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Bridgend County Borough Council



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

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dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Gwasanaethau Gweithredol a Phartneriaethol / Operational and Partnership Services

Deialu uniongyrchol / Direct line /: 01656 643147
Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref:
Eich cyf / Your ref:

Dyddiad/Date: 19 May 2017

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Thursday, 25 May 2017 at 2.00 pm.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are also 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.
3. Site Visits
To confirm a date of Wednesday 5 July 2017 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
4. Approval of Minutes 3 - 6
To receive for approval the minutes of the meeting of the Development Control Committee of 13 April 2017
5. Public Speakers
To advise Members of the names of the public speakers listed to speak at today's meeting (if any).
6. Amendment Sheet 7 - 8
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,

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so as to take account of late representations and revisions that require to be accommodated.

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| 16. | <u>Urgent Items</u>
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. | |

Could Members kindly note on conclusion of the meeting, there will be a presentation entitled "What is our Local Development Plan Worth?" to be delivered by Richard Matthams, Team Leader – Development Planning.

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

Councillors:

TH Beedle
JPD Blundell
NA Burnett
RJ Collins
SK Dendy
J Gebbie

Councillors

DRW Lewis
JE Lewis
RMI Shaw
JC Spanswick
RME Stirman
G Thomas

Councillors

T Thomas
JH Tildesley MBE
MC Voisey
KJ Watts
CA Webster
AJ Williams

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 APRIL 2017

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 13 APRIL 2017 AT 2.00 PM

Present

Councillor – Chairperson

N Clarke	CA Green	DRW Lewis	JE Lewis
D Patel	JC Spanswick	JH Tildesley MBE	C Westwood
R Williams	RE Young		

Apologies for Absence

GW Davies MBE, PA Davies, HE Morgan, LC Morgan, G Thomas and M Thomas

Officers:

Rhodri Davies	Development & Building Control Manager
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Kwaku Opoku-Addo	Policy, Development and Transport Team Leader
Jonathan Parsons	Group Manager Development
Andrew Rees	Senior Democratic Services Officer - Committees
Leigh Tuck	Senior Development Control Officer
Elizabeth Woolley	Senior Planning Officer

911. ELECTION OF CHAIRPERSON FOR THE MEETING

RESOLVED: That Councillor RE Young be elected Chairperson for the meeting.

(Councillor RE Young in the Chair)

912. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor N Clarke – P/16/497/FUL – Personal interest as a member of Porthcawl Town Council but takes no part in the consideration of planning applications.

Councillor DRW Lewis – P/17/157/FUL - Personal interest as a member of St Brides Minor Community Council but takes no part in the consideration of planning applications. Councillor Lewis also declared a Prejudicial interest as he is known to both the applicant and objector and withdrew from the meeting during consideration of this item.

Councillor JE Lewis – P/17/157/FUL - Personal interest as a member of St Brides Minor Community Council but takes no part in the consideration of planning applications. Councillor Lewis also declared a Prejudicial interest as she is known to the objector and withdrew from the meeting during consideration of this item.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 APRIL 2017

913. 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 24 May 2017.

914. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee of 16 March 2017, be approved as a true and accurate record.

915. PUBLIC SPEAKERS

There were no public speakers.

916. AMENDMENT SHEET

RESOLVED: That the Chairperson accepted 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 Members to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

917. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the Development Control Committee guidance be noted.

918. P/16/497/FUL - LAND AT MOOR LANE, NOTTAGE

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

Proposal:

Change of use of land for the provision of high quality self-catering mobile wooden chalets, tourist accommodation 7 supporting facilities

Subject to Condition 22 being added as follows:

22. Prior to the diversion of Footpath 12 along the eastern and northern boundaries of the site, a scheme for a catch ball fence a minimum of 3m in height shall be submitted to and agreed in writing with the Local Planning Authority. The agreed fencing shall thereafter be implemented prior to the diverted footpath being opened to public use and shall be retained and regularly maintained in perpetuity.

Reason: In the interests of the safety and wellbeing of users of the diverted Public Rights of Way.

Subject to the following words being added to condition 15 after “the chalets and buildings hereby permitted”: “and for any replacement units”, and the following words added to the reason for condition 15 “and in the interests of highway safety”.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 APRIL 2017

919. P/17/157/FUL - 26 HEOL Y MYNYDD, SARN

This application was deferred as the Committee became inquorate due to the aforementioned Declarations of Interest being made.

920. APPEALS

The Group Manager Development reported on the appeals received and the appeals which had been decided since the last meeting of the Committee.

RESOLVED: (1) That the following Appeals received since the last Committee meeting be noted:-

<u>Code No.</u>	<u>Subject of Appeal</u>
A/17/3168010 (1798)	Construction of a bungalow: Land BTW 16 & 17 High Street, Ogmores Vale
A/17/3170739 (1799)	Remove condition 4 and relax condition 1 of P/15/183/FUL to allow up to seven residents in need of care at any one time: The White House, Briary Way, Brackla
A/17/3171693 (1800)	Agricultural building (resubmission): Graigwen, Hendre Road, Pen-coed
A/17/3172020 (1801)	Erection of detached dwelling: Land adjacent to Cambrian House & Cross Winds, Stormy Down

(2) That the Inspector appointed by Welsh Ministers to determine the following Appeal, has directed that the following Appeal be ALLOWED SUBJECT TO CONDITIONS:

<u>Code No.</u>	<u>Subject of Appeal</u>
A/16/3164853 (1790)	Demolition of existing single garage and construction of a new 3 bedroom detached property (revised parking): rear of 23 Nottage Mead, Nottage, Porthcawl

(3) That the Inspector appointed by Welsh Ministers to determine the following Appeals, has directed that the following Appeals be DISMISSED.

<u>Code No.</u>	<u>Subject of Appeals</u>
A/16/3164970 (1791)	Construct a pair of semi-detached houses: side of 8 Glannant Row, Shwt, Bettws
A/16/3165452 (1792)	Detached dwelling: Land adj to the Old Police Station, Bethania Row, Ogmores Vale
A/16/3167106 (1795)	Double extension to side of the house and enlarge single storey play room at the rear: 2 Pen-Y-Ffordd, North Cornelly

921. REVIEW AND UPDATE OF THE LOCAL PLANNING AUTHORITY'S PLANNING CODE OF PRACTICE

The Committee received a report on a review and update of the Local Planning Authority's Planning Code of Practice, which aimed to ensure there are no grounds for suggesting that a decision by the Council has been biased, partial or unfounded and that all parties understand the planning process and procedures. The Planning Code of Practice provides guidance to elected Members, officers, the public, applicants and developers on the planning process. The document had been updated in draft and a workshop held prior to this meeting to discuss the changes to the document. Once adopted, the document would be updated on an annual basis or as and when new and relevant national regulations or guidelines emerge.

RESOLVED: That the content of the report be noted and the Local Planning Authority's Planning Code of Practice attached to the report be approved.

922. TRAINING LOG

The Group Manager Development reported on an updated training log.

RESOLVED: That the report of the Corporate Director Communities be noted.

923. URGENT ITEMS

There were no urgent items.

924. VOTE OF THANKS

The Chairperson thanked all members of the Committee for their contribution and support during this term. He also on behalf of the Committee thanked the officers for their work and advice in support of the work of the Committee.

The Group Manager Development in response thanked the Chairperson and members of the Committee for the quality of debate and contribution they had made to the planning process. The Committee had become highly respected for its decision making contributing to development in the region.

The meeting closed at 2.50 pm

DEVELOPMENT CONTROL COMMITTEE

25 MAY 2017

AMENDMENT SHEET

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

ITEM NO.	PAGE NO.	APP. NO.
8	11	P/16/985/FUL

A Full Development Control Committee site visit was undertaken on Wednesday 24th May 2017.

The Local Ward Member (who is also a Member of the DC Committee), one objector who has registered a request to speak at Committee, one local resident who has not registered a request to speak at Committee and both the applicant and agent for the development attended the site visit.

The application is deferred to resolve the outstanding uncertainty surrounding the deliverability of the pedestrian/cycle route onto Maes y Cadno.

11	53	P/17/275/FUL
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Condition 2 of the recommendation should be reworded as follows:-

2. A scheme for the provision of 3 off-street parking spaces for the host property and 1 off-street parking space for the one bed flat at lower ground floor level shall be submitted to and approved in writing by the Local Planning Authority within 3 months of this consent. The parking areas shall be constructed in permanent materials and completed in accordance with the approved details within 6 months of this consent. The car parking spaces shall thereafter remain available for their designated use in perpetuity.

**MARK SHEPHARD
CORPORATE DIRECTOR – COMMUNITIES
25 MAY 2017**

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

REFERENCE: P/16/985/FUL

APPLICANT: Wales & West Housing Association Archway House, 77 Parc Ty Glas, Llanishen, Cardiff, CF14 5DU

LOCATION: Parc Farm Buildings Heol Spencer Coity CF35 6AS

PROPOSAL: Residential development of 24 affordable dwellings comprising 20 houses and 4 flats

RECEIVED: 12 December 2016

SITE INSPECTED: 19 December 2016

APPLICATION/SITE DESCRIPTION

Boyer Planning has submitted a full planning application on behalf of Wales and West Housing Association that seeks consent for a development of 24 residential units on the site of the former Parc Farm house and associated buildings which lie to the north of the village of Coity and immediately adjoining properties in the north eastern corner of Parc Derwen.

The principle of the site being developed for housing (14 units) was first established under permission P/11/881/OUT which, following the signing of a Section 106 obligation was issued on 8 January 2014. The outline permission was subsequently extended until 8 December 2019 under permission (P/16/847/RLX refers).

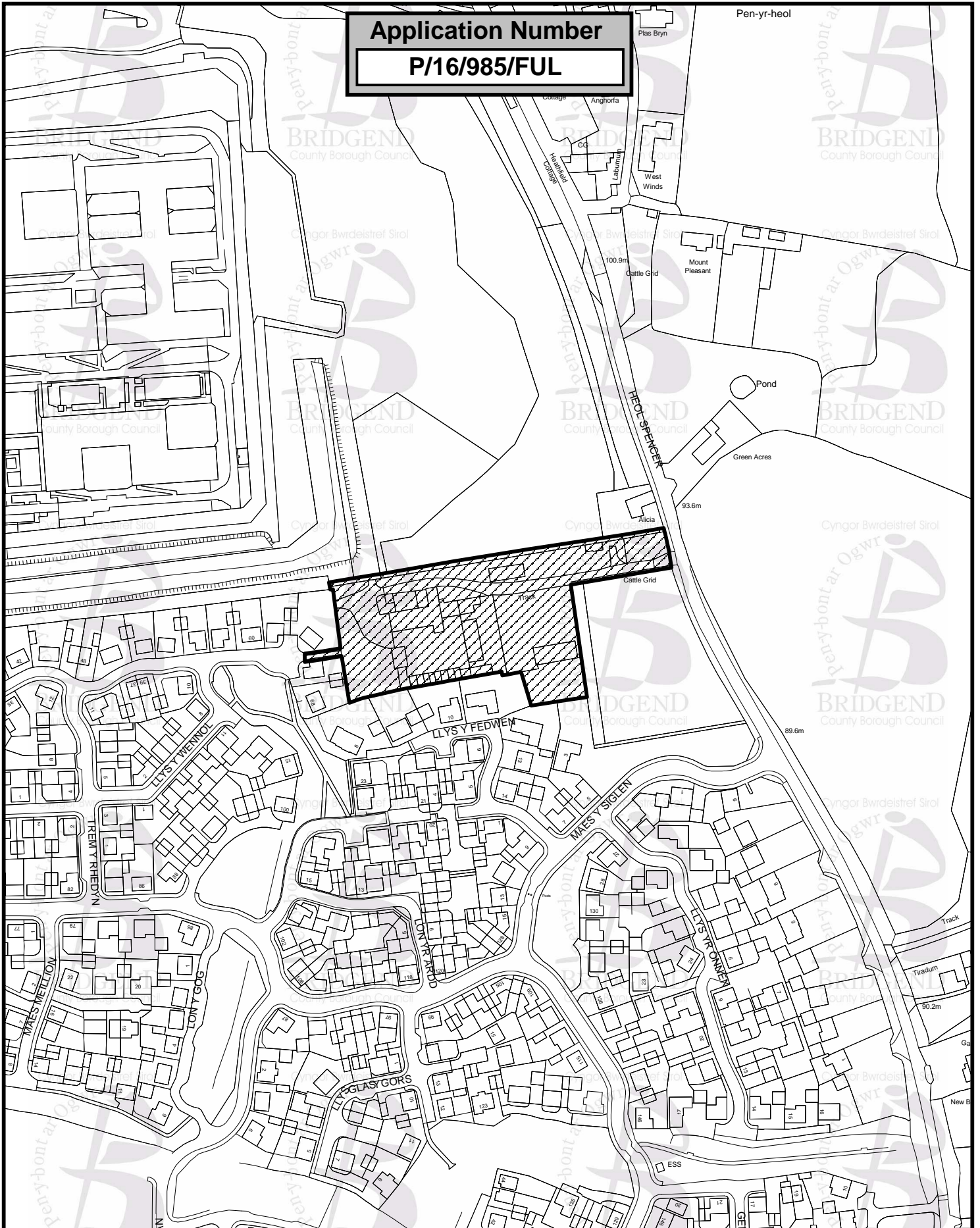
The site currently accommodates a series of stone, two and three storey buildings and a Dutch barn that all once formed part of Parc Farm, accessed from Heol Spencer via a metalled track approximately 4m wide. The northern boundary of the application site is in part shared with the front garden of the property known as 'Alicia' which is enclosed by a stone wall, close to the entrance to the site. A number of semi mature, sycamore and ash, trees form the remainder of the boundary which is shared with open land and the grounds of HMP Parc Prison. A 4m wide gravel access path is formed in this boundary to provide emergency access to the south of the prison. The eastern boundary of the site adjoins a burial ground that was associated with the former Parc Hospital. A line of approximately sixteen mature evergreen/coniferous trees lie just outside the application site and have a significant presence on the development site.

