

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
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 643148
Gofynnwch am / Ask for: Mr Mark Anthony Galvin

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

Dyddiad/Date: Friday, 30 June 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, 6 July 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 16 August 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 and confirm the Minutes of a meeting of the Development Control Committee dated 25 May 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
That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be

accommodated.

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|-----|---|-----------|
| 7. | <u>Development Control Committee Guidance</u> | 7 - 10 |
| 8. | <u>P/17/260/FUL - Land adjacent former Three Horseshoes Public House, Lamb Row, South Cornelly, CF33 4RL</u> | 11 - 24 |
| 9. | <u>P/16/985/FUL - Parc Farm Buildings, Heol Spencer, Coity, CF35 6AS</u> | 25 - 48 |
| 10. | <u>P/16/549/OUT - Land East of the A48 (Crack Hill), Brocastle, Bridgend, CF31 5AU</u> | 49 - 72 |
| 11. | <u>P/16/290/FUL - Land Adjacent To 25 Cefn Glas Road, Bridgend, CF31 4PG</u> | 73 - 86 |
| 12. | <u>P/17/157/FUL - 26 Heol Y Mynydd, Sarn, CF32 9UH</u> | 87 - 94 |
| 13. | <u>P/17/443/FUL - Ael-y-Don, Ty Fry Road, Cefn Cribwr, CF32 OBB</u> | 95 - 104 |
| 14. | <u>P/15/368/OUT - Land At Parc Ewenni, Ewenny Industrial Estate, Bridgend</u> | 105 - 124 |
| 15. | <u>Appeals</u> | 125 - 134 |
| 16. | <u>Proposed Designation of Preswylfa Court Conservation Area and Proposed Article 4 Directions</u> | 135 - 140 |
| 17. | <u>Emerging Supplementary Planning Guidance (SPG) and Development Control Guidance (DCG)</u> | 141 - 146 |
| 18. | <u>Training Log</u> | 147 - 148 |
| 19. | <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 | |

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, 25 MAY 2017

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 25 MAY 2017 AT 2.00 PM

Present

Councillor G Thomas – Chairperson

TH Beedle	JPD Blundell	NA Burnett	RJ Collins
DRW Lewis	JE Lewis	RMI Shaw	RME Stirman
CA Webster	AJ Williams		

Officers:

Rhodri Davies	Development & Building Control Manager
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Tony Godsall	Traffic & Transportation Manager
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Leigh Tuck	Senior Development Control Officer

925. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:-

Councillor JC Spanswick
Councillor JH Tildesley
Councillor J Gebbie

It was noted that notwithstanding the fact that Councillor KJ Watts and Councillor MC Voisey were both in attendance for the meeting, they did not take part due to the fact that they had not yet received training, as was mandatory for Members of this Committee.

926. DECLARATIONS OF INTEREST

The following Members made declarations of interest in the undermentioned planning applications as stated:-

Councillor JE Lewis – P/17/157/FUL – Prejudicial and personal interest in that the objector was known to her and that she was also a Member of St. Brides Minor Community Council, but took no part in planning matters. Councillor Lewis left the meeting whilst the application was discussed.

Councillor DRW Lewis – P/17/157/FUL – Prejudicial and personal interest in that the objector and the applicant was known to him and that he was also a Member of St. Brides Minor Community Council, but took no part in planning matters. Councillor Lewis left the meeting whilst the application was discussed.

Councillor G Thomas – P/17/157/FUL – Personal interest as a Member of St. Brides Minor Community Council who took no part in planning matters.

Councillor S Dendy – P/17/246/FUL and P/275/FUL – Personal interests as a Member of Blaengarw Community Council who took no part in planning matters.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 25 MAY 2017

Councillor R Stirman – P/17/246/FUL and P/275/FUL – Personal interests as a Member of Blaengarw Community Council who took no part in planning matters.

927. SITE VISITS

RESOLVED: That the Committee agreed to a date of Wednesday 5 July 2017 for proposed site inspections arising at the meeting, or identified in advance of the next Committee by the Chairperson.

928. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee dated 13 April 2017, be approved as a true and accurate record.

929. PUBLIC SPEAKERS

There were no public speakers listed to speak at today's meeting.

930. AMENDMENT SHEET

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 Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

931. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the section of the report outlining Development Control Committee guidance be noted.

932. P/16/985/FUL - PARC FARM BUILDINGS, HEOL SPENCER, COITY

RESOLVED: That the above application be deferred in order to resolve the outstanding uncertainty surrounding the deliverability of the pedestrian/cycle route onto Maes y Cadno.

933. P/17/246/FUL - BRADLEY HOUSE, BETTWS ROAD, BETTWS

Proposal Erection of two storey extension, conversion of garage and external alterations.

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

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

Proposal Two storey side extension

RESOLVED: That the above application be deferred until the next scheduled meeting, in order that the Committee Site Visit Panel can undertake a site inspection of the proposal in question.

935. P/17/275/FUL - 2 FOREST VIEW, BLAENGARW

Proposal

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

Subject to Condition 2 of the report being re-worded 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.

936. APPEALS

RESOLVED: That the following Appeals submitted since the last scheduled meeting of the Development Control Committee details of which are as follows, be noted:-

Code No. Subject of Appeal

A/17/3166499 (1793) New dwelling garden of 67 Woodlands Avenue, Pencoed

A/17/3171557 (1802) Change of use of ground floor dwelling to Newsagents/Off Licence, 129 Caerau Road, Caerau

C/17/31754530 (1803) New Single Storey side/Rear extension and retention of First Floor rear extension, 1 Princess Street, Maesteg

937. TRAINING LOG

The Group Manager Development reported on an updated Training Log, which included details of the following up and coming sessions:-

<u>Subject</u>	<u>Date/Time</u>
Active Travel Plans	6 July 2017/12.45pm
Workshop on draft Open Space SPG	17 August 2017/12.45pm
Review of Historic Environment Records in Wales guidance	28 September 2017/12.45pm
Community Transport	9 November 2017/12.45pm

Further sessions would also be arranged for the following added the Group Manager Development

- Advertisement Control
- Trees and Development
- Enforcement

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

938. DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

The Corporate Director – Operational and Partnership Services submitted a report, the purpose of which, was 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 Members, and also to nominate a reserve Member to sit on the Panel should any of the three nominated Panel Members be unavailable.

RESOLVED: That the Committee nominated the following Members to sit as its Site Visit Panel:-

- Chairperson of the Development Control Committee
- Vice-Chairperson of the Development Control Committee
- Councillor DRW Lewis (Third Member)
- Councillor C Webster (Reserve Member)

939. NOMINATION AND APPOINTMENT TO THE RIGHTS OF WAY SUB-COMMITTEE

The Corporate Director – Operational and Partnership Services presented a report, the purpose of which, was to nominate and appoint Members to the Rights of Way Sub-Committee.

RESOLVED: That the Committee nominated the following Members to form the Rights of Way Sub-Committee:-

- Chairperson of the Development Control Committee
- Vice-Chairperson of the Development Control Committee
- Councillor R Stirman
- Councillor C Webster
- Councillor T Beedle
- Councillor T Thomas

940. URGENT ITEMS

None.

The meeting closed at 3.30 pm

DEVELOPMENT CONTROL COMMITTEE

6 JULY 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/17/260/FUL

A Development Control Committee Panel site visit was undertaken on Wednesday 5th July 2017.

The objectors who have registered a request to speak at Committee, a local resident who has not registered a request to speak at Committee and the agent for the development attended the site visit.

Further to advice from the Council's Drainage Officer, Condition 5 should be reworded as follows:

5. No development shall commence on site until a suitable geotechnical test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: to ensure the effective satisfactory management and disposal of surface water is provided for the proposed development.

