problem with noise is dealt with by the Council's Public Protection Section but as indicated above, given that the noise source relates to potentially anti-social behaviour rather than a statutory noise nuisance, it is believed that the Police would be the most appropriate Authority to deal with this issue.

Detrimental Visual Impact & Topography - Objectors point out that the land in this area is sloping so that the proposed cabins may require engineering works and potentially retaining structures which would increase the adverse impact on the visual amenities of the area. It is noted that the land generally slopes from north to south but the location proposed for the cabins appears to be reasonably level. Although not submitted as part of this application, a Section Drawing showing the relationship in levels between the adjoining residential properties and the proposed cabins, which accompanied the previous application, indicates that the field in which the cabins will be sited to be relatively flat. It is considered that the single storey scale and wooden exterior will not so significantly impact on the visual amenities of the area as to warrant refusal on these grounds. In the event that Authority is minded to approve the development, an appropriately worded condition can ensure that these levels are agreed prior to any commencement.

Out of Accord with Local Development Plan - Objectors consider the proposed development to be out of accord with the adopted local development plan as development in the countryside. Policy ENV1 strictly controls development in such locations but identifies a number of acceptable exceptions. New or extended tourist facilities/accommodation are considered, in principle, to constitute an appropriate rural enterprise and therefore the scheme is compatible with the development plan.

Setting of a Listed Building - One objector considers the development to be contrary to Policy SP5 of the Local Development Plan which seeks to protect the built and historic environment of the County Borough and its setting. The eastern boundary of the application site is located approximately 85m to the south west of the listed St Tyfodwg's Church with a number of residential properties and the cemetery in between. It is not considered that the proposed development impacts directly on the listed building or its setting.

Tourism - One local resident highlights that Glynogwr is not a destination hub identified within Policy SP11 of the Local Development Plan and further that the existing Bed & Breakfast business should not be used as justification for the current proposal. It is noted that the Policy identifies the Ogmore Valley with hubs at Nantymoel and Blackmill, which are simply the settlements at either end of the Valley. As a development seeking to promote activity based tourism it is considered to be compatible with the Policy and has the potential to link to the identified hub at Blackmill within the Ogmore Valley. The application is being assessed on its individual planning merits although it is acknowledged that the proven success of the adjoining Bed & Breakfast business operated by the applicant in terms of occupancy rates does suggest that this knowledge and experience will assist in the operation of the proposed development.

Stables - Local residents have advised that the existing associated building has already been upgraded. This element has been omitted from the current submission and the developer will be reminded that it will be necessary to seek separate planning consent.

Refuse collection - Objectors highlight that storage details and collection details have not been submitted. Whilst it is acknowledged that this is the case, an appropriately worded condition can satisfactorily control this matter in the event that consent is to be recommended.

Crime and Security - Residents consider that the proposed tourist accommodation will introduce additional people at the rear of their properties and this may compromise the security of their dwellings. A condition requiring agreement of a suitable means of boundary enclosure will, it is considered, address this concern.

Access - Local residents believe that there is insufficient space within the application site to

provide for parking and turning facilities given that there is already a tourism related business being operated adjacent to the site and that vehicles from the applicant's other landscaping business frequently park in this area. Some of the concerns also relate to the stopping up of one of the existing accesses and the suitability of the amended new access. The Highways Department has assessed the proposed access and parking arrangements and considers that subject to conditions these will be satisfactory.

Lighting - Objectors are concerned that the introduction of lighting to facilitate the proposed development would be disruptive. Whilst no details have been submitted as part of this application, an indication that it is proposed to install bollard lighting is shown on the submitted plans. It is considered this issue could be addressed by condition in the event that approval is recommended.

Privacy - One of the objectors considers the proposed cabins will overlook their private rear garden and potentially windows at the rear of their property. It is noted that there are windows in the northern elevation of the proposed log cabins that do not meet the 21m privacy standard adopted by the Authority between habitable room windows. A requirement to provide a suitable means of enclosure along the northern site boundary would address this issue.

Environmental Impact - Whilst one of the objectors has advised that the land is visited by feeding birds, the application site is laid to grass and does not provide reasonable habitat for protected species. The development does not adversely impact on a bat roost and therefore a survey is not required. The developers can, however, be reminded of their responsibility to consider wildlife on the development site and invited to consider biodiversity enhancements such as nest boxes incorporated into the development.

Lack of Detail - Concern relating to the lack of detail in respect of the proposed courtyard area has been expressed and whilst this is acknowledged an appropriately worded condition can control this aspect of the development.

APPRAISAL

The application is referred to Committee to consider the objections received from local residents.

The application seeks consent for the erection of 2 detached three bedroom log cabins together with the revised access arrangements related to a proposed new mountain biking/walking and general countryside pursuits tourism enterprise. The log cabins are to provide self-catering tourist accommodation. The proposed development is intended to be ancillary to the existing tourist accommodation at Glynogwr Lodge, which is a four bedroom (8 person) self-catering establishment.

The application site lies outside the settlement boundary for Glynogwr as defined by Policy PLA1 of the Bridgend Local Development Plan. The proposal is therefore considered to be located in the countryside and as such falls to be considered in the context of Policy ENV1 of the Bridgend Local Development Plan, which strictly controls development in the countryside except for specific identified purposes. Appropriate rural enterprises are identified as an appropriate exception and therefore the proposal can be considered in the context of more detailed policies relating to the nature of the use and the remaining policy considerations relevant to the site.

Policy REG12 of the Local Development Plan states:

New or extended tourist facilities, accommodation and attractions in the countryside will only be permitted where:-

1. The activity is compatible with and complimentary to the countryside location, including nature

conservation interests;
2. The proposed development is part of an appropriate rural enterprise/farm diversification scheme;
3. The proposal assists in the promotion and is compatible with the role of Bryngarw Country Park and Pontycymmer, Blaengarw, Llangeinor, Blackmill, Nantymoel and Caerau as destination hubs; and/or
4. The proposed development is compatible with the enhancement of its context in terms of its form, materials and details.

With regards criterion 1, it is considered that the proposal is acceptable in a countryside location and, given the grassland nature of the site, there is unlikely to be any nature conservation interests that exist on the site. The proposal is an extension to Glynogwr Lodge, which is an existing tourist facility and, given its rural location and links with the surrounding rural activities, it is considered to represent an appropriate rural enterprise in the context of criterion 2. The accommodation is located in the Ogmore Valley with easy access to adjoining Valleys and Bryngarw Country Park and therefore meets criterion 3. Provided that the design of the proposed cabins is considered acceptable in relation to the final criterion, it can be considered that the proposal accords with Policy REG12.

It is highlighted that the proposal is located within a Special Landscape Area and a Mineral Safeguarding Area where Policies ENV3 and ENV9 would apply. Policy ENV3 permits development in such areas only where the character and distinctiveness of the Special Landscape area is retained, the development has been designed to reflect local building traditions and that any adverse impact on the landscape can be mitigated. It is considered that the proposed cabins, which are single storey in scale and externally finished in wood, will not so significantly impact on the Special Landscape Area, particularly when viewed against the backdrop of the existing dwellings from across the valley, as to warrant refusal for this reason.

With regard to the mineral safeguarding issue, given the current aggregates land bank that exists in the County Borough at present together with the proximity of the site to the settlement boundary for Glynogwr, which would be likely to prevent any opportunity to extract the resource at this location, there would be no objections in respect to Policy ENV9.

In principle therefore the proposed development appears compatible with the aforementioned policies and, provided there are no issues with regards access, parking and any other amenity considerations outlined in Policy SP2 of the Local Development Plan, there would be no development planning objection to the proposals. It is considered that if the Council is minded to grant planning permission for the proposed development that a condition limiting the occupation of the units for use as holiday lets in connection with Glynogwr Lodge only is imposed to prevent the units being occupied as independent living accommodation.

Strategic Policy SP2 - Design and Sustainable Place Making requires all development to contribute to creating high quality attractive, sustainable places which enhance the community in which they are located whilst having full regard to the natural, history and built environment by establishing a number of criteria for development to meet. As indicated in the previous section of the report outlining representations received from local residents, concern has been raised in respect of the following specific criteria:-

3. Being of an appropriate scale, size and prominence;
6. Having a good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;
7. Minimising opportunities for crime to be generated or increased;
8. Avoiding or minimising noise, air, soil and water pollution;
10.Safeguarding and enhancing biodiversity and green infrastructure;
12.Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;

13.Incorporating appropriate arrangements for the disposal of foul

Notwithstanding the objections raised, for the reasons outlined in the preceding section of the report, the proposed development is considered to be generally compatible with these criteria or can be made so with the imposition of appropriately worded conditions. Natural Resources Wales and Dwr Cymru/Welsh Water have confirmed that, in principle, the proposed arrangements for the disposal of foul sewage, waste and water would be acceptable as required by criteria 13 although it is acknowledged that detailed schemes would need to be required by condition if the scheme is to be approved. With regard to criterion 6, the Highways Department now considers that the revised access arrangements onto the public highway are, subject to condition, satisfactory. The application has not, however, been accompanied by an appropriate parking layout nor have details of lighting been provided to assess the impact on adjoining dwellings and thereby ensure compatibility with criterion 12. Conditions addressing these issues can satisfactorily overcome residents' concerns.

During the processing of the application, Policies PLA1, ENV1, ENV3, ENV9, SP11, REG12, SP5 and SP2 were considered.

CONCLUSION

The application is recommended for approval because the development complies with Government and Council policy and guidelines and does not adversely impact on highway safety or privacy or visual amenities nor so significantly impacts on the amenities of neighbouring occupiers as to warrant refusal of the scheme.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 The log cabins, hereby approved shall be used for holiday accommodation only and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. The holiday cottages hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person or persons' sole or main place of residence. The holiday cottages can be used as holiday accommodation throughout the year but no holiday cottage shall be occupied by any particular person or persons for more than 28 days in any 12 month period.

Reason : To ensure that the Local Planning Authority retain effective control over the use of the log cabins and to prevent the cabins being used as permanent residential accommodation.

2 The use of the existing stables shall be limited to purposes ancillary to and incidental to the enjoyment of the residential dwelling known as Ty Pentwyn and for no other purpose.

Reason: For the avoidance of doubt as to the extent of the permission granted and to ensure that the Local Planning Authority retain effective control over the use of the property in the interests of highway safety.

3 No development shall commence until a scheme for permanently stopping up the access to the east of the property, adjacent to the boundary wall with Ty Maes Y Deri, and reinstating the vehicular crossing as footway has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the development being brought into beneficial use.

Reason : In the interests of highway safety.

4 The development hereby approved shall be served by a single means of access from the A4093/Gilfach Goch Road with the required vision splays of 2.4m by 43m in both easterly and westerly directions.

Reason : In the interests of highway safety.

5 No structure or erection exceeding 0.9 metres in height shall be placed within required vision splays areas at any time.

Reason : In the interests of highway safety.

6 Notwithstanding the 1:200 scale block plan, indicating availability of car parking spaces, no development shall commence until a car parking scheme, clarifying the existing parking arrangements serving the dwelling and the existing holiday accommodation and proposed facilities to serve the log cabins including turning areas, has been submitted to and agreed in writing by the Local Planning Authority. The parking and turning areas shall thereafter be implemented in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the agreed scheme prior to the development being brought into beneficial use and so retained in perpetuity.

Reason : To ensure the provision of adequate parking and turning facilities to serve the development in the interests of highway safety.

7 No development shall take place until a specification of the wood finish including any staining or preservative applied thereto to be used in the construction of the external surfaces of the log cabin hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

8 No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan providing details of boundary enclosure along the common boundary with the adjoining properties known as Ty Maes Y Deri and Windmill House indicating positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason : To safeguard the privacy of neighbouring occupiers and to ensure that the general amenities of the area are protected.

9 No development shall take place until drawings showing sections and details of the proposed floor levels of the buildings in relation to existing ground levels, neighbouring dwellings and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site

and the surrounding area.

10 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the agreement prior to the development being brought into beneficial use.

Reason : To ensure that effective drainage facilities are provided for the development and that flood risk/pollution is not increased.

11 No external lighting of the access to, or areas surrounding, the approved log cabins shall be installed until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions and type of lighting to be installed. Any external lighting shall thereafter be carried out in accordance with the agreed plan.

Reason : To ensure that the amenities of neighbouring occupiers are protected.

12 No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme which shall include, proposals for surface treatment of the courtyard area. The agreed landscaping works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) The application is recommended for approval because the development complies with Government and Council policy and guidelines and does not adversely impact on highway safety or privacy or visual amenities nor so significantly impacts on the amenities of neighbouring occupiers as to warrant refusal of the scheme.

(b) No surface water is allowed to discharge to the public highway.

(c) No land drainage run off will be permitted to discharge either directly or indirectly into the public sewerage system.

(d) With regard to surface water disposal, the developer will be required to provide the following information to demonstrate the viability of proposals:-
i. Information in respect of the design calculations, storm period and intensity, the measures employed to delay and control surface water discharged from the site and measures taken to prevent the pollution of any receiving groundwater and/or watercourse;
ii. A timetable for its implementation;
iii. A management and maintenance plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime; and
iv. A ground investigation report sufficient to support the design parameters and suitability of the proposed system.

(e) The developer is advised that whilst Natural Resources Wales are satisfied with the

proposed new septic tank as the method of foul drainage, it will be necessary for this to be registered and an exemption obtained.

(f) The developer is requested to consider the inclusion of biodiversity enhancements such as wildlife nest boxes into the development and Supplementary Planning Guidance 19 Biodiversity and Development : A Green Infrastructure Approach, which is available on the Authority's website, provides guidance in this respect.

(g) The developer is reminded that the upgraded stable building is unauthorised and therefore he is strongly recommended to urgently submit an application to regularise this matter.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : SECTION 106

REFERENCE: **P/15/25/FUL**

APPLICANT: BARRATT S.W. & UNITED WELSH H. ASSOC.
C/O ASBRI PLANNING LTD. UNIT 9 OAK TREE COURT CARDIFF GATE BUSINESS PARK CARDIFF

LOCATION: **PLAYING FIELD AT YSGOL BRYN CASTELL LLANGEWYDD ROAD BRYNTIRION**

PROPOSAL: ERECTION OF 67 DWELLINGS, NEW ACCESS, CAR PARKING, OPEN SPACE, LANDSCAPING & ASSOCIATED WORKS

RECEIVED: 16th January 2015

SITE INSPECTED: 18th February 2015

APPLICATION/SITE DESCRIPTION

The application seeks planning permission for the erection of 67 dwellings on the playing fields of the former Ysgol Bryn Castell School site.

The school site will be developed in two phases, this application relates to Phase 1 of the development. The site covers an area of approximately 1.8 hectares and is roughly rectangular in shape, albeit with a wider northern point and a tapering southern side. The site runs north to south along the alignment of Cefn Glas Road. The northern and eastern boundaries of the site meet the rear of existing dwellings on Cefn Coed and Cefn Glas Road respectively. Access to the site will be gained via the north eastern boundary, utilising and widening an existing gap in the tree line. The western boundary of the site meets with the future Phase 2 of the overall development site which is currently cordoned off by a fence. The use of the school building has ceased, other than by the Pupil Referral Unit, who are due to move out of the site in the summer of 2015.

The proposed residential units are predominantly 2 storeys in height, with the only exception being the three storey Redwood and Hawthorne block of apartments at the southern part of the site. The development comprises 18 four bedroom dwellings, 26 three bedroom dwellings, 9 two bedroom dwellings, 6 two bedroom flats and 8 one bedroom flats. Each dwelling house will be served by private parking spaces and private amenity space. An area of public open space will be provided to the eastern boundary of the site.

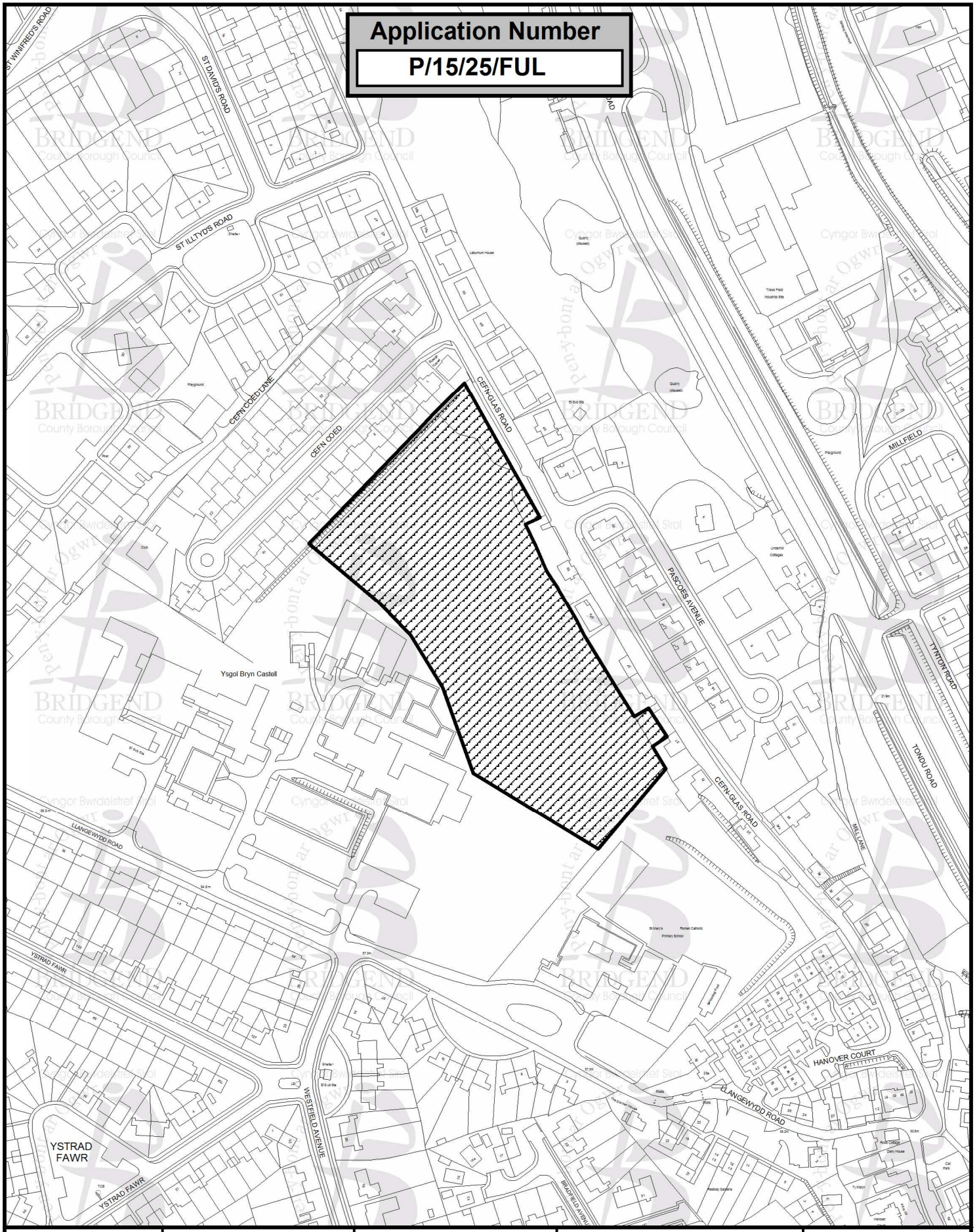
A Development Brief was published by the Local Authority for the development of the entire Ysgol Bryn Castell site in 2013, the purpose of the brief was to provide an overview of the development principles and constraints that would shape the development of the overall site.

There are a number of trees on the eastern boundary of the site which are covered by a Tree Preservation Order (TPO).

RELEVANT HISTORY

The applicant entered into pre application discussions with the Local Planning Authority.

PUBLICITY



N W E S Page 142	**Scale 1:2,500** **Date Issued: 04/06/2015** **Development-Mapping Tel: 01656 643176**	**Mark Shephard** **Corporate Director-Communities** **Communities Directorate, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.** O/Drive/Plandraw/new MI layouts/ Committee DC Plan	**(c) Crown Copyright and database rights (2015) Ordnance Survey (100023405)** **(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)** **(c) Cities Revealed Aerial Photography copyright, The Geoinformation Group (2009)**	Cyngor Bwrdeistref Sirol Penybont ar Ogwr BRIDGEND County Borough Council

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations and publicity expired on 18 February 2015.

NEGOTIATIONS

Considerable negotiations have been undertaken during the processing of the application to enhance residential amenities.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 20th January 2015
Has no objection to the proposal subject to the proposal being put in place to mitigate against the increase in traffic.

Councillor D B F White
Raised the following concerns and requested to speak at the Development Control Committee meeting:-

'I have a number of concerns with the development of this application and although not concerned in principle to the development. I feel the following points should be considered.

1/ During the building of the development, I am asking if all delivery's or leaving the site by lorry's over 3.5 tonnes to the site should not be allowed until after 9.15am on school days. Furthermore this should be the same between 3pm and 4pm. This is as a result of traffic going to local schools, with also children and young people walking to school.

2/ I am also concerned the extra cars in the area, once the development has been completed that there is an older persons complex within 150 yards. I am asking that traffic calming and safe places to cross are developed near the complex, to ensure the routes to school continues to be safe and there are safe places to cross for those who use the complex.
i/ This may include roads have enough lighting.
ii/ Purchasing grass banking, near under a compulsory order, if necessary to ensure the route continues to be safe.
ii/ As part of the S106 money, if allowed I'd like part of this to be used to relay tarmac near the complex.'

Head Of Street Scene (Highways)
Has no objection to the proposal subject to conditions.

Destination & Countryside Management
No objections subject to conditions.

Head Of Street Scene (Drainage)
Considers that the site can be adequately drained and requested that a condition be attached to any permission granted requiring a scheme for the integrated drainage of the site be submitted to and agreed in writing by the Local Planning Authority.

Head Of Parks & Playing Fields
Has no objection to the proposal.

Natural Resources Wales
Agree with the Ecological Appraisal submitted and advise that the developer should also carry out a method statement in order to establish robust pollution prevention measures.

Welsh Water Developer Services
Advised on sewerage

Crime Prevention Design S.Wales Police
Advised that the layout is generally acceptable and requested that notes be attached to any consent granted.

Group Manager Public Protection
Requested that a note be attached to any permission granted.

Wales & West Utilities
Has no objections to the proposal , but advised that their apparatus may be at risk and advises the developer contact Wales & West Utilities directly.

REPRESENTATIONS RECEIVED

Objections were received from the following:-

C Killey - 31 Cefn Glas Road (requested to speak at the Development Control Committee)
G dean - 40 Cefn Glas Road
R Bayliss - 44 Cefn Glas Road
H Walker - 46 Cefn Glas Road
C Cowan - 3 Cefn Coed
D Hackett - 6 Cefn Coed
D Smallbone - 12 Cefn Coed (requested to speak at the Development Control Committee)
G , B & R Jones - 19 Cefn Coed
Mrs P Thomas - 1 Pascoes Avenue

A petition from local residents with 37 signatures was also submitted objecting to the proposal.

Concerns were raised by the following:-

V Lane - 11 Cefn Coed
V Davies - 28 Cefn Coed (requested to speak at the Development Control Committee)
W Patel 39 Cefn Glas Road

The objections and concerns are summarised as follows:-

- Increase in traffic
- Highway safety concerns
- Pedestrian safety concerns
- Emergency vehicle access
- Pedestrian crossing will restrict on street parking availability
- Access should be left hand turn only
- Impact on biodiversity and ecology
- There are no trees to the rear of 1-18 Cefn Coed
- Loss of daylight
- Privacy
- Flooding

- Increase in noise pollution
- Increase in general pollution
- Request to retain ownership of hedgerow
- Impact on doctors surgeries etc.
- Nuisance during construction
- Property damage during construction
- Devaluation of property
- Loss of view

COMMENTS ON REPRESENTATIONS RECEIVED

In regard to the objections raised in respect of highway and pedestrian safety the Transportation Development Control Officer has assessed the scheme and considers it acceptable in terms of highway and pedestrian safety subject to conditions. The conditions include requirements to ensure safe pedestrian routes from the site and to enhance the existing pedestrian routes to the south of the site.

The Transportation Development Control Officer assessed the Transport Assessment submitted with application and considered that there was sufficient capacity on the highway network to accommodate the proposed development without adversely affecting highway safety or the free flow of traffic.

The internal layout of the scheme has been assessed in regard to the highway and it is considered acceptable in terms of emergency vehicle access.

It is not considered necessary to restrict access from the site to left turn only or to reposition the barrier at Mill Lane.

With regard to the dropped kerb at 44 Cefn Glas Road, this is required to ensure safe pedestrian access to and from the site. Whilst, it will result in the removal of off street parking being permitted directly outside this property, on street parking will remain along the highway and there is sufficient off street parking at 44 Cefn Glas Road.

In order to ensure highway safety standards are maintained during the construction phase a condition shall be attached to any permission granted requiring a construction method statement to be submitted to and agreed in writing by the Local Planning Authority. This will include limiting access by construction vehicles during school hours.

In respect of the concerns raised over the bee colony near the site the Council's Ecologist and Natural Resources Wales have assessed the scheme and consider the development acceptable in terms of ecology and biodiversity.

There are some trees and a hedge line along the northern boundary of the site and Cefn Coed, the plan shows that an ecological buffer will be planted along this boundary and, in order to control this, a condition shall be attached to any permission granted requiring a landscaping scheme to be submitted to and agreed in writing by the Local Planning Authority.

The distances proposed between the Plots 4-11 and the properties on Cefn Coed are in excess of 21m between facing habitable room windows and 10.5m between habitable room windows and boundaries and, as such, the proposed dwellings are not considered to infringe privacy standards or cause any unacceptable overshadowing or dominance. A close boarded fence is proposed at the rear of the boundaries of Plots 4-11, which will be backed by a 3m wide tree line to screen the proposed dwellings from the existing properties in Cefn Coed.

The distances between the rear elevations of the properties on Plots 49-69 and the properties in Cefn Glas Road are in excess of 21m between facing habitable room windows and 10.5m

between habitable room windows and boundaries and, as such, the proposed dwellings are not considered to infringe privacy standards or cause any unacceptable overshadowing or dominance.

The scheme has been assessed by the Land Drainage Officer who has no objection to the proposal subject to a condition.

In respect of the concern raised in regard to noise pollution and general pollution increases, the Public Protection department have assessed the scheme and have raised no objections to the scheme.

The comments raised in regard to the sale of part of the site to a neighbouring property is a private matter between the parties involved.

Any disturbance caused during the construction phase of the development will be short term only and, as such, it is not considered to be a reason to withhold planning permission.

If any damage is caused during the construction of the development, this will be a private matter between the parties involved.

Loss of view and potential devaluation of property are not material planning considerations.

The Crime Prevention Design Officer has assessed the scheme and is satisfied with the proposed layout.

APPRAISAL

The application is referred to the Development Control Committee for determination in view of the number of objections received from local residents and at the request of the local Member.

The application seeks planning permission for the erection of 67 dwellings on this former school playing field site. The scheme proposes a mix of house types with associated parking, garages, infrastructure and an area of public open space to the south eastern corner of the site. Access will be gained via Cefn Glas Road.

The application site is part of a larger allocated site as defined by Policy COM2 (7) of the adopted Local Development Plan (LDP) and, as such, the development of this site for residential purposes is acceptable in principle. Policy COM2(7) requires a 20% contribution towards affordable housing. The development layout has been designed to an appropriate density in accordance with Policy COM4 of the LDP.

Policy COM4 of the LDP relates to residential density and states:-

'On sites exceeding 0.15 hectares in size new residential developments will be built at a density of at least 35 dwellings per hectare. A lower density level may be acceptable as a requirement of design, physical or infrastructure constraints or where it can be demonstrated there is a particular lack of choice of housing types within the local community.'

In April 2013, the Development Control Committee endorsed the Ysgol Bryn Castell Development Brief. The proposed development is of a scale and type that accords with the Development Brief and, whilst the density proposed is slightly higher than that indicated in the Brief, it remains in accordance with Policy COM4 of the LDP. The application site covers an area of approximately 1.8 hectares and, consequently, the proposed development for 67 residential units (53 dwellings and 14 flats) is considered to comply with the density requirement of 35 dwellings per hectare defined by Policy COM4 of the LDP.

Policy SP14 of the adopted Bridgend Local Development Plan (LDP) refers to the appropriate provision of infrastructure which helps to mitigate any negative impacts that might arise as a consequence of development. Such provision can be secured through a legal agreement and the applicant has previously been advised of the need for potential contributions toward affordable housing, educational facilities and outdoor recreation in accordance with the detailed policies of the LDP and various Supplementary Planning Guidance.

The application states that the 14 x 1 bed units will be for social rent which satisfies the requirement for 20% affordable housing as stipulated in Policy COM5 of the LDP.

With regards to Education it is not considered reasonable to request a contribution towards education given that the development involves the sale of a former school. The Development Brief states that, due to the existing capacity at the school, a financial contribution would not be required. The Children's Directorate have confirmed this is still the case and that there is currently capacity available at the Primary and Secondary Schools within the vicinity of the site.

With regards to Public Open Space provision, Policy COM11 of the LDP requires provision of 2.4ha per 1,000 population. BCBC's open space audits reveal a deficit of children's playing space and outdoor recreation provision. It is expected that a contribution would be requested for the proposed development which partly funds the public open space/play area on the larger section of the site (Phase 2). The contribution required by the proposed development would equate to £470 per dwelling (£24,910 total).

Strategic Policy SP2 relates to design and sustainable place making and the proposed scheme should comply with the criteria of Policy SP2. Policy SP2 of the LDP states:-

'All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment'

The formally adopted Supplementary Planning Guidance (SPG) 02 - Householder Development, (adopted on 12/12/2008), sets out objectives that define development that is likely to be acceptable. Whilst the SPG relates to householder development it is considered that the principles of the SPG are generally relevant to this application and in particular Notes 1, 2, 6 & 8

The site has no historic interest having previously been used as a school sports field.

The layout originally submitted has been amended to take into account concerns raised about the positioning of the individual units and the possible impact on the amenity of adjacent residents.

A key feature of the site is the area of protected trees (TPO No. 3 1954) located at the site access. The proposal to incorporate these trees into the layout is welcomed as these trees act as a backdrop to the town centre and the Local Planning Authority would seek to retain these features. A comprehensive tree survey was submitted with the application. The scheme involves the removal of 5 existing trees along the eastern boundary to form the access to the site, which is not considered to be so harmful to the character of the area as to warrant refusal of the scheme. A large number of the protected trees will be retained and it is proposed to plant a considerable number of additional trees within the site and to create an ecological buffer along the northern boundary. In order to ensure that the existing trees to be retained along the eastern boundary are protected during construction a condition shall be attached to any permission granted requiring a scheme showing protection measures to be submitted to and agreed in writing by the Local Planning Authority.

With regard to the impact of the proposed dwellings at Plots 19-67 on the existing properties on Cefn Glas Road, there will be a distance of 21m between any facing habitable room windows

and there will be distance in excess of 10.5m between habitable room windows and the rear boundaries of the existing dwellings in Cefn Glas Road. As such, the proposed development is not considered to infringe privacy standards. The dwellings on Plots 49-67 will be at a higher level, however, it is not considered that that development will result in any adverse overshadowing or dominance given the substantial distance between the existing and proposed properties.

In respect of the impact of the development on the properties to the northern boundary of the site, Cefn Coed, a 3m ecological buffer zone will be provided between the rear boundaries of Plots 1-11 which will, in part, screen the development from these properties and the applicant proposes to enhance the existing tree line by planting additional trees. In addition to the ecological buffer, which will screen the development from the existing properties, the distances between facing habitable room windows is in excess of 21m in all cases, other than Plot 9, where the distance is 20m. Whilst the distance between the habitable room window on the rear elevation of Plot 9 and the first floor habitable room window at 10 Cefn Coed does not quite meet the suggested 21m distance in Supplementary Planning Guidance 02, as the ecological buffer will act as a screen between the development and existing dwellings, it is not considered that privacy standards will be adversely affected. The distances between the rear elevations of the properties on Plots 4-11 and the existing properties at Cefn Coed are in excess of 10.5m. The proposed dwellings on Plots 4-11 are a considerable distance from the properties on Cefn Coed and, therefore, are not considered to raise any concerns in regard to overshadowing or dominance.

Plot 1 will be sited with its gable end facing 2 Cefn Coed, the property does not propose any first floor windows facing No. 2 and will be some 12.5m from the rear of No. 2. As such, the proposed dwelling at Plot 1 is not considered to overshadow or dominate 2 Cefn Coed to an unacceptable extent. Furthermore, the ecological buffer proposed will act as a screen between the two properties.

With regard to the impact of the development on the residential amenities of the future occupiers of the site, generally the layout has been designed to ensure that appropriate distances are provided between facing habitable rooms and boundaries. However, it is noted that Plot 67 proposes a habitable room first floor window overlooking the garden of Plot 66 at a distance of 6.5m which is below the recommended 10.5m. As this window is a secondary window a condition will be attached to any permission granted requiring this window to be fitted with obscure glazing.

At Plot 17 the house type has been handed so that the only first floor habitable window does not directly face the garden of Plot 14 and privacy standards are of an acceptable level. Plots 20 & 25 have habitable room windows which will directly face each other at a distance of 8.5m, whilst this is considerably below the 21m suggested distance, as the windows will overlook a driveway and those windows are secondary, it is considered acceptable in this instance. Furthermore it is a common feature in housing estates in the County Borough where facing habitable room windows overlook a highway the distance is considerably reduced.

The two flats proposed at Plots 35-36 will be located to the rear of Plots 30 & 31. The proposed flats do not have any habitable room windows at the rear elevation and, as Plots 30-31 are served by large gardens measuring 12m-15m in length, the proposed apartments are not considered to adversely overshadow Plots 30-31. A section plan was requested, which shows that the flats at Plots 35-36 are at a lower level, which further reduces the impact.

A number of the plots do not quite reach the 21m distance between facing habitable rooms, the closest distance being 19.5m, however, as these windows are not directly facing, they are considered acceptable.