The southern and eastern boundaries immediately adjoin the gardens of properties on Llys y Fedwen (Nos 8, 9, 10 and 11) and Maes y Cadno (Nos 64, 66 and 68) which form part of the larger Parc Derwen Housing development. The gardens are generally enclosed by a 1.8m high fence with the separating distance to the site boundary ranging from 8m to 17m. The neighbouring dwellings are orientated such that their rear elevations face, either directly or are slightly off-set, the application site.

The proposed 24 residential units will comprise three house types including 18x2 bedroomed houses, 2x4 bedroomed houses and 4x1 bedroomed flats.

Application Number

P/16/985/FUL



Scale 1:2,500

Date Issued:
17/05/2017

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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Fig. 1: Site Layout Plan

A 5.5m wide carriageway with a 1.8m wide footway on the southern side and a 1m wide service margin opposite will serve two private drives. Plots 1, 2, and 9-15 will front and be served directly from the main estate road with Plots 21-24 fronting a turning area and the dedicated parking spaces. Plots 3-8 will be accessed via a shared surface road and turning area with each dwelling having two on-plot parking spaces. Plots 16-20 will be accessed via the turning head at the western end of the estate road and fronting a private drive. The majority of the bin collection points and parking spaces will immediately front the proposed dwellings, apart from 2 dedicated bin collection points (one serving Plots 18-20 another serving Plots 16 and 17) to the west of the site.

The 1.8m footway on the estate layout will continue around the turning head at the western end and will connect to a section of 3m wide footway/cycleway that will link to an existing provision that lies between 64 and 66 Maes y Cadno.

New 3m and 4m wide gravel access and link paths are incorporated in the layout as part of the requirement to retain emergency access links to HMP Parc Prison and the burial grounds.

All dwellings, including the flatted complex will be two storeys in scale with the external finishes including facing brickwork, roughcast render, reconstituted stone and slate roofs. The dwellings are traditional and modest in form and proportions, with the areas of garden space ranging from 47 sqm (Plot 15) to 138 sqm (Plot 17).

The existing trees that are located beyond the eastern site boundary are illustrated on the site layout plan with the associated root protection zones identified. Areas of 'indicative landscaping' are proposed throughout the layout although they are formed on the margins of the roads, parking spaces and on the northern boundary of the site.

The Bat House, constructed as part of the ecological mitigation works agreed under a European Protected Species Licence previously issued by Natural Resources Wales and following the grant of the original outline planning permission, will be retained on site, adjacent to the new estate road and opposite the shared road surface serving Plots 3-8.

On 1 August 2016, Welsh Government introduced a requirement to undertake pre-application consultation on all major planning applications. A Pre Application Consultation Report has been submitted with this application in addition to the following documents:

- Design and Access Statement - Boyer Planning
- Transport Statement - Cotswold Transport Planning
- Pre-Development Tree Survey and Assessment - TDA
- Tree Constraints Plan - TDA
- Bat Survey Report - Celtic Ecology - November 2013
- Update Survey for Bats and Barn Owls - David Clements Ecology Ltd - 2016

RELEVANT HISTORY

P/11/881/OUT - Outline application for 14 Residential Units - CC - 8/1/2014

P/14/575/FUL - Provision of Bat House - CC - 14/10/2014

P/15/542/DPN - Prior Notification for the Demolition of the Farm Buildings and Former Dwelling - No Objection - 23/9/2015

P/16/847/RLX - Extend period for submission of reserved matters for P/11/881/OUT (14 residential units) by a further three years - CC - 8/12/2016

Adjacent Site:

Maes -y-Cadno:

P/12/547/RES - Reserved matters consent for 96 dwellings - R42 - CC - 26/9/2012

P/12/836/RES - Reserved matters consent for 2 dwellings - CC - 16/1/2013

Llys y Fedwen:

P/11/658/RES - Reserved matters application for 105 dwellings - CC - 15/11/2011

P/12/506/RES - Reserved matters application for 3 dwellings - CC - 8/11/2012

NEGOTIATION

Negotiations commenced on 13 February 2017 to consider the relationship of the proposed housing to existing properties, the inter-relationship of the new dwellings and issues regarding the layout and car parking provision. A series of revised layout plans have been received with the latest (Revision L) being received on 16 May 2017.

PUBLICITY

The application has been advertised on site and in the local press. Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity has expired.

CONSULTATION RESPONSES

Coity Higher Community Council: Object to this application due to the density of 24 dwellings being constructed at this site which is considerably more than originally

approved. In addition, I would like to request that a representative of the Community Council be allowed to attend and speak at any site meeting that may be held by BCBC regards to this application.

Former Councillor E Dodd - Object to the application - the original request was for 14 dwellings - 24 dwellings are far too many at this location. I object to the density and also traffic problems on Heol Spencer where there is no pavement so the increase in traffic will make it even more dangerous.

Group Manager Public Protection: No objection subject to conditions.

Welsh Water Developer Services: No objection subject to the imposition of conditions and advisory notes to ensure no detriment to existing residents, the environment and to Dwr Cymru Welsh Water's Assets.

Natural Resources Wales: No comments received to date.

Head of Street Scene (Highways): No objection subject to conditions.

Head of Street Scene (Drainage): No objection subject to conditions.

South Wales Police Designing Out Crime: I am generally pleased with the site layout. All the parking is overlooked/within curtilage. However I have serious reservations in respect of the footpath/cycleway that connects to Trem y Rhedyn (Maes y Cadno) and I have serious concerns about the impact it could have on the quality of life for residents residing in this property and the adjacent properties to this lane. If this lane is to remain, I would ask that it be lit and afforded as much natural surveillance as possible by a side window being installed in the property at Plot 20 and from windows in the apartment at Plot 21-24. Railings should separate properties from the footpath. More general advice on lighting, boundary identification, landscaping, side and rear boundaries, vehicle parking areas, bicycle stores, security lighting, bin storage, drainpipes, window and door security etc is available from the Secure by Design Officer.

Head of Street Scene (Waste Manager) Private access roads can limit accessibility by the Council's waste contractor. This may result in residents having to deposit waste and recyclates for collection beside the nearest adopted footpath. The developer should consider provision of a suitable collection point to avoid inconveniencing other residents. Consideration should be given to how the flat residents will store their recycling containers and present their waste at kerbside.

Countryside Management: No adverse comments received.

REPRESENTATIONS RECEIVED

Letters of objection have been received from the owner/occupiers of the following properties:

13, 15 Llys Y Wennol
8, 9, 10 (Speaker) 12, 13, 14 Llys y Fedwen
1, 9 Llys yr Onnen
54, 56, 58, 62, 64, 66, 68 (Speaker) Maes y Cadno
3, 9 Maes y Siglen
Alicia, Heol Spencer
118 Heol West Plas (Speaker)
134 Ffordd y Draen

A petition signed by over 250 residents all objecting to the application, has been received. It is understood that this document was originally submitted to Boyer Planning (applicant's agent) in response to the 'Pre-Application Consultation' process that was undertaken prior to the submission of this application. The residents urged Wales and West Housing Association not to submit a planning application for the reason that the site was unsuitable to accommodate a high concentration of social housing, the impact of traffic on the community and particularly on Heol Spencer, the significant negative impact on the neighbouring residents and the inadequate provision of both space and car parking.

The following is a summary of the objections received from residents, the Community Council and former Borough Council Member in connection with the current application:

1. Demolition of the buildings should not take place - the loss of historic buildings part of the heritage of Coity.
2. Developer has ignored observations offered by residents at the pre-application stage.
3. There is an adequate supply of affordable housing as indicated in the 2016 Joint Housing Land Availability Assessment and therefore no 'need' for the development.
4. Given the lack of public transport the site is unsustainable and unsuitable for affordable housing
5. The findings of the Transport Statement should be challenged – The distances to amenities quoted in the Transport Statement are incorrect - Heol Spencer is a dangerous 'rat run' and is unable to accommodate additional traffic – sections through the village are narrow and not designed to serve major development – traffic speeds are already a concern and there is no footway alongside the highway for future residents to safely access local amenities and facilities in the village of Coity.
6. The 3m wide cycle/walkway connecting the application site to Maes Y Cadno is fenced off and currently owned by Persimmon Homes – future residents may not be able to access facilities within Parc Derwen - Use of route could affect privacy of neighbouring properties and be a place of anti-social behaviour - it is not well connected with existing footpath network – would not be suitable for vehicular traffic.
7. Car parking provision is inadequate – deficient visitor parking – does not comply with Council's Parking Guidelines.
8. How will refuse be collected – bin collection on the edge of a cycleway/footway is not acceptable.
9. Density of development is too high (net density of 48 dwellings per hectare) – exceeds the figure granted at the outline planning stage – housing (flats) not in keeping with Parc Derwen Development Brief/Design Code and the surrounding properties
10. Proximity of new housing will result in a loss of light, space, outlook and privacy - no buffer zone provided.
11. New housing will increase light and noise pollution
12. Confusion as to what the application proposes - an outline or full planning application.

13. History of gardens/houses surrounding the site having experienced problems with flooding and drainage through a lack of adequate facilities – additional development may exacerbate problems.

14. The site is rich in biodiversity – development will destroy the habitat of European Protected Species (Bats, Barn Owls etc.) - Their population will decline – previous actions of blocking up openings were unacceptable

15. Developer has not submitted an Arboriculture Impact Assessment - trees and hedgerows will be affected by the development – root protection areas will be compromised by one of the proposed dwellings

16. The use of the emergency access lane to HMP Parc Prison which runs to the rear of Maes y Cadno is likely to increase with a new public highway being created through the development site – encourage more criminal activity.

17. Boundary to burial ground has deteriorated – conveyance plans prevent the erection of buildings on adjacent land – land could be disturbed

HMP and YOI Parc have provided the following comments:

The prison has a vehicle right of access through a double gate on the southern boundary at Parc Farm for emergency purposes - this should be retained and accommodated as part of the development.