9	25	P/16/985/FUL
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Further representations have been received from the occupiers of 'Alicia', and 10 Maes Y Fedwen. One encloses correspondence from the historical application files which provide a background on how the number of units originally approved had been established by the Council's Land Drainage and Highways Sections.

The communication received from 10 Llys Y Fedwen confirms that the occupiers remain extremely concerned about this development and the number of issues which have been highlighted by objectors. One specific concern is part of the development being on land within the objector's ownership.

Despite assurances from the applicant's agent that all new works will be on land within the applicant's control, the objector is considering taking legal action to safeguard their property.

Add additional advisory note as follows:

The developer should consider the use of stone from the existing buildings on site in the construction of the new dwellings, boundary treatments and entrance features as part of the new development.

A Development Control Committee Panel site visit was undertaken on Wednesday 5th July 2017.

The objectors who have not registered a request to speak at Committee, the Local Ward Member who is also a Member of the DC Committee and a representative of the St. Brides Minor Community Council attended the site visit.

Add additional advisory notes as follows:

a. This application is recommended for approval subject to the imposition of conditions, on the basis the development complies with planning policy and guidelines and would not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

b. The applicant is advised that given the proposed extension approaches and would be built close to the boundary of the site due regard must be given to the provisions of the Party Wall etc Act 1996. This Act puts in place a framework of notifications and agreements between neighbours to ensure that development can take place without detriment to adjoining owners.

MARK SHEPHARD
CORPORATE DIRECTOR – COMMUNITIES
6 JULY 2017

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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/17/260/FUL

APPLICANT: Mr P Kinsella c/o Anglesey House, 47 Anglesey Way, Nottage, Porthcawl, CF36 3QP

LOCATION: Land adjacent former Three Horseshoes Public House Lamb Row South Cornelly CF33 4RL

PROPOSAL: Erection of 1 detached dwelling

RECEIVED: 28 March 2017

SITE INSPECTED: 28 April 2017

EOT AGREED: 12 July 2017

APPLICATION/SITE DESCRIPTION

The application seeks full planning permission for the erection of one detached residential dwelling on land adjacent to the Former Three Horseshoes Public House, Lamb Row, South Cornelly.