The proposed flats at Plots 37-48 do not raise any overriding concerns in regard to visual or

residential amenities. An area of communal open space will be located to the rear of the flats and 180 square metres of public open space will be available some 20 m to the east of the flats. The application proposes a bin/cycle store located to the rear of the flats.

The proposed dwellings will be of traditional design and, in order to ensure the materials to be used in the external surfaces are appropriate for the location, a condition shall be attached to any permission granted requiring details and samples of the materials to be submitted to and agreed in writing.

The proposed development will not be prominent in the street scene as it will be screened, in part, from the highway to the east by the existing trees and dwellings which bound the site. It is not, therefore, considered that the proposed development will change the character of the street scene to such an extent as to be harmful to the visual amenities of the area.

The boundary treatments proposed comprise a mixture of feather board fencing, ball top railings and 1.8m high brick walls with timber fence panels, which are considered to be acceptable in a modern residential development.

In regard to highway safety a Transportation Assessment was submitted with the application which indicates that the development would generate in the order of 40 vehicles in the morning and afternoon pm peak hours (1 vehicle per 1.5 minutes). This level of vehicle movement is not considered to be a significant intensification of existing traffic levels on Cefn Glas Road. Furthermore, the junction of St. Leonards Road with Park Street has been assessed and would at worst add a projected 2 vehicles to the queue in the afternoon peak, which will retain the operational capacity of the junction at an acceptable level. In order to ensure that pedestrian safety is sufficient a condition shall be attached to any consent granted requiring additional footway along the front of the site along Cefn Glas Road.

Whilst determining this application Policies PLA1, COM2(7), COM4, COM5, COM11 & SP2 of the Bridgend Local Development Plan and Notes 1,2,6,8,9,10,11 & 12 of Supplementary Planning Guidance 2 were considered.

CONCLUSION

Notwithstanding the objections received, this application is recommended for approval because the development complies with Council policy and Council's guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

RECOMMENDATION

(A) The applicant enters into a Section 106 Agreement to:

(i) Provide 14 x flats as affordable units which shall be transferred to a Registered Social Landlord and delivered in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority.

(ii) Provide a financial contribution for the sum of £24,910.00 towards the provision of public open space in the area of Cefn Glas.

(iii) Provide a financial contribution of £7,000.00 for a 20mph Traffic Order for the site prior to the granting of planning permission.

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the

aforementioned Section 106 Agreement and subject to the following conditions:

1 The development shall be carried out in accordance with the following approved plans and documents:

1480 100 Rev G (received 10 April 2015)
1480 103 Rev B (received 18 May 2015)
1480 104 Rev B (received 18 May 215)
1480 110 Rev A (received 1 April 2015)
1480 111 Rev A (received 1 April 2015)
1480 112 Rev A (received 1 April 2015)
1480 113(received 16 January 2015)
1480 114 (received 16 January 2015)
1480 115 Rev A (received 1 April 2015)
1480 150(received 16 January 2015)
1480 151 Rev A (received 17 February 2015)
1480 152 (received 16 January 2015)
1480 153 Rev A(received 29 April 2015)
1480 153-1 (received 18 May 2015)
1480 154(received 16 January 2015)
1480 155(received 16 January 2015)
1480 156(received 16 January 2015)
1480 157 (received 16 January 2015)
1480 158 Rev A (received 29 April 2015)
1480 159 (received 16 January 2015)
1480 160 (received 16 January 2015)
1480 161 (received 16 January 2015)
1480 162 (received 16 January 2015)
1480 163 (received 16 January 2015)
1480 164 (received 16 January 2015)
1480 165 Rev A (received 17 February 2015).

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

2 Prior to any construction works commencing on site a method statement detailing robust pollution prevention measures shall be submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall be implemented as agreed.

Reason: In the interests of amenities.

3 No development shall commence on site (including any ground works, site clearance, demolition) until method statements to include a reptile mitigation strategy and a bat avoidance and compensation scheme have been submitted to and agreed in writing by the Local Planning Authority. The schemes shall be implemented as agreed.

Reason: In the interests of biodiversity and ecology.

4 Prior to any construction works commencing on site, a lighting design strategy for biodiversity for the development site shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall:

a) identify those areas/features on and surrounding the site that are particularly sensitive

for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy and shall be maintained thereafter in accordance with the strategy.

Reason: In the interests of biodiversity and ecology.

5 No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

6 No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme which shall include, proposals for surface treatment, indications of all existing trees and hedgerows on land, and details of any to be retained, together with measures for their protection in the course of development. The agreed landscaping works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

7 If within a period of three years from the date of the planting of any tree that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

8 Notwithstanding the approved plans the first floor bedroom window on the rear elevation of Plot 67 shall be fitted with obscure glazing to level 3 of the Pilkington scale of obscurity prior to the beneficial use of the dwelling commencing and shall be retained as such in perpetuity.

Reason: In the interests of residential amenity.

9 No development shall take place, including any works of site clearance, 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 routeing and control of HGV construction traffic to/from the site (avoiding school opening and closing times)
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 (site compound)
v. wheel washing facilities

Reason: In the interests of highway safety.

10 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how road, roof and yard water will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the occupation of any dwelling.

Reason: To ensure that effective drainage facilities are provided for the proposed development.

11 No development shall commence until a scheme for the provision of the setting back of the site frontage with Cefn Glas Road and provision of a 6.3m wide carriageway and a 1.8m footway has been submitted to and agreed in writing by the Local Planning Authority. The footway to the North shall link with the existing footway provision to the East of Rowan House, Cefn Coed with the footway to the South extending to the Northern Boundary of 39 Cefn Glas Road with a further length of 1.5m wide footway fronting 39 Cefn Glas Road extending to a point 16m South of the centreline of Pascoes Avenue. The scheme shall include for uncontrolled dropped pedestrian crossings at the site access and at the Southern extremity of footway to enable pedestrians to access the existing footway on the Eastern side of Cefn Glas Road. The carriageway and footway works shall be implemented as approved in permanent materials before the development is brought into beneficial use.

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

12 The proposed means of access shall be laid out with 6.0 metre radius kerbing on both sides of the entrance constructed and retained in permanent materials with vision splays of 2.4m x 43m in both directions before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

13 No structure, erection or planting exceeding 0.9 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.

14 No development shall commence until a scheme for the provision of vehicle / pedestrian shared surface environment fronting numbers 20-34 Cefn Glas Road has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall incorporate advanced 'Pedestrians in Road' traffic warning signs and uncontrolled dropped pedestrian crossings. The scheme shall be implemented as agreed prior to the development being brought into beneficial use.

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

15 Notwithstanding the submitted drawings, no works shall commence on the construction of the roads until such time as a comprehensive traffic calming scheme, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include traffic calming measures restricting 85% tile traffic speeds to 15 - 20 m.p.h. The traffic calming facilities shall be implemented in accordance with the agreed details and completed within the same programme identified for the associated streets.

Reason: In the interests of highway safety.

16 No development shall take place until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall necessary due to differences in level including that having an influence on the highway will be designed and constructed so as to prevent subsequent ground movement. Any retaining wall shall then be constructed in accordance with the agreed details prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

17 No dwelling shall be occupied until the proposed parking areas have been completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter for parking purposes.

Reason: To ensure the provision and retention of sufficient off-street parking, compliance with the Disability Discrimination Act and to prevent loose stones, mud and gravel being spread on to the highway, in the interests of highway safety.

18

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the garages shall be retained as such at all times and shall not be converted into living accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the continued provision of adequate off-street parking and minimise on-street parking, in the interests of highway safety.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) Notwithstanding the objections received, this application is recommended for approval because the development complies with Council policy and Council's guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

b) The site is located on or near made up land. Whilst here is no evidence to suggest contamination of soil, the presence of any significant unsuspected contamination which becomes evident during the development of the site shall be brought to the Public Protection department of the Local Authority.

c) In respect of condition 2, the method statement shall include:-
- storage facilities and emergency contamination for all fuels, oils, chemicals and explosives and any other polluting substances;
- construction compounds, car parks, offices etc;
- details of surface water drainage arrangements to be installed to intercept and treat

contaminated surface water run-off
- details of maintenance of site access roads to ensure no polluting discharge
- measures for dealing with any contaminated material (demolition waste or excavated waste)
- details of emergency contacts, for example the Natural Resources Wales pollution hotline 0800 807 060
The method statement shall be communicated to all contractors and any deficiencies rectified immediately.

d) In respect of condition 3, the method statement shall include the following:

i) purpose and objectives of the proposed works
ii) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including where relevant, type and source of materials to be used);
iii) extend and location of proposed works shown on appropriate scale maps and plans;
iv) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction
v) persons responsible for implementing works;
vi) initial aftercare and long term maintenance (where relevant);
vii) disposal of any wastes arising from works.

e) Foul water and surface water discharges shall be drained separately from the site

f) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

g) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

h) The development site is crossed by a public sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3m either side of the centreline of the public sewer.

i) The developer is advised that the Wales & West Utilities apparatus may be at risk during construction works and the developer is advised to contact the Wales & West Utilities prior to commencing work.

j) In order to satisfy Condition 10 the following items will require addressing:
1. Submission and agreement of hydraulic design
2. Submission and agreement of management and maintenance regime for the private elements of the attenuation system.
3. Submission of specialist geotechnical report in support of the infiltration systems proposed.
4. Confirmation regarding the adoption of the proposed highway and highway drainage system.

k) The developer is advised that a temporary traffic and pedestrian management will be required along Cefn Glas Road for the new site entrance works and the footway for the site frontage construction and is advised to contact the highway department in regard to this.

l) The Highway Authority will require the developer to enter into legal Agreements (Section 111 Licence Agreement, Section 38 Road Agreement and 104 Sewer Agreement) including, appropriate bonds to secure the implementation of the proposed highway and sewer works.

m) The applicant should be advised that any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.

n) An information pack containing public transport information including timetables, shall be provided by the developer upon occupation of each residential unit.

o) The shared surface access street shall be laid out with the carriageway and the abutting pedestrian footways close to the same level to create a shared surface environment. The carriageway and footway surfaces shall be finished in StreetPrint and paviour blocks respectively with a granite sett ramped rumble strip at the entrance to the site.

p) The applicant is advised that the Highway Authority reserves the right to invoke the powers contained in Section 59 of the Highways Act 1980 and recover additional expenses incurred in maintaining certain lengths of the highway network.

q) The applicant is advised that the development should be designed and constructed in accordance with the January 1993 Mid Glamorgan County Council Design Guide for Residential and Industrial Estate Roads which has been adopted by Bridgend County Borough Council.

r) In accordance with the Bridgend County Borough Council Design Guide road gradients shall be such that the maximum gradient of 1:12 is not exceeded. A 10m near level platform (1:20 or 1:25 maximum) shall apply at junctions. Access roads shall have a minimum gradient of 1:125.

s) The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials for the access and parking areas, although compacted chippings would not be considered acceptable as they are likely to be dragged onto the highway to the detriment of highway and pedestrian safety. As a result of the above, impermeable surfacing such as concrete or tarmacadam extending across the full width of the access and parking areas should not be considered as a first option.

t) Details of any retaining walls within the site to be submitted to the Authority shall comprise location, finishes, structural calculations and constructional details proving that the structures concerned have been designed and will be constructed so as to prevent subsequent structural failure and ground movement and, in addition, in respect of any retaining wall or embankment supporting or having an influence on the abutting highway the design details, duly certified by a professional structural engineer, including full engineering details and structural calculations produced in accordance with the requirements of BD2/12 - Technical Approval Highway Structures as well as qualification that the structure will achieve a 120 year life span.

u) The developer should contact the Head Teacher of any local School affected by site traffic in order to make the School aware of the additional traffic movements and that no vehicles associated with the construction of the site will be allowed to enter or leave the site during the periods of half hour either side of the School's commencing and ending times.

v) Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under section 163 of the Highways Act 1980.

w) All lorries should be suitably sheeted before leaving the site.

x) Street nameplates reflecting the official street name allocated by the Council shall be erected by the developer at locations and to a specification to be agreed with the Local Authority prior to beneficial occupation of the first dwelling house in the street that has been so allocated.

y) The developer is advised to that 1 cycle parking space per bedroom per plot should be provided.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : REFUSE

REFERENCE: **P/14/543/FUL**

APPLICANT: MARCOL AFAN ENERGY
C/O MR ROBERT CURRIE INDUSTRIAL SECURITIES 10 UPPER BERKELEY STREET LONDON

LOCATION: **LAND NORTH BRYNHEULOG CAERAU PARK MAESTEG BRIDGEND**

PROPOSAL: 5.1MW SOLAR ARRAY WITH INVERTER STATIONS,SWITCHGEAR CABINS,FENCING,CCTV & ACCESS

RECEIVED: 8th August 2014

SITE INSPECTED: 15th August 2014

APPLICATION/SITE DESCRIPTION

The application seeks consent for a solar array with inverter stations, switches gear, cabins, fencing, CCTV and associated access on land north of Brynheulog, Caerau Park, Maesteg.

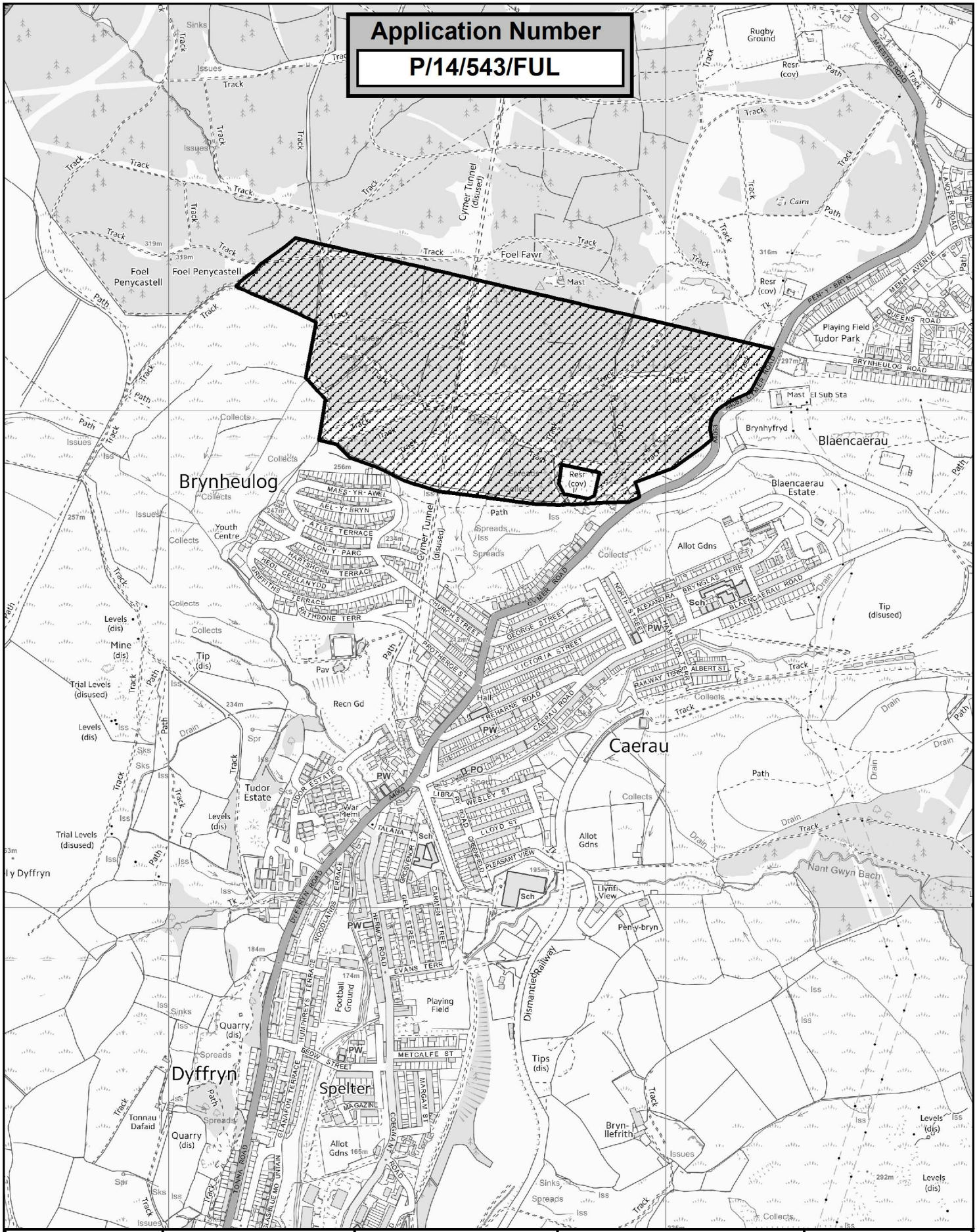
The application site is located to the north of Bryn Heulog residential estate in Caerau and is bordered to the east by the A4063 (Cymmer Road) which connects the Llynfi and Afan valleys. The site lies on the upper parts of a south-facing hillside close to the head of the Llynfi valley between 250 AOD and 340 AOD. The landcover is primarily felled coniferous plantation, following clearance due to Phyopthera ramorum infection (larch die back). Overall, the site comprises of a highly undulating mixture of convex and concave slopes that are open and prominent at the head of the valley, exposed to the south and to a lesser extent to the east and west.

The revised application proposes the construction of a photovoltaic (PV) solar array covering area 10.31 hectares (opposed to the original 30.41 hectares) and includes approximately 26,000 solar panels, inverter stations, Distribution Network Operator (DNO) switchgear cabins, security fencing, CCTV and access. A description of each of these components is provided below.

SOLAR PANELS
The proposed development comprises an array of freestanding solar PV panels with an overall generating capacity of 5.1 MW of renewable energy (reduced from 18.4 MW). The solar panels are designed to absorb sunlight and maximise electricity generation while minimising reflection and glare. The panels will be inclined to 25 degrees with the lowest part of the table approximately 0.6 metres above ground and the highest point 2 metres above ground. The surface of each solar panel will be constructed from toughened glass beneath which is a non-reflective layer, electrical connections, silicon and a backing layer. All of these are set in an aluminium frame.

The solar panels will be mounted on a framework, which will be arranged in rows facing south to maximise sunlight exposure. Each row will vary in length depending on the site topography. The AC current generated by the solar panels will be transferred through suspended cables, which will be located to the rear of the panels. The framework will be mounted on galvanised steel posts secured into the ground by steel piles.

INVERTER STATIONS
In order to convert the direct current (DC) electricity generated by the solar panels to alternating current (AC) suitable for distribution into the local electrical distribution network, 5 inverter


Application Number
P/14/543/FUL
Brynheulog
Blaencaerau
Caerau
Dyffryn
Spelter
Foel Penycastell
Foel Fawr
Tudor Estate
Blaencaerau Estate
Tudor Park
Playing Field
Football Ground
Allot Gdns
Tip (disused)
Quarry (dis)
Dismantled Railway
Nant Gwyn Bach
Cymer Tunnel (disused)
Cymer Road
Church Street
George Street
Victoria Street
Trehafne Road
Caerau Road
Wesley St
Lloyd St
Pleasant View
Evans Terr
Metcalfe St
Dyffryn Road
Heol Ceulanydd
Griffiths Terrace
Aelybryn
Maes-yr-awel
Atlee Terrace
Hartshorn Terrace
Rhobone Terr
Bryn Glas Terr
Railway Terr
Albert St
Queens Road
Brynheulog Road
Penybryn
Mena Avenue
Llangeinor Road
Mast
El Sub Sta
Resr (cov)
Rugby Ground
Youth Centre
Recn Gd
Llynfi View
Bryn-llefrith
Tonnau Dafaid
Scale 1:10,000
Date Issued: 04/06/2015
Development-Mapping
Tel: 01656 643176
Mark Shephard
Corporate Director-Communities
Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.
O/Drive/Plandraw/new MI layouts/ Committee DC Plan
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(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)
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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

stations are positioned at strategic locations throughout the solar array. The inverter stations will be 8.6 metres long, 2.6 metres wide and 3.15 metres high. The cabins are typically clad in aluminium in a colour selected to suit the local surroundings.

DNO SWITCHGEAR
Two DNO switchgear cabins containing electrical switchgear for the Local Electricity Distribution Network Operator (DNO) will be required. The cabins will be 6 metres long, 2.55 metres wide and 2.8 metres high. They will be set on a concrete base 6.3m long, 2.7m wide and 0.3m high.

SECURITY FENCE AND CCTV
A perimeter fence will be erected around the outside of the site, set back from the solar panels by approximately 4 metres to avoid shading. The fencing will be 2.5 metres high and each panel section will be set between posts to achieve a width of 2.5 metres. A double leaf gate of the same height with a width of 4 metres will service the entrance to the solar park. The fencing will be a wire meld mesh, typically green in colour.

SECURITY CAMERAS
Infra-red (IR) security cameras will be mounted inside the fenced area on 2.5m high poles. The total height of the poles and security camera fittings will be 2.98 metres. No floodlighting is proposed as part of the scheme.

ACCESS TRACK
Access to the development will be gained from the northeast via an existing access from the A4063 (Cymmer Road). The existing forestry track will be utilised to gain access through the site. Upgrading works will be undertaken where required. The track will be 4.5 metres wide.

GRID CONNECTIONS
The supporting statements indicate that insufficient capacity exists in the network adjacent to the site to connect all of the energy generated by the scheme. As such connections to the grid via the Croeserw substation and Pyle will be required. Western Power has agreed to undertake the connections.

THE CONSTRUCTION PHASE
The construction phase based on the original submission will take approximately 30 weeks to complete and will be carried out Monday to Friday between 08:00 and 19:00 and Saturdays between 08:00 and 13:00. The construction phase will include the preparation of the site, the provision of internal access roads, security fencing, the assembly and erection of panels and the installation of inverters substations and grid connection.

The construction period will include the use of Heavy Goods Vehicles (HGVs) to deliver the scheme equipment and construction material onto the site. Unlike wind farms the construction of a solar array does not require equipment to be delivered by abnormal loads. Further the use of the vehicles will be minimised and deliveries will be managed to reduce the impact of construction traffic. 15.4m articulated vehicles will deliver the majority of the components that are required to construct the scheme. Based on a 30-week construction period and a six-day working week this will equate to, on average, up to three deliveries per day to the site but this may be reduced as a consequence of changes to the submitted scheme.

In addition to the HGV movements identified above there will also be a small number of construction movements associated with smaller vehicles such as those associated with waste management and transporting construction workers and sub-contractors. A maximum of up to 100 construction workers are forecast to be on site during the peak construction period. A temporary car parking area (including spaces for minibuses) will be provided on site within the contractor's compound). Parking during the construction phase will therefore be contained and no parking will be undertaken on the local highway network.

OPERATIONAL ACTIVITIES
Following commissioning, there are anticipated to be around 10 to 20 visits to the site a year to undertake preventative and corrective maintenance. Light van or 4x4 type vehicles would typically facilitate these visits. Whilst the contractor's compound will have been removed, space will remain within the site on the access tracks for such vehicles to turn around to ensure that reversing will not occur onto the highway.

The development will operate for a period of approximately 25 years. Following this the development could be decommissioned and the site returned to its current use.

ENVIRONMENTAL IMPACT ASSESSMENT
The Council issued a Screening Opinion on 21st March 2014 indicating that the proposed development required an Environmental Impact Assessment (EIA). Being a Schedule 2 development, it was considered that the proposed scheme would have a significant effect on the environment by virtue of scale and location.

As such, an Environmental Statement (ES) was submitted with the application. The ES sets out the results of the EIA undertaken to consider the environmental effects of the proposed scheme. It contains chapters on the benefits of solar energy, landscape and visual impact, nature conservation and bio-diversity, a Phase 1 Risk Assessment, Phase 2 Coal Working Risk Assessment, archaeology, hydrology and hydrogeology, access and movement, socio-economic and human impact assessment, services and utilities assessment and a planning policy context assessment. A detailed description of the site and project is provided which is summarised in the first part of this report above.

An ES Non-Technical Summary (NTS) has been produced, giving a summary of each of the technical chapters.

A Design and Access Statement (DAS) also supports the application.

Although not a statutory requirement, the applicant undertook voluntary public consultation on the proposal before submitting the planning application. This has comprised a leaflet drop and exhibition held at the Caerau Bowls Club in Caerau Park on the 7th July 2014. Further consultation with local residents on the implications of the proposal was programmed to take place during the processing of the application.

RELEVANT HISTORY

P/01/1132/OUT APPROVED +conditions 01-10-2002
PART OF GOLF COURSE, FORMING PART OF HOLIDAY PARK SCHEME IN NEIGHBOURING AUTHORITY (WITH ENV STATEMENT)

P/02/19/OBS NO OBJECTION 02-09-2002
ADVENURE HOLIDAY PARK INCL 240 LODGES LEISURE VILLAGE HOTEL GOLF COURSE & RESIDENTIAL

P/08/1122/FUL APPROVED +conditions 14-05-2009
CHANGE OF USE FROM FORESTRY/ AGRICULTURAL TO RECREATIONAL/ LEISURE USES

P/14/120/SOR EIA required 21-03-2014
SCREENING OPINION FOR PROPOSED SOLAR FARM

P/14/298/ESO ESO provided 02-06-2014
SCOPING OPINION FOR PROPOSED SOLAR FARM

PUBLICITY

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 3rd April 2015.

NEGOTIATIONS

Commenced in September 2014 and initially related to consultation responses received. Significant changes to the scale/design of the solar array have followed negotiations and a review of the submitted Landscape and Visual Impact Assessment by the Council's consultant.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 20th August 2014
Strongly object to the following proposal for the following reasons:

This in in effect a major industrial development on the mountainside overlooking the Llynfi Valley and not in keeping with the current character of the area in terms of scale and would have an adverse effect on the appearance of the landscape.

The development would severely impact on the visual amenity of the whole valley, as due to its mountainside location it will be visible from the whole community area.

The proposal does not comply with the Local Development Plan - Chapter 2, Page 12 Nos 2.3.43/2.3.44/2.3.47/2.3.49/2.3.51/2.3.53 where it states that the rural surrounds and upland character should be utilised to grow tourism opportunities and promote active lifestyles linking to the Afan Forest Park. The LDP strategy will continue to protect and promote the town centre as an important, retail, service and cultural centre by recognising and building on its on-going physical regeneration

This site has already been identified and has outline planning permission for Leisure Park and facilities.

The Council and community were not adequately consulted on this major development and have not had adequate opportunity to understand the proposals and raise concerns. The Council was not advised of the meeting on this proposal held locally in Caerau; it was not adequately advertised within the community. This development will not only have an impact on the Caerau Community but the wider area due to its location.

The local 106 Agreement states that a development of this size should benefit the local community, and Members feel that the local community would certainly not benefit from this proposal.

There were plans to utilise the former railway tunnel running from Caerau to Cymmer as a link from the cycle-track between the two valleys.

Development on top of this tunnel is prevented to protect the infrastructure of the tunnel.

Footpaths must be maintained and protected at the site.

Councillor P J White
I have no objection to this development.

Destination & Countryside Management
No objections subject to conditions.

Head Of Street Scene (Drainage)
No objection subject to conditions.

Rights Of Way Team
As the layout has incorporated the location of the rights of way there will therefore be no need to process any permanent diversions and the Rights of Way Section therefore have no objection to the application.

The applicants must however be careful of the exact siting of the security fencing to ensure this does not obstruct the exact alignment of the routes as per the definitive map.

In addition whilst the main access into the site is to the north of the development it is noted there is a secondary access to the site to the south from the A4063 which is to be used for service vehicles. This runs in part contiguous with Footpath 6 Maesteg and caution may need to be exercised by vehicles using the route to avoid conflict with members of the public on foot.

Whilst no permanent diversion of the Rights of Way are required for the proposed development a temporary diversion of Footpath 7 Maesteg may be considered necessary in order to facilitate construction/installation of the solar arrays/fencing to protect the safety of the public. If this is considered necessary a formal request must be submitted to the Rights of Way Section at least 6 weeks prior to the anticipated start date and there is a fee payable in connection with the same.

Natural Resources Wales
No objection to the application.

Welsh Water Developer Services
No objection subject to conditions.

Crime Prevention Design S.Wales Police
The Crime Prevention Design Advisor has provided general observations in respect of the development which has been forwarded to the applicant's agent.

Glamorgan Gwent Archaeological Trust
The proposals will require archaeological mitigation.

The supporting information includes an Environmental Statement, of which Chapter D: Archaeology and Cultural Heritage, has been supplied by GGAT Projects; this work meets the current professional standards. It has collated and assessed the known archaeological resource within the study area, and proposed mitigation. Thirty four sites were within the study area, four new sites were identified.

In assessing the impact of the proposals, three sites were recommended for mitigation, which would reduce the impact of the development; the Heol y Moch trackway, which is likely to be of pre-historic origin and remains in use, drystone walls and the quarry. It is also recommended that Heol y Moch should be fenced off during the construction phase.

In addition, the chapter's content explains the nature of the upland area and recommends an upland survey to Royal Commission on the Ancient and Historic Monuments of Wales's methodology should be undertaken prior to the commencement of construction works. Given the known nature of the archaeological resource in the area, with evidence of pre-historic activity, it is also recommended that an archaeological watching brief is undertaken during the groundworks, for example, cable trenching, works to tracks, and construction of any structures.

As such we have no objection to the positive determination of this application, subject to the attachment of a suitable condition requiring the applicant to submit a detailed programme of investigation for the archaeological resource, on any consent granted by your Members.

The Coal Authority
No objection subject to conditions.

Neath Port Talbot County Borough Council
No comments.

REPRESENTATIONS RECEIVED

The Owner And/Or The Occupier, 114 Tudor Estate
I support the proposal.

Chris Brown, 1 North Street
I support the proposal.

V2c, C/O Nigel Draper
Valleys to Coast Housing Association have provided a letter in support of the application which is reproduced in full below:

'Valleys to Coast Housing has a demonstrable and well evidenced commitment to the regeneration of disadvantaged communities in the Llynfi Valley, including the communities of Caerau, Blaencaerau and Nantyffyllon. Accordingly we have invested in the refurbishment, improvement and insulation of our housing stock, and the installed roof mounted solar energy schemes. In light of the renewable energy and socio-economic opportunities associated with the proposed Foel Fawr solar array I write now on the behalf of Valleys to Coast Housing to reconfirm our support for the proposed development and to reiterate our commitment to work with Marcol Afan Energy Ltd following the grant of a planning permission.

The proposed solar array will be located at the head of the Llynfi and Afan valleys and will be adjacent to one of housing estates under the ownership and management of Valleys to Coast Housing. We understand from discussions with Marcol Afan Energy that due to working with Bridgend County Borough Council's Planning Department the proposed scheme is considerably reduced in scale, and now covers a land area of 10.31 ha as opposed to the original area of 30.4lha. We also understand that as a result of the reduction in scale the proposed solar array will now provide 5.0MW of power in lieu of the 18.4MW contained within the original scheme. However, following our discussions we still believe that even in its reduced form there remains a mutual advantage in working with Marcol Afan Energy Ltd to ensure that local disadvantaged communities are able to derive a range of benefits from the development.

Through our recent discussions with Marcol Afan Energy Ltd we have explored a number of options to provide Valleys to Coast Housing and its tenants with a supply of a portion of the renewable energy generated by the solar array at a discount against market price. One option that has been discussed in considerable length is a long-term Power Purchase Agreement. We confirm that Valleys to Coast Housing will work with Afan Energy Ltd to further these opportunities following the grant of a planning permission.

We also confirm that Valleys to Coast will work with Marcol Afan Energy Ltd to facilitate the delivery of economic opportunities associated with the proposed development, which were comprehensively identified in the material included in the planning application. In addition to the supply of renewable energy, Valleys to Coast Housing understand that this will include the offer of employment opportunities associated with the construction and operation of the solar array.

Finally we confirm that Valleys to Coast Housing is already exploring the wider implications of adding critical mass to the development proposed by Marcol Afan Energy Ltd. During the past year Valleys to Coast Housing has increased its commitment to the development of solar array and renewable power generation for the benefit of tenants and residents in Bridgend. This includes significant budget commitments to invest in this area over the next 5 years, as well as the commissioning of a formal investigation into legal structures and modelling of 'special purpose vehicles' to enable us to mobilise renewable power opportunities in the most effective ways. This progress is paralleled by our involvement with OFGEM in their consideration of 'non-traditional business models to support transformative change in energy markets'.
In short, Valleys to Coast Housing is committed to a whole-stock solar array programme as well as exploration of small ground mount solar arrays. On this matter we have been working closely with Western Power to identify grid connection and inclusion of community benefits into these renewable energy schemes.

In light of the above please therefore accept this letter as evidence that Valleys to Coast Housing supports the proposed Foel Fawr Solar array development and further that we will continue to work with Marcol Afan Energy Ltd to maximise opportunities for local communities to benefit from this significant renewable energy project'.

Objections Have Been Received From The Following:, .
A.W.G. and L Reid - 18 Cymmer Road (Speaker);
Mr K Carter - 17 Ael y Bryn (Speaker);
Miss Paula Turner and Mr Geraint Thomas - 20 Ael y Bryn;
Mike Daniels - 11 Lon Y Parc (Speaker);
Roger Williams - 11 Cymmer Road;
E Davies - 18 Dan y Bryn;
R W Davies - 27, George Street;
Philip John - 85, Victoria Street
Betty Jones - 30 Hartshorn Terrace;
Mr Des Williams - 66 Caerau Road;
The owner/occupier 18 Treharne Road;
Stacey Green - 123 Caerau Road;

The following is a summary of the main planning objections that have been received in respect of the application:

1. The original submission would have been approximately three times larger than the Estate obscuring much of the land mass at the end of the Valley and as such, would constitute an eyesore on the landscape of the valley, a massive coal black blot on the visible green countryside, totally out of keeping with the residential nature of the immediate community; re-industrialising valleys; the photomontages do not give an adequate portrayal of the impact involved. Proposal will loom over and dominate the village, producing an environment detrimental to people living there.

2. The approved leisure development would be less visually intrusive than the proposed development.

3. Proposed screening will have only limited benefits to those closest to the site - the applicant's own landscape assessment still indicates no reduction of impact on longer distance views.

4. Development will obstruct existing public rights of way; the development represents a health and safety hazard to the children of the area who are inquisitive and exploratory by nature.