Access to the 6m wide gap between Parc Prison and the rear gardens of properties on Parc Derwen should be retained and not obstructed. Recent site meeting with the developer gave cause for concerns that access would be blocked off at the Parc Farm end.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by local residents:-

1. The existing farmhouse and buildings are not located in a conservation area and are not listed and therefore subject to any formal protection. Although no information as to the conditions of the buildings has been submitted, it is understood that their condition prevents a viable conversion. The site agents have formally notified the Council that demolition is to take place at the beginning of September 2017. Issues regarding the protection of biodiversity interest will be considered elsewhere in this report.

2. In the concluding section to the Pre-Application Consultation (PAC) report, it was noted that significant objection had been received from the community with regard to the principle of the development, highway impacts and many other matters. The report states:-

“Amendments have occurred to the design following consultation including the removal of a proposed tree to ensure the emergency prison access is not obstructed and increased set back of the two storey element of the type C dwellings from the neighbouring boundary”.

The report suggested that there were no technical reasons to amend the scheme further. The objections offered have not been ignored and there is no requirement for the developer to revise a scheme in such a manner to address all criticisms. Based on the

level of objection received to the application, this would not have been achievable.

3. Local Planning Authorities have a duty to ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing. The purpose of preparing a Joint Housing Land Availability Survey (JHLAS) is to: (a). monitor the provision of market and affordable housing; and (b). provide an agreed statement of residential land availability for development management purposes and for inclusion in the Annual Monitoring Report for the relevant Local Development Plan. Whilst Welsh Ministers have agreed that the five year housing land supply for the Bridgend County Borough is available, it was on the basis that this site, albeit the 14 units contributed to the supply. Although the number of units has increased and will be 100% affordable, it should be noted that, on the basis of the Local Housing Market Assessment (LHMA) (January 2010), there was a net need of 1,514 affordable dwellings per year and this development would contribute to that demand. There is no evidence to suggest that there is currently an oversupply of affordable housing in this County Borough.

4. The Bridgend Local Development Plan will seek to improve opportunities for sustainable travel and promote the use of public transport. If a service is discontinued it can lead to a greater reliance on the private car but this does not make a site unsustainable for development. In this case the site is located within the key settlement of Bridgend as defined by the Bridgend Local Development Plan. The application site and Development Plan were the subject of sustainability appraisals as part of the plan process.

5. In order to justify the increase in numbers above that approved under the outline planning consent, the application is supported by a Transport Statement which has been independently audited by the Council's consultants Capita. They have indicated that, whilst the overall vehicular numbers would increase, the changes in flow will be less than daily variation and increases of only 1 and 2 vehicles in the peak hour will not have a significant impact on the operation of the adjacent highway network. Accordingly the traffic generation of the proposal can be considered acceptable.

The turning head of the easternmost cul-de-sac (serving Plots 3-8) is of insufficient dimensions to enable it be deemed satisfactory for it be adopted by the Highway Authority although, with a minor enlargement, it would be acceptable. Such a size increase appears possible and will be secured by planning condition.

6. The 3m wide footpath/cycleway has been provided as part of the highway infrastructure for Phase R42 on Parc Derwen and this development will connect into this link and will in time form part of the adopted highway network. Although the land over which the route has been constructed is within the ownership of Persimmon Homes, a public highway will be formed which will provide a right to pass and repass for existing and future residents. The link will connect directly to a shared surface that fronts 60 - 66 Maes y Cadno and beyond to the footpath network that connects to the new school and land that is planned to accommodate the district centre on Parc Derwen.

Although the 'Designing Out Crime' Officer for South Wales Police has also expressed concerns regarding the route and the potential impact on the quality of life for residents, it is a necessary part of the development and its provision has been secured in the granting of planning permission for the adjacent Parc Derwen development. Any purchasers of the properties either side of the route should have been made aware of its existence and purpose. Furthermore, it is essential that the route is provided to allow occupiers of the new properties to access amenities on Parc Derwen. A condition will be imposed to ensure that the route is lit and properly enclosed to minimise the impact on the adjacent properties. The route will not be used by vehicular traffic.

7. The layout has been revised to accord with the Council's Parking Standards (SPG 17 refers).

8. The Head of Street Scene (Waste Manager) requests that the developer consider provision of a suitable collection point for all the development. A condition can be imposed requiring the final position of the recycling and waste facilities to be agreed prior to development commencing.

9-11. Concerns relating to the density of the development and the relationship to existing properties in Maes y Cadno and Llys y Fedwen will be considered in detail in the appraisal section of this report.

12. Unfortunately, the Design and Access Statement makes reference to an outline planning application (para 1.1 refers). The application form clearly states that it is a full application.

13. No adverse comments have been received from DCWW or the Council's Land Drainage Section.

14. The conclusions of the updated survey for Bats and Barn Owls (David Clements Ecology Limited 2016) recognise that the buildings at Parc Farm continue to be of high value to roosting bats and a barn owl and, in the event of demolition and re-development, the mitigation measures set out in the previous Natural Resources Wales Licence application remain appropriate for bats and barn owls. A copy of the most recent licence to disturb, capture and transport, damage or destroy a breeding site or resting place of bats at Parc Farm, dated 6 February 2017, has been submitted by the applicant's agent. It is subject to a number of conditions which includes a requirement to comply with the 'Parc Farm, Coity - Bat House & Key Vegetation – Management Plan', by David Clements Ecology, dated January 2017 - and drawing: 2198 – 101F 'Key Management Features for Bats' (Proposed Site Layout), dated January 2017. The impact of the development on protected species has been properly considered in accordance with local policy and national legislation.

15. The developer's 'failure' to submit an Arboricultural Impact Assessment (AIA) has been identified by the objectors. As part of the planning submission, the developer has submitted a Pre-Development Tree Survey and Assessment which surveys the position, dimensions, condition and future life expectancy of trees on site. Recommendations are also provided on arboricultural works that should be undertaken in the interests of safety. It should be noted that the report only considers the trees in the applicant's control and not the mature trees beyond the eastern boundary. The Tree Constraints Plan provides a more accurate record of above and below ground constraints presented by all existing trees including the group referenced above. Root Protection Zones have been identified and there is some conflict between the parking spaces to the side and the patio areas to the rear of Plots 1 and 6 respectively.

This Council will request an Arboricultural Method Statement (AMS) as a condition of any planning consent where construction is due to take place in close proximity to important trees or within the root protection zone (RPZ) of a tree due to be retained. Such a statement will describe how construction works can be carried out close to trees without causing damage to the crown or the root system. It will also include details on how the works will be managed and how the trees will be adequately protected during the works. The AMS must contain a timetable indicating when and how specific works adjacent to trees will be carried out. This will cover items such as the installation of protective fencing, hand excavation within tree protection zones and the use of boarding to avoid compaction,

amongst other things. Such a condition should ensure that the important trees on the eastern boundary of the site are protected during construction and beyond.

16. The emergency access to the prison has been retained and will be served by a public highway which residents are concerned will encourage greater use and will possibly allow the passage of goods into the prison. The emergency access would however be visible from a number of the new properties and such passive surveillance by residents may deter such activities.

17. The application site does not include any part of the burial ground. In response to recent concerns expressed by a concerned resident in connection with the disturbance of land, the developer has agreed to undertake further survey work to ensure that the demolition works/development will not affect this protected ground.

APPRAISAL

The application is referred to Committee to consider the objections raised by local residents, the Community Council and the former Local Member.

The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land and protecting natural resources and the historic environment. A well-functioning planning system is fundamental for sustainable development. (Paragraph 1.2.1 of Planning Policy Wales - Edition 9 - November 2016 refers).

Up-to-date Local Development Plans (LDPs) are a fundamental part of a plan-led planning system and set the context for rational and consistent decision making in line with national policies. Planning applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers). The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies (including Welsh Ministers) that they must carry out sustainable development and it is accepted that a plan-led approach is the most effective way to secure sustainable development through the planning system.

The adopted Bridgend Local Development Plan (2013) (LDP) which was subject to a Sustainability Appraisal seeks to focus development in four strategic regeneration growth areas with the objective of delivering more sustainable patterns of development. Bridgend is the main area of growth and is identified as a primary key settlement with its boundaries defined under Policy PLA1 of the LDP. The application site lies within the settlement of Bridgend and is allocated for residential development under Policy COM1 (13) of the LDP. The Policy references the estimated number of units and the likely level of affordable housing which, in this case, was based on the extant planning permission (P/11/881/OUT refers).

The principle of this site being developed for housing therefore accords with the adopted LDP and broader national policy that promotes a 'plan-led' system as the basis of making rational and consistent planning decisions. Furthermore the principle of the site being developed for housing has been established. The critical issue is whether the site can accommodate the additional dwellings proposed by this application without having a significant impact on the living conditions of the adjacent residents and future occupiers and the biodiversity interest on site. The ability of the existing and proposed highway network to serve the development is also a significant consideration.

Policy SP2 of the Bridgend Local Development Plan and the suite of Supplementary Planning Guidance provide a robust framework for assessing the details of this application. All development is required to contribute to creating high quality attractive sustainable places, which enhance the community in which they are located. The Policy establishes fifteen criteria against which development proposals will be assessed and in respect of this application, it is considered that criteria 1), 2), 3), 4), 6), 7), 10), 11), 12), 13), 14) and 15) are relevant:

1) Complying with all relevant national policy and guidance where appropriate;

The development site is allocated for housing in the adopted Development Plan which aligns with national policy. National policy and guidance on affordable housing, nature conservation, tree preservation orders, design and transport have also informed the policies and guidance of this Council.

2) Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character and 3) Being of an appropriate scale, size and prominence;

Concerns about the development being out of character with its surroundings have been made by a number of residents and considered in the previous section of this report. The proposed house types although more modest in proportion to the adjoining dwellings, have a traditional form with a pallet of materials, including stone and render which will respect their setting.

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; and (ii) having a preference for development on previously developed land over greenfield land;

Efficient use of land will be achieved by the development although the gross housing density will be below the 35 dwellings per hectare referred to in Policy COM4. The levels achieved by this development are considered acceptable. The scheme is further compliant in that it will use previously developed land which accords with both national and local policy objectives. Although it is regrettable that the development does not seek to retain any of the existing buildings, it has been previously offered by the developer's agent that their condition does not allow for a viable conversion.

6) Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;

All development proposals should be designed in a manner that secures the safety of all highway users whilst also looking to improved opportunities for sustainable travel. The Transport Statement that accompanied the application has been referred to the Council's external consultant, Capita, who have verified the trip generation data and confirmed that the impacts of the additional traffic on the highway network are within acceptable limits. Furthermore, the provision of the connecting footpath/cycleway will ensure that the future residents of the development will have the opportunity to access amenities/facilities without being completely reliant on the private car.

The impact of the development on the highway network has been thoroughly examined by the Transportation and Engineering Section, as has the submitted layout to establish whether it accords with both national and local guidance. The impact of the development on the immediate and surrounding road network and the adequacies of the proposed off and on street parking arrangements have been the focus of the objections received from local residents. In applying the aforementioned guidance (Manual for Streets and the Car

Parking Guidelines refers) the layout and associated highway works are considered to be in compliance. Accordingly no objections to the development have been received from the Group Manager Transportation and Engineering.

7) Minimising opportunities for crime to be generated or increased;

Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard must be given by local planning authorities. Those concerns highlighted by the Police have been considered but the request to omit the footpath link would be to the detriment of the residents of the future development who should not be denied access to existing and future amenities on the Parc Derwen development. The aim should be to produce a safe environment for existing and future residents through good design and the use of effective street lighting and passive surveillance would minimise any negative impacts from the use of this link.

10) Safeguarding and enhancing biodiversity and green infrastructure;

This requirement reflects Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21st March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions."

Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are: (1) That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment". (2) That there is "no satisfactory alternative". (3) That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range".