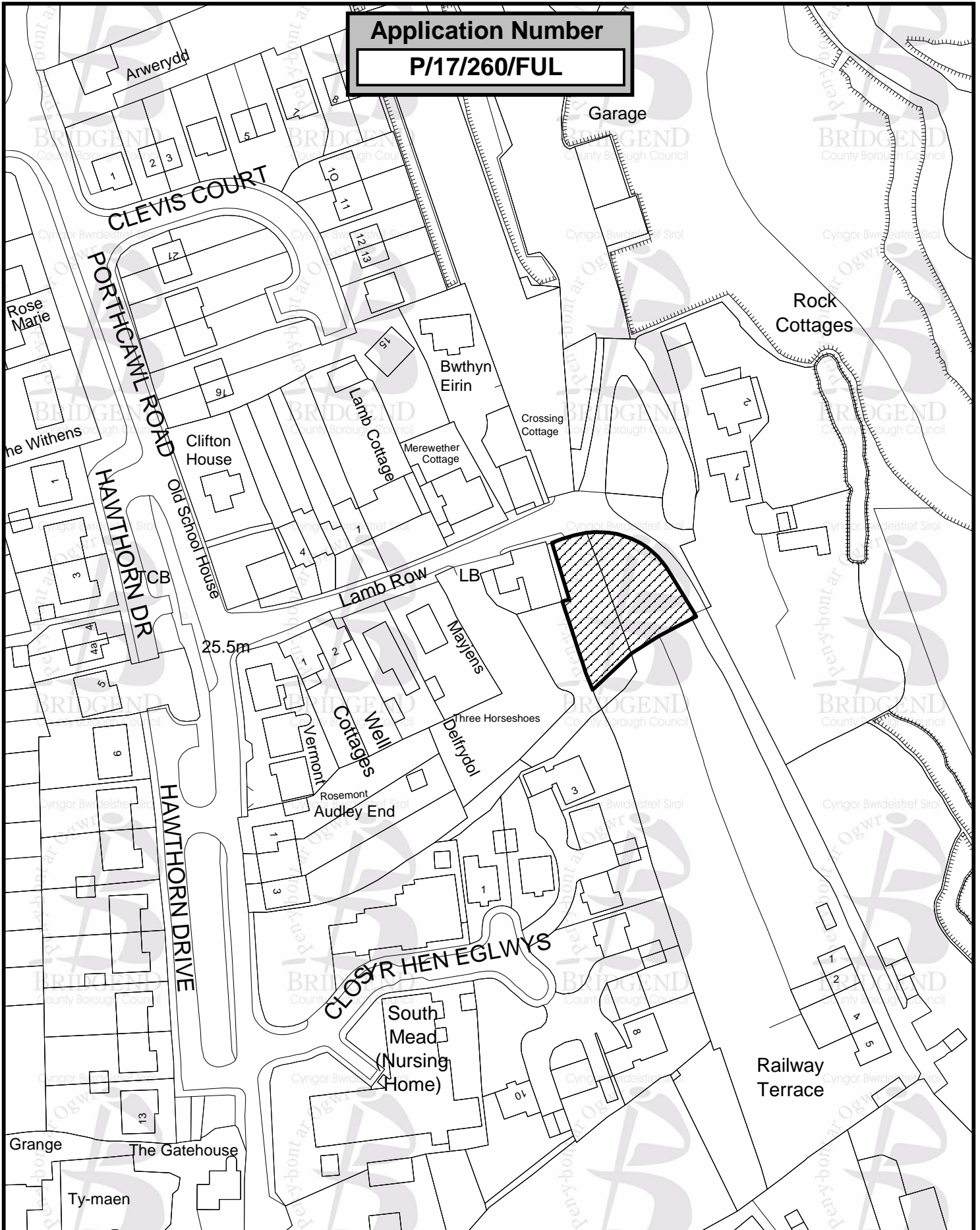
The dwelling will measure 12m x 20m with a pitched roof reaching an approximate height of 7.3m. The property will have a forward projecting gable measuring approximately 4m x 6m and to height of approximately 5.9m with a large, floor to ceiling glazed window to serve a bedroom at first floor level and a large garage on the ground floor with a front porch. A first floor balcony is also proposed to the rear of the property. The property will be served by a large turning/parking area located to the front of the site and amenity space to the rear. The proposed ground floor will comprise of a living room, kitchen, study, hall, utility room, WC and garage. The first floor will comprise three bedrooms with an en-suite and family bathroom.



FIGURE 1 : PROPOSED ELEVATIONS

Application Number

P/17/260/FUL



North arrow pointing North (N), South (S), East (E), and West (W).

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Scale 1:1,250

Date Issued:
26/06/2017

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
Pent-y-bont ar-Ogwr

BRIDGEND
County Borough Council

Access to the site will be via Lamb Row and a driveway with a turning head is proposed within the site.

The site is located within the settlement boundary of South Cornelly as defined by Policy PLA1 of the Bridgend Local Development Plan 2013. Part of the site comprises a former railway line and is located within a mineral safeguarding area and therefore Policies PLA10 and ENV9 of the Bridgend Local Development Plan 2013 apply. There are also a number of protected trees located on the north eastern boundary of the site and the site is surrounded by similar residential dwellings.

Amended plans were received on 19 June 2017 addressing concerns regarding the scale of the proposed dwelling and the amount of amenity space to be provided.