5. Noise pollution - particularly during construction

6. The recent removal of forestation from the site of the proposed Solar Farm left the area in a devastated condition without any recourse to landscaping; tree removal and loss of habitats not justified and was only undertaken to allow development; new planting should take place on site.

7. The investment proposed would be substantive yet the financial resources, professional and technical status and experience of Marcol Afan Energy, the Company having been only formed 4 months ago, is unclear and unsubstantiated. Does the Company have the financial resources, experience and expertise to undertake and deliver such a proposal?

8. The Company's proposal to offer subsidised electrical power, jobs and maintenance contracts to Valleys to Coast suggest the promise of incentives to militate against objections to the Proposal. They are significantly disproportionate, to the severe adverse effect upon the visual environment of the Llynfi Valley and Caerau community.

9. Not all residents in Caerau have been made aware of the development.

10. No investigations have been undertaken in respect of health risks associated with solar arrays.

11. Development will devalue properties in Caerau.

COMMENTS ON REPRESENTATIONS RECEIVED

REPRESENTATIONS FROM MAESTEG TOWN COUNCIL

Under the current planning legislation, the developer is not obliged to undertake pre-application consultation with residents and the respective town/community councils. The Design and Access Statement submitted with the application does however indicate that a community engagement exercise was undertaken and this is detailed in the introduction to this report. Furthermore extensive consultations/publicity has taken place following receipt of this application.

The Ground Condition Survey and Risk Assessment submitted as part of the application indicates that the development will not affect the structural integrity of the Cymmer-Caerau tunnel so should not prejudice the development of any cycle route.

REPRESENTATIONS FROM RESIDENTS

Those objections offered by residents and the town council with regard to conflicts with planning policy, landscape and visual impacts and the adequacies of the proposed mitigation are considered in the next section of this report. The remaining objections are addressed as follows:

1. Reference has been made to the approved leisure development being less intrusive to the proposed solar array. Historical records confirm that permission was granted for a golf course on this application site as part of a larger tourism/recreation facility in Neath Port Talbot. The consent that related to the golf course has long since expired.

2. The Rights of Way Officer has indicated that the proposed layout incorporates the existing rights of way. Any diversion/obstruction would however be dealt with under the Highways Act or a separate section of the Town and Country Planning Act. It would not be reasonable to withhold planning permission on this basis. General access across the land might have been enjoyed by the community and children but this has been at the discretion of the landowner. Should the development proceed, security fencing will be preventing any future, unauthorised access.

3. There is no evidence to indicate that the solar arrays, inverters and other apparatus will generate significant noise. If the Council were minded to approve the scheme a condition would be imposed requiring the submission and agreement of a Construction Method Statement which would include controls over timing of construction, to reasonably safeguard the amenities of residents.

4. In the case of infected larch trees, the only course of action is the felling of the affected trees and, whilst this has changed the appearance of the area, it is understood that such action is required under law. The loss of habitat is also regrettable but necessary in this case. Where re-planting has taken place and other affected areas this has generally been on Welsh Government woodland estates. There is no requirement for private landowners to re-plant.

5. Should permission be granted the Council would require the payment of monies through a Section 106 Obligation to cover the de-commissioning of the solar arrays.

6. The community benefits offered by the developer are beyond those considered as necessary mitigation to enable the development to proceed. Accordingly, they are not considered material to the determination of this planning application. Whilst a local authority can play a role in helping communities to benefit from renewable energy development, such negotiations may run in parallel to the planning application but are kept completely separate.

7. The publicity associated with the application accords with the requirements of the legislation and over 1000 residents have been notified of the receipt of the original application. The re-consultation undertaken in respect of the revised scheme concentrated on those that offered comments on the original application.

8. Welsh Government has not published guidance on the health risks associated with solar farms as evidence suggests that any risk is negligible. It is therefore not material to the consideration of this application.

9. Property devaluation is not material to the determination of this application.

The applicant's agent has prepared a closing statement which explains the changes that the applicant has made to the design and layout of the proposed solar array scheme and identified what effect these changes have had on the capacity of the scheme to deliver socio-economic opportunities to the local area. This statement also addresses the landscape and visual impact of the scheme. A copy of the statement is attached as Appendix A to this report.

APPRAISAL

The application is referred to the Development Control Committee for determination in view of the number of objections received from local residents and the town council.

The applicant has provided a comprehensive assessment of the proposed development

(through the submission of an Environmental Statement (ES)) and it is on the basis of this information, local and national policy, technical guidance (TAN 8), the responses of statutory and other consultees and third party public responses that this proposal is to be considered.

There are a wide range of policy documents relating to renewable and low carbon energy and these include policies at both a UK and Welsh Government level and at a local development plan level. They are all generally consistent in that they support the development of renewable energy, subject to a range of environmental considerations against which any application should be assessed.

The main issues in the consideration of this application are the acceptability of the proposed solar farm having regard to local and national policy, the effect of the proposal on landscape character and visual amenity, the impact on ecology and nature conservation, archaeology, highway/traffic/access issues, the effect on surface and ground water systems and the socio-economic impact of the development.

The likely level of impact and any harm must be balanced against the benefits of the proposal and the contribution it would make to the generation of renewable energy.

LOCAL AND NATIONAL POLICY
Section 38 of the Planning and Compulsory Purchase Act 2004 requires that where the development plan is material to the determination of a planning application 'the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

National Policy in relation to renewable energy developments is contained within Planning Policy Wales (7th edition 2014) (PPW) and Technical Advice Note 8: Renewable Energy (TAN8).

The Welsh Government's aim is to secure an appropriate mix of energy provision for Wales, whilst minimising potential environmental and social impacts. Planning Policy Wales confirms that the UK is subject to the requirements of the European Union Renewable Energy Directive 2009, which includes a UK target of 15% of energy from renewables by 2020. The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of the approach to tackling climate change. Planning policy at all levels should facilitate delivery of the ambition set out in Energy Wales, (Energy Wales: A Low Carbon Transition 2012) and UK/EU targets on renewable energy.

PPW aims at para 12.1.4 to promote the generation of energy from renewable (and low carbon) sources at all scales and para 12.8.6 seeks to maximise its benefits to the economy and communities, whilst minimising potential environmental and social impacts. Para 12.10.1 of PPW states in determining applications for renewable and low carbon energy development and associated infrastructure planning authorities should take the following into account:-

* The contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gases;

* The wider environmental, social and economic benefits and opportunities from renewable energy and low carbon development;

* The impact on the national heritage, the coast and the historic environment;

* The need to minimize impacts on local communities, to safeguard quality of life for existing and future generations;

* Ways to avoid, mitigate or compensate identified adverse impacts;

* The impacts of climate change on the location, design, build and operation of renewable and

low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts;

* Grid connection issues where renewable (electricity) energy developments are proposed; and

* The capacity of and effects on the transportation network relating to the construction and operation of the proposal

Technical Advice Note 8- Planning for Renewable Energy (TAN 8) states at para 1.6 'As well as developing new sources of renewable energy which are essential to meeting the targets set by energy policy, the Assembly Government is fully committed to promoting energy efficiency and energy conservation. The land use planning system is one of a number of mechanisms which can help deliver improved energy efficiency and local planning authorities are expected to consider matters of energy efficiency when considering planning policy and applications.'

TAN 8 at paragraph 3.15 indicates that, except where the visual impact would be critically damaging to a listed building, ancient monument or conservation area vista, proposals for appropriately designed solar pv systems should be supported.

In addition to PPW and the Technical Advice Notes, the Welsh Government issued "Practice Guidance - Planning Implications of Renewable and Low Carbon Energy" in February 2011. This document updates the advice contained in TAN 8 as well as providing detailed criteria for the assessment of renewable energy schemes. "Energy Wales: A Low Carbon Transition" (March 2012) was also issued by the Welsh Government and outlines aims and objectives as to how Wales can move towards a low carbon economy with specific reference to the planning process and renewable energy schemes.

Other Relevant Policy and Technical Advice Notes are Climate Change Strategy for Wales 2010, 'Planning for Renewable and Low Carbon Energy' - A Toolkit for Planners 2010, TAN5 - Nature Conservation and Planning and TAN 12 - Design.

National Policy is translated at a local level via the Local Development Plan (LDP), which was adopted by the County Borough Council in September 2013.

The LDP Vision will be delivered through four strategic LDP objectives which seek to address the national, regional and local issues facing the County Borough. These four strategic objectives are at the centre of the LDP and form the basis for its policy development. Promoting, conserving and enhancing the natural historic and built environment of the County Borough and contributing towards the energy needs of Wales, with a focus on the promotion of renewable energy are two measures of achieving one of the strategic objectives of protecting and enhancing the environment.

The application site is located in the countryside and should be assessed in the context of Policy ENV1 which strictly controls development except for specific identified purposes. Policy ENV1 (6) identifies utilities infrastructure as an appropriate exception. Paragraphs 4.1.11 and 4.1.12 of the LDP, which expand upon Policy ENV1, make it clear that whilst certain development maybe appropriate in the countryside, the policy forms the starting point for assessment and all proposals will need to satisfy other relevant policies in the LDP.

The LDP will ensure that the County Borough's energy requirements are fully satisfied whilst having the minimum impact on the environment and local communities. Accordingly, Strategic Policy SP8 - Renewable Energy states:

'Development proposals which contribute to meeting national renewable energy and energy efficiency targets will be permitted where it can be demonstrated that there will be no significant adverse impacts on the local environment and communities.'

Development for renewable energy will therefore be encouraged in principle. The location of the development will however need to be balanced against its impact on the environment (including the landscape) and nearby communities.

Policy ENV18 provides a robust basis for assessing renewable energy schemes. It states:

'Proposals for renewable energy developments will be permitted provided that:

(1) In the case of wind farm developments of 25MW or more, the preference will be for them to be located within the boundary of the refined Strategic Search Area;

(2) The availability of identified mineral resources or reserves will not be sterilised;

(3) Appropriate monitoring and investigation can demonstrate that the development will not have any significant impacts on nature conservation;

(4) Appropriate arrangements have been made for the preservation and/or recording of features of local archaeological, architectural or historic interest;

(5) They can be safely accessed to permit regular maintenance without detriment to the environment or the public rights of way network;

(6) They will not detrimentally affect local amenity by reason of noise emission, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust, nor otherwise cause pollution to the local environment;

(7) They will not lead to electromagnetic disturbance to existing transmitting and receiving systems (which includes navigation and emergency services), thereby prejudicing public safety;

(8) Local receptors of heat and energy from the proposal are identified and, where appropriate, are connected to/benefit from the facility; and

(9) Provision has been made for the removal of all infrastructures from and reinstatement of the site following termination of the use.

Relevant criteria are commented upon in turn below:-

Criterion 2 - The application site is located on a sandstone resource which is afforded a level of protection under Policy ENV9 which states:

'Development proposals within mineral safeguarding areas, either permanent or temporary, will need to demonstrate that:

1. If permanent development, the mineral can be extracted prior to the development and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and

2. In the case of residential development, the scale and location of the development, e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and

3. In the case of temporary development, it can be implemented and the site restored within the timescale the mineral is likely to be required'.

The policy accepts that temporary development will be acceptable where the proposal can be implemented and the site restored within the timescales the mineral is likely to be required.

Paragraph 4.3.1 of the LDP identifies that, in 2009, the aggregates reserves for Bridgend was estimated at 40 years. In light of this and other preferable sites for quarrying before this site could be realistically considered, this development is acceptable in the context of Policy ENV9 (3) and criterion 2 of Policy ENV18.

Criteria 3, 4, 5 & 6 - The impact of the development on ecology, archaeology, historic buildings, highways and visual amenities/landscape are fully considered later on in this section of the report.

Criterion 8 - Although the scheme has reduced in scale the applicant's agent maintains that the socio-economic benefits of the scheme remain significant. The 5MW will be capable of supplying power to approximately 1,375 households and offset 2,375 tonnes of carbon emissions each year. The applicant remains committed to working with Valleys to Coast Housing Association to provide the households immediately adjacent to the development site with energy at a discount against market price. This arrangement would still be achieved via a long-term Power Purchase Agreement. Should a contract not be placed with Valleys to Coast Housing Association, a Community Energy Fund Trust will be established by the applicant. In addition to the social benefits the applicant's agent has confirmed that the revised scheme will still deliver employment opportunities during the construction and operational phases. The construction of the original scheme would require 100 construction workers during the height of the works and facilitate a minimum of 20 training placements to local people. The revised scheme is not likely require or deliver this number, but it is anticipated that approximately 60 construction workers will be required on the site during the height of the works and approximately 10 training placements provided. Marcol Afan Energy has engaged with Valleys to Coast Housing to discuss and agree the best way to implement this programme and Valleys to Coast has agreed in principle to help establish the training programme and identify suitable trainees. Marcol Afan Energy again propose to work with Valleys to Coast to unlock these benefits, through the possibility of contracting the Valleys to Coast maintenance team to manage the operational development and security of the completed solar farm development. Members should be mindful that many of the matters discussed above lie outside the planning process.

Criterion 9 - Provision has been made for de-commissioning and this is set out as follows in the Environmental Statement:

The development will operate for a period of approximately 25 years. Following this the development could be decommissioned and the site returned to its current use. The decommissioning process will be similar to construction, although undertaken in reverse order and will include:

* Removal and, where possible, recycling of all PV panels;
* Removal, dismantling and recycling of the steel PV framework supports;
* Removal of security fencing and compounds, including the inverter cabins and DNO switchgear;
* Reinstating disturbed site features;

In light of the above, the applicant has satisfactorily demonstrated the acceptability of the proposal in the context of criteria 8 and 9 of Policy ENV18 of the LDP.

Policy ENV18 of the LDP together with strategic Policy SP8 ensures that consideration of proposal is balanced between the desire to generate increased levels of renewable energy with the need to protect the environment and local communities.

Strategic Policy SP4 of the LDP is also relevant to the proposed development. Policy SP4 states that development which will conserve and, wherever possible, enhance the natural environment of the County Borough will be favoured. Development proposals will not be permitted where they will have an adverse impact upon the integrity of the County Borough's countryside, the

character of its landscape, its biodiversity and habitats or the quality of its natural resource including water, air and soil.

The impact of the development on landscape is further discussed in the Landscape and Visual amenity section of this Appraisal.

To the south and east of the site is the Foel Dyffryn Special Landscape Area (SLA) as defined by Policy ENV3 (7) of the LDP. The proposal is also considered in the context of Policy SP2 of the LDP which considers general issues associated with amenity and design. Many of the issues which are the subject of Policy SP2 are also considered in the context of Policy ENV18 and of significant importance, in respect of the proposed Solar Park, is criterion 2 of Policy SP2, which states that all development should have:

'A design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character'

The County Borough has been subject to a Landscape Character Assessment, the results of which have been used to inform a landscape sensitivity assessment which considers the impact of different scales of wind and solar developments in the landscape of the County Borough titled 'Renewables in the Landscape: DRAFT Supplementary Planning Guidance' (SPG). However, this document is still in draft form and, although it has been subject to formal consultation, only limited weight can be attached to this document in the determination of the application.

2. LANDSCAPE AND VISUAL AMENITY
A Landscape and Visual Impact Assessment prepared by 'The Urbanists' accompanied the planning application and a revised report has been submitted in respect of the modified scheme which, as described in the introduction, proposes a reduction in the size of the solar array, a re-orientation of the PV panels and additional mitigation planting.

The report details the assessment of the potential effects upon the landscape character and visual amenity resulting from the proposed solar array development. In undertaking this updated assessment the emerging 'Renewables in the Landscape SPG has been reviewed. The report considers the wider context, the site and reviews the relevant planning policies. The methodology is clearly stated and follows the Landscape Institute's guidelines. The sensitivity of receptors both in terms of the landscape resource and the visual receptors is evaluated followed by an assessment of the magnitude of the effects that are likely to arise from the development. The significance of impact is determined by combining the significance of the landscape and visual effects with reference to:

* Existing landform, landscape planning context, landscape character and land use;
* Viewpoints from the surrounding area and significant landscape features;
* The sensitivity of landscape and visual receptors;
* The magnitude and significance of landscape and visual effects;

The evaluation of effects is both objective and subjective but is based on the judgements of a Chartered Landscape Architect and this is relevant both in terms of the applicant's submission and assessment undertaken by the Council's consultant.

Based on the revised scheme the landscape effects are summarised as follows:

'There will be temporary adverse effects on the landscape fabric of the site as a result of some localised ground disturbance, temporary site buildings, machinery such as cranes and piling rigs, access tracks etc. The landscape character of the site will change with the construction of the steel frameworks to take the PV panels and the associated metering, transformer, inverter switchgear cabinets and access tracks. Areas where panels are not proposed will be retained as rough grassland. A broadleaved landscape buffer will be provided to the boundaries of the

site, planting blocks of native tree and shrubs.

The landscape sensitivity of the site to the type of development proposed is low and the construction activities would result in a moderate adverse landscape effect and therefore a moderate effect on the Landscape Character with reference to the underlying LANDMAP Aspect Areas within which the site lies.

The landscape within the site has a low to medium capacity to accept change of this type without unacceptable adverse effects on the character of the landscape. However the major magnitude of change resulting from the proposed development would result in a moderate and therefore significant adverse effect on the Landscape Character within the confines of the site. With particular reference to the LANDMAP Visual and Sensory Aspect, the effects will be limited to the extreme northern area of this large mapped aspect area VS473. The remainder of the Aspect Area will be unaffected by the development, and the key qualities will remain. It must however be recognised that one of the key qualities of the development site has already been lost, as a result of the deforestation that has occurred because of Phytophthora ramorum'.

The visual effects are considered with reference to construction, operational and residual effects.

Residential receptors along the southern and southeasten boundaries of the site in the settlements of Brynheulog and Caerau, the consultant's report acknowledges, will experience significant adverse visual effects resulting from the PV solar array development. There will also be significant adverse visual effects from more distant views along Tonna Road, Heol Tywith (opposite Spelter Industrial Estate) and on recreational receptors including local public rights of ways and the Coed Morgannwg Way.

The LVIA describes the strategic landscape framework and design mitigation which includes 10m-20m landscape buffers between the edge of the development and the south, east and western boundaries. This will comprise native broadleaved species with a mixture of blocks of trees, shrubs and edge planting which will provide an immediate buffer to residential properties in close proximity to the southern boundary.

Based on the proposed mitigation, the residual effects of the development have been assessed. In terms of the landscaping, whilst the planting will improve the landscape edge, the development will still have a significant adverse effect on the landscape character of the site. It is indicated that the proposed planting will reduce the significant (moderate) adverse visual effects on residential receptors to minor particularly for those properties in Brynheulog. It is noted that the residual effects have been based on when the planting reaches 4-5m in height which will be some 15 years after the development has been completed. The LVIA does acknowledge that for those residential and recreational receptors, including other properties in Caerau and more distant public rights of way's etc., the mitigation will have less effect - the impact of the development will remain significant.

The Local Authority has limited capacity to properly assess the submitted LVIA and, consequently, the Local Authority commissioned White Consultants to carry out an assessment and to provide 'expert opinion' as to whether the proposed solar array and associated works are likely to have a detrimental impact on visual amenities and the local landscape.

The evaluation of the LVIA assessment of effects considers the development in relation to the emerging 'Renewables in the Landscape' SPG, the effects on Landscape Character, the Visual Effects and the Cumulative Effects. The discussion of the expected effects includes reference to design and mitigation issues, planning policy and offers a final conclusion on the proposal.

In summary, the Council's consultant believes the site reads as part of the slopes of the Llynfi Valley and therefore has to be considered with this area and not the forestry. The susceptibility of

the area to large scale solar PV is considered to be moderately high, the value of the Landscape Character Area (LCA) overall is moderately high. Although the development only affects part of the LCA, by virtue of its size, the scale of change is valued as medium. The site lies on prominent slopes at the northern end of the LCA, inter-visible with the Foel Fawr Special Landscape Area and thus affecting the qualities of the area. The Council's consultant recognises that, whilst the estate at Brynheulog already climbs the valley sides to an extent close to the Special Landscape Area, the proposed development is larger and rises up the hill/valley sides and so would be out of character with the general pattern of development within the Llynfi Valley. Mitigating factors are that it has a broadly coherent layout which avoids the higher slopes and skyline and the more uneven and prominent landform to the east. Planting on the fringes is positive but will have limited screening effect from many viewpoints. The development is still out of character and the effect is adverse as it does not reflect any of the characteristics of the area, with arrays climbing the undeveloped valley sides.

The reporter acknowledges that the value of the site in landscape terms is lower than the Landscape Character Area in which it is located. In part this is caused by its current condition and management but nevertheless, the consultant maintains that the susceptibility of the site itself lies in its steep, prominent and open slopes, its highly undulating landform and high points which are not conducive to accommodating the rigid pattern of solar panel arrays and its role as an important backdrop to Caerau and other nearby communities. The level of effect is therefore significant on the site as the development does not reflect the characteristics of the site, with arrays climbing the undeveloped valley/hill sides.

The susceptibility of the Foel y Dyffryn Special Landscape Area (adjacent to the application site) to change would be similar to the Landscape Character Area and its value would be slightly higher. Effects would also be similar to the effects on the LCA but more intense due to the proximity. The development would therefore significantly affect the Special Landscape Area setting.

Based on the review of the LVIA the Council's consultant is of the opinion that residents in parts of Caerau, Brynheulog and Dyffryn will be significantly adversely affected in the short term with residual effects on Caerau and Dyffryn remaining in the long term. The development would be prominent in views of the hillside which currently acts as a green backcloth to the settlements. The effect will only be mitigated in the longer term by planting for dwellings very close to the development (e.g. at the top edge of Brynheulog) but less so further away as the slopes would rise significantly above the planting height. Users of the PROWs to the south and west and open access land to the south and south east would have open views of the proposed development. The effects from Viewpoints 6, 13 and 14 indicate significant adverse effects.

The Consultant has also commented on the proposal in the context of the emerging supplementary planning guidance - Renewables in the Landscape and suggests that the development fails to address all of the relevant criteria.

As a final note, the consultant concludes:

'Overall, it is considered that the proposed development would still cause significant adverse effects on landscape character and visual receptors. The revised scheme reduces the scale of development and level of effects and improves the design layout compared to the previous highly detractive and insensitive proposal. The degree to which the effect has been minimised is a matter for judgement. The proposal still lies on an intrinsically unsuitable site according to the Renewables SPG criteria.

It is accepted that landscape and visual issues are one factor in the decision making process. It is understood that there are benefits from renewable energy. These factors, combined with other issues, need to be put into the balance to arrive at a planning decision on the acceptability of the proposed development'.

From the above sections of the report there is an apparent difference in the level of impact of the development on the landscape and the visual amenities of the area when reviewing the applicant's Landscape Visual Impact Assessment and the Council's consultant's response. The degree to which any impacts are outweighed by the accepted benefits of generating electricity from a renewable source will be discussed in more detail in the concluding section of this report.

3. ECOLOGY

A comprehensive ecological assessment (Pryce Consultant Ecologists) has been submitted as part of the Environmental Statement which includes a Phase 1 habitat survey, breeding bird survey, bat use assessment, herpetile survey and ecological assessment. The recommendations and opportunities section of the report addresses the areas of blanket bog, dwarf shrub heath and trackside and forest edge habitats and recommends a series of works to manage these areas with bio-diversity interest. It is likely that the natural re-establishment of acid grassland - dwarf-shrub habitat between and under the solar panels, following installation, will allow reptile and amphibian populations to thrive across the site. Where possible attenuation features will incorporate amphibian breeding habitat but it is also proposed that two or three small ponds are constructed specifically to provide new amphibian breeding habitat in suitable locations, their siting to be agreed with the site ecologists.

Following the construction phase, the principal aim will be to allow for the re-colonisation of natural vegetation. A further aim should be to reduce the dominance of Bracken, Bramble and Soft Rush which annual cutting is likely to achieve in the medium to longer terms. It is strongly recommended that site maintenance does not seek to establish a regularly mown, strimmed or grazed agricultural grassland sward.

A series of general recommendations and opportunities are also included in the ecological report and they range from taking all reasonable precautions to avoid damage to any habitat or feature of ecological significance to the construction of new bat and bird-friendly features.

The ecologist has confirmed that all works will only be carried out during the appropriate seasons, in order to comply with current legislation and best practice principles. New plantings will also incorporate only locally native tree and shrub species, where possible of local provenance.

The Council's Ecologist and Natural Resources Wales have considered the submitted reports and have offered no objection to the development subject to conditions which require the submission and agreement of a Construction and Environment Management Plan, an Ecological Design Strategy, a Landscape and Ecological Management Plan and a habitat protection plan for the blanket bog.

4. HIGHWAY/TRAFFIC/ACCESS

Transport Planning Associates (TPA) on behalf of the applicant company has submitted a report as part of the Environmental Impact Assessment which considers the development in terms of traffic and transport during the construction phase. The study area for the purposes of assessing the transportation impacts of the development has been defined and the designated route for construction traffic has been identified.

The application site will be accessed via the A4063 (Maesteg Road) which runs along its eastern periphery. Recorded AADT data from the ATC (Automated Traffic Counts) has been used as a means of establishing the existing usage of the local highway network to assess the impact of the development on the local highway network. Impact magnitudes have been defined for the construction phase with regard to 'Guidelines for the Environmental Assessment of Road Traffic', which identifies two rules which set out general thresholds for traffic flow increases of 10% and 30%. The assessment indicates that the proposed solar farm will have an impact of less than 10% on the local highway network and the level of impact is considered to be minor or negligible and, as such, not significant. Mitigation has been provided in the form of a Construction

Traffic Management Plan to reduce the impacts of the construction phase.

The Head of Street Scene (Highways) has examined the submitted report and accepts its findings. Subject to conditions, there is no objection to the development on highway safety grounds.

5. ARCHAEOLOGY
The Glamorgan-Gwent Archaeological Trust, Projects Division (GGAT Projects) have undertaken an assessment of the effect of the development on the potential archaeological resource of the area on behalf of the applicant company. The assessment reviewed information held by the regional Historic Environment Record (HER) and the National Monuments Record (NMR), as well as cartographic and documentary sources. Zones of Theoretical Visibility (ZTV) and selected Viewpoints (VP) were also examined, in order to assess the visual impact of the development on the archaeological resource.

A total of 34 sites of known archaeological interest have been identified within the study area. Of these, six are located within or adjacent to the proposed development area - Heol Y Moch (a possible prehistoric or medieval trackway), the Llynfi Inn, the Cymmer Tunnel, a Trial Level, Drystone Walls and a Quarry.

Three sites of known interest will be subject to a 'minor' effect and require archaeological mitigation. It is recommended that a Level 2, photographic survey and watching brief be conducted at Heol Y Moch as well as temporary fencing to be set up during the construction phase. Level 2 and photographic surveys should also be carried out on any Drystone Walls. It is considered that the proposed mitigation will reduce the 'minor' effect of the development on the three known sites of archaeological interest to a residual effect of 'none'.

Furthermore an upland survey of the development area should be conducted, prior to any construction works, followed by a general watching brief during any ground intrusion works. This will provide suitable mitigation for any currently unknown sites located within the development area.

Glamorgan Gwent Archaeological Trust have assessed the submitted report and although the proposed works will require archaeological mitigation they have no objection to the positive determination of the application subject to the attachment of suitable planning conditions requiring the submission of a programme of investigation for the archaeological resource.

6. GROUND CONDITIONS/HYDROLOGY/HYDROGEOLOGY
RPS Health, Safety & Environment have undertaken a Phase 1 Preliminary Risk Assessment of the proposed development with the principle objectives of the assessment being to:

· To review the historical land uses to assess the potential for ground contamination;
· To review the environmental setting to assess the sensitivity of the surrounding area to contamination/pollution;
· Consult with the regulatory authorities to establish whether any significant environmental issues have been recorded, which may impact on the site;
· To undertake a qualitative environmental risk assessment of the site's current and proposed use; and
· Produce an outline Conceptual Site Model (CSM) detailing pollutant linkages associated with the redevelopment of the site.

In conclusion, the report acknowledged that in limited areas of very steep slope where the depth to impenetrable un-weathered bedrock is also present near the ground surface, the placement of solar panels may not be feasible. Based on available information, these conditions may be encountered in certain locations near the northern and south-eastern boundaries of the site. Significant excavation works is not anticipated to be required as part of the proposed

development. Where required, excavation within superficial soils and weathered layers of the Rhondda Formation should be possible with conventional earth moving plant. A breaker may be required if it is necessary to excavate into the un-weathered layers of the Rhondda Formation. Perched water was recorded in isolated locations on site and where it may be encountered within shallow soils during excavation works on site, limited groundwater control measures may be required comprising pumping from a localised sump.

Waterman Infrastructure and Environment Ltd. (WIE) have investigated the hydrological regime associated with the proposed development. The comprehensive report that forms part of the Environmental Statement evaluates topography, geology, ecological issues, establishes the baseline site conditions with regard to hydrology and flood risk and considers the likely effects from construction, the proposed mitigation effects and the residual and cumulative impacts. All the assessment is referenced to the relevant national and local planning policies.

The report establishes that the local hydrological regime is dominated by the variability in the characteristics of the surface and near surface deposits and the depth of rockhead below ground level. The Report has identified minor instances where impermeable areas will increase and, in these instances, mitigation measures have been recommended.

The Natural Resources Wales Flood Maps and the TAN 15 Development Advice Maps indicate that the site is not liable to flooding from the fluvial regimes associated with the Afon Llynfi and the Afon Afan. The various watercourses that pass through the site and the wetland areas (created by surface water flow and emerging groundwater) do however pose the potential to flood parts of the proposed development areas. The flood risk has been found to be minor with flooding being initiated by high overland flows and increase groundwater flows during periods of high rainfall. Such occurrences in the hydrological regime can be effectively addressed by the implementation of appropriate but minor mitigation measures. The mitigation measures both permanent and temporary (during construction) can be secured by the use of planning conditions. Given that there will be a minor increase in impermeable surfaces as a result of the Proposed Development it is inevitable that there will be a minor and negligible increase in the rate and volume of surface water runoff unless appropriate mitigation measures are implemented. Again these can be secured through the agreement of a comprehensive and integrated site drainage scheme. It should be noted that the report has been examined by consultees and no adverse representations have been received.

7. UTILITIES AND SERVICES ASSESSMENT

Waterman Infrastructure and Environment Ltd. (WIE) have investigated the utilities provision associated with an existing development site. It provides an assessment of the likely impact of the proposed development on the existing services provision to the site and the distribution of services on the site. The enhancements proposed to the on-site services supplies will facilitate the electricity generation operation and, as such, this provision should result in considerable betterment in the long term.

No adverse comments have been received from any statutory consultees in respect of the impact on existing utilities and infrastructure.

8. SOCIO-ECONOMIC AND HUMAN IMPACT ANALYSIS

The Urbanists have identified and analysed the potential socio-economic aspects of the proposed development. Establishing the socio-economic baseline through an assessment of Welsh Indices of Multiple Deprivation (2011) (WIMD), community insight profiles and Welsh Government's Fuel Poverty Projection Tool: 2011/2012 report (2013) has informed this assessment.

The analysis concludes that Caerau is facing a range of socio-economic challenges on most economic indices with the area performing poorly when compared to national averages. The report which forms part of the Environmental Impact Assessment confirms that the area has

received significant public sector funding to facilitate regeneration and this has had a positive impact. However, this funding must be matched by private sector investment if the area is to comprehensively address the socio-economic challenges that it faces. While the development may not deliver the type and quantum of investment that will enable the widespread regeneration of Caerau, the applicant's agent maintains that the analysis demonstrates that it does have the potential to deliver socio-economic outcomes that will improve the quality of life enjoyed by local residents. The provision of discounted energy via Valleys to Coast Housing or the foundation of a Community Energy fund trust will clearly benefit the domestic budgets of local residents and help them to avoid fuel poverty, while the training and employment opportunities will be welcomed by a community where such opportunities have become increasingly rare and difficult to find. Beyond Caerau and the immediate site area, it is claimed that the energy generated by the scheme has the capacity to support a significant number of households, reduce carbon emissions and support the growth of local business and industry.

CONCLUSION

The preceding section of this report recognises the strong national support for renewable energy and identifies the main issues in the consideration of this planning application. The impacts on nature conservation, archaeology, site drainage and highway safety have been comprehensively assessed in the Environmental Statement and, on the basis of the consultation responses received, no significant adverse impacts have been identified. The main issue in this case is, therefore, the effect of the proposed development on the character and appearance of the landscape and the visual amenities of the area as the development will not have an unacceptable harm on any other interests of acknowledged importance.

The contribution the proposal will make to meet the national, UK and European targets for renewable energy and the consequential reduction in greenhouse gases is fully acknowledged and clearly stated in the applicant's submission. Although the scheme has been reduced in scale, the proposed solar array has the potential to generate 5MW which will be capable of supplying energy to approximately 1,375 households and offsetting 2,375 tonnes of carbon emissions each year; a small but material contribution to Welsh Government's target

At a local level, one of the strategic objectives of Bridgend's Local Development Plan is the protection and enhancement of the environment which will be achieved by development contributing towards the energy needs of Wales with a focus on the promotion of renewable energy. Strategic Policy SP8 supports this objective by permitting proposals which contribute to meeting national renewable and energy efficiency targets. It is therefore concluded that the proposed development would be beneficial in terms of the generation of electricity from this solar array.

Notwithstanding the broad national policy support for the delivery of renewable energy, at a local level this is subject to schemes demonstrating that there will be no significant adverse impacts on the local environment (including landscape) and communities. Strategic Policy SP4 supports this approach and indicates that development which will conserve and where possible enhance the natural environment of the County Borough may be acceptable. Proposals that have an adverse impact upon the integrity of the County Borough's countryside and the character of the landscape will not, however, be permitted. Policy SP2 of the LDP establishes criteria by which all applications should be assessed. Making a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change is one such criterion as is having a design of the highest quality that respects and enhances landscape character.