The main biodiversity interests on this site are found in the building which have provided a habitat for bats, barn owls etc. As indicated within this report, their demolition is imminent. In previously agreeing the principle of the site being developed, the Council considered that the proposed development would not impact adversely on any European protected species and, in its opinion, all three tests for the eventual grant of a Regulation 44 licence would likely to be satisfied. This was subsequently affirmed by Natural Resources Wales in issuing the aforementioned licence on two occasions. Subject to the demolition works complying with the conditions of the licence, the development will have complied with both

local and national policy and legislation.

11) Ensuring equality of access by all;

Developments must conform to the provisions of the Equality Act 2010 and it is understood that the site and dwellings have been designed to make it accessible for all those who might use the dwellings in the future.

12) Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;



Fig. 2: Aerial Photograph

National policy confirms that new housing developments should be well integrated with, and connected to, the existing pattern of settlement. In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources and good design can overcome adverse effects but, where high densities are proposed, the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential areas

Related concerns have been expressed by residents as to the number of dwellings proposed as part of the application. Policy COM4 of the LDP establishes a density requirement of at least 35 dwellings per hectare. The LDP acknowledges that it is important that new development uses land efficiently by being of a density which maximise the development potential of land. A minimum density will therefore be applied to all new residential development. The application site, measured from the OS Base Plan including the site access up to Heol Spencer, measures 0.85 hectares, equating to a gross density of 30 dwellings per hectare which is below that required by Policy COM4 but nonetheless is acceptable.

The explanatory text with Policy COM4 does indicate that a lower density may be accepted where development would have an unacceptable impact on design or highway safety. Residents have highlighted the lower density of the adjoining properties which was prescribed in the Parc Derwen Development Brief. This application site does not however form part of the Parc Derwen allocation and is not subject to the restrictions of the Brief or the Design Code. The adjacent housing in Parc Derwen forms part of 'Area 5 - Upper Coity' as defined in the development brief which proposed a housing density of between 25-30 dwellings per hectare. This is not significantly different to that proposed as part of this application.

Indicators of unacceptably high densities would be evident in other aspects of the housing layout including compromises in privacy/daylighting/domination standards between the new dwellings and their relationship with the existing properties. The critical issue is whether the impacts are so significant as to be contrary to local policies and guidelines. The following section will examine the relationships in detail:

64 Maes y Cadno is one of three detached properties that adjoin the western boundary of the application site. It is positioned at a 45 degree angle within the plot, a minimum of 8m and a maximum of 15m from the boundary with Plots 21-24 which will accommodate a pair of two storey semi-detached units and will present a blank gable elevation towards the neighbouring property. No window openings in the existing and proposed dwellings will overlook directly and the orientation of 64 Maes y Cadno is such that the direct outlook will not be toward Plots 21-24. Privacy will not be unreasonably compromised and, even accounting for a difference in levels which is not significant, the new development should not overshadow or dominate outlook. Existing and proposed boundary treatment will ensure that the movements to and from the proposed 1 bedroom flats and associated parking area will not seriously diminish the living conditions of the existing neighbours.

66 Maes y Cadno is positioned on the southern side of the existing footpath/cycleway and faces directly the boundary with the application site and the rear elevation of Plot 20 beyond. From the submitted site layout plan, a separating distance of 21m is recorded with 66 Maes y Cadno. Based on the Council's guidelines, privacy will not be compromised but it may be necessary to withdraw permitted development rights to prevent the uncontrolled extension of Plot 20 in the future. Even accounting for any level difference in the finished floor levels of existing and proposed, the outlook will not be unreasonably affected by the two storey dwelling which will have a maximum height of 9m to ridge and 5.5m to the eaves.

68 Maes y Cadno is a detached dwelling with its rear elevation some 12m from the development boundary shared with a two storey end of link property on Plot 18. The submitted levels suggest that the finished floor level of Plot 18 will be 1m above 68 Maes y Cadno but any impact will be diminished by the 23m that separates the existing and proposed dwellings. Again direct impacts of the development, when considered with reference to the Council guidance and policy, will not be so significant to refuse planning permission.

Numbers 8, 9, 10, 11 and 12 Llys y Fedwen adjoin the southern boundary of the application site. No.8 only shares some 10m of the boundary with Plot 18 and is positioned in a generous garden which will be overlooked, albeit not directly, from the rear bedroom windows in Plot 18. The relationship does not compromise the Council's standard and the impact of the development on this property is considered to be limited.

9 Llys y Fedwen is a detached dwelling with rear facing habitable rooms overlooking the side elevation of Plot 18. From the submitted plans, distances of 13m and 17m separate the existing dwelling and proposed development which, even when taking account of the level difference (FFL of Plot 18 is over a metre above No. 9), should ensure that the development does not unreasonably overshadow the habitable room windows. No windows on the development site will directly overlook this neighbouring property thus ensuring that existing levels of privacy will not be unreasonably affected.

The same house design has been used on 9 and 10 Llys y Fedwen although a small conservatory extension has been added beyond the living room window in No 10. Separating distances range from 11m measured to the original elevation and 8m to the conservatory and the view will be of the side elevation of Plot 17. In response to

negotiations, the applicant's agent has submitted an amended house design which has a reduced overall height (9.0m to ridge) and incorporating a single storey element to the side of the dwelling, closest to the shared boundary with 10 Llys y Fedwen. Accordingly, the proposed two storey gable of Plot 17 will be 17m from the original rear elevation of No. 10 with a distance of 13m recorded between the single storey element and the original dwelling. Even accounting for the difference in levels, the separation distances should ensure that outlook, although affected, would not be to an unreasonable degree and would not warrant a refusal of planning permission.

The house design on 11 Llys y Fedwen is 'L' shaped in form with generous garden areas provided on the northern and eastern sides of the dwelling, adjoining the application site. A single kitchen window will face the northern boundary which is shared with the gardens of Plots 7 and 17. The side elevation of Plot 7 will occupy part of the boundary but will be set back 2.5m from the boundary. Direct views from the existing kitchen window will be reasonably open with the 9m high two storey gable being off-set and not unreasonably dominating outlook. The principal habitable room windows and bedrooms are on the eastern side of the dwelling and overlook a relatively generous garden and the site boundary. Beyond this lies the private drive and front elevations of Plots 5 and 6. Whilst the finished floor levels of the proposed units are above 11 Llys y Fedwen, from the submitted plans, a distance of 25m will separate the existing dwelling from the proposed development.

Whilst there may be some reduction in privacy, mainly from the first floor windows in Plots 5 and 6, it is not sufficient to require further changes to the submitted layout. Similarly, any reduction in outlook by virtue of the development is not at an unreasonable level. Existing boundary treatments and the establishment of a landscaping strip within the application site boundary will assist in limiting the impact of the development.

Like 11 Llys y Fedwen, No.12 has a single kitchen window facing the corner of Plot 6 but at a distance of some 15m. Again, privacy will not be unreasonably affected and, although the dwelling will be clearly visible from the kitchen window, it will not overshadow and dominate outlook.

Many of the objectors have expressed concern about the introduction of flats as part of the submitted layout. From the extract plan below (Figure 2), it is noted that the 1 bedroom accommodation will be within a pair of semi-detached units which has a form, proportion and appearance that is in keeping with the housing proposed as part of this application. The house type will not detract from the character of its immediate surroundings or the wider area.



Fig. 3 - House Type Accommodating Flats

Overall, the development will have impacts on the existing properties but not to the extent that would warrant a refusal of planning permission. Finished slab levels however need to be agreed with the Council to ensure effective control is retained over the development in the interests of safeguarding the living conditions and well-being of the residents.

Reference has been made by residents to a buffer area between Parc Derwen and the development site. The master plan from the Development Brief indicates a hedgerow along the southern boundary of the Parc Farm site. Examination of the approved layout plan for the development to the south (areas R1, R2 and R3) includes a hedgerow to be planted on the southern side of the application boundary in the gardens of properties on Llys y Fedwen. There is some uncertainty as to whether the planting has been implemented to date.

The submitted housing layout does not incorporate any formal play space only informal green space along the margins of the estate road. Plan policy requires that all new housing developments make provision, or the equivalent value of, a satisfactory standard of outdoor recreation space. In this case and historically, the Council has sought a financial contribution towards the upgrading of existing outdoor recreation facilities in the vicinity of the application site - this will be secured through a Section 106 Planning Obligation.

Inevitably a development so close to existing properties is going to result in some inconvenience from noise and general disturbance during the construction period. Whilst this is not grounds for refusing planning permission, given the scale of the development, it will be reasonable to impose planning conditions to control the hours of construction and the implementation of a traffic management plan throughout the period of construction.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development rather the proposed development will contribute to a more cohesive community and incorporates in the design features which demonstrate that it is seeking to contribute to global responsibilities in relation to climate change.

13) Incorporating appropriate arrangements for the disposal of foul sewage, waste and water;

Criterion 13 requires development to incorporate appropriate arrangements for the disposal of foul sewage, waste and water. The Land Drainage Engineers are satisfied that, subject to a condition, suitable arrangements can be provided.

15) Appropriately contributing towards local, physical, social and community infrastructure which is affected by the development;

In accordance with Policy SP14 of the LDP, new development often creates the need for planning obligations to be provided to offset any negative impacts of development. The proposal for 24 residential units triggers Policy COM5 of the LDP which requires 20% affordable housing in this location. The applicant has indicated that all dwellings will be affordable but in order to safeguard compliance with the LDP, the affordable housing of 20% should be secured through a Section 106 Obligation.

In accordance with SPG 15: Residential Development and Educational Facilities, current school capacities in the area indicate that Nursery and Primary provision is currently oversubscribed. Based on a development of 20 dwellings, excluding the 1-bed flats as per Note 1 of the SPG, there would be a requirement for 1 nursery and 4 primary school places to be created which equates to a contribution of £81,565.

Policy COM11 of the LDP requires the provision of satisfactory standards of open space from all residential developments which is defined as 2.4 hectares per 1000 people. For a proposal of 24 dwellings this amounts to approximately 1,344 sq.m. The Council's open space audit reveals a deficit of provision in this locality. Given the site's proximity to the Parc Derwen development, a commuted sum may be more appropriate than on-site provision, with contribution to be spent on the improvement of facilities or improving the means of access to them.

The aforementioned infrastructure improvements can be secured by way of a planning obligation.

CONCLUSION

The proposed development accords with both national and local policy and represents an opportunity to utilise a brownfield site for the delivery of housing (including affordable housing). The development should not be detrimental to highway safety and will not adversely affect the character of the area or the amenities of residents to warrant a refusal of planning permission.

RECOMMENDATION

(A) That the applicant enters into a Section 106 Agreement to:

(i) Provide a minimum of 20% of the units as affordable housing with the type of units, location within the site and affordable tenure to be agreed by the Council.

(iii) Provide a financial contribution of £11,280 on the commencement of development towards the upgrading of existing outdoor recreation facilities in the vicinity of the application site.

(iii) Provide a financial contribution of £81,565 on the commencement of development towards the provision of 1 nursery and 4 primary school places in the Coety Primary School.

(iv) Provide a financial contribution of £7,000 on the commencement of development towards the 20 mph Traffic Order on the proposed estate road.

(B) The Corporate Director Communities be given delegated powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, as follows:

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

Proposed Site Layout - Ref: 2198/101 - Revision L
House Type A Plans - Ref: 2198/200/01 - Revision A
House Type A Elevations - Ref: 2198/200/10 - Revision A
House Type A Elevations - Plots 5,6,7 and 8 - Ref: 2198/201/12 - Revision C
House Type B Elevations - Plots 1,2,11 and 12 - Ref: 2198/201/10 - Revision B
House Type B Elevations - Plots 3, 4 - Ref: 2198/201/11 - Revision B
House Type B Elevations - Plots 9, 10 - Ref: 2198/201/13 - Revision B
House Type B Elevations - Plots 13-15 - Ref: 2198/201/14 - Revision B
House Type B Elevations - Plots 18-20 - Ref: 2198/201/01 - Revision C
House Type C and D Elevations - Ref: 2198/202/10 - Revision E
House Type C and D Plans - Ref: 2198/202/01 - Revision E

And the conclusions and recommendations in the following supporting documents:

Transport Statement - Cotswold Transport Planning
Pre-Development Tree Survey and Assessment - TDA
Tree Constraints Plan - TDA
Bat Survey Report - Celtic Ecology - November 2013
Update Survey for Bats and Barn Owls - David Clements Ecology Ltd - 2016

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of the safety and free flow of traffic.