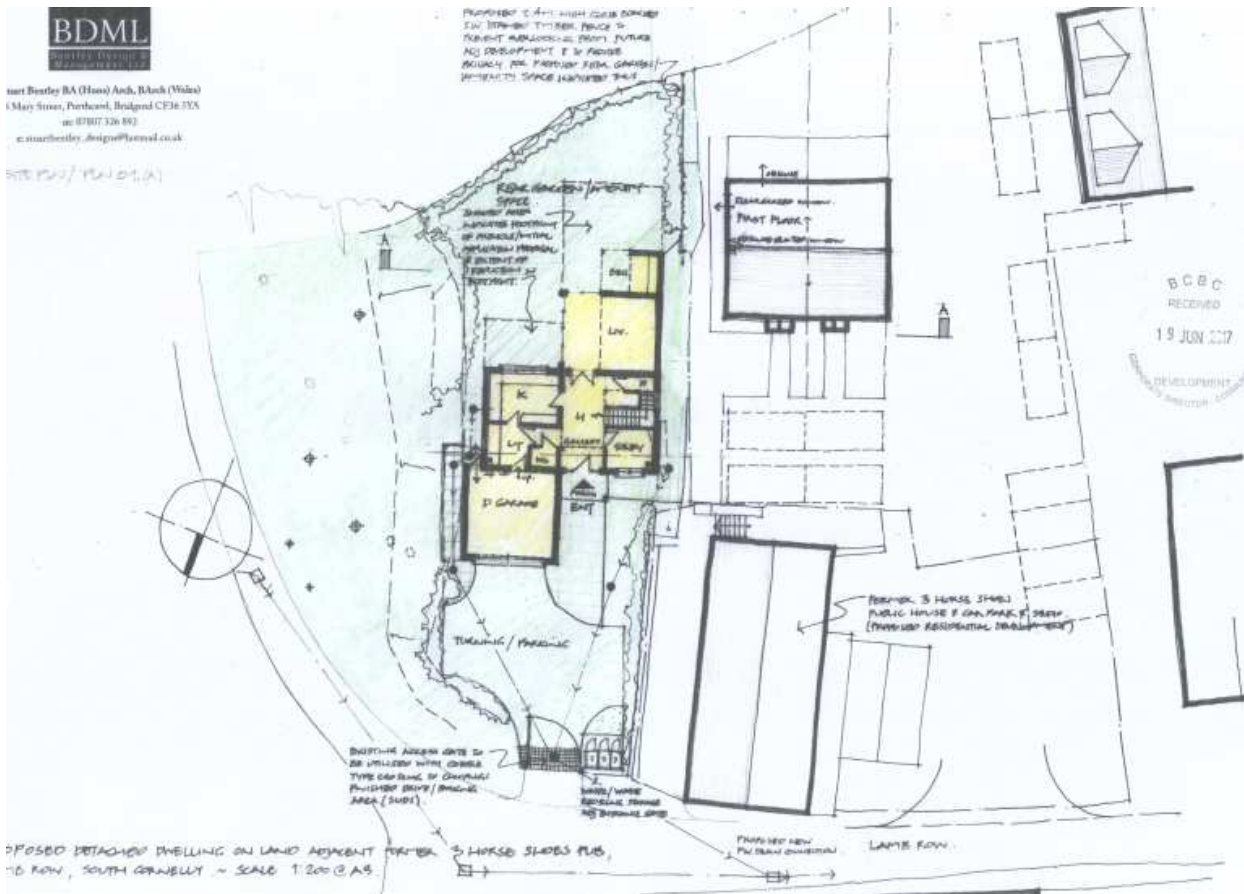


FIGURE 2 : PROPOSED SITE LAYOUT

RELEVANT HISTORY

None

Land adjacent to the site:

P/10/699/FUL - Pair of Semi-Detached 2 Bed Houses & Detached 2 Bed Bungalow on site of Former Public House – Approved (with conditions) – 19/11/2010

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 11 May 2017.

CONSULTATION RESPONSES

Head of Street Scene (Highways) - no objection subject to a number of conditions regarding visibility splays and parking.

Head of Street Scene (Drainage) - No objection subject to two conditions regarding details of a drainage scheme and infiltration tests.

Destination and Countryside Manager - No objection subject to a condition regarding tree protection areas and mitigation.