The applicant's own landscape and visual impact assessment (LVIA) recognises that the location and geography of the site means that it is a sensitive location but claims that the revised layout will have only a moderate residual effect on landscape features within the site and on its nature conservation value. It accepts however that the effect on landscape character is major adverse. With respect to visual impact, the LVIA concludes that there will be moderate visual

effects on the visual amenity of residential properties in close proximity of the site, a reduced impact by virtue of the proposed planting which the same report acknowledges will only provide mitigation after 15 years. Major adverse impacts on residential properties in the wider Caerau village and recreational receptors (PROWS etc.) are also predicted in the applicant's LVIA. In acknowledging these impacts, the applicant agent in a recently submitted 'Closing Statement' reminds the decision maker that landscape and visual issues are only one factor that must be weighed against the renewable energy and economic benefits the scheme will provide.

The Council's consultant recognises that the revised scheme reduces the scale of development and accordingly the level of effects. Furthermore, the layout design is an improvement when compared to the previous highly detractive and, in the consultant's words, 'insensitive proposal'. There remains, however, significant concerns as to the impact the development will have on the landscape character area, the site itself, the setting of the adjacent Foel y Dyffryn Special Landscape Area and also the visual amenities of nearby residents and more distant recreational areas.

The susceptibility of the Landscape Character Area, the adjacent Special Landscape Area and the site itself to the proposed development lies in its steep, prominent and open slopes, its highly undulating landform and high points which are not conducive to accommodating the rigid pattern of solar panel arrays given that the land forms an important landscape and visual backdrop to Caerau and other nearby communities. The Consultant expresses the view that the proposed development will not reflect any of the characteristics of the area, with the arrays climbing the undeveloped valley sides, detracting from the character of the landscape area, the setting of the Special Landscape Area and the countryside generally.

In visual terms, the consultant identifies significant impacts on residents in parts of Caerau, Brynheulog and Dyffryn with the proposed development being prominent in views of the hillside which currently acts as a green backcloth to the settlements. Any mitigation will only be effective long term and then only for those properties close to the development. Users of PROWs and open access land to the south and west will be similarly affected with the mitigation being of no significant benefit. Overall, it is considered that the proposed development would still cause significant adverse effects on landscape character and visual receptors.

The benefits of providing electricity from renewable sources are not questioned in the assessment of this application and this proposal will deliver a small but material contribution. Furthermore, beyond the issues of the impact on landscape character, visual amenities and the precedent the development could set, there are no other grounds for refusing this application. In this case however, the benefits of the scheme have to be weighed against the landscape and visual impacts that are set out above and, whilst acknowledging that there is broad national and local support for renewables scheme, policies at both levels still seek to protect the countryside and communities from unacceptable impacts which the Council's consultant has identified.

In reaching a recommendation on this proposal it is recognised that the site enjoys a geographical advantage in terms of its orientation and position relative to the passage of the sun. As such the location may be ideal for the establishment of a solar facility. However, it is this advantageous location which creates the most significant issue in terms of landscape and visual impact as described above. In this case the benefit of the facility in terms of energy generation are not considered to outweigh the serious impact on the wider community and countryside and to allow this development would encourage the submission of similar application on sites in the county borough that may be geographically appropriate but equally sensitive in terms of landscape and visual impacts.

It is therefore considered that a recommendation to refuse the scheme is, on balance, the correct approach on this occasion.

RECOMMENDATION

(R30) That permission be REFUSED for the following reason(s):-

1 The proposal solar array and associated works would, by virtue of its prominent location, form and scale, adversely impact upon the integrity of the countryside and the character of the landscape (comprising the Landscape Character Area - LCA 1: Llangynwyd Rolling Uplands and Forestry in which it is located and the adjacent Foel y Dyffryn Special Landscape Area) and would set an undesirable precedent for further applications for similar development in the County Borough, contrary to Policies SP2, SP4, SP8 and ENV3 of the Bridgend Local Development Plan and the emerging Supplementary Planning Guidance: Renewables in the Landscape.

2 Notwithstanding the proposed mitigation works, the proposal solar array and associated works would, by virtue of its prominent location, form and scale, adversely impact upon the visual amenities of the residents in Brynheulog (including Maes yr Awel, Ael Y Bryn and Lon Y Parc), Caerau (including Cymmer Road, Bryn Terrace and Church Street) and users of the Open Access Land and Public Rights of Way to the south, east and west of the development site and would set an undesirable precedent for further applications for similar development in the County Borough, contrary to Policies SP2 (criteria 2 and 12), SP8 and ENV18 (criterion 6) of the Bridgend Local Development Plan and the emerging Supplementary Planning Guidance: Renewables in the Landscape.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

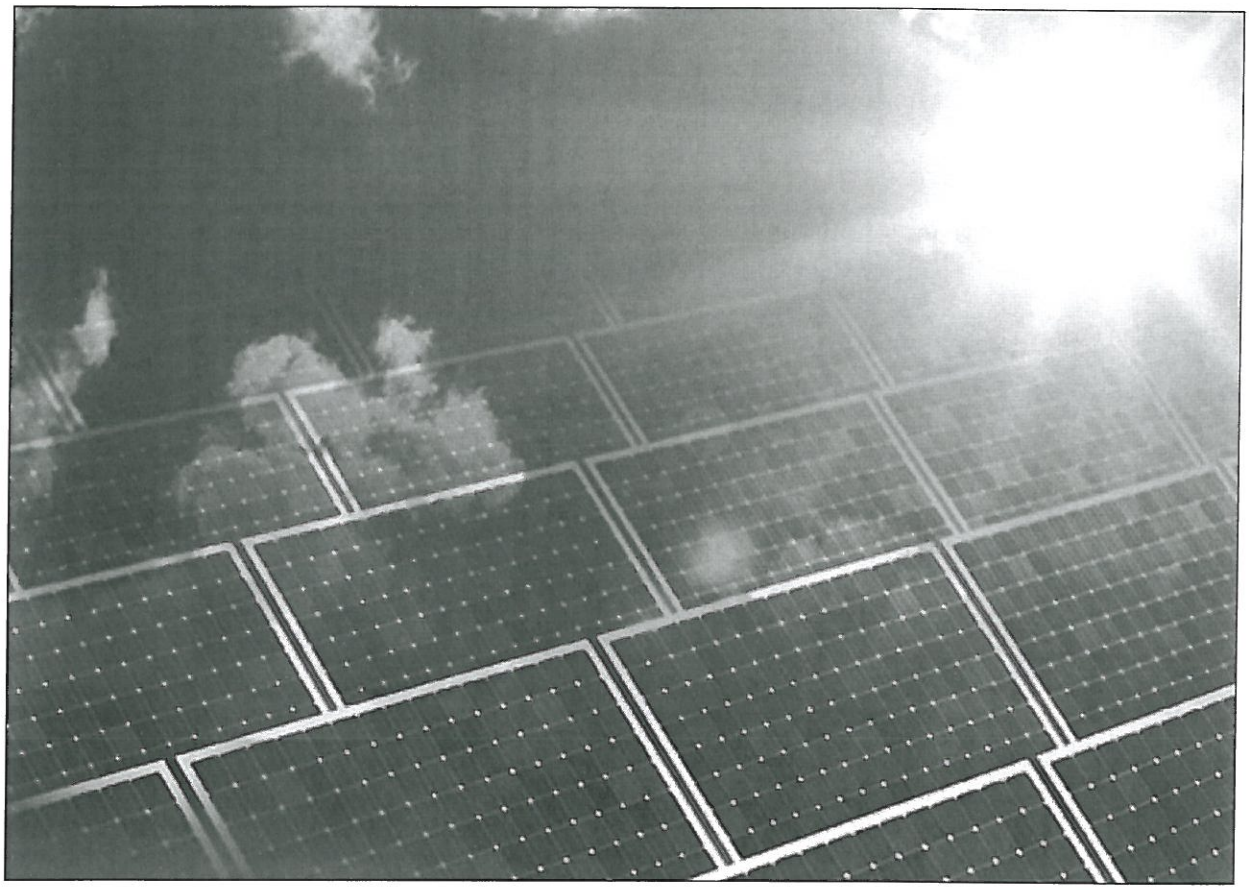
Background Papers
None

APPENDIX A

Foel Fawr Solar Array

Closing Planning Statement

May 2015



the urbanists
planning & design

This document has been prepared by The Urbanists on behalf of:

Marcol Afan Energy

UG1459, May 2015

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1. Introduction

1.1 Purpose of the Statement

This planning statement has been prepared to provide a closing statement from Marcol Afan Energy, the applicant for the proposed Foel Fawr Solar Array Scheme (application reference: P/14/543/FUL). The planning application, which was subject to a comprehensive and inclusive Environmental Impact Assessment, was submitted to Bridgend County Borough Council in August 2014, and during this time the applicant and the Council has engaged in proactive discussions regarding the design of the development and the associated environmental impact.

The key matter discussed during the determination period to date concerned the Landscape and Visual Impact of the development. On this matter the Council were informed by the services of White Consultants, which flagged concern over the scale of the proposals and the subsequent landscape and visual impact. To respond to these concerns the applicant has modified the scheme design significantly during the determination period to minimise the landscape and visual impact as much as possible.

This planning statement explains the changes that the applicant has made to the design and layout of the proposed solar array scheme and identifies what effect these changes have had on the capacity of the scheme to deliver socio-economic opportunities to the local area. This statement also addresses the landscape and visual impact of the scheme.

2. Design Evolution

2.1 Phase 1: December 2014 - January 2015

Discussions between the applicant and the Council regarding amendments to the design and layout of the proposed solar array development commenced via a meeting on the 3rd December 2014. Following this meeting a modified scheme was developed to respond to the Council's feedback. The revised layout (refer to Figure 1) sought to:

- Break up the mass of the solar panels by compartmentalising them into cells that sit within the contours of the site.
- Remove the solar panels from the higher ground.
- Reduce the overall coverage to less than 15ha of solar panels.
- Include more landscape mitigation (tree and shrub planting)

Following receipt of the revised layout the Council undertook a review and on the 19th January provided the following further recommendations:

- Increase the proposed landscape mitigation and omit cell one.
- Omit cell six and seven from the proposed layout and introduce native broad-leafed planting in lieu of the cells.
- Omit frames and arrays where there is a significant change in level to create corridors within the cells.
- Further omit solar array from the higher ground to the north of the development.

To demonstrate the application of these recommendations the Council also provided an illustrative revised layout (refer to Figure 2).

2.2 Phase 2: January 2015 - March 2015

To reasonably include and develop the recommendations provided by the Council the applicant's design team examined the Council feedback and undertook further modifications to the development design and layout. The outcome of this stage of the redesign process constitutes the Final' submission from the applicant, which was formally issued to the Council the 4th March (refer to Figure 3). It is this layout and design that was used by the Council to reconsult statutory consultees, and which Members have been requested to determine. The 'Final' scheme has:

- Omitted solar panels from the north west corner of the site and the east of the site.

- Removed the panels from the north of the site so that that they are now located significantly lower down the site.
- Reorientated the remaining panels so that they respond to changes in site level and create the recommended corridors.
- Increased the landscape mitigation to provide a more extensive landscape buffer to the solar panels and associated plant.

(Note: The planting proposed in Figure 2 has been removed from the 'Final' scheme as discussions regarding the future replanting of the wider application site and adjacent areas requires further viability consideration which needs to be informed by discussions with Nature Resources Wales (refer to section 4.3).

2.3 Summary

Through amending the development design and layout the proposed solar array now covers a considerably reduced land area of 10.31ha as opposed to the original 30.41ha (a reduction of 33.90%). The 'Final' layout represents an improved development design and the associated landscape and visual effects are reduced. While the most recent evaluation report provided by White Consultants retains concern over the suitability of the site to accommodate solar array (this is responded to in Chapter 4 of this statement) it also acknowledges that the 'Final' layout represents an improved scheme that will result in reduced landscape and visual effects (May, p. 13). As a result of the reduction of the scale of the development the 'Final' layout will provide 5MWp of renewable energy as opposed to 18.4MWp. The applicant is disappointed in this reduction as it will limit the positive outcomes of the scheme (refer to Chapter 3), but the development will still be an important contributor of solar renewable energy to the National Grid and it will still help to support the local area's infrastructure and power requirements.

3. Socio-Economic Impacts

As a result of the applicant's agreement to reduce the scale of the proposed solar array development its capacity to generate green energy and deliver employment and training opportunities has inevitably been reduced. This is regrettable, however, opportunities in these areas remain and the applicant is committed to working with local stakeholders like Valleys to Coast Housing to maximise the benefits for the local area. The difference between the socio-economic benefits of the original development layout and the 'Final' layout is identified below.

3.1 The Original Scheme

3.1.1 Energy Generation

The 18.4MWp generated by the original scheme was capable of providing energy to around 5,000 households and displacing 8,687 tonnes of carbon emission per year. As there is insufficient capacity in the local sub station adjacent to the site to accommodate all of the renewable energy generated it was proposed that 2MWp of the total power output would have been connected locally to the National Grid in Croeserw, and the remaining 16.4 MWp routed to the Pyle sub station 14 kilometres to the south. Western Power had agreed to undertake both connections and the connection to the Croeserw had been reserved for the development.

The 2MWp connected to the National Grid in Croeserw would have been sufficient to provide energy to around 550 local households and offset 940 tonnes of carbon emissions each year. At the time of submitting the application it was intended that this energy would be supplied at a discounted rate to local residents through a Power Purchase Agreement with Valleys to Coast Housing or alternatively through a Community Energy Trust Fund. The discounted supply of energy offered to local residents would have diversified the energy supply in the local area, helped to address fuel poverty and reduce the monthly energy bills of residents. In light of the employment, income and health issues afflicting Caerau Park and the wider Caerau such outcomes would have had a significant positive impact and would have been welcomed by the majority of local residents.

The remaining 16.4MWp to be connected to the National Grid via the Pyle sub station was sufficient to provide energy to around 4,500 households and offset carbon emissions by 7,747 tonnes each year. It was proposed that this energy would either be contracted to local industry via a long term Power Purchase Agreement or alternatively contracted to the local utility supply company who will in turn sell the renewable energy to a domestic or nominated commercial supplier. This would have helped the wider local area to diversify its energy supply and reduce its reliance on fossil fuels. Should the energy have been supplied to local industry and business, it

would have helped these companies to reduce operating costs and increase its capacity to invest in the local area and the labour market.

3.1.2 Employment Opportunities

During the construction of the original scheme approximately 100 construction workers would have been employed at the site. The applicant is committed to ensuring that the local labour force benefits from the development and proposed to ensure that a minimum of 20 vacancies were provided to local community members during the construction programme. The applicant engaged with Valleys to Coast Housing to discuss and agree the best way to implement this programme, and Valleys to Coast agreed in principle to help establish the training programme and identify suitable trainees.

In addition to the employment opportunities created during the construction programme there would also have been employment opportunities associated with the operation and maintenance of the development. Marcol Afan Energy again proposed to work with Valleys to Coast to unlock these benefits, through the possibility of contracting the Valleys to Coast maintenance team to manage the operational development and security of the completed solar farm development. Appropriate training would have been provided to ensure that the maintenance team was equipped to manage the development and it was anticipated that the team would undergo minor expansion to accommodate the additional responsibility.

3.2 The 'Final' Scheme

3.2.1 Energy Generation

The 5MWp generated by the 'Final' scheme will be capable of supplying energy to approximately 1,375 households and offsetting 2,375 tonnes of carbon emissions each year. As there is insufficient capacity in the local sub station adjacent to the site to accommodate all of the renewable energy generated it is still proposed that 2MWp of the total power output will be connected locally to the National Grid in Croeserw. The remaining 3MWp will now be utilised to pump prime the wider development of the application site and surrounding area (refer to Section 4.3) and/or service the adjacent Bryn Heulog residential estate. The agreement for Western Power to undertake the connection to the Croeserw sub station remains in place.

The reduction of energy generated by the proposed solar array to 5MWp down from 18MWp is significant, but it will still have a positive impact on the lives of local people and the local energy market. The energy generated at the development will again be contracted to local industry via a long term Power Purchase Agreement or alternatively contracted to the local utility supply company who will sell the renewable energy to a domestic or nominated commercial supplier.

Should the energy be supplied to local businesses the latter will benefit from reduced operating costs and increased capacity to invest in growth and job creation. Alternatively if the energy is supplied to the local domestic market it will diversify the market's supply and reduce reliance on fossil fuels.

Given the reduction in the scale of energy that the solar array will now be able to generate it is less viable to provide energy that is discounted against market value. However, the applicant remains committed to collaborating with Valleys to Coast Housing Association to explore opportunities to provide the 6,000 properties that it manages throughout Bridgend County Borough with energy at a discount against market price. The updated letter of support provided directly to the Council by by Valleys to Coast Housing demonstrates that it too remains equally committed to further exploring these opportunities (refer to Appendix 1).

3.2.2 Employment Opportunities

The 'Final' scheme will still deliver employment opportunities during the construction and operational phases. It is anticipated that the 'Final' scheme will require approximately 60 construction workers on site during the height of the construction programme. As a result of the decrease (the original scheme would have required approximately 100 workers) it is proposed that approximately 10 vacancies will be offered to the local communtiy. It is still intended that Valleys to Coast Housing will be the key partner in helping to establish and facilitate the training programme and identify suitable trainees.

In addition to the training programme and employment opportunities created during the construction programme employment opportunities associated with the operation and maintenance of the development. Marcol Afan Energy again propose to work with Valleys to Coast to unlock these benefits, through the possibility of contracting the Valleys to Coast maintenance team to manage the operational development and security of the completed solar farm development if commercially viable. Appropriate training will be provided to ensure that the maintenance team is equipped to manage the development and it is anticipated that the team will undergo minor expansion to accommodate the additional responsibility.

3.3 Summary

The applicant's agreement to reduce the scale of the proposed development to respond to the Council's concern regarding the development's landscape and visual impact has reduced the development's capacity to generate green energy and deliver employment and training opportunities. The applicant is understandably disappointed in this reduction. However, the

applicant remains committed to ensuring that the positive socio-economic impacts that will still be delivered by the 'Final' scheme will be maximised for the benefit of the local area.

4. Landscape and Visual Impact

4.1 Landscape Impact

The landscape and visual impact assessment (LVIA) included in the application recognises that the location and geography of the site means that it is a sensitive location. It therefore robustly assesses the impact of the scheme on the landscape and visual impact of the development. The LVIA also recognises that all effects assessed are adverse.

On landscape impact the LVIA concludes that the 'Final' layout will have a moderate residual effect on landscape features within the site and on the nature conservation value of the site and a major adverse residual effect on the landscape character of the area surrounding the site.

With respect to visual impact the LVIA concludes that there will be moderate visual effects on the visual amenity of residential receptors in close proximity of the site (by virtue of the proposed 10m-20m landscape buffer planting) and a major adverse effect on residential properties in the wider Caerau village. This difference is explained by the function performed by the 10-20m landscape buffer planting proposed in the landscape mitigation strategy (refer to Figure 3). On recreational receptors the LVIA identifies that there will be a major adverse residual effect.

However, the LVIA also identifies that the landscape and visual impacts should be considered within the context of a changing landscape. The application site has recently undergone deforestation due to Phytophthora ramorum and is now characterised by uneven ground, haulage tracks and stumps remaining on the site. As a result of this the LVIA considers the site to have a 'Low' landscape value and that it is is not representative of the 'High' landscape value allocated to the wider Landmap Visual and Sensory Aspect Area that the development site is located in. In evidence of this the LVIA identifies that the adjacent Landmap Visual and Sensory Aspect Area (located immediately to the north and north east of the development site) is allocated a 'Low' value (refer to Figure 4). This Aspect Area includes the remainder of the applicant's land ownership, which has been subject to the same programmed deforestation and which is not different in character and appearance from the development site.

The landscape character of the area will also likely undergo further significant change over the coming years, as the area to the west of the site (located in Neath Port Talbot County Borough Council) has been identified as a Strategic Search Area for large scale (>25MW) wind farms by Welsh Government (refer to Figure 5). The Deposit Neath Port Talbot Local Development Plan, which is currently undergoing examination, identifies the Strategic Search Areas *"represent the maximum potential for the development of large scale wind farms within the County Borough without creating unacceptable impacts on the communities and landscape"* (LDP, p.68).

Furthermore the LDP notes that since the designation of the Strategic Search Areas in the County Borough have been subject to *"considerable interest from developers"* (LDP, p.4).

The policy context of the site should also be noted when reviewing the effects, as although the Foel y Dyffryn Special Landscape Area (SLA) is located directly to the south west of the site and Foel Trawsnant is located to the west of that the site itself is not designated for its landscape quality.

4.2 Landscape Mitigation

Chapter 2 identifies the amendments that have been made to the scheme design and layout to reduce the landscape impact of the development. The landscape strategy will ensure that 10m-20m landscape buffer distance will be maintained between the edges of the development and the south, east and western boundaries. No buffer is proposed along the northern boundary as it was felt that this would create a noticeable linear edge to the development. The buffer to the southern edge will be continuous. To the eastern and western boundaries of the site, planting will be in smaller blocks, to avoid a linear 'feature' climbing the hillside and ensure that the vegetation fits more within the framework of the open uplands landscape character emerging from the deforestation of coniferous plantations and their sharp, dark edges in the landscape.

The planting proposed in the strategy will be native, broadleaved species with a mixture of blocks of trees, shrubs and edge planting. This will enhance the boundary treatments and as it matures, provide a buffer to residential receptors in close proximity to the southern development boundary. The species selected for the buffer have also been selected to provide appropriate opportunities for local biodiversity.

The applicant accepts that the landscape mitigation proposed will take time to bear fruition, but when it is established it will screen significant portions of the development site and have a particularly positive impact in screening views from the adjacent residential areas.

It is anticipated that the development site and landscape strategy will be subject to management and maintenance of an integrated landscape and ecology management plan. Such a plan will successfully deliver the proposed landscape mitigation and also ensure that opportunities for landscape and biodiversity enhancement within the solar arrays are are exploited in unison.

4.3 Wider Reforestation

In addition to delivering the landscape mitigation strategy the applicant is investigating opportunities to contribute to Natural Resources Wales' ambition to restructure the area's conifer plantations. Specifically the applicant is exploring opportunities to replant the area surrounding the

site with broad leaf and conifer tree species. At present the applicant is seeking to collaborate with Natural Resources Wales via the Glastir Woodland Restoration programme. The latter is part of Glastir Woodlands under the Rural Development Programme for Wales (2014 to 2020) and provides a 10 year commitment to replant plantations that are effected or have been felled as a result of Phytophthora Ramorum.

The applicant's approach is in this matter is in line with wider aspirations for the area surrounding the application site. Historically the application site plus the land immediately to the north (in Neath Port Talbot County Borough) was subject to a planning application for a holiday, tourism and recreational destination, which was granted planning permission by Neath Port Talbot County Borough Council on the 19th March 2010. The applicant intends to evolve and progress these recreational proposals in due course and considers the provision of appropriate replacement planting an essential ingredient to establishing a high-quality recreational destination.

4.4 Summary

The applicant acknowledges that the applicant site is in a sensitive location and for this reason has undertaken a robust and comprehensive Landscape and Visual Impact Assessment. This assessment fairly identifies the effects that the development will have on landscape and visual amenity. However, it also identifies the context in which these views should be interpreted. Key to this context is the non-designated status of the application site and the changing landscape context, which has been effected by de-forestation and which will likely be further effected by adjacent wind farm developments. Further consideration should also be given to the ecology and landscape mitigation that will be delivered by the scheme, which will reduce the effects where possible, and the intention to replant the area surrounding the application site as part of the future development of recreational uses on the remaining development site.

Importantly it must be accepted that the landscape and visual issues are one factor in the application decision making process, and must be weighted against the renewable energy and economic benefits identified in Chapter 3. Indeed this is recognised by the concluding paragraph of White Consultant's May 2015 evaluation report. Although the benefits of the scheme have had to be reduced to respond to the Council's concern over the Landscape and Visual Impact of the proposed scheme the applicant considers that the benefits of the scheme still remain sufficiently significant to warrant the grant of planning permission.

5. Conclusion

This planning statement has been prepared to provide a closing statement from Marcol Afan Energy, the applicant for the proposed Foel Fawr Solar Array Scheme (application reference: P/14/543/FUL). This statement has explained the changes that the applicant has made to the design and layout of the proposed solar array scheme and identifies what effect these changes have had on the capacity of the scheme to deliver socio-economic opportunities to the local area. This statement also identifies the landscape and visual impact of the scheme and sets it within context.

The solar array proposed in the development will be able to provide a reliable source of energy with relatively little long term environmental impact, and will be resilient to changes in supply and distribution at a time when there is less certainty and reliability about traditional sources of coal fired and nuclear energy generation. The development will also create social and economic opportunities in an area where they are desperately required. The design iterations demonstrate that the applicant has openly engaged with the Council during the determination period to reduce the landscape and visual impact of the scheme, which was identified by the Council as being the most sensitive environmental issue.

The applicant accepts that the geography of the application site establishes the site as a sensitive location, and the submitted application openly identifies the adverse landscape and visual effects. Clearly the Authority's decision on the planning application must be taken in accordance with the development plan unless material considerations indicate otherwise. The weight to be given to the national need for sustainable energy generation, and the local benefits to be accrued from the project, should be given sufficient regard in this consideration, and balanced against the temporary landscape impact.

When determining the planning application consideration should also be given to the wider findings of the Environmental Impact Assessment that was included in the planning application. In summary:

- The development will help to achieve the strategy and targets for renewable energy at a national, regional and local level.

- The development will make a significant contribution to renewable energy generation in the Llynfi Valley and wider Bridgend County Borough.

- The development is in line with policies of the Bridgend Local Development Plan.

- The development will be easily reversible and the development site could be restored back to its existing use following the removal of the scheme.

- The development will not require the loss of high grade agricultural land (the development site is classified as Grade 3 agricultural land).

- The development will not result in unacceptable ecological impacts and will be subject to a management plan that will deliver integrated biodiversity and landscape enhancement.

- The development will not be at risk of flooding or exasperate flood risk in the area surrounding the development site.

- The development will not impact on known features of archaeological significance.

- The development will not impact on services and utilities.

- The development will not have an unacceptable impact on the highway network.

- The development will not impact on any public rights of way or bridleways.

- The development will result in minimal noise omissions and will not harm residential amenity.

- The development will not have unacceptable harm to interests of acknowledged importance.

To conclude, the increase in renewable energy generation is of paramount importance within the UK and is key to reducing ambitions to reduce green house gas emissions by 80% by 2050 (relative to 1990 levels). The Welsh Government's stance to renewable and low carbon energy is set out in Planning Policy Wales (2014), which advises that *"local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy to tackle the causes of climate change"* (p.168). At the local level policy SP8 (Renewable Energy) supports this national ambition and policy ENV18 (Renewable Energy Developments) identifies the criteria that proposals for renewable energy should satisfy. In light of the design changes that have been undertaken to reduce the development's landscape and visual impact, the positive socio-economic opportunities that will be delivered through its implementation and the limited impact that it will have on all other environmental features it is deemed that the development is in accord with these these policies.

On balance it is therefore considered that the benefits associated with the proposed Foel Fawr solar array development will outweigh any negative impacts and it is respectfully requested that it is granted planning permission.

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RECOMMENDATION : SECTION 106

REFERENCE: **P/14/742/OUT**

APPLICANT: MR VIV HUGHES
BRYNGARW MILL ABERGARW DRIVE BRYNMENYN

LOCATION: **LAND NORTH OF ABERGARW FARM BRYNMENYN**

PROPOSAL: PROVISION OF 26 NO. BUILDING PLOTS AND ACCESS ROAD AND REMOVAL OF MODERN TYPE BARN

RECEIVED: 10th November 2014

SITE INSPECTED: 18th November 2014

APPLICATION/SITE DESCRIPTION

The application proposes the demolition of an existing modern agricultural barn to enable the redevelopment of the land with 26 building plots and includes an access road. The application is in outline but the access and internal road and plot layout are to be considered at this time.

The application site lies on the eastern side of the un-named road leading from the A4064 to Ty Fry Close, Brynmenyn and to the north of Abergarw Farm, which is currently being redeveloped for four detached dwellings and retaining the existing farmhouse. The land slopes from north to south with access into the site proposed in the south west corner of the site and adjacent to the private shared driveway serving the development at Abergarw Farm. The submitted plans show that a access spine road will sweep in a westerly direction from the junction with the public highway turning north and west and terminating in a turning head located in the north western corner of the site. Eleven of the plots are sited on the western side of the access road with a shared driveway serving five of the plots leading from the access road approximately at its mid point. The remaining plots lie on the eastern side of the access road with one shared/private drive serving three of the plots located to the north of the western shared driveway and a further shared driveway leading from the turning head and serving a further five plots with the remainder accessing directly onto the internal access road.

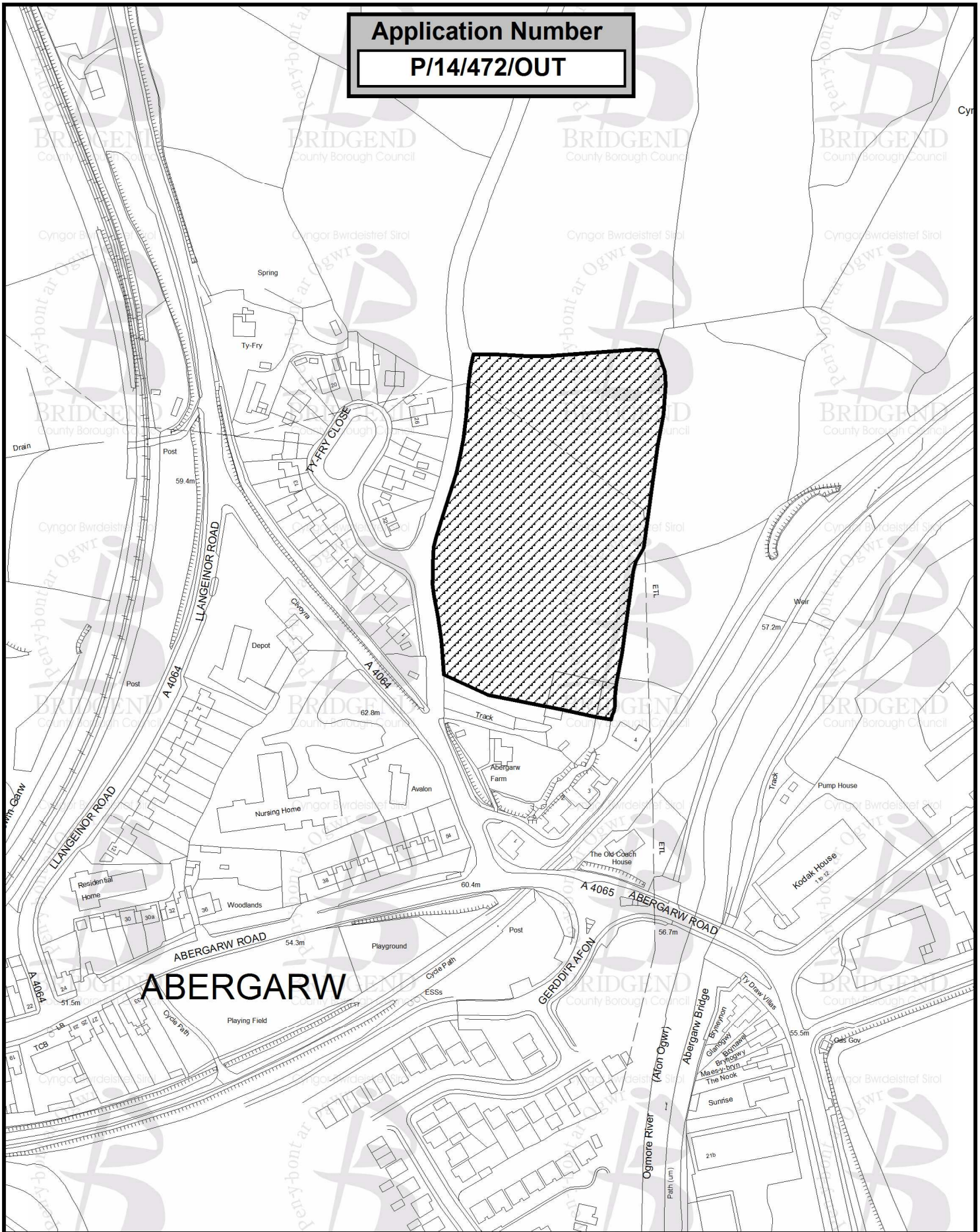
The Design and Access Statement clarifies:-

Overarching Principles/Parameters

The following objectives are central to the future development of the site:
* Development within the site will comprise 26 self build homes;
* Individual plot layouts will deliver amenity standards in line with adopted guidance;
* Dwellings will comprise a mix of 4 and 5 bedroom homes;
* Defensible space/front gardens will be provided to create a pleasant street scene;
* Dwellings will be no more than 2.5 storeys in height between 8.5m to 9m high (roof space accommodation may be acceptable);
* Generally, the developable area of each plot should not exceed 50% of the total area of the plc
* To secure a degree of continuity to the street layout, building widths should ensure that street frontages do not become too disjointed;
* In order to secure an appropriate level of residential amenity, minimum standards for the separation of rear elevations of buildings have been set at 21m;
* The ground floor level of each dwelling will be set no higher than 300mm above the highway it faces. (Level taken on the highway at the centre of the relevant plot).

Application Number

P/14/472/OUT



N W E S	**Scale 1:2,500**	**Mark Shephard** **Corporate Director-Communities**	**(c) Crown Copyright and database rights (2015) Ordnance Survey (100023405)**	Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr BRIDGEND County Borough Council
	Date Issued: 04/06/2015	**Communities Directorate, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.**	**(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)**	
Page 198	**Development-Mapping Tel: 01656 643176**	O/Drive/Plandraw/new MI layouts/ Committee DC Plan	**(c) Cities Revealed Aerial Photography copyright, The Geoinformation Group (2009)**	

The application has also been accompanied by Development Brief which has been designed to provide future plot owners and developers with a robust understanding of the potential acceptable level of development with an overarching framework including parameters, design principles, materials palette and landscaping in order to deliver a quality development with a sense of place and community. In addition, the Development Brief sets out a programme for infrastructure works to ensure that access, essential services and drainage are provided for each of the building plots.