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 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.

3. No development shall take place until details of the proposed floor levels of the buildings 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: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no buildings on Plots 18, 19 and 20 shall be erected other than those expressly authorised by this permission and shown on plan number Ref: 2198/101 - Rev: L.

Reason: In the interests of visual and residential amenities.

5. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how the foul, road, and road/yard water will be dealt with, including future maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the drainage system shall be implemented in accordance with the agreed scheme prior to any dwelling being brought into beneficial use.

Reason: In the interest of providing safe drainage for the site and to ensure that flood risk is not increased.

6. No demolition or construction shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection, in the course of demolition and development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the completion of the development. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory.

7. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The Landscape Management Plan shall be carried out as agreed.

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

8. Prior to the commencement of development or other operations on site, an arboricultural method statement (AMS) and tree protection plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works/drainage/utilities/foundation design within any defined tree protection area (modified to taken into account known influences to root morphology - section 4.6.3 and 4.6.3a of the current British Standard 5837: 2012 Trees in relation to design, demolition and construction - Recommendations). This includes details for the construction of the access/driveway/parking spaces/patio areas. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement and plans.

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

9. Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on

the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

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

10. Construction works shall not take place outside 07:30 hours to 17:30 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays and not at any time on Sundays and Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities.

11. No development shall take place, including any works of demolition/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 routing of HGV demolition/construction traffic to/from the site in order to avoid the southern end of Heol Spencer and the village of Coity
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. the provision of temporary traffic and pedestrian management along Heol Spencer

Reason: In the interests of highway safety.

12. No development shall commence until the pedestrian/cycle link to the south of Plots 21-24 has been constructed in permanent materials connecting the application site to the highway network within the adjacent Parc Derwen development (fronting 64 & 66 Maes y Cadno) and the existing timber fence line linking the eastern boundary of 64 Maes y Cadno with the eastern boundary of 66 Maes y Cadno has been removed. The pedestrian/cycle link shall be at a minimum width of 3m, within a corridor of 4m minimum width and remain open to pedestrians at all times once the first dwelling has been brought into beneficial use and shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of highway safety.

13. No development shall commence until a scheme for the provision of physical features preventing vehicular traffic traversing along the pedestrian/cycle link to the south of Plots 21-24 has been submitted to and approved in writing by the Local Planning Authority. The scheme of features area shall be implemented in accordance with the approved scheme prior to the beneficial use of the first dwelling and shall be retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

14. 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 as approved in writing by the Local Planning Authority with vision splays of 2.4m x 43m in both directions before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

15. 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.

16. Notwithstanding the submitted drawings, no works shall commence on the construction of the proposed roads until details comprising traffic calming and retaining structures (embankments or walls) supporting the highway or land alongside have been submitted to and agreed in writing by the Local Planning Authority. The construction of the roads shall be implemented in accordance with the agreed details and completed to binder course level of bituminous material as appropriate to the street being constructed and shall be substantially completed prior to beneficial occupation of the last dwelling in such street.

Reason: To ensure safe and satisfactory vehicular and pedestrian access to the dwellings in the interests of public and highway safety.

17. No development shall commence until a scheme for the provision of an enlarged turning head on the cul-de-sac serving Plots 3-8 has been submitted to and approved in writing by the Local Planning Authority. The cul-de-sac shall be implemented in permanent materials in accordance with the approved scheme prior to beneficial occupation of the last dwelling in that cul-de-sac.

Reason: In the interests of highway safety.

18. No dwelling shall be occupied until the individual drive and parking bays serving the dwelling concerned have been laid out as approved and completed in permanent materials at gradients that do not exceed 8.33% (1 in 12) in accordance with the approved layout and shall be retained thereafter for parking purposes in perpetuity.

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.

19. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of an approved monitoring scheme, in the event that gases are being generated, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the Local Planning Authority. All required gas protection measures shall be implemented as approved and appropriately verified before

occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required. A copy of the verification certificate should be submitted to the Local Planning Authority prior to the first beneficial use of the site.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 (Construction Industry Research and Information Association) and/or BS8485 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments.

Reason: In the interests of safety.

20. No development shall commence until an assessment of the nature and extent of contamination affecting the application site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) Investigation of Potentially Contaminated Sites Code of Practice and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to: human health, groundwater and surface waters, adjoining land, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, ecological systems, archaeological sites and ancient monuments; and any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with Welsh Local Government Association and the Environment Agency Wales' 'Development of Land Affected by Contamination: A guide for Developers' (2012).

Reason: In the interests of safety.

21. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that

the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

22. The remediation scheme approved under Condition 21 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

Reason : To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

23. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

24. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced

25. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

26. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

The proposed development accords with both national and local policy and represents an opportunity to utilise a brownfield site for the delivery of housing (including affordable housing). The development should not be detrimental to highway safety and will not adversely affect the character of the area or the amenities of residents to warrant a refusal of planning permission

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:

(i) determining the extent and effects of such constraints;

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

Unprocessed / unsorted demolition wastes.

Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances. Japanese Knotweed stems, leaves and rhizome infested soils.

In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers

None

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REFERENCE: P/17/246/FUL

APPLICANT: Mrs Natalie Absalom Bradley House, Bettws Road, Bettws, CF32 8TB

LOCATION: **Bradley House Bettws Road Bettws CF32 8TB**

PROPOSAL: Erection of two storey extension, conversion of garage and external alterations

RECEIVED: 23rd March 2017

SITE INSPECTED: 24th April 2017

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a two storey extension, the conversion of the existing storage room to a garage and associated external alterations at Bradley House, Bettws Road, Bettws.

The proposed two storey extension measures 6 metres in width, 5.7 metres in depth and 8.3 metres in maximum height. It is designed to match the appearance of the host dwellinghouse and is proposed to be finished in bradstone cladded elevations with a slate roof. The windows and door will be timber effect uPVC to match the existing. Two windows will be installed on the front, west facing elevation of the extension, at ground and first floor levels. Two windows will be installed to the rear, east facing elevation at first floor level and bi-folding doors will be installed at ground floor level to provide access to the rear garden from the living room.

The existing storage room at ground floor level is proposed to be converted to a garage that can be accessed from the main dwellinghouse. The window on the north-facing elevation will be replaced with an up-and-over garage door with timber effect to match the windows and doors of the host dwellinghouse.

The internal arrangement of the property will be modified as part of this proposal. Two bedrooms with ensuite bathrooms will be introduced to the second floor level of the property. A total of eleven roof lights are proposed to be installed to the roof of the existing property, five on the rear roof slope and six on the front roof slope. The roof lights measure 0.6 metres in width and 0.8 metres in length.

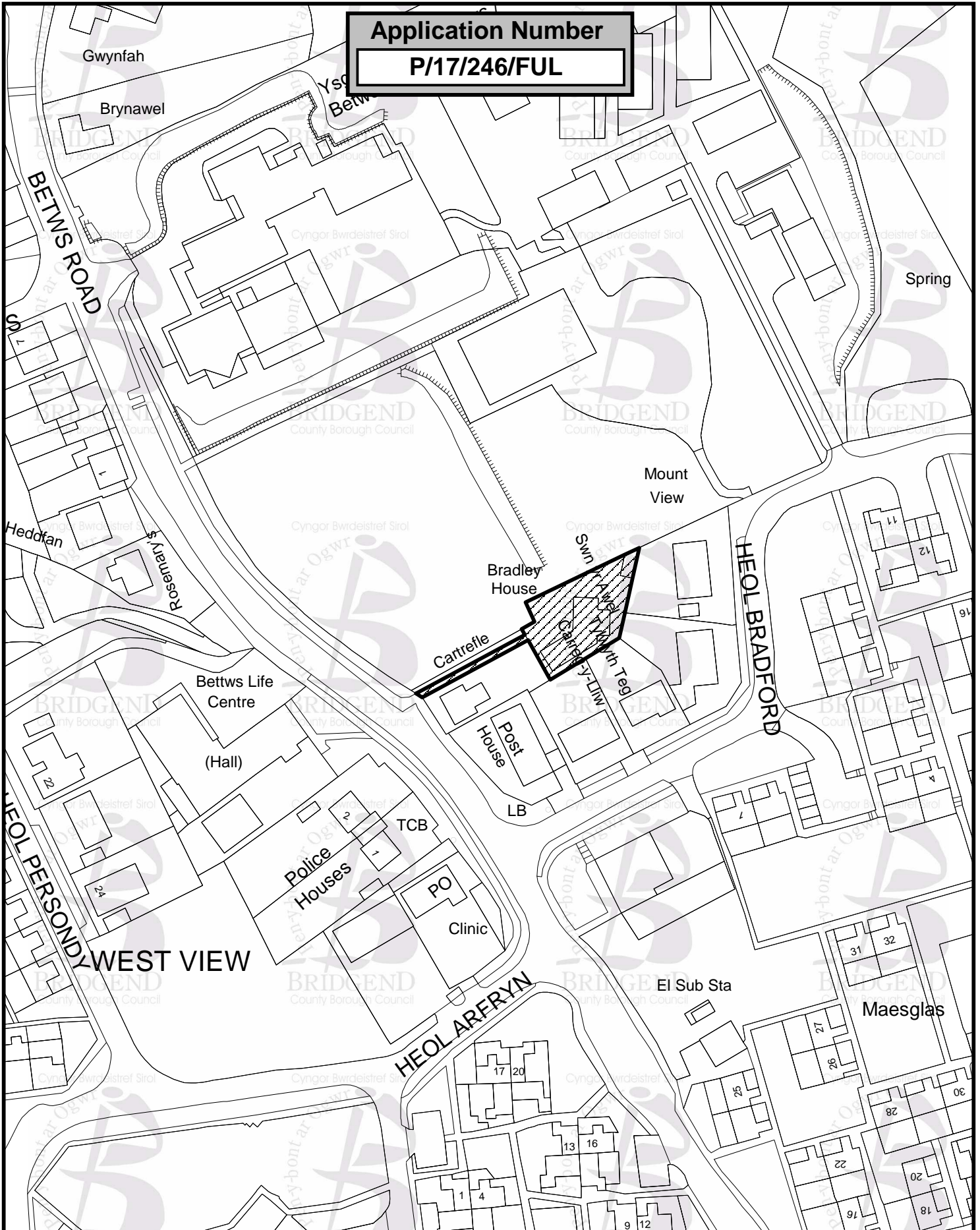
SITE DESCRIPTION

The application site is located within the Local Settlement of Bettws, as defined by Bridgend County Borough Council's Local Development Plan (2013). The site is located approximately 675 metres to the West of the A4064 Primary Route and is around 1,350 metres to the East of the A4063 Primary Route. The vehicular and pedestrian access point lies around 40 metres to the South West of the application site, off Bettws Road (C050). The Northern boundary of the application site lies adjacent to Bettws Primary School/Ysgol Gynradd Bettws and the South of the site is surrounded by residential properties which are predominantly bungalows.

The site itself comprises a North-West facing detached dwellinghouse with an amenity space to the North and East. The dwellinghouse is finished in render and bradstone cladded elevations and has a slate roof.

Application Number

P/17/246/FUL



Scale 1:1,250

Date Issued:
17/05/2017

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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RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/05/332/OUT	Outline planning for single dwellinghouse	Conditional Consent	03/10/2005
P/08/41/FUL	Five bed dwelling – 1 on ground floor and 4 on first floor	Conditional Consent	14/04/2008

PUBLICITY

This application has been advertised through direct neighbour notification. Four letters of objection have been received in response to the consultation, which expired on 11th May 2017. The main points raised can be summarised as follows:-

- Loss of light
- Loss of privacy
- Overlooking
- Out of proportion with existing dwelling
- Loss of view

The concerns raised which relate specifically to the impact of the proposed development on the views from the existing properties are not considered to be material planning considerations.