Cornelly Community Council makes the following comments –

- Due to the narrow width of the cul-de-sac street and the lack of continuous segregated pedestrian footpath on either side of the street between the site and Porthcawl road, the additional vehicle and pedestrian movements generated by the proposal will result in a material increase in vehicle and pedestrian conflict to the detriment of highway safety;
- Potential to increase the risk of flooding in the area;
- The size of the proposed development is not in accordance with other properties in the area.

Welsh Water Developer Services - no objection subject to standard conditions and advisory notes.

Rights of Way and Access Officer (PROW) - No objection as Footpath 58 Cornelly abuts the application site, however, it is clear that no works are proposed that would affect the footpath.

Group Manager (Public Protection) - no objection subject to a number of advisory notes

REPRESENTATIONS RECEIVED

Four letters of objection have been received from:
Crossing Cottage, Lamb Row, South Cornelly
2 Rock Cottages, South Cornelly
5 Railway Terrace, South Cornelly
1 Rock Cottage, South Cornelly

The occupiers of 5 Railway Terrace have requested to speak at Committee

The following concerns have been raised:

- The application site is located within the quarry line;
- Concerns over the capacity of the sewerage system to cope with an additional dwelling;
- Loss of TPO trees;
- Impact on wildlife including bats and voles;
- Proposed building - out of character and too large and high for the plot;
- Increase in parking and lack of parking for visitors;
- Increase in traffic on already congested roads;

- Concern over how surface water will be disposed of - risk of flooding;
- Block off sea view and adverse effect on value of property;
- Proposed dwelling is to be built directly over a right of way making it impossible to access the rear land that belongs to 5 Railway Terrace.

COMMENTS ON REPRESENTATIONS RECEIVED

The majority of the concerns raised above have been addressed within the appraisal section of this report.

With regard to the rights of access, this is a private legal matter and not a material planning consideration. Also the loss of a view and impact on property values is also not a material planning consideration.

APPRAISAL

The application is referred to Committee to enable consideration of the objections received from the local residents.

The main issues to consider in this application are the principle of the development, its impact on the character of the area, impact on the neighbouring amenities, protected trees, drainage and highway safety.

Principle of the Development

The application site lies within the settlement boundary for South Cornelly as designated by Policy PLA1 of the Bridgend Local Development Plan. Policy COM3 of the Local Development Plan (LDP) states that residential developments within settlement boundaries defined in Policy PLA1 on windfall and small scale sites for the conversion of existing buildings or the re-use of vacant or under-utilised land will be permitted where no other development plan policy protects the building or land for an existing or alternative use. In view of the above, the proposed dwellings are considered to comply with Policy COM3.

Also, part of the application site comprises a former railway line and therefore Policy PLA10 of the LDP is of relevance. Whilst Policy PLA10 seeks to safeguard the use of the disused railway infrastructure, from a further assessment of the site it was evident that the wider stretch of the former railway line along the eastern side of South Cornelly is no longer realistically available or suitable for any transport related development due to the location of the new road and other developments, both residential and employment, that have taken place in the vicinity since the closure of the railway line in the mid 1960s. In view of the above, the proposed dwelling is considered to comply with Policy PLA10.

It is considered therefore that, in principle, the residential use of the site is acceptable subject to satisfying the requirements of LDP Policy SP2.

Impact on the character of the area

The site is currently overgrown with vegetation and is bounded to the north east by a cluster of protected trees. The site is also surrounded by a number of large detached residential dwellings and therefore the scale of the proposed dwelling is considered to be in keeping with the character of the immediate area. It is also considered that, whilst the design of the proposed dwelling will be quite modern in appearance, due to its set back position within the site, it will not have an adverse impact on the character of the area.

Concerns were originally raised with the applicant regarding the overall scale of the proposed dwelling and the level of amenity space. As a result, amended plans were submitted, indicating a reduction in the scale of the proposed dwelling which resulted in more amenity space being available to the rear of the property.