RELEVANT HISTORY

P/04/1174/OUT REFUSED 07-12-2004
RESIDENTIAL DEVELOPMENT OF APPROXIMATELY 24 HOUSES

P/05/299/OUT REFUSED 17-05-2005
RESIDENTIAL DEVELOPMENT COMPRISING 18 DWELLINGS. RE-SUBMISSION OF REFUSAL P/04/1174/OUT.

PUBLICITY

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 12th December, 2014.

NEGOTIATIONS

The applicant's agent was advised of the potential Section 106 obligations in respect of affordable housing, education and public open space. It was also indicated that, in order to undertake improvement works to provide the access into the site, there may also be the potential for a contribution in respect of such highway works. Revisions to elements of the Development Brief were also requested to further clarify the design principles and development parameters and clarification of the building envelopes within the plots. Subsequently cross sections through the site were requested in order to facilitate an assessment of gradients for the access road and the private/shared driveways leading from it.

The applicant's agent has confirmed his client's willingness to enter a Section 106 Agreement to provide financial contributions in respect of the identified issues. The Development Brief have also been undertaken in accordance in the manner suggested and a revised layout plan omitting the building envelopes together with sectional drawing were submitted. Following assessment of this further information, the Highways Department concluded that the majority of the driveways serving the plots were of such a gradient as to render them inaccessible. Concern was expressed in respect of the potential need for substantial retaining works and the lack of detail provided and also in relation to the entrance to the site works with vision splays.

Further amended drawings have been submitted and following assessment it has been confirmed that satisfactory plot driveway accesses and parking facilities can be achieved.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 14th November 2014

Notified on 14th November 2014
The Garw Valley Community Council has concerns regarding road safety at the entrance/exit to this site as it is a dangerous junction.

The Council is also concerned about the effect that the increased volume of traffic will have on the impact of highways safety at the entrance/exit and around this site.

Councillor M Thomas
this application can be decided by delegated powers i have no objection

Head Of Street Scene (Highways)
No formal observations have been received in respect of the site access and improvement works within highway limits. Consideration is being given to this aspect of the scheme and it is expected that comments will be received prior to the Committee meeting. Members will be advised of the receipt of those observations and requirements to impose additional conditions on the amendment sheet.

Destination & Countryside Management
No objections to the proposal.

Head Of Street Scene (Drainage)
No objection subject to conditions.

Head Of Street Scene (Engineers)
No objections subject to a condition.

Natural Resources Wales
No objection subject to conditions.

Welsh Water Developer Services
No objections subject to advisory notes.

Crime Prevention Design S.Wales Police
Detailed design guidance in respect of security and designing out crime and can be provided directly to the developer in the event that approval is granted.

The Coal Authority
No objection subject to a condition.

REPRESENTATIONS RECEIVED

Representations have been received from the following residents:

2, 29, 32 Ty Fry Close
Owner of Plot 3 Abergarw Farm

Their objections and concerns have been summarised as follows:

1. Land levels & loss of privacy

2. Light Pollution

3. Increased traffic on unsuitable road

4. Use of Soakaway Drainage

5. Noise

6. Issues highlighted in respect of the application form

7. Lack of Detail

8. Sufficient development

9. Inadequate parking

10. Range of Development

11. Lack of tree survey and protection measures

12. Off site contributions

13. Development for Profit

14. Ground Investigations

15. Land levels

16. Extent of Built Development on Plots

17. Sustainable Development

18. Vision Splay Areas to Access

19. Control over Development

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised:-

1. Land levels & loss of privacy - objectors consider that due to the sloping nature of the application site that proposed dwellings within the development will infringe the privacy of their properties and private rear garden areas. The development will be on the opposite side of the unnamed road leading to Ty Fry Close and can be orientated and designed so that there will be no infringement of the Authority's privacy standard.

2. Light Pollution - Whilst it is anticipated that street lighting will be provided along the internal access road, it is not considered that this will significantly impact on neighbouring properties as to cause unreasonable light pollution.

3. Increased traffic on unsuitable road - Objectors have expressed concern that the highway leading to the site is unsuitable to serve the additional levels of traffic generated by the proposed development particularly due to the lack of pavements and therefore result in hazards to pedestrians, cyclists and horse riders. The submitted plans indicate that there are to be highway improvements including the provision of footways and crossing points and, subject to conditions, the Highways Department consider that the arrangements are acceptable.

4. Use of Soakaway Drainage - Objectors consider that due to the geology of the site, proposals to utilise soakaways are inappropriate and may result in increased flood risk. This view is shared by the Land Drainage Section and Natural Resources Wales, both of whom have suggested that a condition be imposed requiring the submission of a comprehensive and integrated drainage scheme for the prior written agreement of the Local Planning Authority in the event that consent is recommended.

5. Noise - Concern relates to the noise generated by new residents of the proposed dwellings and also from the prolonged construction phase. It is considered that the occupation of new residential properties is unlikely to generate noise sufficient to generate a statutory nuisance particularly given the distance between the proposed dwellings and existing houses. With regard to construction noise, construction hours are controlled by the Public Protection Department thereby safeguarding the amenities of existing residents.

6. Issues highlighted in respect of the application form - a separate response has already been provided to this objector clarifying matters and procedural misunderstandings.

7. Lack of Detail - Although objectors consider the application includes insufficient details of the proposed development, this fails to understand that the submission is seeking outline consent with the appearance, landscaping and scale of the dwellings reserved for future consideration.

8. Sufficient development - objectors have expressed the view that the proposed development is not required given that there are significant developments ongoing in close proximity to the site. The land the subject of the application is allocated for residential development under Policy COM1(37) of the Bridgend Local Development Plan and therefore is acceptable in principle.

9. Inadequate parking - One objector believes that the development would generate at least 130 resident spaces with visitor spaces required in addition and considers that the layout fails to provide sufficient space to accommodate these facilities. The assumption made by the objector has failed to take into account the Authority's adopted parking standards and following assessment by the Highways Department, it has been confirmed that, notwithstanding the submitted layout, the plots are capable of accommodating sufficient spaces to meet the standards.

10. Range of Development - One objector suggests that the developer has failed to justify the proposed density of the development and the scale of the proposed dwellings. It has been queried whether a larger number of smaller dwellings would generate less traffic. The density does not strictly comply with Policy COM4 of the Local Development Plan but is considered acceptable on the basis that it provides a greater housing choice which is to be delivered on a self build basis. Any suggestion that more, smaller dwellings on the site would generate less traffic and parking requirements could not be supported.

11. Lack of tree survey and protection measures - Whilst objectors have highlighted that a tree survey has not accompanied the submission, the majority of the site comprises open grassland. It is acknowledged that a mature hedge runs along the western site boundary with the unnamed road leading to Ty Fry Close and protection measures for this valuable ecological feature can be required by condition should the Authority be minded to approve the scheme.

12. Off site contributions - One objector considers that by allowing the developer to pay commuted sums in lieu of providing affordable housing and public open space, the development will fail to create a mixed community. The provision of such financial contributions for off site provisions is a standard practice, which is supported by supplementary planning guidance SPG13 and SPG14.

13. Development for Profit - One objector considers that the developer's motive in submitting the application is one of profit. This observation is not relevant to the planning merits of the scheme.

14. Ground Investigations - An objector has noted that the Coal Authority requires ground investigations are undertaken prior to development commencing but has suggested that these should be undertaken prior to determination of the application. The suggested condition is considered to be an appropriate method of addressing any potential issues arising from coal mining legacy and therefore the information is not required prior to determination.

15. Land levels - concern has been expressed that the submitted plans do not indicate plot levels but revised drawings, received on 2nd April 2015, now include potential slab levels within plots.

16. Extent of Built Development on Plots - Objectors consider that the building envelopes denoted on the plots are too large but this issue has been addressed within the Development Brief which limits plot development to a maximum of 35% plot coverage.

17. Sustainable Development - It has been highlighted that the Design and Access Statement and the Development Brief include statements referring to the aim of providing energy efficient homes built using quality materials responsibly resourced, employing a sustainable approach to water in terms of its supply, demand management, supply and drainage and also waste management both during and after construction through the provision of facilities for sorting, storing and recycling. Whilst some of these matters will be addressed by a condition requiring a construction management plan, much of these matters will be dealt with under the Building Regulations rather than the planning system.

18. Vision Splay Areas to Access - One objector has highlighted that the vision splay areas shown on the submitted plans lie outside the application site boundary. This has now been addressed by the submission of a revised site boundary. In addition, this objector has suggested that this land is not within the ownership of the applicant. Whilst some of the land forms part of the existing highway with appropriate notice having been served on the Local Highway Authority, the applicant has indicated that land immediately to the south and outlined in blue on the location plan is lies in his ownership.

19. Control over Development - It has been highlighted that the developer's stated intention is to sell the plots to individuals to develop their own properties and the land will not be sold to building companies. An objector has questioned how the Local Planning Authority will control this aspect of the development. This would not be a material planning consideration and the Authority would not seek to control this aspect.

APPRAISAL

The application is referred to Committee to consider the objections received from local residents.

The application seeks permission for the provision of a new access road to serve 26 residential building plots and involves the demolition of an existing modern barn structure currently located in the south eastern corner of the site. The application site lies on the eastern side of the un-named road leading from the A4064 to Ty Fry Close, Brynmenyn and to the north of Abergarw Farm, which is currently being redeveloped for four detached dwellings with the existing farmhouse being retained. The land slopes from north to south with access into the site proposed in the south west corner of the site and adjacent to the private shared driveway serving the development at Abergarw Farm. The majority of the site comprises grassland although a mature hedge runs along the western site boundary with the un-named road with the northern and eastern site boundaries also formed by hedges.

The site is allocated for residential development under Policy COM1(37) of the Bridgend Local Development Plan so that, in principle, the development is acceptable. The proposed number of units is 26 on a site of 1.48 hectares, which is below the Local Development Plan requirement of 35 dwellings per hectare. Policy COM4 clarifies the circumstances in which a lower density may

be accepted and the applicant has sought to justify the density in this manner in the Design and Access Statement supporting the submission. In addition, the supporting text to Policy COM4 states that a lower density may be acceptable where it provides greater housing choice especially where this is delivered by self-build initiatives.

The proposal triggers the threshold of Policy COM5 which requires the provision of 20% Affordable Housing in the Bridgend Housing Market Area. The Policy can be met through the construction of 5 units of affordable housing to be transferred to a Registered Social Landlord. Alternatively, the Council may consider the payment of a commuted sum as acceptable. If this were to be the case, then the starting point for a contribution is the formula contained in SPG13, which indicates a sum of £235,480 as providing equivalent value to on site provision.

In accordance with Policy SP14, the proposal would trigger the threshold for education contributions in SPG16. The Children's Directorate have confirmed that there is no surplus capacity for primary education in the vicinity of the site. As such, there would be a contribution of £97,878 in accordance with the formula contained in the SPG and dependent on the final number and type of units.

With regards to Public Open Space, Policy COM11 of the Local Development Plan requires the provision of 2.4ha/1000 people. The proposed development would thus need to provide between 0.14ha and 0.16ha of Public Open Space. If this cannot be provided on or off site, then a commuted sum would be sought of equivalent value. Current Council data indicates a contribution of £470 per dwelling amounting to £12,200. Section 106 obligations would be sought in respect of these issues. The applicant's agent has confirmed that his client is prepared to meet all of the above mentioned financial contributions.

The application has been accompanied by a Development Brief, which will provide individuals seeking to develop any of the plots with an understanding of the form, scale and parameters that would be acceptable. In this manner, it is considered that the development can contribute to creating a high quality, attractive, sustainable place compatible with the surrounding area and Policy SP2 of the Local Development Plan. This document also includes an indication of the programming of works, commencing with the re-alignment of Abergarw Lane and improvements to its junction with the A4064 followed by a new vehicular access created onto highway with appropriate vision splays, which can be achieved within the adopted highway and the site boundary. Thereafter the internal site road will be constructed with essential services and drainage connection points for each building plots, the curtilages of which are to be set out in accordance with the submitted layout. It will be a matter for individual plot purchasers to submit full or reserved matters applications for the dwellings at the appropriate stage.

Policy ENV6 of the Local Development requires development proposals to aim in the first instance to retain, conserve, restore and enhance identified natural features or habitats, which include hedgerows. In order to ensure that the hedgerows forming the western, northern and eastern site boundaries, protection measures can be required by appropriately worded condition to ensure their retention and conservation.

During the processing of the application Policies COM1, COM4, COM5, COM11, SP2, SP14 and ENV6 of the Bridgend Local Development Plan and Supplementary Planning Guides 14, 16 & 17 were considered.

CONCLUSION

The application can be recommended as the development is considered to comply with the Government and Council policies and guidelines and does not adversely impact on highway safety or visual amenities nor so significantly impact on the amenities of neighbouring properties as to warrant refusal of the scheme.

RECOMMENDATION

(A) The applicant enter into a Section 106 Agreement to

i. Pay a contribution of £235,480.00 as an affordable housing contribution in lieu of the provision of 5 units of affordable housing;
ii. Pay a contribution of £97.878.00 towards the provision of primary education in the vicinity of the site;
iii. Pay a contribution of £12,200.00 in lieu of the provision of Public Open Space on the site.
iv. To develop the site strictly in accordance with the Development Brief including programming of works received on 28th May, 2015

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting outline consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, subject to the standard outline conditions and the following conditions:-

1 The development shall be carried out in accordance with the Development Brief and following approved plans: Site Plan showing Plots and Access Road Levels and Highway Realignment - Plan number 4572-01, received on 2nd April, 2015 and the amended location plan received on 8th May, 2015 .

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

2 The plans and particulars submitted in accordance with the reserved matter in respect of landscaping above shall include:-

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, together with an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs(c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site.

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

(f) details of the approximate height and an assessment of the general state of health of any hedgerows forming the boundaries to the site which shall be retained;

(g) details of the specification and position of fencing and of any other measures to be taken for the protection of hedgerow from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

3 Any submission for approval of reserved matters or full application shall include details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

4 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul drainage, highway and roof and yard water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the agreed scheme prior to any dwelling being brought into beneficial occupation.

Reason : To ensure safe drainage of the site.

5 No development shall commence on site until the intrusive site investigation works identified in the Coal Mining Risk Assessment Statement, which accompanied the submission, have been undertaken and a report submitted to and agreed in writing with the Local Planning Authority. The report shall include details of any remedial works to treat any areas of shallow mine workings discovered by the intrusive investigations. Any remedial works shall thereafter be undertaken prior to any commencement of the development.

Reason : To ensure the safety and stability of the development.

6 The development hereby permitted shall not commence until such time as a Method Statement detailing all necessary pollution prevention measures for the operational and post operational phase of the development is submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall identify as a minimum:-
* Storage facilities and emergency containment for all fuels, oils, chemicals and explosives and any other polluting substances;
* Construction compounds, car parks, offices etc.;
* Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off;
* Details of maintenance of site access/coal haulage roads to ensure no polluting discharge;
* Works timing;
* Phasing of works/responsible pro-active construction methods;
* Environmental Monitoring schemes;
* Environmental protection;
* No alteration to surface waters;
* Environmental Permitting for use of waste;
* Imported materials;
* Site levels (present and final);
* Measures for dealing with any contaminated material (demolition waste or excavated waste);

* Details of emergency contacts e.g. Natural Resources Wales Pollution Hotline (0800 807 060)

The Method Statement shall thereafter be efficiently communicated to all contractors and sub-contractors and any deficiencies rectified immediately.

Reason : To prevent pollution.

7 Prior to any works in respect of the demolition of the existing modern barn structure commencing, a Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall indicate method of demolition and details of removal of materials arising from the demolition including a timetable for such works. The barn shall thereafter be demolished in accordance with the agreed Method Statement.

Reason : To ensure that the Local Planning Authority retains effective control over this aspect of the development in the interests of visual amenity.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) The application can be recommended as the development is considered to comply with the Government and Council policies and guidelines and does not adversely impact on highway safety or visual amenities nor so significantly impact on the amenities of neighbouring properties as to warrant refusal of the scheme.

(b) The developer is reminded that farm buildings can be used by a variety of wildlife including bats and birds, which are protected by law. Whilst protected species surveys have not been requested, the developer is legally required to consider wildlife on the development site. In this regard advice contained in the Authority's SPG 19 A Green Infrastructure Approach provides good practice guidelines to be followed where there is risk to bats and/or barn owls.

(c) In addition to the above advice in respect of bats and barn owls, the developer is reminded of their responsibilities to nesting birds under the provisions of the Wildlife and Countryside Act, 1981

(d) Foul and surface water shall be drainage separately.

(e) No surface water will be allowed to discharge to the public highway.

(f) No land drainage run-off will be permitted to discharge either directly or indirectly into the public sewerage system.

(g) In order to satisfy the drainage condition, the following supplementary information will be required:-
* Details of any existing arrangements and proposed arrangements;
* Confirmation of acceptance from Dwr Cymru/Welsh Water and/or NRW regarding discharges to the public sewer or main river;
* Infiltration tests to confirm acceptability of any soakaway together with supporting ground investigation report to confirm suitability of such system;
* Design calculations, storm period and intensity, the method employed to delay and control surface water discharges from the site and measures taken to prevent pollution of the receiving groundwater and/or surface water;
* A timetable for its implementation;
* A management and maintenance plan for the lifetime of the development and any other arrangements to secure the operation of the system throughout its lifetime.

(h) The observations of the Crime Prevention Design Advisor are enclosed for the developer's information and consideration.

(i) The observations of Dwr Cymru/Welsh Water are enclosed for the developer's information and consideration.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : SECTION 106

REFERENCE: **P/14/464/OUT**

APPLICANT: SOUTH WALES LAND DEVELOPMENTS
C/O ARUP 4 PIERHEAD STREET CARDIFF

LOCATION: **LAND EAST OF A4061 (BNDR) COITY**

PROPOSAL: OUTLINE APPLICATION FOR 220 DWELLINGS

RECEIVED: 8th July 2014

SITE INSPECTED: 16th August 2014

APPLICATION/SITE DESCRIPTION

South Wales Land Developments Ltd are seeking outline planning consent for residential development on two sites, the larger of the two parcels being situated to the west of Litchard and Brackla Industrial Estate, to the east of the A4061 (Bridgend Northern Distributor Road) on sections of former open fields, with the smaller site located off the Brackla Link road to the north of Maes Dewi Pritchard. The sites have been levelled into a series of development plateaux, but these have been unmanaged for many years and now support a cover by a mix of rough ground habitats, mostly coarse grassland, tall herb vegetation and scrub, which are divided by a series of scrub-shaded streams and ditches.

The submitted documents and masterplan indicate a development of up to 220 dwellings. The Design and Access Statement indicates that the residential area is proposed to be two storeys with three storeys at gateway locations and key frontages. The layout is proposed to be in the form of perimeter blocks with mews cottage and parking courts set within the perimeter block. Parking is proposed to be on-plot where possible with small secure parking courtyards and on-street spaces provided where necessary. Tree lined avenues are proposed along primary streets with a landscape buffer to the bypass. Open space is proposed in the south western sector of the development, incorporating the Morfa Brook and a green buffer alongside the Northern Distributor Road.

Vehicle access to the larger site will be direct from the existing roundabout located on the Brackla Link Road with the smaller site served via the roundabout junction and a section of highway that also provides access to the Shepherds Veterinary Hospital.

The submitted masterplan has been revised to include an indicative corridor to accommodate the diverted public right of way (Footpath 4 Coity Higher crosses the site) and a multi-user route (footpath/cycleway) along the western edge of the site which could be directed through the area of open space.

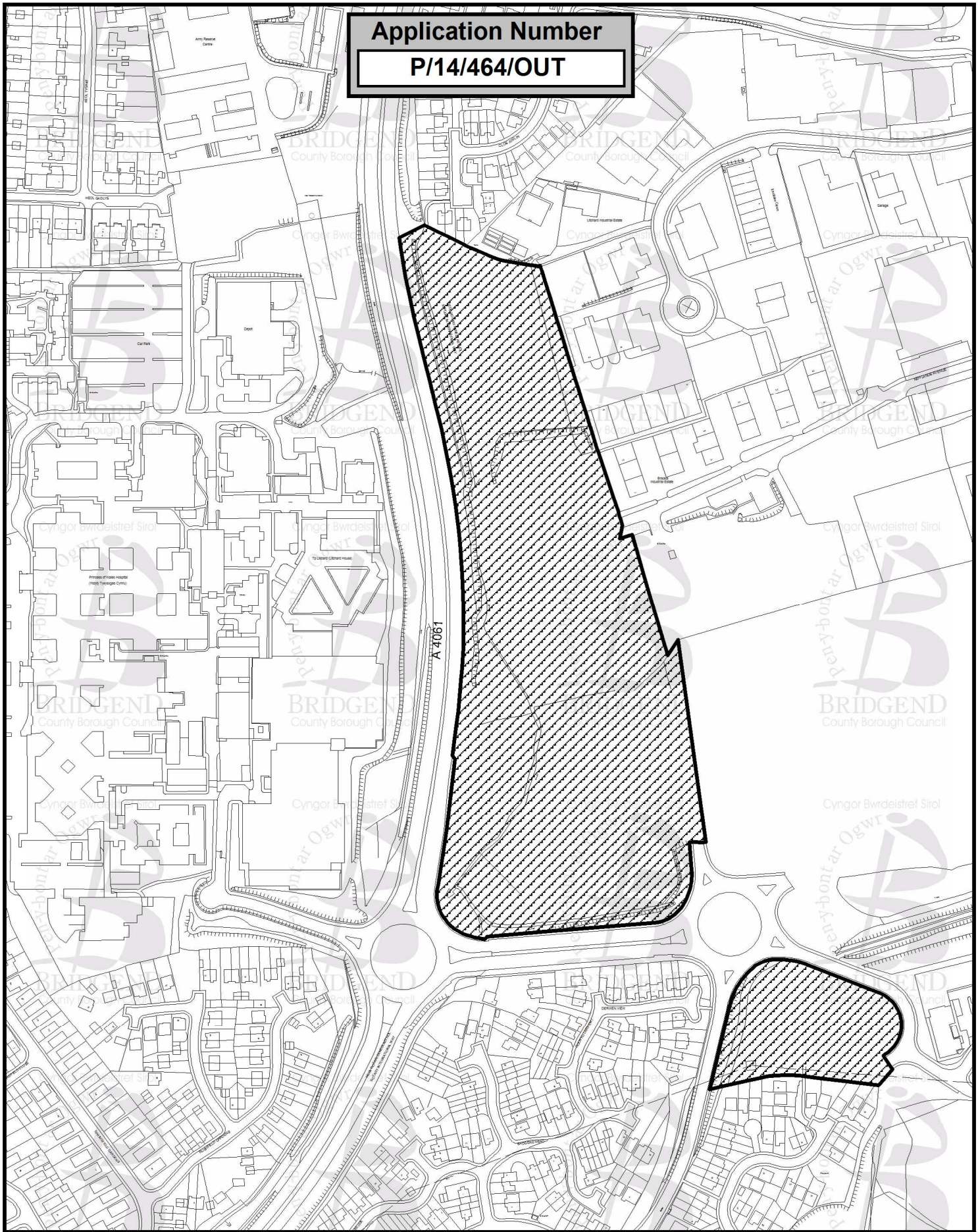
The application has been supported by a detailed Design and Access Statement (DAS) and the following documentation:

* Indicative Masterplan (Revision D - March 2014)

* Scale Parameters Plan/Indicative Drainage and Highway Scheme

* Civil and Structural Engineering Design Statement

* Road Traffic and Industrial Noise Assessment



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Scale 1:3,500

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

* Transport Assessment (Volumes 1 and 2)

* Ecology Survey

* Brief for Archaeological Evaluation

* Topographic Survey

* Site Investigation Report

* Odour Report

* An Indicative Drainage Strategy and Plan

RELEVANT HISTORY

None.

PUBLICITY

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 11th August 2014.

NEGOTIATIONS

Negotiations commenced on 7th August 2014 in relation to the following:
1. Section 106 Planning Obligations;
2. Concerns expressed by Group Manager Public Protection in respect of noise and odour emanating from the adjoining commercial uses and the impact on the occupiers of the proposed housing;
3. Accommodating the Public Right of Way and required strategic footpath/cycleway as part of the future development;

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 14th July 2014

Notified on 14th July 2014

Councillor J C Spanswick
Due to fact that this development covers the wards of Coity and Brackla then I would be interested to know if ward members from both wards can be invited to comment and speak at committee if relevant

Destination & Countryside Management
No objection subject to conditions.

Head Of Street Scene (Drainage)
No objection subject to conditions.

Group Manager Public Protection
The noise report assesses the noise levels from the A4061 road to the proposed development. Noise levels from road traffic are predicted to fall into category NEC B, of TAN 11 guidance, which identifies that 'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection'. The report has provided the predicated noise levels from A4061 at 10m to be 61dB 07.00hrs to 23.00hrs and 52dB 23.00hrs to 07.00hrs. However, this prediction is based on noise measurements that were undertaken in 2012 and are now 2 years out of date which needs to be taken into account.

The noise climate in the area immediately adjacent to this development where houses have already been built (i.e. land south of Joslin Road- P/07/822/FUL) was identified by the Welsh Government as high enough to be declared as a Candidate Noise Action Priority Area by the Welsh Government, which would suggest that the noise climate is higher than that was measured 2 years ago. In order to address this, an up to date noise survey should be undertaken.

The conclusion of the report states that during site visits the noise from the Industrial Units on Brackla Industrial Estate was not significant and the ambient noise was due to road traffic from A4061 which could be mitigated by providing closed boarded fencing around the boundary of the site to screen service yard areas. However, despite there being no significant noise from the commercial units at the time of the survey, the nearby commercial /industrial sources which include an MOT garage, A1 Loo Hire, Owens Fuels (which occasionally have early morning deliveries of fuel) and a waste recycling processing plant- Broughshire waste, Bridgend Motor works, Shearan Scaffolding, a building at rear of Scats which has very large loading bays which are likely to carry out activities which could have an adverse impact on the development. Therefore noise generated from each of the industrial/ commercial units need to be specifically assessed in full prior to making any further observations.

Contaminated Land

With reference Integral Geotechnique site investigation report number 11077/PB/13, I note that the Western and Southern Areas are likely to be Residential. I can conclude that the recommendation of 'capping the proposed soft landscape areas with a minimum 600mm thick layer of approximately inert topsoil and subsoil' is a suitable remediation option for this type of development. In relation to the eastern area of the site, the report state that this is area is likely to be utilised for Commercial/Retail use. Whilst no remediation works are required for commercial use, in the event of the land being utilised for residential, a suitable remediation method as stated above will be required. The imported materials should be tested in line with the requirements stated in the attached document and results submitted to this Department prior to any development taking place.

Additional noise and odour reports have been submitted and are discussed in the appraisal section of this report.

Head Of Parks & Playing Fields
Having considered that a new formal children's play area exists at Clos Joslin, which is connected to the proposed development site by a footpath, no formal play area would be required. However, following discussions it is considered that the developer should provide natural play items on the proposed open space in line with the number of dwellings.

Rights Of Way Team
In my original consultation response, I expressed concern that the developer has not

acknowledged the existence of a public right of way across the site. The applicant's agent has however confirmed that the line of the footpath will be incorporated into the design of the development and will be the subject of discussions with the Council. I have however indicated that I would not wish to see the footpath diverted onto the estate road. I also know that the Ramblers Association and others would object strongly to such a proposal. On the basis that the current application is outline only and the developer has acknowledged the existence of the footpath I can confirm that I am willing to withdraw my original objection. It should however be noted that the Rights of Way Section reserves the right to submit a further objection if Footpath 4 Coity Higher has not been catered for within the development when a future application is submitted.

Natural Resources Wales
We offer no objection to the application but would ask that conditions be included to control site drainage and pollution.

Welsh Water Developer Services
We would request that if you are minded to grant planning consent for the development that the recommended conditions and notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Crime Prevention Design S.Wales Police
South Wales Police Crime Prevention Design Advisor has provided comments on the indicative layout that have been passed to the applicant's agent.

Glamorgan Gwent Archaeological Trust
No objection to the determination of this application.

Bridgend & District Ramblers
The Bridgend Ramblers object to the application as the developers have made no provision to divert Footpath 4 Coity to open spaces on the site.

REPRESENTATIONS RECEIVED

Ian Williams, Cresta Coaches Unit 6
I support the proposal.

Objections Have Been Received From 15,17 & 28 Clos Joslin, ,
A summary of the objections is reproduced below:

1. Development will result in an increase in noise, exacerbating existing problems experienced from roads and nearby businesses.

2. Additional housing will generate additional traffic on the road network - how will the site be accessed?

3. Do not want the public right of way to become overcrowded

4. Lack of information regarding level of development, proximity and scale of development. Proposed development could overlook the new housing affecting privacy and outlook.

5. Sufficient new housing is already being provided on other sites in Bridgend.

6. New tree planting could potentially block out light to the south facing gardens in Clos Joslin.

7. Development could devalue properties.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the representations received:

1. The application has been accompanied by noise and odour reports that have considered the impact of the existing land uses (road traffic and industrial noise and odours) on the proposed development. The reports have been evaluated by the Group Manager Public Protection and controls (S106 Obligation and conditions) will be imposed on the development to ensure that the amenities of future occupiers will be safeguarded.

Residents of Clos Joslin have expressed concern about the impact of the proposed development on their amenities. On the basis that the future use of the land is for housing it seems unlikely there would be any significant impact. Additional traffic may create noise but, on the basis of the evidence, the increase in traffic levels will only be moderate. It is acknowledged that, during construction, a degree of noise and disturbance will take place and although this can be dealt with under other legislation, at the reserved matters stage it may be considered appropriate to agree a construction method statement which may include a restriction on the hours of construction. This could, to some degree, lessen the impact of the construction works on the occupiers of the nearest neighbouring properties.

2. Although the means of access is reserved for future consideration, the site access arrangements are set out in the supporting Planning Statements and illustrated on the 'indicative masterplan'. The impact of additional traffic on the local road network has been highlighted by the objectors. In accordance with the parameters set out in Technical Advice Note 18 - Transport, the application has been accompanied by a Transport Assessment (TA) which relates to the application site and land to the north east of Brackla Industrial Estate, consented for development under P/13/246/OUT. The TA considers existing road conditions, the proposed development and the development traffic impact. The TA states:

'It has been demonstrated that the proposed development will result in a modest increase in traffic on the surrounding road network, with no material change in the operation of most junctions within the study area.'

The TA did, however, acknowledge that the Coychurch Road/Heol Simonston junction was currently operating at capacity and experienced congestion. Its ability to accept additional traffic was limited and it had been demonstrated that the introduction of a roundabout junction in place of the current priority junction would significantly ease congestion at this location. The TA confirmed that the development would need to make an appropriate financial contribution towards improvements along the Heol Simonston corridor and that has been secured through the S106 related to application P/13/246/OUT.

Notwithstanding the concerns expressed by residents, the evidence (Transport Assessment) would appear to suggest that capacity exists within the road network to accommodate the scale of development that is proposed as part of this application.

3. The existing public right of way that crosses part of the site will need to be diverted and discussions for the re-alignment have commenced with the Rights of Way Section. The applicant's agent intends to accommodate the route in the green space that lies on the western boundary but the route is not definitive at this stage. Diversions are the subject of a separate planning process and advice has already been forwarded on the most appropriate route. Inevitably, additional housing on this site and the land to the north (Parc Derwen) will result in the greater use of footpaths and rights of way but this is generally encouraged by Welsh Government. A footpath/cycleway will be provided as part of this development along a corridor on the western part of the site and this should accommodate much of the pedestrian 'traffic' and will eventually form part of a route that will link the town centre to the Designer Outlet.

4. Ultimately, the layout design will be the subject of future reserved matters submission but, on the basis of the indicative masterplan that has accompanied the application, it would appear that the current standards that seek to protect privacy, prevent overshadowing and domination, could be achieved.

5. Objectors have offered the view that sufficient housing has already been allocated/provided for elsewhere in Bridgend. The application site forms part of the North East Brackla Regeneration Area which under various polices of the Bridgend Local Development Plan will seek to deliver land for employment, housing, retailing, playing fields and improvements to the transportation network (Polices REG 1 (1), REG 1 (5), COM1 (2), REG 11 (2), REG5 (2), PLA8 (1) and COM12 (1) refer). The approved development brief seeks to ensure that the site's regeneration comes forward in a comprehensive and phased way during the plan period. A significant part of the development is the proposed housing with Policy COM1 (2) predicting that 550 units will be delivered over the regeneration area in the plan period. In agreeing this allocation there was a clear expectation that the open fields that form the application site, would be developed in order to meet the wider objectives of providing new homes to meet the anticipated population growth.

6. Careful consideration will also be given to any future tree planting along the site boundary to ensure that it does not overshadow the gardens of properties on Clos Joslin.

7. Property devaluation is not a material consideration in the determination of this planning application.

8. The Bridgend Ramblers object to the application but attention is drawn to the observations received from the Public Rights of Way Manager and it is considered that the right of way may be accommodated within the future development.

APPRAISAL

The application is referred to the Development Control Committee for determination given the number of objections that have been received to the development.

Planning Policy Wales states that, in line with the presumption in favour of sustainable development, applications for planning permission should be determined in accordance with the adopted development plan for the area, unless material considerations indicate otherwise.

The Bridgend Local Development Plan is the adopted plan for the area and seeks to promote the mixed use regeneration of the application site and the area defined as 'North East Brackla' to deliver a high quality employment area, alongside other uses including housing (including a significant proportion of affordable homes), leisure, retail and public open space for the period up to 2021. In December 2010, the Council adopted the North East Brackla Development Brief to set parameters for the future development in this area. The Brief identifies the application site for employment development. However during the Local Development Plan examination in 2013, it was considered that developing this quantity of land for employment purposes was no longer a viable option given the economic climate and the change in ownership of the site. It was

therefore concluded that, in order to facilitate the comprehensive development of the site, the area of land subject of this application would be more beneficially delivered for residential purposes. It was always acknowledged that some flexibility would have to be built into the policy framework for the development of this area.

The Planning Statement submitted in support of this application includes a summary of the key findings of the technical due diligence works which supports and underpins this application:

'TRANSPORT
A substantial amount of transport related assessment/modelling work has been carried out to support this (as well as the eastern) allocation in the form of an over-arching appraisal of transport impact for circa 450 residential dwellings. The conclusion of the Transport Assessment is that the site is well located and that the proposal is acceptable in terms of its transport implication and impacts.