The other concerns raised in the letters of objection, which refer to the scale and size of the proposed extension its impact on light and overlooking are material planning considerations and will be addressed in the appraisal section of the report.

CONSULTATION RESPONSES

No letters of objection have been received from Statutory Consultees within the consultation period which expired on 11th May 2017.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards

Supplementary Planning Guidance 2 Householder Development

In the determination of a planning application, regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales Chapter 3	Making and Enforcing Planning Decisions
Planning Policy Wales Chapter 4	Planning for Sustainability
Planning Policy Wales Technical Advice Note 12	Design

APPRAISAL

This application is being reported to the Development Control Committee for determination in view of the number of objections received.

The application has been considered against the adopted policies of Bridgend County Borough Council's Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9)(2016). In making a recommendation, the relevant policies, comments made by interested third parties have been taken into account.

DESIGN CONSIDERATION

Policy SP2 of the Local Development stipulates 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”.

The proposed two storey extension is of substantial height but is considered to be in scale with the existing dwellinghouse, as defined in Note 12 of Supplementary Planning Guidance Note 02 *Householder Development*. The extension, whilst large, provides adequate garden area for private use and is designed to match the form, materials and detailing of the host dwellinghouse, as outlined in Notes 8 and 11 of Supplementary Planning Guidance Note 02 *Householder Development*.

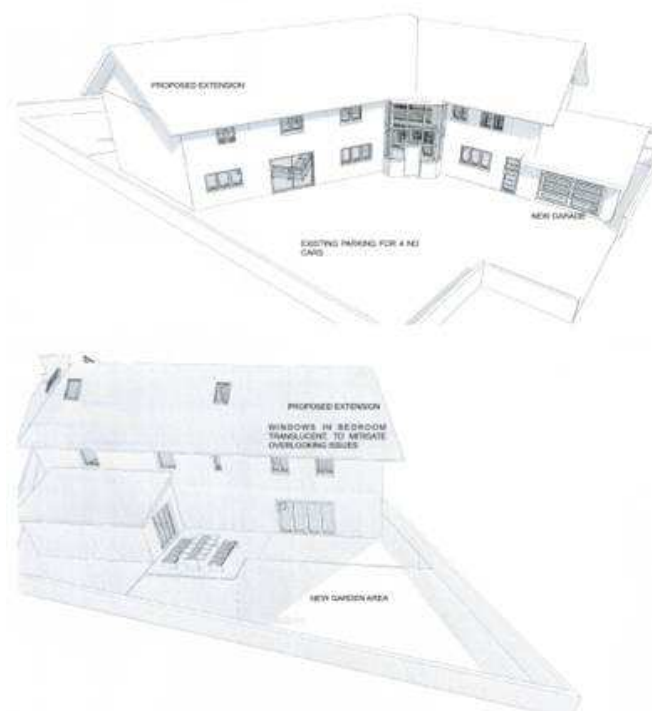


Fig. 1: 3d Illustrations

Whilst the objections raise concerns about the proposed size and scale of the extension, it is considered that it will not introduce an incongruous feature to the host dwellinghouse that would detract from the character or appearance of the wider residential area such as to warrant a refusal on such grounds. The 'hinged' design of the footprint of the dwelling also reduces its length and sense of scale and prominence when viewed from public vantage points.

The extension will complement the principal elevation of the dwellinghouse and will not detract from the character or appearance of the wider residential area. It is intended to be finished in materials that match the existing dwelling and is therefore considered to be

appropriate in size, scale and prominence, compliant with Policy SP2 of the Local Development Plan (2013), and therefore acceptable in design terms.

The conversion of the existing storage room to a garage and the installation of high level roof lights are considered to be minor forms of development that do not have a detrimental impact on the character or appearance of the host dwellinghouse or wider residential area. They are acceptable in design terms as they are appropriate in terms of size, scale and prominence and are therefore, compliant with Policy SP2 of the Local Development Plan (2013).

HIGHWAYS

Given that the existing storage area is being converted to a garage and an additional off-street car parking space is provided at the site, the application is considered to be acceptable in terms of parking provision and highway safety and is compliant with Policy PLA11 of the Local Development Plan (2013).

NEIGHBOUR AMENITY

The proposed extension will be visible from the rear of properties located on Heol Bradford, Bettws, particularly Mount View to the East and Swn Yr Awel to the South East.

The letters of objection received raise concerns about the impact of the proposed extension on the natural light currently afforded to the dwelling and its impact on the existing levels of privacy.



Fig. 2: Aerial Photograph

It is noted from the floor plans that the two storey extension will be within 8m of the boundary with Mount View to the rear (at its nearest point) and the first floor windows would be approximately 19m from the rear elevation of Mount View. However, a condition will be applied to any consent requiring details of a scheme to obscurely glaze and fix the two master bedroom windows and en-suite window below 1.7m in height in order to preserve the privacy of the occupiers of the adjoining bungalow both in the rear garden and between habitable room windows.



Fig. 3: View of Application Site from the East and Mount View

Therefore, having regard to the above, it is considered that the extension will not detrimentally impact on the existing levels of natural light or privacy, given its orientation and distance away from the adjoining properties.

The conversion of the existing storage room to garage will not impact the existing levels of privacy or amenity and so is considered to be acceptable in terms of neighbour amenity.

The installation of rooflights are less intrusive than dormer windows and reduce problems of overlooking. The proposed rooflights are sympathetic to the existing house in the shape, position, scale and design and are not considered to have a detrimental impact the existing levels of privacy as they will be positioned 1.7m above internal floor level.

It is considered that the proposed development will not have a detrimental impact on the existing levels of privacy or natural light afforded to adjoining properties and so there are no concerns raised which relate to residential amenity.

CONCLUSION

The proposed development is considered to be of an appropriate scale and design in accordance with Policy SP2 of the Local Development Plan (2013) and will not have a detrimental impact upon neighbour amenity, highway safety or the character and appearance of the area.

The application is compliant with Policies SP2 and PLA 11 of the Local Development Plan (2013) and is consistent with the criteria of Supplementary Planning Guidance 2 *Householder Development*.

The application is therefore recommended for approval, subject to the following planning conditions:

RECOMMENDATION

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

1. The development shall be carried out in accordance with drawing numbers "14940 PL 00 005", "14940 PL 00 105", "14940 PL 00 110", "14940 PL 00 111", "14940 PL 00 112", "14940 PL 00 140" and "14940 PL 00 141", received on 23rd March 2017.

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

2. Before the two storey extension hereby permitted is brought into use, the 1st floor bedroom and en-suite windows in the rear, eastern elevation, shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the windows that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of neighbouring residential amenity.

3. The materials to be used in the construction of the external surfaces of the extensions shall match those used in the existing dwelling.

Reason: To ensure a satisfactory form of development and to protect the visual amenities of the area.

4. * THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

The application is compliant with Policies SP2 and PLA 11 of the Local Development Plan (2013) and is consistent with the criteria of Supplementary Planning Guidance 2 Householder Development. The application is therefore recommended for approval.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers

None

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REFERENCE: P/17/157/FUL

APPLICANT: Mr Graham Evans 26 Heol Y Mynydd, Sarn, CF32 9UH

LOCATION: 26 Heol Y Mynydd Sarn CF32 9UH

PROPOSAL: Two storey side extension

RECEIVED: 28th February 2017

SITE INSPECTED: 13th March 2017

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a two storey side extension at 26 Heol y Mynydd, Sarn, Bridgend.

The extension will measure 2.6 metres in width, 7.3 metres in depth and 7.2 metres in height. The extension is proposed to be finished in render with a concrete tiled roof to match the existing dwellinghouse. All windows and doors will be white uPVC.

SITE DESCRIPTION

The application site is located within the Main Valleys Gateway Settlement of Sarn, as defined by Bridgend County Borough Council's Local Development Plan (2013). The site is positioned approximately 185 metres to the North of the A4063 and is around 400 metres to the north of the M4 motorway. The site is accessed via Heol y Mynydd, a double-width class 5 highway that lies adjacent to the northern boundary of the application site.

The site itself comprises a semi-detached, two storey property which faces north. The dwelling is positioned forward of the centre of the residential plot of around 300 square metres, adjacent to the eastern boundary of the application site and 28 Heol y Mynydd. The land slopes gently from east to west.

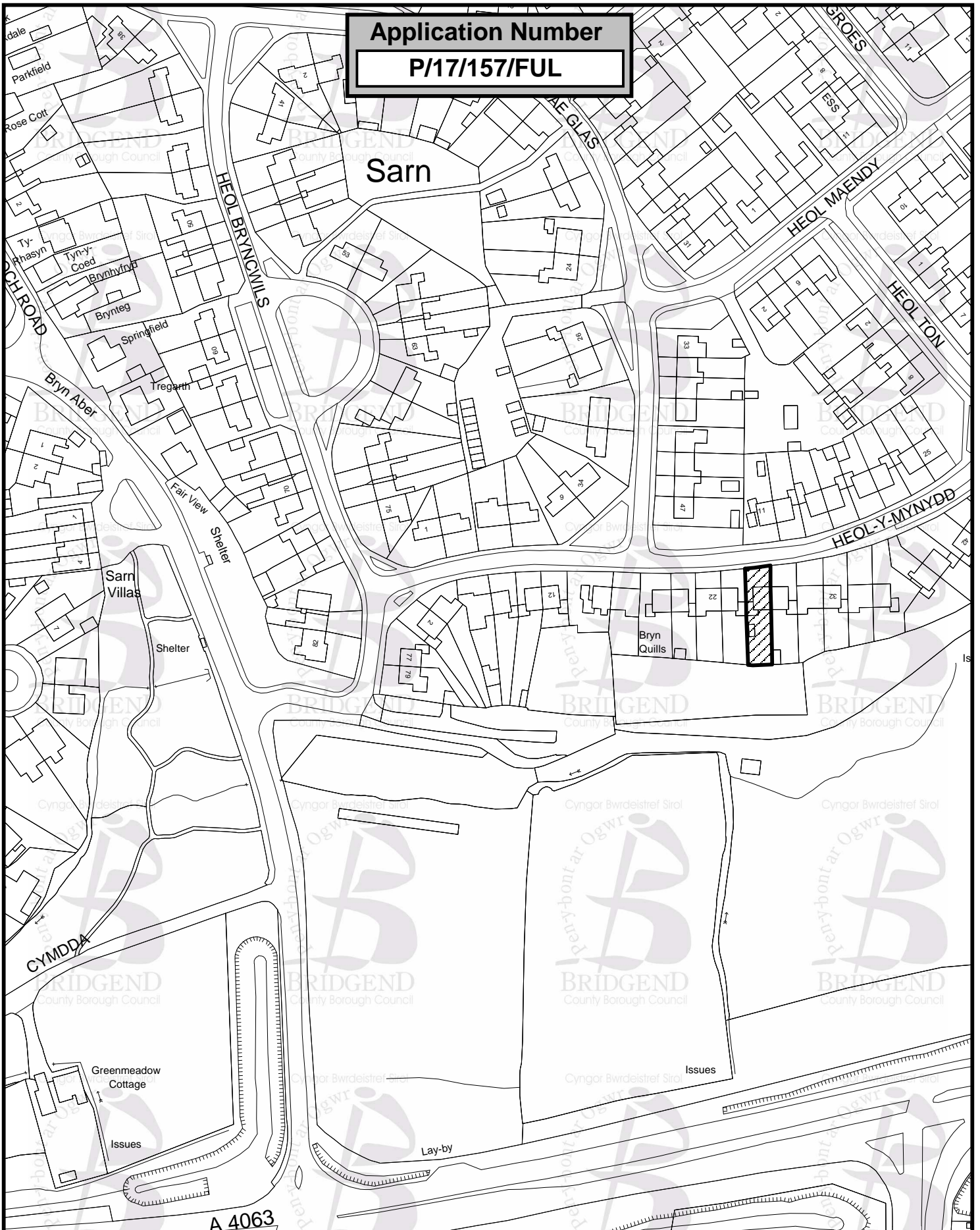


Streetscene View of 26 Heol y Mynydd

Application Number

P/17/157/FUL

Sarn



A 4063



Scale 1:1,750

Date Issued:
17/05/2017

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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RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/16/1013/FUL	Two storey side extension	Refused	13/02/2017

PUBLICITY

This application has been advertised through direct neighbour notification. One letter of objection was received which raises concerns in relation to the scale and prominence of the proposed extension and its detrimental impact to local visual amenities and the character of the residential area. Paragraph 3.1.4 of Planning Policy Wales Edition 9 (2016) states that:

“factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest...the planning system does not exist to protect the private interests of one person against the activities of another”.