This work has been technically reviewed by the Highway Authority and its agent Capita and found to be robust in terms of its inputs, outputs and conclusions.

ECOLOGY
The conclusions of the ecological assessment are as follows:

The site supports a mix of habitats, and these are dominated by a relatively species-poor mix of damp grassland, tall herbs and scrub. A few areas of more diverse dry grassland are present in the north of the area. The area is probably best assessed as having local value for nature conservation, due to its size and the mosaic of habitats.

The site supports a good range of common plants and animals, but few of them have any special value for nature conservation. The site is likely to support a diverse range of invertebrates. The site is likely to support reptiles (particularly in the dry grassland areas) and a moderate range of breeding birds. It is likely to be used by foraging bats, although no potential roost sites were identified within the study area.

NOISE
The conclusions of the noise assessment are as follows:

Road Traffic noise levels are indicated to fall under NEC B of TAN 11. Planning conditions issued by a neighbouring Authority do not require any additional acoustic treatment for NEC B sites, thermal double glazing and trickle ventilation sufficient.

A 55dB (A) garden criterion should be met providing garden areas are screened from the A4061 road by means of a closed boarded fence or similar.

Based on observations made during site visits, industrial noise was not significant. It may be considered prudent to include a closed boarded fence along the boundary with the industrial site to screen service yard areas.

ARCHAEOLOGY
The archaeological assessment and fieldwork found no features or deposits of archaeological interest.

GEOTECH
The geotechnical site investigation did not identify any significant contamination issues (all exceedances being classed as marginal), but recommends a cap of inert sub and topsoil to proposed soft landscape areas.

In terms of engineering, the investigations suggest that re-profiling works will be necessary and

that mass concrete strip/trench fill foundations could be used across the main area of the application site, with piled foundations potentially required for the smaller southern parcel given the presence of variable made ground in this location'.

The proposed development is of a scale and type that accord with the Development Brief and, whilst the introduction of residential development on the land differs to that of the Brief's illustrative master plan, the reasons for the changes have been fully justified. On the basis that the submitted scheme still accords with the general principles of the development brief and, importantly, the adopted land use policy, there is no development planning objection to the principle regarding the proposed residential development of the site.

With regard to the specific Section 106 requirements, as a total of 220 dwellings are proposed, the application triggers Policy COM5 of the Bridgend Local Development Plan (LDP) which requires an appropriate element of affordable housing to be provided on sites of 5 or more dwellings or exceeding 0.15 hectares in size. The target for the Bridgend Housing Market Area is 20%, which equates to 44 units. However, reference should be made in this instance to the site's allocation as part of the North East Brackla Regeneration Area in the LDP. The Regeneration Area is subject of a Development Brief, which together with the LDP seeks to ensure that the site's regeneration comes forward in a comprehensive and phased way during the Plan period. The total number of residential units allocated in the LDP is 550 with 110 to be affordable. To date, 99 affordable units have been consented on other phases of the site. As such, 11 of the units proposed by this application are required to be affordable housing units to fulfil the LDP allocation.

The development is also subject to the provisions of Policies COM 11 and COM 12 (1) which require all new housing developments to provide a satisfactory level and standard of outdoor sport, children's playing space and public open space. The Development Brief provides further detail and highlights the need for Open Space to provide opportunities for children's play, sports provision and informal recreation. The Parks and Playing Fields section have indicated that due to the close proximity of a new children's play area at Clos Joslin, which is connected to the site by a footpath, a formal play area will not be required. They have also indicated that the area of Public Open Space illustrated on the masterplan should be equipped with natural play items to create a minimum of twenty opportunities for play for a full range of age groups up to 14 years of age. As the application is in outline, the detailed design of such a scheme will be the subject of a future reserved matters submission.

As a residential proposal of more than 5 units, the application is also subject to the requirements of SPG 16: Educational Facilities & Residential Development. The Children's Directorate has been consulted to ascertain the impact the proposed development will have on local educational facilities. The majority of the site is located in the Coety Primary School catchment. The school is at capacity and forecast to remain so for the foreseeable future. A contribution based on the formula and cost guidance in SPG16 is requested for Primary age children from this part of the site. The small portion of the site located to the south of the roundabout on Brackla Link is located in the Brackla Primary School catchment. There is however sufficient capacity in the school to accommodate Primary age children from this part of the site. There is also sufficient capacity to accommodate Secondary school age children generated by the entire development. This accords with the approach set out in policy and the development brief.

The Group Manager Street Scene (Highways) has considered the Transport Assessment and the impact of the proposals on the surrounding highway network. On the basis of the changes to the access arrangements as set out the updated masterplan, it is considered that the impact of the development on the highway network is not significant. New and enhanced pedestrian and cycle routes will be provided as part of the development and this will be secured through planning conditions. Accordingly, the Group Manager Street Scene (Highways) has no objection to the development subject to a Section 106 obligation for the payment of monies toward a new/amended traffic order of the A4061/Princess Way Link.

Whilst the principle of the site being developed for housing and the level of planning obligation being obtained from the development is acceptable, it has also been necessary to consider the masterplan, albeit in its indicative form, against more general planning policies and guidance.

The proposed masterplan presents a layout, albeit indicative in form that suggests that future reserved matters submission will accord with parameters of the development brief namely:

* Generally perimeter block development of two storeys; use of a secure and permeable perimeter block structure;

* Provide secure rear gardens; Ensure properties address and overlook streets, footway / cycle routes;

* Provide on-plot resident parking where possible; Provide small, secure parking courtyards with convenient access for terraces / apartments or

* Designated on-street spaces; Provide overlooked on-street visitor parking

Ultimately the layout design will be the subject of future reserved matters submissions. It is appropriate in this case to impose conditions requiring the design of future housing to accord with the parameters of the development brief.

The close proximity of the application site to existing highways and commercial premises has again been a concern to the Group Manager Public Protection and it has been necessary to undertake a number of different noise and odour assessments, in relation to specific operators.

The assessment of the noise report submitted by the applicant's consultant identified concerns in relation to the operation of A1 Loo Hire on Brackla Industrial Estate. The nature of the business is such that pumping activities, particularly during the summer months are undertaken during the night time and this, in the view of the Group Manager Public Protection, would cause a significant adverse effect on the proposed residential properties. The consultant's report recommended that the developer provide acoustic double glazed windows, with mechanical ventilation to the proposed houses adjacent to the site boundary of the Industrial Estate. This form of mitigation was considered and rejected by the Group Manager Public Protection on the basis that it would not be acceptable or reasonable to assume that windows which are capable of being opened are closed at all times, to prevent the occupants from being disturbed by noise at night. It was recommended that either the development scheme be amended or mitigation be provided at source i.e. time controls on the pumping operation.

The consultant's report on the matter of odour again identified A1 Loo Hire as the source of concern and recommended that a bio-filter be constructed on the pump to control the odour at source.

Negotiations have subsequently taken place between A1 Loo Hire and the proposed developer to secure 'at source' mitigation which would require the following:

* No pumping activity be undertaken at the A1 Loo premises between the hours of 8pm and 7am on any day and

* That A1 Loo Hire install a new bio-filter system in accordance with the general design criteria proposed by the consultant and submit and agree a schedule of maintenance.

The applicant's consultant has indicated that a Letter of Intent signed by A1 Loo Hire will be received prior to Committee confirming that they will accept the required mitigation including the restriction on hours of operation. Members will be advised of the receipt of the letter on the amendment sheet.

In the interest of safeguarding future amenities and to ensure that the mitigation works are implemented before any development commences, the works will be secured through the required planning obligation. Furthermore, A1 Loo Hire will need to be signatories to the S106 obligation.

In addition to the 'off-site' mitigation proposed on the A1 Loo Hire, given the close proximity of the development site to existing and allocated employment uses/land, it is considered that any future detailed reserved matters submission incorporates a 5m wide strategic landscaping buffer to provide screening between the respective uses of land. A condition will be imposed to require the submission and agreement of the scheme.

As such it is considered that the continuing business use of the adjoining land will not be compromised as a result of the development.

The protection of bio-diversity on site has been addressed by the application with a comprehensive assessment of the on-site ecology. In accordance with the advice of the Council's Ecologist it will be necessary to impose conditions and notes to require compliance with the ecological constraints and opportunities for ecological enhancement.

It is considered that the scheme accords with the adopted Development Brief and Plan policy and proposes an area of housing development as part of a mixed use regeneration scheme which will be of benefit to the wider community both in social and economic terms.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and the adopted Development Brief. Furthermore, the proposal in this form does not so adversely affect the residential and visual amenities of the area nor will it be detrimental to highway safety.

RECOMMENDATION

(A) The applicant enters into a Section 106 Agreement to:

(i) Provide for 11 units of affordable housing to be transferred to a Registered Social Landlord, with the type of units, location within the site and affordable tenure to be agreed by the Council.

(ii) Provide a financial contribution in accordance with the Educational Facilities Supplementary Planning Guidance (SPG) formula towards the provision of additional nursery and primary school places in the schools serving the development; this figure being dependent on the final development mix and numbers with contributions provided on a pro-rata basis.

(iii) Provide a financial contribution on the commencement of development towards the provision of a Neighbourhood Equipped Area of Play, public open space and associated facilities to serve the proposed residential development in the North East Brackla Development Area, the monetary contribution being based on the most up to date formula for the calculation for equipped play areas, recreational facilities and open space, based on the number of dwellings.

(iv) Provide a financial contribution of £7,000 towards the processing of revised traffic orders on the A4061/Brackla Link Road.

(iv) That A1 Loo Hire enters into the S106 obligation to secure the following noise and odour mitigation works and restrictions on their existing site operation on the A1 Loo Hire premises:

* No pumping activity is undertaken at the A1 Loo Hire premises between the hours of 8pm and

7am on any day;

* That A1 Loo Hire put in place a new bio-filter system in accordance with the general design criteria proposed by the RPS report titled - 'Land at Brackla West - Odour Mitigation for A1 Loo Hire, Brackla Industrial Estate, dated 11th December 2014.

* That A1 Loo Hire submits and agrees a scheme of maintenance for the installed bio-filter system;

(v) The aforementioned mitigation shall be implemented on the A1 Loo Hire site prior to commencement of any phase of the residential development:

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting outline consent in respect of this proposal once the applicant and A1 Loo Hire has entered into the aforementioned Section 106 Agreement, subject to the standard outline conditions and the following additional conditions:

1 The development shall be carried out in conformity with Drawing titled: 'Land at Brackla West, Bridgend - Master Plan - Revision A, received on 10th October 2014.

Reason: In the interests of highway safety and to ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

2 The consent hereby granted shall be limited to the construction of no more than 220 dwellings.

Reason: To ensure the effective control of the development in the interests of safeguarding the amenities of existing and new residents and in the interests of highway safety.

3 The development hereby permitted shall be carried out in accordance with the Design Guidance set out on pages 58-61 of the North East Brackla Development Brief.

Reason: To ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

4 The plans and particulars submitted in accordance with the reserved matters for this development shall make provision for public open space in accordance with the North East Brackla Development Brief and in the general locations illustrated on drawing titled: 'Land at Brackla West, Bridgend - Master Plan - Revision A, received on 10th October 2014. No development shall however commence until a detailed scheme including all items of natural play, associated ground works and landscaping has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the 50th dwelling being occupied on site.

Reason: In the interests of the residential amenities of future occupants

5 The plans and particulars submitted in accordance with the reserved matters for this development shall incorporate a 5m wide landscaping buffer along the north-eastern and eastern boundary of the application site where it adjoins Litchard/Brackla Industrial Estate. The plans and particulars shall include details of all existing trees and hedgerows, new tree planting, (including written specifications, schedules of plants, noting species, plant sizes, proposed numbers, densities) and a programme of implementation and a management plan. The required landscaping works shall be carried as agreed and prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, to safeguard the amenities of the future occupiers and to promote nature conservation.

6 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, roof/yard water, highway drainage and land drainage will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented through the various phases of the development and prior to any building/dwelling being occupied.

Reason: To ensure effective drainage facilities are provided for the proposed development

7 The greater North Western development parcel hereby approved shall be served by a single means of vehicular access from the Princess Way roundabout at the South Western corner of that site.

Reason: In the interests of highway safety.

8 The lesser South Eastern development parcel hereby approved shall be served by a single means of vehicular access from the unnamed road on the Eastern end of that site.

Reason: In the interests of highway safety.

9 No individual property within the greater North Western development parcel shall be served by an individual vehicular or pedestrian access onto the A4061 or Princess Way Link.

Reason: In the interests of highway safety.

10 No individual property within the lesser South Eastern development parcel shall be served by an individual vehicular or pedestrian access onto the unnamed road along the Northern boundary or Princess Way.

Reason: In the interests of highway safety.

11 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 an active travel route along the Western Boundary/A4061. The link shall be laid out as a 3.5 metre cycleway/footway link set back from the carriageway behind a 1.5m margin strip and shall extend from the existing cycle route provision at the A4061 roundabout at the South Western corner of the site through to the A4061/Heol West Plas Roundabout. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of promoting sustainable travel patterns.

12 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 cycleway/footway links to the Coity Higher Community Centre and Parc Derwen at the A4061/Heol West Plas roundabout. These links will consist of 3m wide uncontrolled crossing points on the Heol West Plas arm and the A4061/Rotary Way arm. Where a refuge is required on those crossing points these shall be a minimum depth of 2.4m. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of highway safety and promoting sustainable travel patterns.

13 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 cycleway/footway links

to Princess Way from the Greater and lesser development parcels. These links will consist of a 3m wide segregated routes with uncontrolled crossing points on the Princess Way/Princess Way link road roundabout. Where a refuge is required on those crossing points these shall be a minimum depth of 2.4m. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of highway safety and promoting sustainable travel patterns.

14 Unless otherwise agreed in writing with the Local Planning Authority the main spine road off the Princess Way roundabout shall be at a gradient not steeper than 5% (1 in 20) for the first 30 metres and thereafter not steeper than 8% (1 in 12).

Reason: In the interests of highway safety.

15 The development shall be served by no less than three individual 3.5 metre wide cycleway/footway links onto the active travel route along the Western site Boundary. These shall be sited at the north western corner of the development, in the vicinity of the public open space at the South Western corner of the site together with one approximately midway between the two. In addition the North Western link shall also incorporate a 2.5m footway to link to the existing footway provision link on Joslin Close . Such a scheme shall be implemented in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of promoting sustainable travel patterns.

16 No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the removal of the existing left turn filter lane to the A4061/Princess Way Link Road. The scheme shall include for all appropriate signing and carriageway markings and shall be fully implemented before any dwelling is brought into beneficial use.

Reason: In the interests of highway safety.

17 No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing amended direction signage on route A4061 and Princess Way Link Road. The scheme shall be fully implemented before any dwelling is brought into beneficial use.

Reason: In the interests of highway safety.

18 No development shall commence until such time as a Construction Environment Management Plan (CEMP) detailing all necessary pollution prevention measures for the operational and post operational phase of the development has been submitted to and agreed in writing by the Local Planning Authority. The (CEMP) shall identify as a minimum:

a.Storage facilities and emergency containment for all fuels, oils, chemicals and explosives and any other polluting substances;
b.Construction compounds, car parks, offices etc.
c.Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off;
d.Works timing and phasing of works/responsible proactive construction methods;
e.Details of maintenance of site access/haulage roads to ensure no polluting discharge;
f.Measures for dealing with any contaminated material (demolition waste or excavated waste);
g.Environmental Monitoring Schemes and Environmental Protection methods;
h.Details of emergency contacts;

The (CEMP) should then be efficiently communicated to all contractors and subcontractors and implemented throughout the period of construction.

Reason: To prevent pollution

19 No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and agreed, in writing, by the Local Planning Authority. The remediation strategy shall include all of the following:

a. A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as agreed.

Reason: To prevent pollution from any site contamination.

20 No dwelling shall be occupied until a verification report demonstrating completion of works set out in the agreed remediation strategy and the effectiveness of the remediation has been submitted to and agreed, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the agreed verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as agreed.

Reason: To prevent poluution from any site contamination.

21 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written agreement from the Local Planning Authority. The remediation strategy shall be implemented as agreed.

Reason: To prevent pollution from any site contamination.

22 No development shall commence until an 'Invasive Non-Native Species Protocol has been submitted to and agreed in writing by the Local Planning Authority. The 'protocol' shall detail the containment, control and removal of Himalayan Balsam, Giant Knotweed, Wall Cotoneaster and Japanese knotweed on site. The agreed protocol shall be implemented from the commencement of site clearance works and throughout the period of construction.

Reason: In the interests of protecting the environment.

23 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environment Management Plan (CEMP: Biodiversity) has been submitted to and agreed in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

a) Risk assessment of potentially damaging construction activities.
b) Identification "biodiversity protection zones".
c) Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication
g) The role and responsibilities on site of an ecological clerk of works or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP - Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the agreed details.

Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.

24 No development shall take place until an Ecological Design Strategy (EDS) addressing avoidance, mitigation and enhancement has been submitted to and agreed in writing by the Local Planning Authority. The EDS shall include the following:

a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints
c) Detailed designs and/or working methods to achieve stated objectives.
d) Extent and location/area of proposed works on appropriate scale maps and plans.
e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g) Persons responsible for implementing works.
h) Details of initial aftercare and long-term maintenance.
I) Details for monitoring and remedial measures.
j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the agreed details and all features shall be retained in that manner thereafter.

Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.

25 A Landscape and Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The LEMP shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) On-going monitoring and remedial measures.

The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.

The agreed plan shall be implemented in accordance with the agreed details.

Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.

26 No development shall commence until a scheme has been submitted to and agreed by the Local Planning Authority for the provision of the following noise mitigation and ventilation works:

The habitable rooms in the properties closest to the A4601 and Rotary International Way (on both development sites) shall achieve internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. When determining the final specification of the glazing, the applicant will need to demonstrate that the glazing is sufficient to attenuate the lower frequencies generated by road traffic intrusion as well as achieving the required overall internal noise levels. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to a lower rate between 10 and 17 litres per second against zero pressure.

The dwellings shall be constructed in accordance with the agreed noise mitigation and ventilation works prior to occupation.

Reason: In the interests of the amenities of the future occupiers of the approved development.

27 The plans and particular submitted in accordance with the reserved matters shall include a 1.8m acoustic barrier (with a minimum density of 10kg/m2) on top of the embankment, alongside the A4061 on the western boundary of the development and the properties alongside Rotary International Way on both developments, where the traffic noise in the garden areas are predicted to be in excess of 55dBA (Leq16hour.) The design details of the barrier , including location, density and construction details shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the approved development.

28 The plans and particular submitted in accordance with the reserved matters shall include an acoustic barrier (with a minimum density of 10kg/m2) on top of the existing embankment on the northern and eastern boundaries (alongside the industrial units) which shall be high enough to completely remove the line of sight to the first floor level. This barrier to remove the line of sight from the first floor bedrooms shall also be extended along the eastern boundary bordering the vacant land to the industrial site. The design details of

the barrier, including location, density, height and construction details shall be submitted to and agreed in writing by the Local Planning Authority. The barrier to the northern boundary (alongside Owens Fuels) shall be capable of attenuating the noise from the reversing alarms to the tankers at Owens fuels by 15dB unless alternative mitigation is submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the approved development.

29 Properties alongside the northern and eastern boundaries (which border the industrial estate and vacant land) shall not exceed 2 storeys in height.

Reason: In the interests of the amenities of the future occupiers of the approved development.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This application is recommended for approval because the development complies with Council policy and the adopted Development Brief. Furthermore, the proposal in this form does not so adversely affect the residential and visual amenities of the area nor will it be detrimental to highway safety.

b. Off street parking, both operational and non-operational must be provided to the satisfaction of the Local Planning Authority and attention is drawn to Supplementary Planning Guidance 17: Parking Standards.

c. Dwr Cymru Welsh Water has provided the following advisory notes:

* Foul water and surface water discharges shall be drained separately from the site

* No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise agreed in writing by Dwr Cymru Welsh Water.

* Land drainage run off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

d. The proposed development site is crossed by a public sewer and strategic water main. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of any building will be permitted within 3 metres either side of the centreline of the public sewer. It may be possible for this water main to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer.

e. Natural Resources Wales have indicated that specific attention must be given to the protection of the Morfa Brook which is currently failing to reach 'good' status in accordance with the Water Framework Directive. It is essential that this proposal causes no detriment to the watercourse and river corridor. Water from within excavations and foundations may need to be managed during the construction process.

f. Any surface water management system should be designed to ensure there is no increase in surface water run-off from the site in all events up to and including the 1% (1:100 year) storm with an appropriate allowance for climate change. The details of the surface water system should be submitted and agreed to the satisfaction of the Local Authority to ensure there is no increased flood risk elsewhere. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Environment Agency Wales is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of the main river (River).

g. The Group Manager Public Protection has accepted the recommendations of the Integral Geotechnique Site Investigation report number 11077/PB/13, which concludes that 'capping the proposed soft landscape areas with a minimum 600mm thick layer of approximately inert topsoil and subsoil' is a suitable remediation option for this type of development. In relation to the eastern area of the site, the report states that this is area is likely to be utilised for Commercial/Retail use. Whilst no remediation works are required for commercial use, in the event of the land being utilised for residential, a suitable remediation method as stated above will be required. The imported materials should be tested in line with the requirements stated in the attached document and results submitted to the Group Manager Public Protection prior to any development taking place.

h. In order to satisfy the drainage conditions, the following supplementary information is required:-

i. Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water;
ii.Provide a timetable for its implementation; and
iii. Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime."
iv. Provision of Flood Defence Consents where required.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

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RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/14/824/RES**

APPLICANT: H D LIMITED
C/O SAVILLS 12 WINDSOR PLACE CARDIFF

LOCATION: **ISLAND FARM INSTITUTE OF SPORT ISLAND FARM BRIDGEND**

PROPOSAL: RESERVED MATTERS: HIGHWAY INFRASTRUCTURE, GREEN BRIDGE & DRAINAGE INFRASTRUCTURE

RECEIVED: 15th December 2014

SITE INSPECTED: 3rd February 2015

APPLICATION/SITE DESCRIPTION

This reserved matters submission relates to the access, layout, appearance, scale and roadside landscaping pursuant to outline permission P/08/1114/OUT to provide infrastructure to serve the proposed development at the Island Farm Institute of Sport.

The outline planning permission and the related Section 106 describe a series of phases in which the development is expected to progress on the site. As defined in the Section 106, Phase 1(a) and 1(b) relate to highway infrastructure. Phase 1(a) is the junction off the A48, the Green Bridge and the highway between it. Phase 1(b) is the remainder of the road linking the A48 and the B4265. The outline permission included drawings for the A48 junction for Phase 1(a) and, subject to the agreement of engineering details (condition 3 of P/08/1114/OUT) and all other pre-commencement planning conditions, works can commence on the new road junction.

This application seeks full permission for Phase 1(a) (with the exception of the A48 junction) and phase 1(b), which comprises the highways infrastructure required to deliver the National Tennis Academy, consented under P/14/354/RES, and future development at Island Farm. The application relates to the following works:

* The carriageway link/access road between Route A48 and Route B4265 (Ewenny Road/via the Science Park);

* Internal site footways and cycle paths;

* Street lighting;

* Surface water drainage:

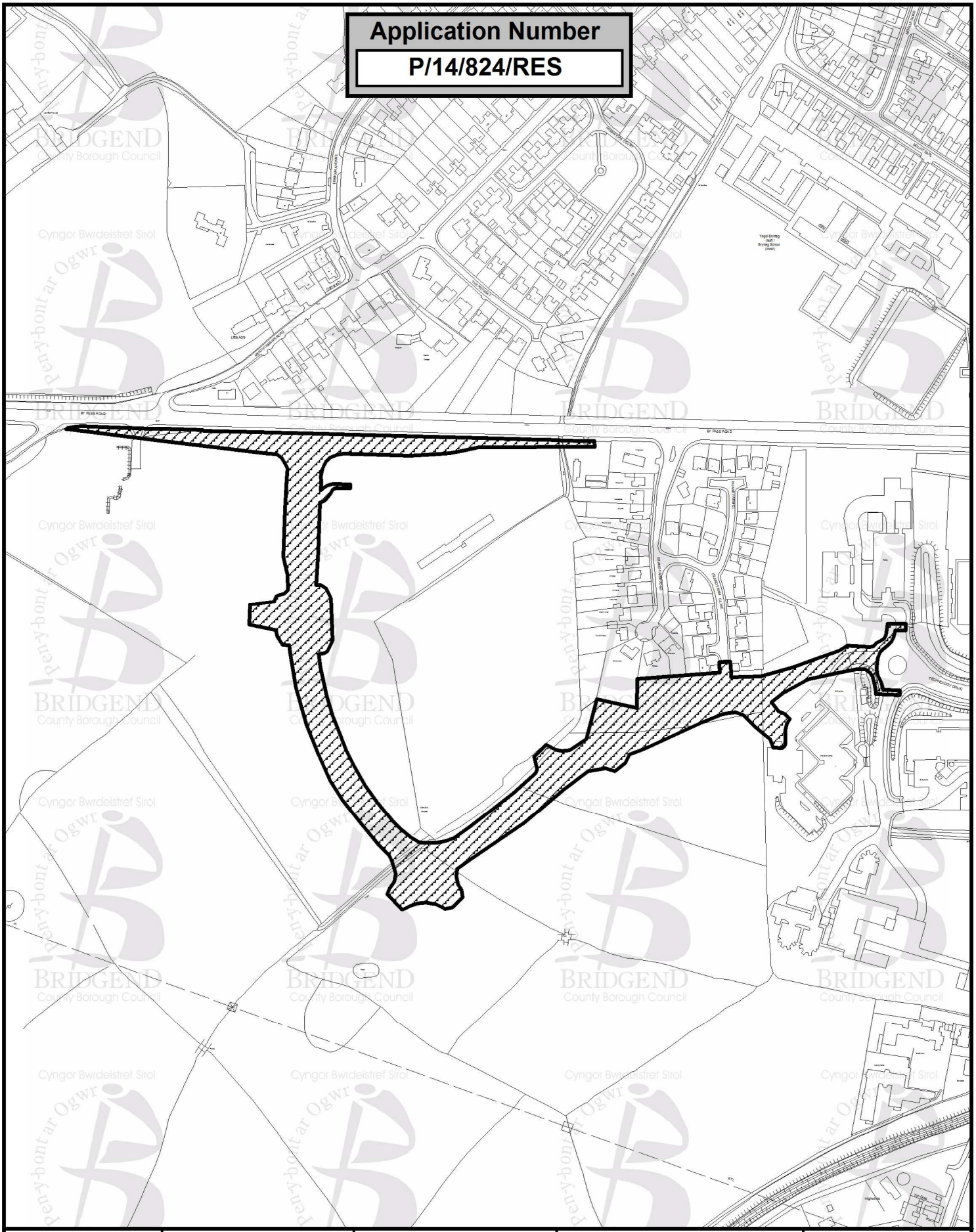
* An embankment;

* A Green Bridge over the proposed A48 link road: and

* Road-side landscaping;

Technical engineering drawings of the highway layout, road construction and road geometry along with drainage details have accompanied the application along with plans, sections and elevations of the Green Bridge. A detailed planting scheme (amended plans received on 17th March 2015) also forms part of the planning submission.

The Supporting Planning Statement considers the proposal as follows:



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Scale 1:4,000

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

'Since the outline planning permission was approved, a revised masterplan has been submitted to, and considered in principle acceptable by, Council Officers. The revised masterplan has a series of modest changes to the masterplan, including the reduced capacity of the main stadium and small adjustments to the size and alignment of the stadium and training centre and the tennis centre. The Outline Planning Permission does not include a condition requiring strict compliance with the masterplan. Details of the proposal are set out below which is re-produced from the applicant's submission:

Layout and General Arrangement

The proposed layout of the highway and position of the junction and Green Bridge complies with the revised masterplan. This phase of the proposed development has been designed clearly within the development parameters assessed in the Environment Statement for the outline application in terms of layout, appearance and scale.

Ecology (including the Green Bridge)

Part of the proposed highway (between the A48 junction and the internal roundabout) is to be located within the existing Site of Importance for Nature Conservation (SINC) boundary and land either side of the road is to be safeguarded for nature conservation. The impact of the loss of SINC habitat, as agreed as part of the outline planning application will be mitigated by the extension to the SINC to incorporate the south-west field and to introduce habitat enhancements and management over the SINC as a whole. The net impact will result in a 5% increase overall.

As such, the detailed landscaping and lighting schemes for the highways have taken into account the ecological mitigation required as part of the outline permission in this respect, to ensure that the proposed development will retain, protect and enhance the natural features and habitats of the site. Notably, the proposal includes the details of the Green Bridge.

The Green Bridge is an important part of the ecological mitigation scheme on the site. The provision of the bridge will allow dormice to make safe movements across the main access road and will allow for bats to continue to uses their current main flight line to allow for safe passage across the road. The Green Bridge is therefore positioned so that it lies on the known key flight line for lesser horseshoe bats from the Hut 9 roost and close to good dormouse habitat. The bridge will be planted with a mix of target species, including hazel, hawthorn blackthorn, bramble and honeysuckle, with new scrub planting at each site of the bridge and splayed out into the site so that it connects to existing scrub areas.

Lighting

The success of the Green Bridge is also dependent on the detail of the lighting proposals for this part of the site and therefore direct or strong illumination of the Green Bridge is avoided and nearby lighting of the highway should be minimal. However, this must not comprise the safety of users of the highway, footpaths and cycleways. Capita has prepared a lighting strategy, which accompanies this application. This includes the proposed lighting classes and operating hours/curfews. The class of the proposed lighting of the highway is within the parameters established at the outline stage.

Transport and Access

The acceptability of the proposed access road and signalised junction on the A48 and secondary link to Technology Drive (Science Park) has been considered by the Council as part of the outline approval and there has been no change to the proposed layout and capacity of the proposed access. The road has been designed to encourage maximum use of walking and cycling by the provision of segregated pedestrian and cycleways within the application site and alongside the A48 junction proposal, linking wherever possible to existing services. As part of the

proposed development, new cycle facilities are proposed along the improved section of the A48 (details to be submitted under condition 3 of the outline planning permission). Cyclist friendly, toucan crossing points, are to be provided at the development's access junction.

Drainage

Condition 19 of the outline planning permission requires the surface water drainage to be disposed by means of a sustainable drainage system, in accordance with the principles set out in Technical Advice Note (TAN) 15 (July 2004). The drainage strategy is subject to precautions required to mitigate potential contamination of the major aquifer underlying the site. A detailed site-wide Drainage Strategy has been prepared by Opus and is submitted for consideration with this application. The preparation of this strategy has been informed by discussions with Dwr Cymru Welsh Water (DCWW). In determining a suitable methodology for the disposal of surface water from the site, the hierarchical approach has been considered. As set out in detail in the strategy, it is not considered that infiltration nor would discharge to a watercourse be feasible and viable options. As such, the proposal is to discharge surface water runoff to an existing DCWW surface water sewer located adjacent to the A48, which has the capacity for the additional runoff. Greenfield runoff rates for the existing land use are proposed with attenuation at plot level and a variety of SuDs solutions will be considered in the detailed design of future phases of development. Surface run-off generated by the proposed highway will be permitted to discharge freely at an unrestricted rate to the DCWW system.

RELEVANT HISTORY

P/08/1114/OUT APPROVED +conditions 14-03-2012
NEW DEVELOPMENT (MIXED USE - SPORT/LEISURE/COMMERCIAL/ OFFICES)

P/14/354/RES APPROVED +conditions 22-08-2014
INDOOR TENNIS CENTRE WITH 12 EXTERNAL COURTS, VIEWING AREAS, LANDSCAPING, CAR PARKING & ASSOCIATED WORKS

P/14/813/NMA Non-mat. amend. UC 31-12-2014
MINOR AMENDMENT TO P/14/706/BCB ~ RE-POSITION INTERPRETATION PANELS BY 3 METRES

P/14/823/RES APPROVED +conditions 01-05-2015
RESERVED MATTERS: SITE WIDE SOFT LANDSCAPING & ECOLOGICAL MITIGATION

P/15/318/NMA
AMENDMENT TO CONDS. 3,14,15,16 ,33,34 & 39 OF P/08/1114/OUT (TO ENABLE ECOLOGICAL MITIGATION TO TAKE PLACE)

P/15/342/FUL
USE OF EXISTING AGRICULTURAL ACCESS ON A TEMPORARY BASIS TO FACILITATE P/14/823/RES

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 31st March 2015.

NEGOTIATIONS

Negotiations commenced on 11th February and related to a number of issues but principally the relationship of the proposed highway to the existing properties on Island Farm Road and Island Farm Close. It was recognised that this was a particularly sensitive part of the development and the space between the properties and highways should be maximised. The applicant was invited to submit amended plans with up-dated landscaping drawings and detailed, scaled cross sections, illustrating the new landscaping, road, footways verges etc. and the respective boundaries of the neighbouring properties. Revised plans were received on 17th March 2015. Neighbours were re-notified and invited to provide revised/additional comments.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 19th December 2014

Merthyr Mawr Community Council objects to the application for the following reasons which are summarised below:

1. The proposal represents a significant departure from the site plan approved a part of application P/08/1114/OUT - this relates to the outside training areas and Park and Ride facility.

2. Changes to the highway infrastructure - the proximity of the road to properties in Island Farm Close/Island Farm Road - the proposed alignment does not conform to approved masterplan plan.

3. No underpass for A48.

4. Asbestos should be removed from site before development commences.

5. Higher level of lighting which could impact on wildlife.

6. Protection of species - further studies required.

7. Management Plan for the retention and maintenance of hedgerows should be included on any consent.

8. Additional mitigation for archaeology required.

9. No mention in the supporting documents in respect of acquisition of Council owned land.

10. The site includes high voltage power lines - any re-location should be the subject of a consultation with residents.

11. Sink holes on site should be fully assessed.

Notified on 19th December 2014

Bridgend Town Council requested an extension of time to further scrutinise proposed reserved matters and residential amenity and transportation issues related to this development (these

observations were received on 16th January 2015 and no further comments have been received to date).