The concerns raised, which are considered to be material planning considerations, will be addressed in the appraisal section.

CONSULTATION RESPONSES

No objections have been received from Statutory Consultees during the consultation period.

RELEVANT POLICIES

The relevant Policies and Supplementary Planning Guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards
Supplementary Planning Guidance Note 02	Householder Development

In the determination of a planning application, regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales Chapter 3	Making and Enforcing Planning Decisions
Planning Policy Wales Chapter 4	Planning for Sustainability
Planning Policy Wales Chapter 9	Housing
Technical Advice Note 12	Design

APPRAISAL

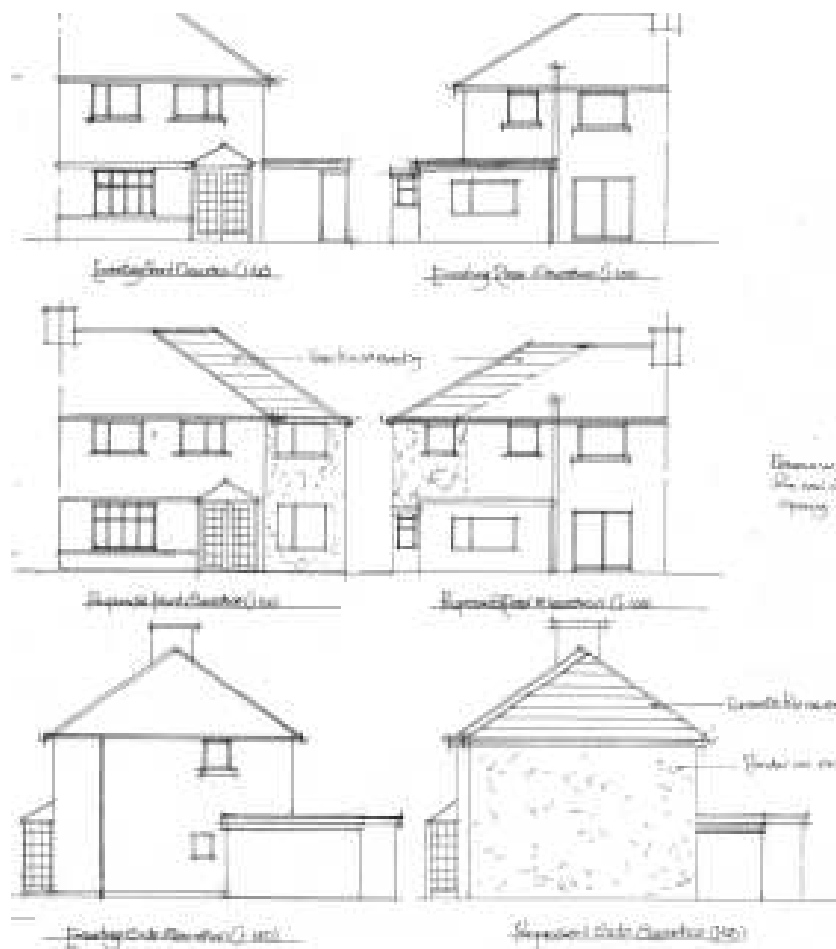
The application was originally referred to the 13 April 2017 Development Control Committee at the Local Member's request. It was deferred to the next scheduled meeting following declarations of interest and an insufficient number of Members to be quorate.

DESIGN CONSIDERATION

Policy SP2 of the Local Development Plan (2013) states 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”. Design should be of the highest quality possible and should be appropriate in scale, size and prominence”.

This application follows the submission of a planning application for the erection of a two storey side extension that was refused on 13 February 2017 under planning reference P/16/1013/FUL. The planning application was refused for the following reason:

“The proposed development would, by virtue of its size, scale and prominence, represents an incongruous and prominent element in the streetscene to the detriment of local visual amenities, and is out of keeping with the character of the residential area, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance 2, and advice contained within Planning Policy Wales (Edition 9) (2016)”.



Scheme as Refused under P/16/1013/FUL

The application now under consideration has been amended to overcome the reason for refusal. The two storey extension is proposed to be set back from the existing building line by 0.5 metres and is proposed to be set down from the existing ridge line by 0.5 metres. It is therefore considered to be appropriate in terms of size and scale and is now compliant with Note 12 of Supplementary Planning Guidance Note 02.

The proposed extension will no longer be a prominent addition to the streetscene, given its reduction in height, width and depth and it will not detract from the character and appearance of the existing dwellinghouse or wider streetscene.



Scheme as Proposed

The extension is proposed to be finished in materials that match the host dwelling and will retain its character and appearance, in accordance with Note 11 of Supplementary Planning Guidance Note 02.

The extension complies with the guidance set out in Note 12 of Supplementary Planning Guidance 2 and is therefore compliant with Policy SP2 of the Local Development Plan (2013). The proposed development is considered to be acceptable in design terms.

HIGHWAYS

The Transportation, Policy and Development Section provided the following comments, under planning application reference P/16/1013/FUL:

“The existing property benefits from two off-street parking spaces, one of which is being affected by the proposal. Given the extension, the parking requirements are considered to increase to 3 spaces”.

It was recommended that a planning condition was imposed upon the planning consent to ensure that a scheme for the provision of 3 off-street parking spaces was submitted to the Local Planning Authority.

The amended plans submitted under planning application reference P/17/157/FUL include the provision of 3 off-street parking spaces within the application site. A detailed parking

layout will be sought and the parking provision will be secured via condition. The development is therefore considered to be compliant with Policy PLA11 of the Local Development Plan (2013) and is acceptable in highway terms.

NEIGHBOUR AMENITY

Supplementary Planning Guidance 2 *Householder Development* recommends at paragraph 4.3.2 that:

“at least 50cm, and preferably 1 metre, be left between an extension and the boundary of the site. This allows for access for construction, finishing, and maintenance. It also helps to limit the visual dominance of an extension”.

Under planning application reference P/16/1013/FUL, concerns were raised which related to the insensitive infilling of the application site, contrary to Note 3 and Note 4 of Supplementary Planning Guidance Note 02.

The extension is now proposed to be set in from the boundary and is therefore compliant with Notes 3 and 4 of Supplementary Planning Guidance Note 02. No other concerns are raised which relate to neighbour amenity.

CONCLUSION

The proposed two storey extension is considered to be appropriate in size, scale and prominence and is compliant with Policy SP2 (3) of the Local Development Plan (2013). The application is recommended for approval, subject to the imposition of the following planning conditions and informative notes.

RECOMMENDATION

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

1. The development shall be carried out in accordance with the "Site Location Plan" and drawing number "16.030.1.B", received on 28th February 2017.

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

2. The materials to be used in the construction of the extension shall match those used in the existing dwelling.

Reason: To ensure a satisfactory form of development and to protect the visual amenities of the area.

3. Notwithstanding the approved plan, no development shall commence until a scheme for the provision of 3 off-street parking spaces has been submitted to and approved in writing by the Local Planning Authority. The parking area shall be implemented in permanent materials before the extended dwelling is brought into beneficial use and retained for parking purposes thereafter in perpetuity.

Reason: In the interests of highway safety.

4. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

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.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None

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REFERENCE: P/17/275/FUL

APPLICANT: Ms Lisa Thomas 2 Forest View, Blaengarw, CF32 8BS

LOCATION: 2 Forest View Blaengarw CF32 8BS

PROPOSAL: Retrospective for conversion of basement area into 1no. flat and 1no. bedsit

RECEIVED: 3rd April 2017

SITE INSPECTED: 24th April 2017

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the conversion of a basement area of a detached dwelling into one flat and one bedsit at 4 Forest View, Blaengarw.

The flat has 65.95 square metres of floor space and will comprise a kitchen/dining/living area, a storage cupboard and a bedroom with shower room. The 48.5 square metre bedsit comprises a bedroom/living room with ensuite and a kitchen/dining room. The development will result in a total of three independent living units at this site.

The flat and bedsit will be accessed from the rear of the existing property, at basement level. External alterations include the replacement of existing windows and doors with four windows and two doors, each door providing access to the relevant units.

SITE DESCRIPTION

The application site is located within the Local Settlement of Pontycymmer and Blaengarw, as defined by Bridgend County Borough Council's Local Development Plan (2013). It is positioned approximately 130 metres to the North East of the A4064 Primary Route and is accessed via Forest View, which lies adjacent to the Southern boundary of the application site.

The site comprises a detached dwellinghouse positioned in the centre of the relatively large residential plot of around 1,040 square metres. The dwellinghouse is set into steeply sloping ground towards the North East; the ground floor level is adjacent to the highway whilst the basement level is set below. The property is finished in red facing-brick elevations and has a slate roof. It is positioned within an established residential area with surrounding properties of varying size, scale, design, character and appearance.

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/99/483/FUL	Detached single storey dwelling	Conditional Consent	06/07/1999

PUBLICITY

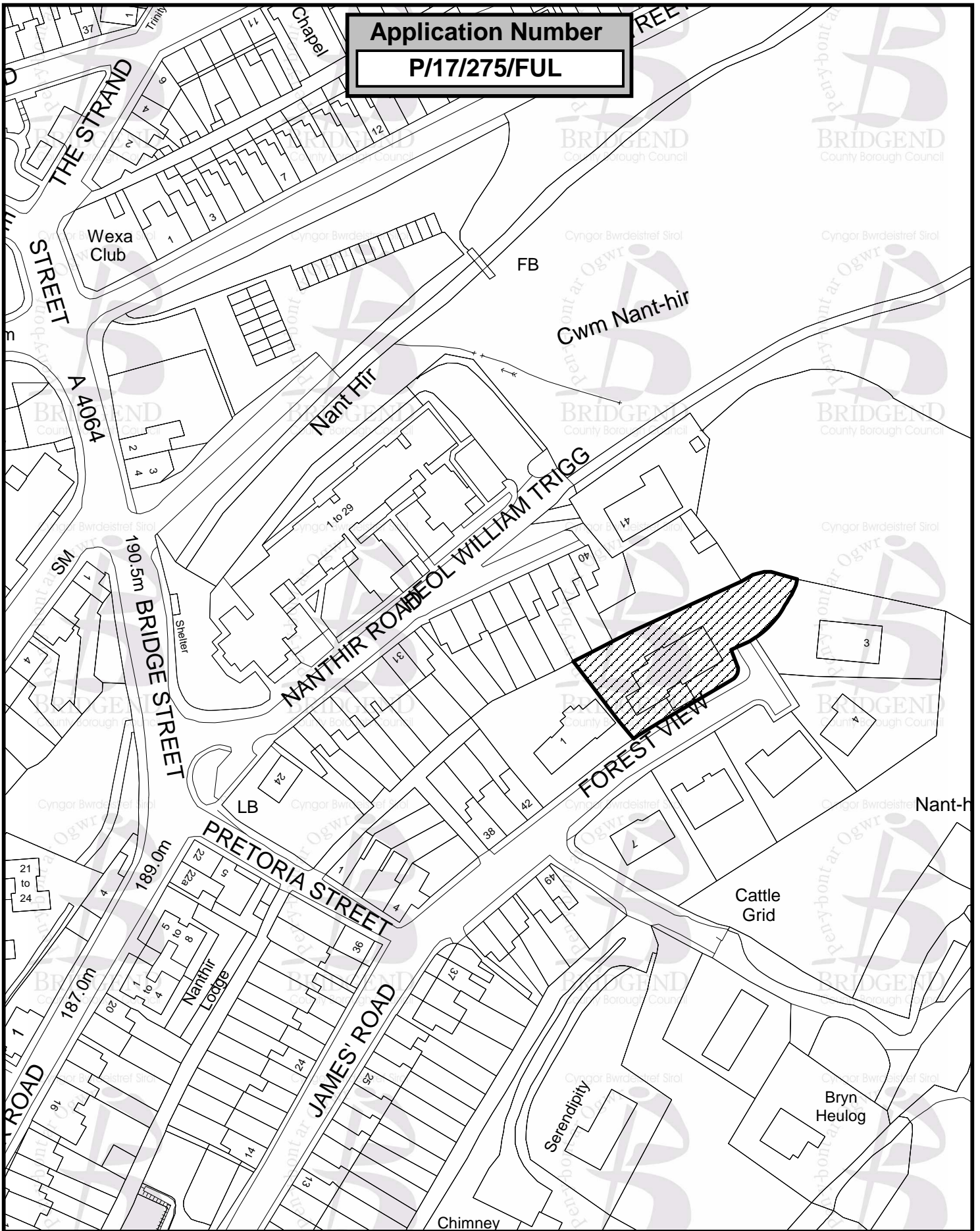
This application has been advertised through direct neighbour notification. Three letters of objection have been received in response to the consultation, which expired on 9th May 2017.