Head Of Street Scene (Highways)
No formal observations have been received from the Head of Street Scene (Highways) in respect of this application. Consideration is being given to the revised highway plans and it is expected that comments will be received prior to the committee meeting. Members will be advised of the receipt of those observations and requirements to impose additional conditions on the amendment sheet.

Natural Resources Wales
No objections.

Glamorgan Gwent Archaeological Trust
GGAT acknowledged that the current application is clearly part of a larger scheme and indicated that, to date, they had not received the written scheme of investigation for a programme of ecological work as requested under condition 41 of the outline planning consent.
(The developer is mindful of the need to prepare a programme of investigation and this will be undertaken and submitted prior to the commencement of development in line with the wording of the related planning condition).

Head Of Street Scene (Drainage)
After reviewing the drainage strategy and drainage layouts, the proposals appear to be sound. The required 20% climate change allowance does not appear to have been applied to the highway drainage and I would require confirmation from DCWW that this is acceptable. Should DCWW require attenuation of Highway flows, prior to discharge to the public surface water sewer, then this would require design amendments and may also require amendments to any Highway adoption agreement. (The applicant's agent has subsequently indicated that DCWW have agreed the drainage scheme).

Group Manager Public Protection
I have no objection to the scheme. Conditions 32 and 33 of the main outline consent refer to the requirement to carry out a detailed contaminated land and remediation strategy, if the risk assessment deems this necessary. Prior to any excavation works on site for drainage and highways infrastructure, conditions 32 and 33 of the outline consent must be complied with.

REPRESENTATIONS RECEIVED

Objections Have Been Received From The Following:, .
Residents Association of Island Farm Road (7/1) (24/3)
Island Farm/Close Residents Association (12/1)
Luke Richards 23 Island Farm Close; (14/1)
Ruth Richards 23 Island Farm Close; (23/1)
Mr Hancock 17 Island Farm Close; (15/1)
Joe Ruddy 22 Island Farm Close; (20/1) (27/3)
E M Collins 24 Island Farm Close; (20/1) (31/3)
W M Holder Greenacre Island Farm Road (6/1) (30/3)
Felicity Arthur 19 Island Farm Close (7/1) (30/3)
Alan and Kath Davies 21 Island Farm Close (7/1) (24/3)
Miss A Burrows 27 Island Farm Close (8/1)
Hedley Rees 12 Island Farm Close (12/1)
M Thomas Milnhome Island Farm Road (12/1)

E C Grourk 18 Island Farm Road (30/3)
R F King 4 Island Farm Close; (30/3)
Mrs G Davies Crud-yr-Awel; (31/3)

The following is a summary of the objections received which is a continuation on from those received by Merthyr Mawr Community Council:

12. A48 will be unable to cope with additional traffic; no improvements planned, new access from A48 could affect the filter lane that serves Island Farm Road.

13. New road is unreasonably close to existing properties, it will result in a loss of privacy; it will create problems with noise, pollution etc. Existing houses are surrounded by busy roads; level of lighting has increased which will be detrimental to residents; not enough evidence to show that homes will be screened from new roads.

14. New road construction will result in a loss of trees and hedgerows - the impact on the environment will be significant, destruction of an area of natural beauty.

15. No measures to mitigate for anti-social behaviour - speeding drivers on the highway

16. The proposed bridge over the new road will do nothing to enhance this area of outstanding natural beauty in terms of its scale and design - blot on the countryside. Structure is also extremely costly.

17. Concerned about whether there is a potential market for the facilities and whether a commitment has been given to meet the operating costs of the facilities such as the new tennis centre; Are the development funds for the Island Farm development in place? Does the company have experience in delivering large scale complex developments such as proposed? Supporting documents make no reference to the negative impacts of the development on existing businesses.

19. The proposed extension to the Science Park to the rear of our houses will lead to a loss of privacy and sunlight to our properties.

20. This land belongs to the public, the council being its guardian on the public's behalf. I would therefore want public assurances that the council land is bought at full market price by the Developer before any infrastructure is built.

21. Will the new road be adopted?

22. The development will result in the loss of hut 9?

COMMENTS ON REPRESENTATIONS RECEIVED

1. The Community Council has repeated an objection offered in respect of the reserved matters submission for the tennis centre and it relates to the 'indicative masterplan' submitted with the reserved matters applications differing from the plan that was approved as part of the original application. It is acknowledged that there are changes in the respective plans but not to the extent that they alter the form and character of the development. Furthermore, it is noted that no planning conditions were imposed on the outline planning consent restricting the development to the arrangements set out on the 'indicative masterplan' which is appropriately titled. The reserved matters applications that have been submitted thus far are in compliance with the

outline permission, the conditions and the related S106 agreement. At this stage, there is no reason for the applicant to submit a fresh application to agree the principle of the development again to regularise the minor changes to the indicative masterplan. It should be noted that the outside training areas and Park and Ride Facility do not form part of this reserved matters submission.

2. The position of the proposed highway infrastructure has not altered significantly from that submitted on the indicative plan which accompanied the original outline planning application. Negotiations on this application have resulted in alignment of the road being amended in the favour of the occupiers of the properties on Island Farm Close and Road, to increase the separation and to create additional space for tree and shrub planting. This will be discussed again in greater detail in the appraisal section.

3. This reserved matters submission does not propose an underpass beneath the A48 nor is there such a requirement for such a facility under the outline planning consent.

4. Land contamination is addressed by conditions 32-39 on the outline planning consent and it is understood that a two stage geo-environmental and geo-technical investigation has been carried out on the site. A small area of this application site has been subject to investigation in relation to the area proposed at the abutment of the Green Bridge. This has required samples from two boreholes to be tested and the results are submitted as part of the Green Bridge Geotechnical Investigation which has been submitted with the application. In one borehole, soil containing debris 'typical of asbestos bitumen' was noted. Although further testing will be undertaken, the risk of contamination and migration is considered to be minimal.

5. A Lighting Scheme and Strategy has accompanied the planning application and its objectives are to:

Minimise obtrusive light and trespass to adjacent land and habitats, to mitigate impact on ecology;

Provide a safe and welcoming night time environment for road users and pedestrians accessing the proposed sports and leisure facilities to be provided as part of the development;

Provide a modern, contemporary style of luminaire that complements the overall design concept with visual connectivity to the architectural themes of the development;

The scheme has been assessed by Natural Resources Wales and the Council's Ecologist and no objections have been received. Furthermore, no adverse comments have been received from the Highways Section who will be responsible for the maintenance of the proposed lighting.

6. The protection of species is secured through conditions imposed on the original outline planning permission and the licencing regime managed by Natural Resources Wales. All development is required to accord with the bat and dormouse mitigation strategies that were submitted with the original application and the mitigation, management and monitoring strategies for protected species that have been recently agreed by the Council in discharge of planning condition 27 of P/08/1114/OUT. The Green Bridge is an important part of the ecological mitigation.

7. A Landscape Management Plan is required to be submitted and agreed prior to development commencing under condition 31 of the original consent.

8. Condition 41 of the outline planning consent requires a programme of archaeological works to be agreed prior to any development commencing. This does not prevent the determination of the reserved matters application.

9. Highway access from the A48 and Science Park would appear to cross land in Council ownership. Negotiations are taking place but these are not material to the determination of this application.

10. Any re-positioning or re-alignment of the power lines will need National Grid/National Powers consent. As to whether the diversions will be subject to consultation will be at their discretion.

11. Chapter 7 of the Environmental Statement that accompanied the outline planning application confirmed that the site geology will be fully investigated and recorded before detailed design commences and appropriate engineering treatment carried out to remove risks associated with the presence of sink holes.

12. Traffic generation associated with the larger development was considered at the outline application stage. The Transportation Assessment revealed that, subject to various improvements, sufficient capacity existed on the highway network to cater for the majority of traffic generated by the development as a whole. It was however acknowledged that congestion would occur on days when major events were held but this was not grounds to refuse the outline planning consent.

Through planning conditions imposed on the outline consent and clauses in the related S106 agreement, the developer will be required to provide highway improvements at appropriate times, prior to beneficial use of the appropriate phases of the development.

13. Residents of Island Farm Road and Close have expressed concerns about the proximity of the new section of highway that will connect the development site to the B4265 via the Science Park. The contentious section of the highway which is approximately 160m long will pass to the south of existing properties and will comprise a 7.0m wide carriageway, 3m wide verge, 3m wide footway and a landscape buffer that varies in depth from a minimum of 5m to a maximum of 30m and consists of a mix of native trees, shrubs and hedge planting. The distances from the side property boundary of 21 Island Farm Close and the back edge of footway (the nearest section of highway) varies from 11m measured at the rear to 20m at the front. The distances from the side property boundary of 22 Island Farm Close are more consistent and measure approximately 24m. Native shrub, hedge and tree planting, grass verges along with a 1.2m high post and rail fence will be formed in the intervening areas.

The aforementioned dimensions are recorded from revised drawings that have been submitted in response to concerns expressed by residents and officers as to the proximity of the road to housing on the original submission. Inevitably the introduction of a new road over undeveloped land in close proximity to existing properties will have an impact on the amenities of residents who currently enjoy a relatively open outlook over farmland. The principle of developing of this land has however been granted and the alignment of the road generally accords with the position indicated on the indicative masterplan that accompanied the outline planning application. Furthermore, the revisions that have been negotiated have increased the distances between the highway and existing properties and the additional planting will to some degree lessen the impact of the development.

A Lighting Scheme and Strategy has accompanied the planning application and has been assessed by consultees. The strategy suggests that along the section of highway being discussed above, the road lighting may either be switched off or reduced lighting will be provided. This should mitigate the impact of the street lighting on existing residents.

14. The proposed development will transform the rural landscape but this was acknowledged in agreeing the principle of the development. The impact on the landscape and ecology has always been a main area for consideration. The Environmental Statement confirmed that the proposed development would transform the landscape from a rural, farmed and low intensity use area into an active area for sports and business use. The effect of an unmitigated scheme on the

landscape would have been significant. However, with the mitigation measures proposed and secured through planning conditions this impact is being appropriately addressed.

15. Anti-social behaviour such as speeding drivers on sections of public highway is a matter for the Police. The Council must ensure that the proposed road design is safe and that the impacts of the development are limited but it would be unreasonable to require the developer to submit a scheme to prevent anti-social behaviour on what is intended to be a section of public highway.

16. The Green Bridge is part of the ecological mitigation works and is intended to allow dormice to make safe movements across the main access road and to allow bats to continue to use their current main flight line. In design terms, the structure will provide the opening for the passage of vehicular traffic and the required crossing for protected species. At its highest point it will be 10m above road level and this includes the concrete beam that spans the road, with the soil and native species soft landscaping on top. Grass embankments will provide the approaches to the bridge which has been designed to minimise its impact on its setting which will be part of the infrastructure to serve this consented mixed use development. The cost of construction will be borne by the developer although its future maintenance is likely to pass to this authority.

17. For the determination of this reserved matters submission it is not necessary to require the breakdown of the funding in any greater detail. The report presented to committee on the outline application advised Members that it was not for the Local Planning Authority to query the financial funding for any scheme - it is not a material planning consideration or a requirement of national or local planning policy.

18. The extension to the science park is not part of this reserved matters submission. The relationship of any future development scheme to existing properties will be assessed at that time.

19. Although road adoption is not a material planning consideration, it is understood that the proposed infrastructure will be offered to the Authority for adoption but this will subject to the normal legal requirements (Section 38 of the Highways Act).

20. The position of the new link road from the A48 accords with the alignment agreed in principle as part of the outline planning consent. The permission does pass through the area on which the Island Farm Prisoner of War Camp existed but the 'listed' Hut 9 will be retained and managed by the Council.

APPRAISAL

This application seeks reserved matters approval for the highway infrastructure (detailed in the introduction to this report); ecological mitigation works, comprising the Green Bridge and roadside landscaping pursuant to the outline planning consent.

The principle of developing the land at Island Farm for a mixed use development, comprising sport, leisure, commercial and office development was consented under permission P/08/1114/OUT. The first consideration in the assessment of the application is whether the details of the reserved matters application are in line with the outline approval, including any conditions attached to the permission.

In the supporting statement, the applicant's agent recognised that a number of the outline planning conditions required that certain information would be submitted with the detailed plans and has provided a table summarising the conditions and the developer's response to each. Reference is also made to the drafting of the outline planning consent which did not require strict adherence to the masterplan that accompanied that application. This has allowed for a 'series of modest but positive changes to the masterplan, including the reduced capacity of the main stadium (not part of this reserved matters submission) and small adjustments to the size and

alignment of the stadium and training centre and the tennis centre' (already consented) without falling outside the terms of the original outline planning consent. On the first test it is considered that the proposal accords with the outline planning permission and does not conflict with any clauses in the related S106 agreement.

The detail of the scheme must however be examined against the Council's policies and guidelines and in this regard the following Local Development Plan policies and planning guidance have been considered:

* Policy SP2 - Design & Sustainable Place Making
* Policy SP2 - Strategic Transport Principles
* Policy SP4 - Conservation and Enhancement of the Natural Environment
* Policy PLA4 - Climate Change & Peak Oil
* Policy PLA7 - Transportation Proposals
* Policy PLA8 - Development Led Improvements to the Transportation Network
* Policy ENV1 - Development in the Countryside
* Policy ENV2 - Development in Green Wedges
* Policy ENV3 - Special Landscape Areas
* Policy ENV5 - Green Infrastructure
* Policy ENV6 - Nature Conservation
* Policy ENV7 - Natural Resource Protection & Public Health

Policy SP2 represents the starting point for the assessment of all planning applications which are received by the Local Planning Authority. All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. It is considered that the submitted proposal addresses all the relevant criteria of the policy. The road and Green bridge design and associated roadside landscaping achieve a high standard of design which responds positively to its context. This aspect of the development and the wider scheme will transform what is currently a rural landscape but this was accepted in agreeing the principle of the development.

The highway design will also provide good walking, cycling and road connections to the existing network and the associated elements of the mixed use development which includes the strategic employment site (Island Farm - SP9 (2) of the Local Development Plan) and the approved tennis centre.

Safeguarding the amenity of neighbouring uses is a key consideration of Policy SP2 and this is particularly relevant to the section of highway, proposed to the south of Island Farm Road/Island Farm Close. As referred to in an earlier section of this report, the relationship between the existing uses and proposed development has been revised to maximise the separation distances and to incorporate additional planting. It is accepted that the introduction of a new road close to existing properties will have some impact on residents but its alignment is, in part dictated by the position of the existing infrastructure in the existing Science Park. Furthermore, the position of the road accords with the indicative masterplan that accompanied the outline planning application. Importantly, revisions to the current scheme have sought to maximise the areas of landscaping which will limit the impact of the development. It is considered that developer has attempted to minimise any harmful impacts through the design and form of the road and the proposed soft landscaping works.

Minimising noise, air soil and water pollution are an important aspect of Policy SP2 and through conditions, imposed on the outline consent and this reserved matters submission, will be properly addressed in the interests of safeguarding the amenities of the area.

As discussed in the earlier section of this report, safeguarding and enhancing bio-diversity and green infrastructure are achieved by the scheme and measures required by conditions imposed

on the outline planning consent. The Green Bridge forms an important part of the ecological mitigation works which have been fully assessed by the Council's Ecologists and Natural Resources Wales. It is noted that the detailed landscaping and lighting schemes have also taken into account the ecological mitigation required as part of the outline permission,

Having assessed the proposal against all the aforementioned policies it is considered that this reserved matters submission accords with the policies and should, therefore, be recommended for approval.

CONCLUSION

The application is recommended for approval on the basis that the development complies with the Council policy, guidelines and the conditions attached to the outline planning consent P/08/1114/OUT. The development should not adversely affect the visual amenities of the area nor so significantly harm neighbours' amenities as to warrant a refusal of planning permission.

RECOMMENDATION

(R04) That permission be GRANTED subject to the following condition(s):-

1 The development shall be carried out in accordance with the following approved plans and documents: Road geometry Sheet 1 (V-C 7811.01/110 R1), Road geometry Sheet 2 (V-C 7811.01/111 R2), Road geometry Sheet 3 (V-C 7811.01/112 R0), Typical Cross Sections and Details (V-C 7811 .01/113 R1), Road geometry Longitudinal Sections Sheet 1, 2 and of 3 (V-C 7811.01/114 R0, 115 R1, 116 R1), Road geometry Cross Section (V-C 7811.01/117 R2),Road geometry Vehicle Tracking (V-C 7811.011118 R0), Drainage Sheet (V-C 7811.01/501 R1), Drainage Sheet 2 (V-C 781 1.01/502 R1), Drainage Sheet 3 (V-C 7811 .01/503 R2), Signs and Roadmarkings Sheet 1 (reference 01/1201 R1), Signs and Roadmarkings Sheet 2 (01/1202 R2),

Green Bridge Proposed Plan - Structural Layout (reference 13520/PL110), Green Bridge Proposed Plan (reference 13520/PL111), Green Bridge Proposed Section A-A (reference 13520/PL130), Green Bridge Proposed Section A-A (reference 1 3520/PL131), Green Bridge Proposed Section B-B (reference 13520/PL132), Green Bridge Proposed Elevation 01 (reference 13520/PL140), Green Bridge Proposed Elevation 02 (reference 13520/PL141), Green Bridge Proposed Elevation 03 (reference 1 3520/PL142), Green Bridge Proposed Elevation 04 (reference 13520/PL143), Green Bridge Section Plan at Deck Level (reference L/003/0), Green Bridge Cladding Arrangements and Details (reference L/004/0), Green Bridge Typical Cladding Details (reference L/005/0), Green Bridge Section Details (reference L/006/0)

Planting Proposals: DLA-1561-(02)-13, DLA-1561-(02)-14 Revision B, DLA-1561(02)-23 and DLA-1561(02)-24

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

2 No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the 'Green Bridge' hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on

the development so as to enhance and protect the visual amenity of the area.

3 All soft landscape works shall be carried out in accordance with Planting Proposals: DLA-1561-(02)-13, DLA-1561-(02)-14 Revision B, DLA-1561(02)-23, DLA-1561(02)-24. The works shall be carried out prior to the road being brought into beneficial use or in accordance with a programme to be agreed with the Local Planning Authority prior to any development commencing on site.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

4 No development shall take place until details of earthworks have been submitted to and agreed in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the agreed details prior to the development being brought into beneficial use.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

5 No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years has been submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the agreed schedule.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

6 If within a period of three years from the date of the planting of any tree that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

7 No development shall take place until a Construction Method Statement has been submitted to, and agreed in writing by, the Local Planning Authority. The Statement shall provide for the:-

i. 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. measures to control the emission of noise, dust and dirt during construction
v. provision of temporary traffic and pedestrian management along Classified Route A48
vi. establishment of the construction route

The agreed Statement shall be adhered to throughout the construction period.

Reason: In the interests of highway safety.

8 The highway access from the A48 shall be shall be completed in permanent materials in accordance with the layout approved under application P/08/1114/OUT prior to work commencing on the development hereby approved.

Reason: In the interests of highway safety.

9 The proposed lighting associated with the highways infrastructure (internal access roads, footpaths and cycleways) shall be designed and installed in accordance with the Lighting Scheme and Strategy prepared by Capita - December 2014.

Reason: In the interests of highway safety and to promote nature conservation.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with Council policy, guidelines and the conditions attached to the outline planning consent P/08/1114/OUT. The development should not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal. Furthermore, the development should not be detrimental to highway safety.

The developer is reminded of the need to comply with conditions attached to outline planning consent P/08/1114/OUT and the clauses in the related S106 Agreement.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : REFUSE

REFERENCE: **P/15/125/FUL**

APPLICANT: MR I WILLIAMS
41 MERTHYR MAWR ROAD BRIDGEND

LOCATION: **41 MERTHYR MAWR ROAD BRIDGEND**

PROPOSAL: RETENTION OF FENCE TO FRONT AND SIDE OF PROPERTY

RECEIVED: 25th February 2015

APPLICATION/SITE DESCRIPTION

This application was subject to a panel site visit on 29 April 2015 and subsequently deferred at Committee on 30 April 2015 to enable a full Committee site visit to take place on 10 June 2015.

Reproduced below is a copy of my Report incorporating the Amendment Sheet.

The application seeks retrospective consent to retain a timber fence to the front and side of this semi-detached dwelling. The timber fencing panels have been erected on posts that are situated within the garden area of the dwelling and immediately adjacent to the existing stone boundary wall. The garden is approximately 0.6m higher than the adjacent footpath and highway. When measured from inside the garden the fence panels reach a maximum height of 1.9m.

The dwelling is located on a corner plot immediately next to the junction into St Marie Street, which is a one way road with access off Merthyr Mawr Road.

The area is built up of mainly large detached and semi-detached dwellings with varying sized front gardens. During the site visit it was noted that the majority of front gardens are bounded by low level front walls with metal railings.

RELEVANT HISTORY

P/14/833/FUL APPROVED +conditions 06-03-2015

DEMOLISH EXISTING REAR EXTENSION & GARAGE AND CONSTRUCT A SINGLE STOREY REAR EXTENSION

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 31 March 2015.

NEGOTIATIONS

None.

CONSULTATION RESPONSES

Town/Community Council Observations



N W E S	**Scale 1:1,250**	**Mark Shephard** **Corporate Director-Communities**	**(c) Crown Copyright and database rights (2015) Ordnance Survey (100023405)**	Cyngor Bwrdeistref Sirol Penybont ar Ogwr BRIDGEND County Borough Council
	Date Issued: 04/06/2015	**Communities Directorate, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.**	**(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)**	
Page 244	**Development-Mapping Tel: 01656 643176**	O/Drive/Plandraw/new MI layouts/ Committee DC Plan	**(c) Cities Revealed Aerial Photography copyright, The Geoinformation Group (2009)**	

Notified on 3rd March 2015
Objects to the proposal stating "fencing incongruous to surrounding street scene".

Councillor Mrs E M Hughes
Requests that the application be placed before the Development Control Committee. The fence is of good quality and in line with neighbours hedge; not too high and I have had no complaints from anyone. Much better than Leylandii trees that were there.

Head Of Street Scene (Highways)
No objection.

REPRESENTATIONS RECEIVED

J M Thomas, 61 St Marie Street
I fully support this proposal. I am of the opinion that the fence already erected at 41 Merthyr Mawr Road is perfectly acceptable and adds to the appearance of the house in particular and the area in general.

Mr Ian Williams (Applicant), 41 Merthyr Mawr Road
The applicant has submitted the following in support of this proposal:-

I feel that the way the boundary walls and fences in the Merthyr Mawr Road and surrounding streets are described is very misleading.

There are many older properties in Merthyr Mawr Road that have high walls fronting on to the street and many of the newer properties have high walls.

I am led to believe that my house which is the oldest house on MMR South once had such a wall but it became unsafe and was removed and replaced with a lower wall.

Planning permission was granted to the last property on Grove Road, a bungalow with a side boundary on to MMR for a wall of over 5 feet.

My next door neighbour at 39 Merthyr Mawr Road has a 2m high low quality fence abounding St Marie Street, it is less than 15 metres from my side fence.

Number 67 Merthyr Mawr Road, has a 2 metre fence fronting on to Merthyr Mawr Road (I feel it is incongruent and would like to complain).

The property known as Austin Friars on the corner of MMR and Bowham Avenue has a 2 metre fence which runs for over 100 metres along Bowham Avenue.

Number 130 Merthyr Mawr Road, has a fence virtually the same as mine running for approximately 20 metre along his boundary on Bowham Avenue (I feel it is incongruent with the surrounding street scene and would like to complain as it hasn't been there 4 years).

Property on the corner of Bowham Avenue and Dilwyn Gardens has a 2 metre fence.

The property on Merthyr Mawr Road, where it joins Brynteg Avenue has a wall of 2 metres.

Properties on Bowham Avenue/Dilwyn Gardens on both sides of the road as it goes into Newbridge Gardens have 2 metre fences directly onto the pavement.

Every property in Preswylfa Court that abound MMR have fences of 2 metres behind low walls.

You actually feature several of the Pryswylfa Court properties in your brochure entitled "Planning

& Building Control Information" under the heading "County Borough" where it outlines all the planning policies, amusing, don't you think!

So when it says that the majority of the properties have low level front walls and railings it doesn't really give a true picture of Merthyr Mawr Road.

I also dispute the ridiculous comment "The proposal would set an undesirable precedent for similar development in the area"!

The person who wrote that obviously does not know Merthyr Mawr Road and I think you'll agree that precedents were set before my fence was erected!

I fully intend to appeal any refusal and take my application to keep my fence as far as legally possible and will use all means available to me to highlight that my fence is in no way "incongruous to the surrounding street scene" as the objection from Bridgend Town Council claims and in no way sets a precedent as Mark Shephard claims!

COMMENTS ON REPRESENTATIONS RECEIVED

With regards to the supporting comments from the applicant, it is considered that the Appraisal section of this report adequately handles the issues raised above. However, where the applicant has detailed breaches of planning, these will be investigated separately.

APPRAISAL

The application is referred to the Development Control Committee for determination at the request of one of the Local Members, Councillor E Hughes.

The applicant's submission states the fence is required for security and privacy as the front garden is the 'only social amenity as the rear of the house only has a slabbed hardstanding which was once used for car parking'.

The predominant feature of boundaries fronting this part of Merthyr Mawr Road is that they are low and the openness that results from such boundary treatment contributes significantly and positively to the character and appearance of the locality. There are other examples of boundary treatments above one metre, although some are being enforced against while others are immune from enforcement. Such examples do not necessarily justify permitting similar treatment and many illustrate the harmful impact of high enclosures in an otherwise open fronted residential area.

The fence fronting Merthyr Mawr Road creates a visual barrier between primary elevations and the public realm, in a location where the visual cohesiveness that flows from the style of houses and their relationship with the street contributes to the sense of place. It is considered that this harms the overall appearance and character of the street scene.

It is acknowledged that this fence replaces a previous leylandii hedge that was approximately 4m in height, but this was a softer form of boundary treatment than the current fence and does not in itself justify permitting the fence, which causes the harm that has been identified.

This development is similar in nature to other fences in Priory Avenue that have been brought to Development Control Committee, where similar issues were involved. Where these have been appealed to the Planning Inspectorate, the decision of this Authority has been upheld.

Whilst this development is not acceptable in its current form, more sympathetic consideration

would be given to a scheme which sets the fence back 2m from the front boundary on both sides and completely removes the fence fronting Merthyr Mawr Road. A scheme of painting the remaining panels dark green or dark brown to lessen the visual impact would also be required.

Whilst determining this application Policy SP2 of the Bridgend Local Development Plan and Note 7 of Supplementary Planning Guidance 2 were considered.

CONCLUSION

This application is recommended for refusal because the development does not comply with Council policy or Council's guidelines and is detrimental to the visual amenities of the area, contrary to Policy SP2 of the Bridgend Local Development Plan and Note 7 of Supplementary Planning Guidance 2.

RECOMMENDATION

(R30) That permission be REFUSED for the following reason(s):-

1 The front facing parts of the fence are, by virtue of their height and siting, visually obtrusive and generally out of character with the existing properties and the open nature of the area and, as such, the fence is contrary to criterion 2 of Policy SP2 of the Local Development Plan and Note 7 of Supplementary Planning Guidance: Householder Development. The proposal would set an undesirable precedent for similar development in the area.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

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RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/15/55/FUL**

APPLICANT: MRS KAREN AJAX-LEWIS
NEW STREET SURGERY 3 NEW STREET ABERKENFIG

LOCATION: **NEW STREET SURGERY 1-3 NEW STREET ABERKENFIG BRIDGEND**

PROPOSAL: CHANGE OF USE OF No.1 NEW STREET TO FORM LARGER SURGERY & TWO STOREY EXT WITH REAR PARKING SPACE

RECEIVED: 27th January 2015

SITE INSPECTED: 10th February 2015

APPLICATION/SITE DESCRIPTION

The proposal seeks to expand the neighbouring surgery premises by amalgamating it with an adjoining premises to enhance the quality of the existing facility and the range of services it provides. The amalgamation would involve the change of use of a residential property to a surgery and the construction of side and rear extensions. The site comprises a former dwelling, which forms one unit of a pair of semi-detached properties. The adjoining property is currently in residential use. The surrounding area is primarily residential in nature, although there is also a church close to the site.

The proposed two-storey extension would partially replace an existing single-storey extension and would measure 8m x 5m, finished with a pitched roof, reaching maximum heights of 4.8m (eaves) and 7.2m (ridge). Attached to the two-storey extension would be a single-storey extension measuring 3.5m x 8m, finished with a mono-pitched roof, reaching a maximum height of 2.5m (eaves) and 4.3m (ridge).

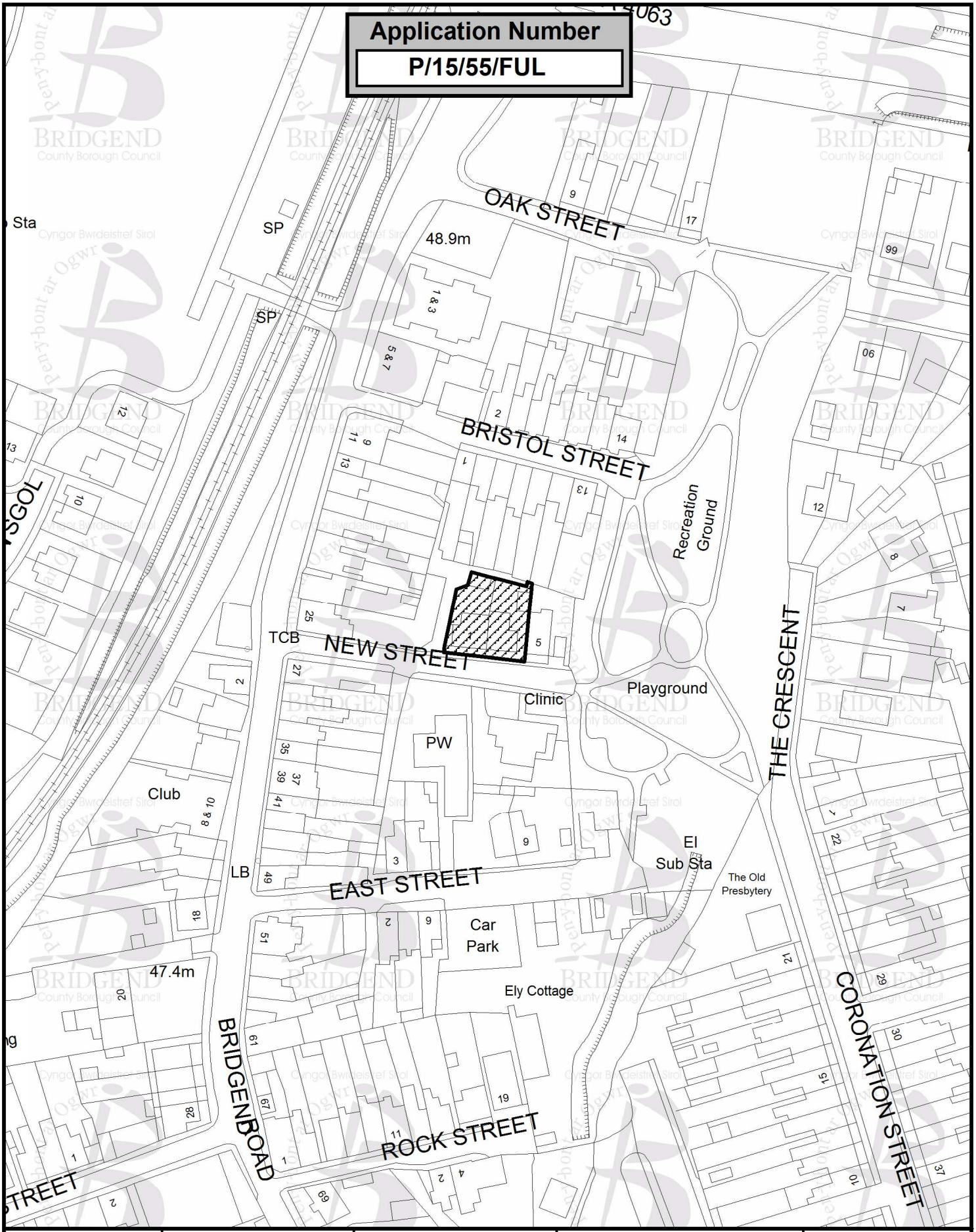
The eastern side elevation of the site contains the original part of the surgery. It is proposed to construct a single-storey infill extension to create a lobby which would be immediately in-front of the existing entrance to the surgery. The existing entrance already contains a covered lobby, however, this would be replaced by a permanent structure of similar dimensions, being 2.5m x 2m, finished with a mono-pitched roof, reaching a maximum height of 2.7m (eaves) and 3.8m (ridge).

The scheme also proposes to enlarge the existing single-storey rear extension. This extension would provide toilet facilities for patients. Its overall dimensions would be 7m x 3.5m, finished with a pitched roof, reaching a maximum height of 2.4m (eaves) and 4.2m (ridge).

The final aspect of the scheme is to demolish the existing detached garage to the rear of 1 New Street and provide one off-street parking space.

Initial pre-application advice was sought concerning this proposal in 2013 (PE/00534/2013 refers). This involved a site meeting with the Case Officer and the Transportation Development Control Officer. Whilst informal advice was given in the context of the Bridgend Unitary Development Plan (BUDP), not the adopted Bridgend Local Development Plan (BLDP), it is considered that the bulk of the content remains relevant to this submission.

A planning application was subsequently submitted in early 2014 and determined under Officer delegated powers (P/14/199/FUL refers). This scheme was refused on three highway grounds:



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Scale 1:1,250

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

1. The proposed additional use of the substandard access known as New Street (in both primary vehicular and pedestrian access terms) will create increased traffic hazards to the detriment of highway safety and the free flow of traffic.

2. In the absence of adequate off street parking facilities the development will generate additional on street parking along the substandard access known as New Street and the surrounding constrained roads/streets to the detriment of highway safety and the free flow of traffic.

3. The proposed development will generate additional vehicular turning movements at the substandard Bridgend Road/New Street junction, creating further traffic hazards to the detriment of highway safety and the free flow of traffic.

This latest application is identical to that submitted under P/14/199/FUL apart from additional information being submitted in an attempt to overcome the previous highway-related objections.

RELEVANT HISTORY

P/14/199/FUL REFUSED 17-07-2014
CHANGE OF USE OF No.1 NEW STREET TO FORM LARGER SURGERY & TWO STOREY EXT WITH REAR PARKING SPACE

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 26 February 2015.

NEGOTIATIONS

None.

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 30th January 2015
No adverse comments to make on the proposal, but wish to be supportive.

Councillor M Winter
Requests that the application is referred to Committee due to concern over increased traffic at this location. Requests a Site Panel visit since the applicant maintains that there will be no increase in traffic which has been stated within the submission.

REPRESENTATIONS RECEIVED

R & F Bale, 5 New Street
Objects to the proposal but does not request to speak at Committee:

1. Highway/Pedestrian safety, traffic and parking.

Karl Stephens, 5 Bristol Street
Objects to the proposal but does not request to speak at Committee:

1. Overshadowing.
2. Increased footfall/patients to the premises.
3. Highway/pedestrian safety, traffic and parking issues (refers to the Road Traffic Act 1988, Highways Act 1980 and the Town and Country Planning Act 1990).
4. The scheme would be contrary to the Human Rights Act 1998 specifically Part 1 Articles: 2 Right to Life, 8 Right to respect for private and family life and Part 2 Article 1 Protection of property.

Irene Delday, 19 Bridgend Road
Objects to the proposal but does not wish to speak at Committee:

1. Highway/Pedestrian safety, traffic and parking.

COMMENTS ON REPRESENTATIONS RECEIVED

1. Lack of parking, increase in traffic, disruption and detrimental to highway/pedestrian safety.

Refer to the 'Comments on Representations Received' and 'Appraisal' Sections of the report.

This planning application is determined in accordance with the provisions of the Town and Country Planning Act 1990, whilst other highway-related matters are governed under separate legislation.

The lane to the side of the proposed surgery expansion is unadopted and appears to be private. Unauthorised use of this lane is a private matter between the interested parties.

2. Overshadowing to 5 Bristol Street.

Neighbouring properties from Bridgend Road and Bristol Street would generally be over 21m away from the application property and the proposed two-storey extension.

The rear of the site backs onto the rear gardens of properties along Bristol Street. Several of these properties have garages/outbuildings located at the bottom of the garden and near to the application site. It would also appear that they benefit from long rear gardens and many have extended their properties with two-storey extensions. Given the built-up nature of this part of Aberkenfig, it is not considered that the proposed two-storey extension of this scale, design, appearance and in this particular location, would have any significant adverse effect on these properties, with particular regards to dominance and loss of light, outlook and privacy.

3. Impact on Human Rights

The general purpose of the Human Rights Act 1998 is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. It sets out the basic rights of every person together with the limitations placed on these rights in order to protect the rights of others and of the wider community. The Local Planning Authority is satisfied that it has considered the Act during the assessment of this application. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Local Planning Authority to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed.

APPRAISAL

This application is referred to Committee at the request of the local Member and due to three objections being received from local residents. A Site Panel Meeting was held on 29 April 2015. In attendance was Cllr. Winter, Cllr. Townsend and the applicant. The application was deferred from Committee on 30 April to enable further consideration to be given to highway-related matters.

The proposal seeks to expand the neighbouring surgery premises by amalgamating it with an adjacent premises to enhance the quality of the existing facility and the range of services it provides. The amalgamation would involve the change of use of a residential property to a surgery and the construction of side and rear extensions.

This proposal, in principle, is deemed to be in accordance with Policies SP13 and COM8 of the adopted Bridgend Local Development Plan (BLDP) which is concerned with retention, enhancement and benefits to health and well-being facilities.

Notwithstanding the acceptability of the proposal in principle, the proposal must satisfy all other planning policies, guidelines and material planning considerations.

This submission is virtually identical to that previously submitted under application P/14/199/FUL, in which it was concluded that subject to conditions, the development would not have any adverse effect on the visual amenities of the area or on the residential amenities of neighbouring properties. Since the determination of that application, there has been no significant change in the circumstances of the site or in terms of planning policy. It is, therefore, concluded that these matters have been previously assessed under the previous application and do not require revisiting.

The main consideration of this scheme relates to the impact of the development on parking and other highway-related matters. This is due to the refusal of application P/14/199/FUL purely on three highway-related grounds recommended by the Group Manager Transportation and Engineering (Highways) and echoed by several local residents who objected to the previous and latest application on highway primarily safety and parking issues. The reasons for refusing application P/14/199/FUL are outlined under the 'Application/Site Description' section of the report.

In respect of this latest submission, additional information has been submitted to address the previous reasons for refusal. This information includes:

1. Traffic Survey
2. A revised Design and Access Statement
3. A supporting statement attempting to balance the highway-related issues with the benefits that the proposed development would bring to the community
4. A petition signed by approximately 1118 signatories requesting the Council to review their previous refusal of application P/14/199/FUL.

Additionally, this latest submission provides a case in support of the proposal, which outlines the need for the expansion of the surgery and the community benefits that this would bring to the locality. It also explains that the surgery has considered re-locating, however, they have been unable to locate a suitable site or premises.

Following discussions with the Practice Manager it has been clarified that, on any given day, the maximum number of employees working at the surgery is 9. This consists of the following:

3 Doctors
2 Part-time nurses
1 Practice Manager

2 Receptionists
1 Administration Assistant

It is understood that the proposed expansion of the surgery would not result in any increases in the number of doctors or nurses working within the building on any given day. Furthermore, the Practice Manager and the Planning Agent have reiterated that the expansion of the surgery would not result in any significant increase in patient numbers and that the aim of this scheme is to improve the facilities available for current patients. It was evident during the site visit that the internal spaces within the existing surgery are extremely constrained.

Whilst it is not considered practical to impose a condition to limit patient numbers, it is considered possible to impose a condition to limit the number of doctors and nurses working within the expanded surgery on any given day. The imposition of such a condition would, in effect, limit any significant increase in the patient numbers registered at the surgery whilst enabling greater floorspace to be made available within the surgery.

In addition to the above, the expanded surgery would be considered as a new planning unit, thereby enabling further conditions to be imposed to limit the functionality of the surgery, in the interests of highway safety and the residential amenities of neighbouring properties. In this respect, conditions would be imposed to limit the use of the premises to a surgery only and limit the opening times to 8am-6:30pm Monday-Friday.

Subject to the above-mentioned conditions, it is not considered that the scheme would result in any significant increases in on-street parking, nor would it unreasonably intensify the use of the access and the amount of vehicular movements at the Bridgend Road/New Street junction. It is, therefore, considered that this scheme overcomes the original objections made by the Group Manager for Transportation and Engineering (Highways) and the new planning unit would not have any unreasonable adverse effect on the amenities of neighbouring properties.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway/pedestrian safety, and visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 The development shall be carried out in accordance with the following approved plans (received 27 January 2015):

Proposed Site Plan
Proposed Ground Floor Plan
Proposed First Floor
Proposed East/South Elevations
Proposed West/North Elevations

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

2 The expanded premises shall be used as a surgery and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory

instrument revoking and re-enacting that Order.

Reason: In the interests of highway safety, amenity and for the avoidance of doubt and confusion as to the extent of the permission hereby granted.

3 The enlarged surgery shall be limited to a maximum of 3 Doctors and 2 Nurses practicing within the premises at any given time.

Reason: In the interests of highway safety.

4 The new surgery, hereby permitted, shall not be open to patients outside the following times:

Mondays - Fridays 08:00 - 18:30
And not at all on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of highway safety and residential amenity.

5 The window facing 5 New Street, serving the "Waiting Area" on the ground floor, as shown on drawing "Proposed Ground Floor" (received 27 January 2015), shall be fitted with obscure glazing to a minimum of level 3 on the Pilkington index of obscurity. The window shall be fitted prior to the beneficial use of the extension hereby approved and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities

6 Prior to the beneficial use of the surgery as extended, the parking space shall be completed in permanent materials, in accordance with the layout shown on drawing "Proposed Site Plan" (received 27 January 2015).

Reason: In the interests of highway safety.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway/pedestrian safety, and visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

b. The applicant is advised to contact the Authority's Ecology/Biodiversity Team on (01656) 643667 if bats are encountered. All bats are protected by law, and where there is a likelihood that a bat roost may be present a survey should be carried out and evidence of bat occupation or their absence should be established.

c. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: **P/15/230/BCB**

APPLICANT: B C B C PROPERTY DEPARTMENT
RAVENS COURT BREWERY LANE BRIDGEND

LOCATION: **CARE TAKERS SCHOOL HOUSE MERLIN CRESCENT CEFN GLAS**

PROPOSAL: CREATE NEW PEDESTRIAN & VEHICULAR ACCESS TO DWELLING AND NEW CLOSE BOARDED TIMBER BOUNDARY FENCE

RECEIVED: 9th April 2015

SITE INSPECTED: 21st May 2015

APPLICATION/SITE DESCRIPTION

The application seeks consent to block up an existing vehicle access at the side of the application property which is accessed through the school grounds and to create a new access to the front of the property leading from Merlin Crescent. It is also proposed to erect a close boarded timber fence around the perimeter of the dwelling, which will be 1 metre in height for a length of 12 metres rising to 1.8 metres in height to the rear of the property, and to provide a pedestrian crossing within the school grounds.

RELEVANT HISTORY

None

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 10 May 2015

NEGOTIATIONS

The applicant was asked to provide a plan to show the parking layout together with a turning circle. This plan was received on 15 May 2015

CONSULTATION RESPONSES

Town/Community Council Observations
Notified on 13th April 2015

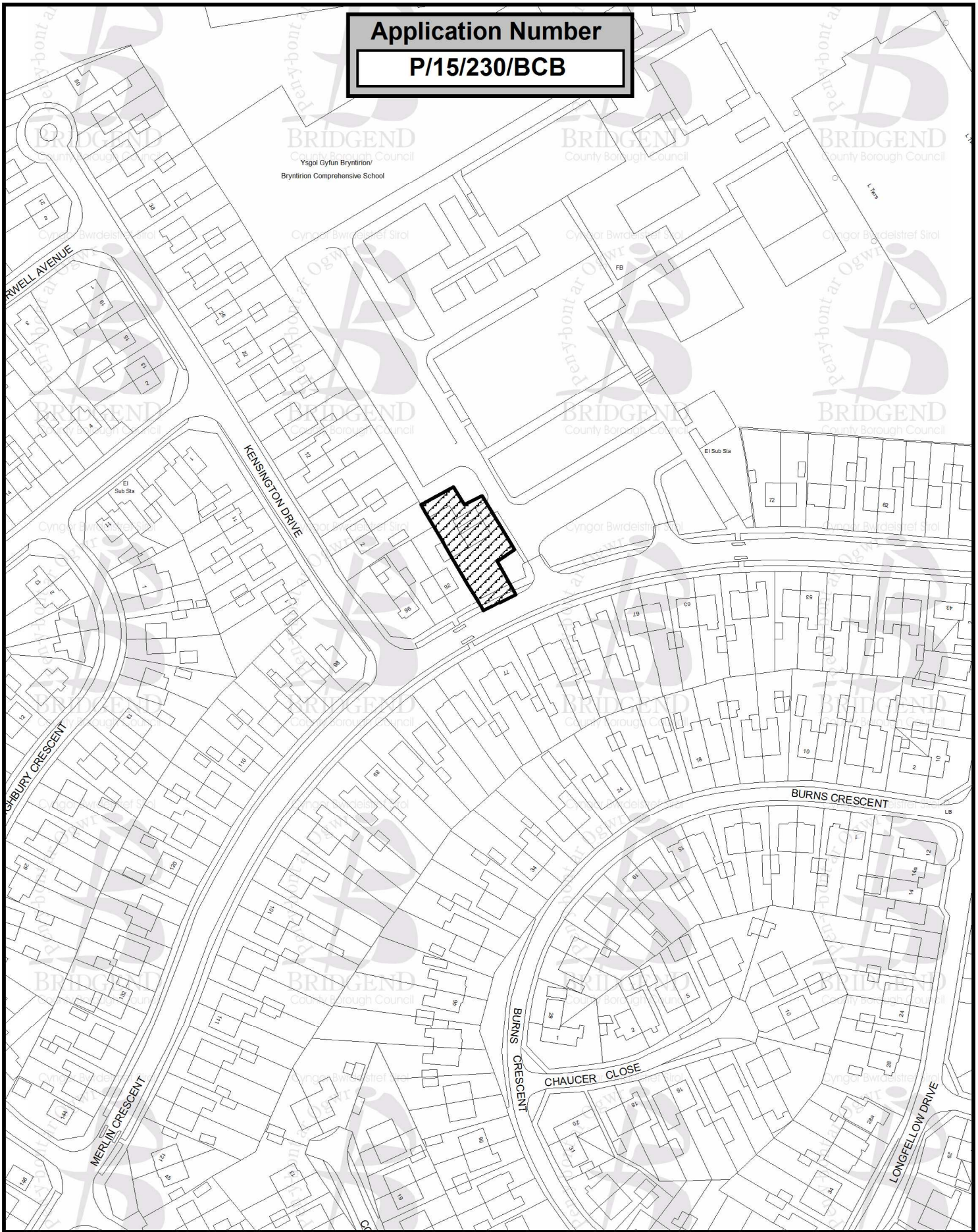
Head Of Street Scene (Highways)
Have no objections subject to conditions

Wales & West Utilities
has no objection to the proposal

REPRESENTATIONS RECEIVED

Application Number

P/15/230/BCB



N
W E
S

Scale 1:1,750

Date Issued: 04/06/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/ Committee DC Plan

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(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)

(c) Cities Revealed Aerial Photography copyright, The Geoinformation Group (2009)

Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

Objections Have Been Received From:, .
S Harris - 77 Merlin Crescent,
T Blackshaw & D Owen - 94 Merlin Crescent,
E Davies - 92 Merlin Crescent
A Clatworthy - 4 Kensington Drive

The objections are summarised as follows:-
- Highway safety
- Devaluation of property
- Noise disturbance
- Loss of privacy
- Damage to property
- Drainage and flooding
- Untidy land
- Unsure of new ownership
- Unsure of use of site

COMMENTS ON REPRESENTATIONS RECEIVED

Highway Safety - the Highway Section has assessed the scheme and consider it acceptable in terms of highway safety.

Devaluation of property is not a material planning consideration in the determination of a planning application.

Noise Disturbance - whilst it is acknowledged that there would be a degree of noise and disturbance generated during the construction of the development, this is likely to be short-term only and is not considered sufficient to warrant refusal of the scheme.

Loss of privacy - it is not considered that the creation of the access will infringe privacy.

If any damage is caused to the property during the construction phase this is a private matter between the parties concerned and not a material planning consideration.

Drainage and flooding to driveway - a condition will be added to any planning consent to address this matter.

There appears to be the remnants of the existing fence on the property and a note will be added to any consent to advise the safe disposal of these items.

Ownership and use of property - the property is currently a caretaker's house associated with the school. The application does not propose a change of use and, therefore, it will still be used as a residential dwelling. The issue of ownership of the property is not a material planning consideration in the determination of the application.

APPRAISAL

The application is referred to the Development Control Committee for determination as it is a Council development, which has received objections from local residents.

The application seeks consent to provide a fence around the perimeter of the dwelling, provide a pedestrian crossing with dropped kerbs within the school grounds, stop-up an existing access and create a new vehicular access leading from Merlin Crescent.

Since the proposal would involve the loss of a large grassed area which could result in an increase in surface water it is considered necessary to impose a drainage condition to any planning consent.

There will be a turning area provided within the site, which will provide for vehicles entering and leaving the site in a forward gear and, as such, the driver of any vehicle pulling out of the driveway will have full visibility of any vehicles driving along the highway.

The proposed fence will measure 1 metre in height at the front of the dwelling for a length of 12 metres and will increase to 1.8 metres from this point around the rear of the property. Many of the properties within Merlin Crescent have car parking and low boundary walls to the front of the properties. The proposal, therefore, will have no impact on adjoining properties and minimal effect on the level of amenity presently enjoyed by neighbours.

As there are no highway or amenity concerns in respect of this application the proposal is considered acceptable.

Whilst determining this application Policy SP2 of the Bridgend Local Development Plan.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highways safety as to warrant refusal

RECOMMENDATION

(R28) That for the purposes of Regulation 4 of the Town and Country Planning Regulations 1992 that permission be deemed to be GRANTED subject to the following condition(s):-

1 No development shall commence until a drainage scheme, showing how surface water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the beneficial use of the development commencing.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

2 The development shall be carried out in accordance with the approved plans showing site layout dated stamped 9 April 2015 and location of parking spaces/turning circle date stamped 15 May 2015.

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

3 No development shall commence until a scheme for permanently stopping up the existing access and reinstating the vehicular crossover as a footway has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full within 3 months of the date of consent.

Reason: In the interests of highway safety.

4 The parking and driveway/turning facility shall be completed in permanent materials in

accordance with the submitted drawing prior to the development being brought into beneficial use and retained, as such, in perpetuity.

Reason: In the interests of highway safety

5 No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the 1 metre x 1 metre pedestrian vision splay areas at any time.

Reason: In the interests of highway safety

6 Any gates shall be set back not less than 5 metres from the nearside edge of the carriage way.

Reason: In the interests of highway safety

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. You should contact the highway maintenance inspector for the area, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541

b. The developer is urged to consider the advisory information on this application that has been received from Wales and West Utilities and which may be accessed via http://www1.bridgend.gov.uk/services/planning/planning-search.aspx

c. This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highways safety as to warrant refusal

d. The applicant is advised to ensure that any debris on the site is disposed of in a safe manner.

e. The developer is advised that a separate consent under the Advertisement Regulations may be required for the relocation of any signage.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

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APPEALS

The following appeals have been received since my last report to Committee:

CODE NO.	C/15/3018516 (1755)
ENF. NO.	ENF/281/14/C
APPELLANT	MR ALAN JOHN WALL
SUBJECT OF APPEAL	UNAUTHORISED BUILDING OF DWELLING AND UNAUTHORISED USE FOR THE SITING OF A CARAVAN FOR RESIDENTIAL PURPOSES: LAND OFF THE CROFT BARN HILL LALESTON
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	ENFORCEMENT NOTICES

CODE NO.	X/15/516086/87/88/89 (1756)
APP. NO.	P/97/85/MIN
APPELLANTS	CORNELLY, GROVE AND GAENS QUARRIES
SUBJECT OF APPEAL	PERIODIC REVIEW OF THE IDO PERMITTED AREA AT CORNELLY, GROVE AND GAENS QUARRIES
PROCEDURE	PUBLIC INQUIRY
DECISION LEVEL	CALLED IN - WELSH MINISTERS

The following appeals have been decided since my last report to Committee:

CODE NO.	A/15/3005156 (1750)
APP. NO.	P/14/724/FUL
APPELLANT	MR A C PUCELLA
SUBJECT OF APPEAL	FIRST FLOOR EXTENSION OVER EXISTING GARAGE TO CREATE A BEDROOM & FACILITIES FOR DISABLED CHILD: 26 CLOS MANTEG BROADLANDS
PROCEDURE	HOUSEHOLDER PILOT
DECISION LEVEL	DELEGATED OFFICER
DECISION	**THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED**

A copy of this appeal decision is attached as APPENDIX A

CODE NO.	A/15/3006376 (1752)
APP. NO.	P/14/828/FUL
APPELLANT	MR G LEWIS
SUBJECT OF APPEAL	DORMERS TO FRONT: 148 NEW ROAD PORTHCAWL
PROCEDURE	HOUSEHOLDER PILOT
DECISION LEVEL	DELEGATED OFFICER
DECISION	**THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED**

A copy of this appeal decision is attached as APPENDIX B

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
See relevant application reference number.

APPENDIX A

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 30/03/15

gan Richard E. Jenkins BA (Hons) MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 28 Ebrill 2015

Appeal Decision

Site visit made on 30/03/15

by Richard E. Jenkins BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 28 April 2015

Appeal Ref: APP/F6915/A/15/3005156
Site address: 26 Clos Man-Teg, Broadlands, Bridgend, CF31 5BY

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr AC Pucella against the decision of Bridgend County Borough Council.
- The application Ref P/14/724/FUL, dated 23 October 2014, was refused by notice dated 14 January 2015.
- The development proposed is 'first floor supported extension creating bedroom and facilities for disabled child'.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed development of the living conditions of neighbouring occupiers, with particular reference to outlook and levels of natural light.

Reasons

3. The appeal relates to a detached property located within a typical residential area of Bridgend. The appeal proposal would erect a two storey extension to the side of the property. The extension would provide additional living space and shower room for use by a disabled child at first floor level, with a void remaining underneath to allow for parking and vehicular access to the garage, which is set back from the main dwelling. The Council has not objected to the effect of the proposal on the character and appearance of the host property or surrounding area. As such, I shall confine my reasoning to the effect on the living conditions of the occupiers of the neighbouring property at No.27 Clos Man-Teg.

4. It was clear at the time of my site visit that the set back of the proposed extension from the front elevation would be sufficient to avoid any unacceptable impacts on the windows located in the side gable elevation of No.27. Nevertheless, by virtue of its substantial depth and projection up to the shared boundary, the extension would be within close proximity to rear habitable room windows and patio area at No.27. Indeed, in combination with the proposed two storey height, such factures would result in significant overbearing and enclosing impacts on the rear patio area. Moreover, the development would have a dominating impact on the habitable room

accessed via the rear patio doors. Indeed, such impacts would be somewhat exacerbated by the fact that the patio doors would directly face, and be within close proximity to, what would be a substantial two storey structure. For these reasons, I consider that the proposal would unreasonably dominate the outlook from No.27 and therefore conflict with the advice contained within Note 1 of the Council's adopted Supplementary Planning Guidance 2: 'Householder Development' (SPG).

5. The proposed extension would also be located to the south of No.27. This, coupled with the aforementioned scale of the proposed, would mean that there would be significant overshadowing impacts during certain times of the day. In particular, the rear habitable room served by the patio doors, and indeed the rear patio area itself, would be adversely affected. I appreciate that the habitable room is also served by windows set at a different orientation to that of the patio doors. However, the scale of the patio doors relative to the other windows, coupled with the fact that they are south facing, means that they represent a substantial source of natural light to the property. As such, I conclude that the proposed extension would unreasonably overshadow No.27, to the detriment of the living conditions of its occupiers. As such it would be in conflict with the advice contained within Note 2 of the Council's 'Householder Development' SPG.

6. I disagree with the appellant's contention that the impact of the proposed development would be de minimis. Indeed, I consider that such overbearing and overshadowing impacts would have a significant adverse effect on the living conditions of the occupiers of No.27. In this respect, the development conflicts with Note 3 of the SPG which states that first floor extensions which are built up to the boundary with an adjoining property are not advisable unless it is shown that they have no adverse effect on residential or visual amenity. I acknowledge that the advice contained within SPG represents guidance only and should not be treated as determinative. However, in this case, the advice is consistent with the general thrust of Policy SP2 of the adopted Bridgend Local Development Plan (LDP) (2013), a provision which I have given substantial weight.

7. I recognise that the proposed extension would be used to benefit a disabled child and also acknowledge that the planning system allows for personal circumstances to be material to the determination of such proposals. However, such circumstances must be weighed against any harm identified and, in this case, I consider the adverse consequences of the scheme to amount to compelling reasons why planning permission should not be granted. I therefore conclude that such consequences are not outweighed by the circumstances of the appellant's family.

8. For these reasons, I conclude that the development would cause material harm to the living conditions of the occupiers of No.27, with particular reference to outlook and levels of natural light. As such, the development would be in conflict with Policy SP2 of the adopted Bridgend LDP which, amongst other things, requires development to be of an appropriate scale, size and prominence, whilst also ensuring that the viability and amenity of neighbouring uses and their occupiers would not be adversely affected. Finally, as stated above, the development would be contrary to the advice contained within Council's adopted SPG relating to 'Householder Development'.

9. Based on the foregoing, and having considered all matters raised, I conclude that the appeal should be dismissed.

Richard E. Jenkins

INSPECTOR

APPENDIX B

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22/04/15

gan A D Poulter B Arch RIBA

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19 Mai 2015

Appeal Decision

Site visit made on 22/04/15

by A D Poulter B Arch RIBA

an Inspector appointed by the Welsh Ministers

Date: 19th May 2015

Appeal Ref: APP/F6915/A/15/3006376
Site address: 148 New Road, Porthcawl, Mid Glamorgan, CF36 5BL.

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Gary Lewis against the decision of Bridgend County Borough Council.
- The application Ref P/14/828/FUL, dated 15 December 2014, was refused by notice dated 10 February 2015.
- The development proposed is a dormer extension.

Procedural Matter

1. The application was considered and refused on the basis of a revised scheme shown on drawing No PL001 Rev 4. I have considered the appeal on the same basis.

Decision

2. I dismiss the appeal.

Main Issue

3. This is the effect of the proposed development on the character and appearance of the appeal property and surrounding area.

Reasons

4. The appeal relates to an extended bay-fronted semi-detached house in a residential area. There are other semi-detached houses of similar age, size and type on the same side of the street, though they vary in their detail and in the alterations that have been made over time. The house has a dormer at the rear, and the originally hipped roof has been converted to a gable in order to provide additional bedrooms. It is proposed to construct a dormer on the front roof plane to provide better headroom within the second floor front bedroom. The proposed dormer would be roughly centrally placed. Its roof would have a shallow pitch, forming a gable facing the road. The ridge of the dormer would be at the same height as the ridge of the main part of the roof, and it would extend down the roof to just above the ridge of the gable over the front bay window.

5. The proposed dormer would not use the same pitch as the main roof. Nor would be positioned to complement the pattern of the windows on the rest of the house. It

would also dominate the plane of the upper part of the main roof and create awkward angles and junctions where it would almost meet the roof over the front bay window, thus disturbing the clean lines of what is an attractive and traditional roof form. Its design would conflict in these respects with the advice contained in points (a) and (g) of Note 15 (paragraph 6.7.2) of the Council's *Design Guidance for Householder Developments* (SPG02). Consequently, although the design would comply with some other elements of the guidance the proposed dormer would look seriously out of place would be harmful to the character and appearance of the appeal property and surrounding area. It would therefore conflict with Strategic Policy SP2 of the *Bridgend Local Development Plan 2006-2021* (LP), which requires that all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located.

6. The appellant's desire to improve the headroom and thus provide better accommodation for his young family is understandable, and a smaller dormer to the left side of the roof, where it could complement the pattern of other windows, would not be as useful. However, the harm that I have identified would affect matters of public interest, and thus outweighs the benefits of the proposal to the appellant.

7. According to the appellant's Grounds of Appeal many similar dormer extensions have been recently approved by the Council. However, I have not been referred to any specific examples and I saw none when I visited the area. In any event, as each application is to be considered on its individual merits with regard to the current development plan, even if similar dormers were to have been approved they would not set a precedent that should be followed.

8. I have taken all other relevant matters that have been raised into account, but find nothing that would indicate that the appeal should be determined other than in accordance with the development plan. I conclude that the appeal should be dismissed.

A D Poulter

INSPECTOR

REVIEW OF OLD MINERAL PLANNING CONSENTS (ROMP) CORNELLY QUARRIES

Gaens Quarry, Grove Quarry and Cornelly Quarry have an historical consent to operate that pre-dates the modern planning system. They are also subject to an Interim Development Order (IDO) that dates back to the 1940s. Part of the IDO is that the consents are periodically reviewed.

Planning applications were submitted for Gaens Quarry (P/97/85/MIN), Grove Quarry (P/97/618/MIN) and Cornelly Quarry (P/97/623/MIN) for the periodic review of planning conditions. Prior to determination all the applications were called in by the (then) Welsh Office in 1998. The 'call in' procedure means that the Mineral Planning Authority (MPA) i.e. Bridgend CBC is no longer the determining body. Instead the application will be determined by the Welsh Ministers.

At the time there was some considerable discussion between the applicants, the MPA and the Welsh Office regarding the need for an environmental impact assessment (EIA). An EIA was eventually submitted in 2003.

A further planning application relating to Cornelly & Grove Quarries for the periodic review of the IDO was submitted in 2009 (P/09/738/MIN) this was also called in by the Welsh Government in 2010.

Further to this Welsh Government issued a scoping direction in 2013, which indicate that a further EIA was required and an environmental statement (ES) was submitted in 2014.

There is no proposal to extend the boundaries of the quarries under these applications.

It is now proposed to hold a Public Inquiry in order to discuss the issues on all the 'called in' applications. The Inquiry will be led by a Planning Inspector, who will prepare a report for consideration by the Welsh Ministers. BCBC will attend and participate in the Inquiry, however it is unlikely that BCBC will be represented by a legal advocate.

BCBC's position is to examine, review and make comment on the proposed conditions as submitted although it is not in a position to amend or modify conditions regarding the operation of the quarries. Current national planning advice indicates that compensation will be payable if additional or modified conditions are imposed. It is possible that the Inspector could recommend changes to the conditions which could result in liability being put on BCBC.

The main issue in environmental terms is the impact on hydrogeology in relation the nearby Kenfig National Nature Reserve, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) at Merthyr Mawr. Natural Resources Wales (NRW) will be providing the main input into this issue.

The Inquiry will discuss any issues of disagreement regarding the above and is due to take place in November 2015.

Recommendation
That the contents of the report be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
See relevant application reference number.

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TRAINING LOG

All training sessions are held in the Council Chamber unless otherwise stated.

Facilitator	Subject	Date	Time
Jonathan Parsons - Group Manager Development *Level 3 Conference Room, Civic Offices*	"Development Control Committee Protocols and Procedures"	11 June 2015	12.45pm
Jonathan Parsons - Group Manager Development	"Planning enforcement"	3 September 2015	12.45pm

Dates for other topics and speakers to be arranged including the following:

Subject
- Development Control Committee induction and refresher training (half day session)

Recommendation:

That the report of the Corporate Director - Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

11 JUNE 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE - LEGAL AND REGULATORY SERVICES

DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

1. Purpose of Report .

1.1 The purpose of this report is for the Development Control Committee to nominate three Members to form the Committee's Site Visit Panel, to comprise of the Chairperson, Vice-Chairperson, and a third Member, and to also nominate a reserve Member to sit on the Panel should any of the three nominated Panel Members be unavailable.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

2.1 The establishment of necessary Committees and other bodies fulfils the requirements of the Constitution and enables the Authority to work towards the successful achievement of all its Corporate Priorities.

3. Background.

3.1 At a meeting of the Development Control Committee on 31 May 2012 after the last County Borough Elections, the Committee agreed to establish a Site Visit Panel.

3.2 The Committee at the above meeting appointed 4 of its Members to form the Panel, in order to undertake visits of planning application sites, with the composition of this Panel being as detailed in paragraph 1.1 of this report.

4. Current situation / proposal.

4.1 The recent Annual meeting of Council approved a change to the membership of the Development Control Committee, and therefore, as a result of this, the formation of the Panel needs to be re-considered.

5. Effect upon Policy Framework and Procedure Rules.

5.1 This report accords with the Council Procedure Rules as set out in Part 4 of the Authority's Constitution.

6. Equality Impact Assessment.

6.1 There are no equality implications regarding this report.

7. Financial Implications.

7.1 The cost implications relating to the report will be met within existing budgets.

8. Recommendation.

8.1 That the Development Control Committee is recommended to nominate three Members to sit as its Site Visit Panel, to include:

- The Chairperson of the Development Control Committee;
- The Vice-Chairperson of the Development Control Committee;
- A third Member;
- A reserve Member (to sit on the Panel should any of the above be unavailable).

P A Jolley
Assistant Chief Executive Legal and Regulatory Services
20 May 2015

Contact Officer: **M A Galvin**
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Civic Offices
Angel Street
Bridgend CF31 4WB

Background documents:
Report (and Minute) of the Development Control Committee dated 31 May 2012 entitled Site Visit Panel

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

11 JUNE 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE - LEGAL AND REGULATORY SERVICES

NOMINATION AND APPOINTMENT TO THE RIGHTS OF WAY SUB-COMMITTEE

1. Purpose of Report .

1.1 The purpose of this report is for the Development Control Committee to nominate and appoint the members of the Rights of Way Sub-Committee.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

2.1 The establishment of necessary Committees and other bodies fulfils the requirements of the Constitution and enables the Authority to work towards the successful achievement of all its Corporate Priorities.

3. Background.

3.1 The remit of the Development Control Committee includes for the nomination and appointment of 6 of its Members to form the Rights of Way Sub-Committee, with the Chairperson and Vice-Chairperson of the Development Control Committee fulfilling the same role for the Rights of Way Sub-Committee.

3.2 The recent Annual meeting of Council approved a change to the membership of the Development Control Committee and therefore, as a result of this, the nomination and appointment to the Rights of Way Sub-Committee now needs to be re-considered.

4. Current situation / proposal.

4.1 The Rights of Way Sub-Committee currently consists of six Members of the Development Control Committee and it is proposed that no change is made to the number of Members on the Sub-Committee.

4.2 The political balance of the Sub-Committee, based upon the number of Members it comprises of is as follows:-

Labour	- 4 Members	-	(to include the Chairperson
Independent/Alliance	- 1 Member		and Vice-Chairperson of the
Independent/Annibynnwr	- 1 Member		Development Control Committee)

5. Effect upon Policy Framework and Procedure Rules.

5.1 This report accords with the Council Procedure Rules as set out in Part 4 of the Authority's Constitution.

6. Equality Impact Assessment.

6.1 There are no equality implications regarding this report.

7. Financial Implications.

7.1 There are no financial implications regarding this report.

8. Recommendation.

8.1 That the Development Control Committee is recommended to nominate and appoint six (6) Members from this Committee, to form the membership of the Rights of Way Sub-Committee, to include:

- 4 Labour Members (including the Chairperson and Vice-Chairperson of the Development Control Committee),
- 1 Independent/Alliance Member
- 1 Independent/Annibynwr Member

P A Jolley
Assistant Chief Executive Legal and Regulatory Services
20 May 2015

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Bridgend CF31 4WB

Background documents:
There are no background documents in relation to this report