The main points of objection are summarised as follows:-

Noise, anti-social behaviour, devaluation of property, overlooking and out of character with the area.

Application Number

P/17/275/FUL



Scale 1:1,250

Date Issued:
17/05/2017

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



Paragraph 3.1.4 of Planning Policy Wales Edition 9 (November 2016) states that “factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability”. The planning system cannot protect the private interests of one person against the activities of another.

The concerns raised by the objectors which relate to the value of their properties are not considered to be material planning considerations. The concerns raised which relate to the noise and nuisance caused by the tenants of the property can be controlled by other legislation and are not, in this case, considered material to the determination of this application.

The other concerns raised are addressed in the appraisal section of the report.

CONSULTATION RESPONSES

CONSULTEE

Land Drainage
19th April 2017

COMMENTS

No objections subject to advising the applicant to contact Dŵr Cymru Welsh Water to confirm acceptability of the additional flows to ensure that there is no hydraulic overload of the system.

Dŵr Cymru Welsh Water
26th April 2017

No objection subject to the imposition of the recommended informative notes.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards

Supplementary Planning Guidance 02

Householder Development

In the determination of a planning application, regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales Chapter 3	Making and Enforcing Planning Decisions
Planning Policy Wales Chapter 4	Planning for Sustainability
Planning Policy Wales Chapter 9	Housing
Planning Policy Wales TAN 12	Design

APPRAISAL

This application is being reported to the Development Control Committee for determination in view of the number of objections received.

The application has been considered against the adopted policies of Bridgend County Borough Council's Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9)(2016). In making a recommendation, the relevant policies and comments made by Statutory Consultees and interested third parties have been taken into account.

PRINCIPLE OF DEVELOPMENT

The principle of the proposed development is acceptable as the application site lies within the Local Settlement of Pontycymmer and Blaengarw, as defined by Policy PLA1 of the Local Development Plan (2013).

DESIGN CONSIDERATION

The only external modifications proposed comprise the alteration of the window and door openings at basement level at the rear of the existing dwellinghouse. The alterations are considered to be inconsequential, as they will not significantly alter the visual appearance of the property from the street scene or detract from the overall character and appearance of the building.



Fig. 1: Proposed Basement Floorplan and Rear Elevation

The alterations are appropriate in terms of size, scale and prominence, in accordance with criterion (3) of Policy SP2 of the Local Development Plan (2013), and are therefore acceptable in design terms.

HIGHWAYS

The Transportation, Policy and Development Section have provided the following comments:

"It is noted that the existing property benefits from a suitable level of off street parking fronting the property. Given the cul-de-sac nature of the location and the availability of suitable public transport, I am satisfied that the provision of an additional off-street parking space would be sufficient in this instance."

Subject to the imposition of the recommended planning condition, the application is considered to be acceptable in highway terms and is therefore compliant with Policy PLA11 of the Local Development Plan (2013).

DRAINAGE

Bridgend County Borough Council and Dŵr Cymru / Welsh Water have recommended the inclusion of informative notes to ensure no detriment is caused to existing residents or the

environment, and to Dŵr Cymru / Welsh Water's assets. The proposal is therefore considered to be acceptable from a drainage perspective.

NEIGHBOUR AMENITY

With regard to the concern raised by the occupier of 40 Nanthir Road which relates to noise, overlooking and loss of privacy, it is considered that the proposed conversion of the disused basement area into one flat and one bedsit will not impact the existing levels of privacy or amenity of neighbouring properties, given its position, distance from habitable room windows (minimum of 22m), difference in levels and the existence of boundary treatments. No concerns are raised which relate to neighbour amenity.



Fig. 2: Aerial Photograph

CONCLUSION

The proposed development complies with Policies PLA1, PLA11 and SP2 of the Local Development Plan (2013) and is not considered to raise any issues of amenity, design highway safety. The application is therefore considered to be an acceptable form of development in this location and is recommended for approval.

RECOMMENDATION

(R64) That retrospective consent be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the Site Location Plan and drawing entitled "Sheet 3 of 3", received on 3rd April 2017.

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

2. A scheme for the provision of 3 off street parking spaces for the parent property and 1 off-street parking space for the one bed flat has been submitted to and approved in writing by the Local Planning Authority. The parking areas shall be implemented in permanent materials within 3 months of approval into beneficial use and retained thereafter for parking purposes in perpetuity.

Reason: In the interests of highway safety.

3. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

The proposed development site is crossed by a 225mm surface water sewer and a 150mm foul sewer. Their position should be accurately located and marked out on site before works commence and no operational development shall be carried out within 3

metres either side of the centreline of the public sewers.

The applicant may need to apply to Dŵr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and lateral Drains, and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on Dŵr Cymru Welsh Water's maps of public sewers because they were originally privately owned and transferred into public ownership by nature of the Water Industry (Schemes for Adoption or Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dŵr Cymru Welsh Water to assist. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times.

No surface water is allowed to discharge to the public highway.

No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers

None

APPEALS

The following appeals have been received since my last report to Committee:

CODE NO.	A/17/3166499 (1793)
APPLICATION NO.	P/16/682/OUT
APPELLANT	MS CLARE TUCK
SUBJECT OF APPEAL	NEW DWELLING GARDEN OF 67 WOODLANDS AVENUE, PENCOED
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	OFFICER DELEGATED

The application was refused for the following reasons:

1. The proposed development, would generate a net increase in vehicular movement and would exacerbate congestion either side of the level-crossing and at the complex over-bridge junction between the eastern end of the relief road and Penybont Road in advance of the completion of the Penprysg Road Bridge Improvement (Relief Road Phase 2) to the detriment of the safety and free flow of traffic on the highway network contrary to Policy PLA6 of the Bridgend Local Development Plan.
2. The proposed means of boundary enclosure fronting onto Woodland Avenue would represent an incongruous element in the street scene to the detriment of local visual amenities and when combined with the frontage parking spaces, which are located immediately in front of habitable room windows in the principal elevation of the host dwelling, 67 Woodland Avenue, would dominate the outlook of these windows resulting in a significant loss of residential amenity contrary to Policy SP2 of the Bridgend Local Development Plan.
3. The site is too constrained and contrived to permit the construction of a dwelling of a size and design that would reflect the character of adjoining properties, contrary to Policy SP2 of the Bridgend Local Development Plan (2013).

CODE NO.	A/17/3171557 (1802)
APPLICATION NO.	P/16/1000/FUL
APPELLANT	MRS JELAN ARUNO JESUTHASAN
SUBJECT OF APPEAL	CHANGE OF USE OF GROUND FLOOR DWELLING TO NEWSAGENTS/OFF LICENCE 129 CAERAU ROAD CAERAU
PROCEDURE	WRITTEN REPRESENTATIONS

DECISION LEVEL OFFICER DELEGATED

The application was refused for the following reasons:

1. The proposed newsagent/off license (A1 use) at this location would generate on-street parking by calling delivery and service vehicles, to the detriment of highway safety and the free flow of traffic contrary to policies SP2 and PLA11 of the adopted Bridgend Local Development Plan (2013) and Supplementary Planning Guidance 17: Parking Standards (2011).

2. The proposed development, by reason of its form and location, would introduce an incompatible form of development within a predominantly residential area constituting a source of general nuisance and disruption to the residents of properties in close proximity to the site, contrary to Policy SP2 of the adopted Bridgend Local Development Plan (2013).

CODE NO.	C/17/31754530 (1803)
APPLICATION NO.	ENF/67/16/C
APPELLANT	MISS TIFFANY SHERRIFF
SUBJECT OF APPEAL	NEW SINGLE STOREY SIDE/REAR EXTENSION AND RETENTION OF FIRST FLOOR REAR EXTENSION 1 PRINCESS STREET MAESTEG
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	ENFORCEMENT NOTICE

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
(see application reference number)

TRAINING LOG

All training sessions are held in the Council Chamber unless otherwise stated.

<u>Facilitator</u>	<u>Subject</u>	<u>Date</u>	<u>Time</u>
Trevor Roberts Associates	“A briefing for Development Control Committee members”	22 May 2017 <i>Innovation Centre, Bridgend Science Park</i>	9.00am
Matthew Gilbert, <i>Highway Services, BCBC</i>	“Active Travel Plans”	6 July 2017	12.45pm
Susan Jones & Richard Matthams, <i>Development Group, BCBC</i>	“Workshop on draft Open Space SPG”	17 August 2017	12.45pm
Claire Hamm, <i>Conservation & Design, BCBC</i> and Glamorgan Gwent Archaeological Trust	“Review of Historic Environment Records in Wales guidance”	28 September 2017	12.45pm
Kwaku Opoku-Addo, <i>Highway Services, BCBC</i>	“Community transport”	9 November 2017	12.45pm

Future training sessions

- Advertisement control
- Trees and development

Recommendation:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None.

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25 MAY 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP 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, which is 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 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 Annual Meeting of Council of 17 May 2017 approved the membership of the Development Control Committee and the Committee is required to consider the membership of the Site Visit Panel.

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 allocated for Members allowances.

8. Recommendation.

8.1 That the Development Control Committee nominate 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

Corporate Director – Operational and Partnership Services

Contact Officer: Andrew Rees
Senior Democratic Services Officer - Committees
Telephone: (01656) 643147
Email: cabinet_committee@bridgend.gov.uk

Postal address: Democratic Services Section
Operational and Partnership Services
Civic Offices
Angel Street
Bridgend CF31 4WB

Background documents:

Report and Minutes of the Development Control Committee of 31 May 2012 entitled Site Visit Panel

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

25 MAY 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP 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 Members to 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 Annual Meeting of Council on 17 May 2017 approved changes to the membership of the Development Control Committee and, as a result of this, the nomination and appointment of Members to the Rights of Way Sub-Committee needs to be 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	- 2 Members	- (to include the Chairperson
Conservative	- 1 Member	and Vice-Chairperson of the
Independent/Alliance	- 1 Member	Development Control
Llynfi Independents	1 Member	Committee)
Plaid Cymru	1 Member	

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 nominate and appoint six (6) Members from this Committee to form the membership of the Rights of Way Sub-Committee, to include:

- 2 Labour Members (to include the Chairperson and Vice-Chairperson of the Development Control Committee)
- 1 Conservative Member
- 1 Independent Alliance Member
- 1 Llynfi Independents Member
- 1 Plaid Cymru Member

P A Jolley

CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

Contact Officer: Andrew Rees
Senior Democratic Services Officer - Committees
Telephone: (01656) 643147
Email: cabinet_committee@bridgend.gov.uk

Postal address: Democratic Services Section
Operational and Partnership Services
Civic Offices
Angel Street
Bridgend CF31 4WB

Background documents:

There are no background documents in relation to this report