Consequently, the proposed development is considered acceptable in terms of visual amenities, however, in order to ensure that the materials used in the external surfaces of the proposed dwelling are suitable, it is considered necessary to attach a condition to any permission granted requiring details of the materials to be submitted to and agreed in writing by the Local Planning Authority. It is also considered that the proposed development would not have a significant adverse impact on Lamb Row or on the surrounding area due to its set back position and nature within the site and set back position from the main highway.

Accordingly, it is considered that the proposed development accords with Policy SP2(2) and SP2 (3) of the Bridgend Local Development Plan 2013.

Impact on neighbouring amenities

From assessing the submitted plans, there is a vertical line of four windows located on the south west elevation of the proposed dwelling, which serve an open staircase and are not considered to have a significant detrimental impact on the neighbouring properties or the former Three Horseshoes Public House as they do not serve a habitable room. However, in order to protect privacy, it is considered necessary to attach a condition to any consent granted to remove the permitted development rights to prevent the insertion of any further windows into the south west elevation of the proposed property.

The impact of the proposed development on the dwellings approved under planning ref. P/16/313/FUL, for the erection of four new dwellings made up of a pair of semi-detached 2 bed houses and two detached 2 bed bungalows, on the site of the former Public House, whilst they have yet to be constructed, have been considered as part of this report, however, due to the change in levels and the position of the proposed dwelling which is located much further forward into the plot than the approved dwellings, it is considered that the proposed development will have no adverse impact on the privacy of these properties.

The impact of the proposed development has also been assessed in relation to the residential amenities of the properties known as Clos yr Hen Eglwys, with particular reference to No.3. A first floor balcony is proposed on the rear elevation of the property and whilst this may afford some views towards the properties in Clos yr Hen Eglwys, due to the separation distance between the properties of approximately 30m and the orientation of the existing properties, the proposed development is not considered to have a significant adverse impact on the privacy and the level of residential amenity of these neighbouring properties. The proposed development is also not considered to have an adverse impact on the occupiers of the former Three Horseshoes Public House due to the setback nature of the property within the site.

Accordingly, the proposed development is not considered to affect the current level of privacy and residential amenities that the existing neighbouring properties currently enjoy and therefore accords with Policy SP2 (12) of the Bridgend Local Development Plan (2013) and SPG02: Householder Development Notes 1,2 and 6.

Access and Parking

The Council's Highway Officer has noted that the proposal is located on land which

currently has no defined use in planning terms and, as such, any traffic generated from the development would be considered additional traffic to the network.

In considering the proposal it is noted that Lamb Row and Railway Terrace beyond (which forms a long cul-de-sac street) to serve 17 properties. Whilst the additional unit proposed by this application, in percentage terms, could be considered a material increase, the proposal would be unlikely to generate any perceivable risk to highway safety. In addition to the above it is noted that the footway that serves Lamb Row, although continuous, is narrow in places, however due to the perceived slow vehicle speeds, low volumes of traffic on Lamb Row and the short distance before reaching the footway on Porthcawl Road, it is considered acceptable in this instance. Furthermore it should be noted in this case that an objection based on traffic generation and pedestrian safety is not likely to succeed in an appeal situation. It is also noted that a number of the public objections raised to this application refer to previous planning applications which were refused on traffic generation grounds, although no specific references are made and, as such, the merits of these historical cases cannot be considered, although it should be noted that each case is assessed against the guidance in force at that time and the specifics of that particular case. Accordingly the application submitted has been considered on its own merits.

With regards to the vision splay for emerging traffic from the proposal site, it is noted that currently the vegetation along the site frontage obscures the available vision however it is considered that vision splays of 2.4metres x 15metres to the east and 2.4metres x 16 metres to the west, both measured to the centreline, can be achieved. This would equate to vehicles traveling at 15-17 mph which is sufficient for the observed speeds on site. Therefore the provision of such vision splays is acceptable and this can be conditioned. In achieving this it should be noted that the grass verge which fronts the property to the east is adopted and maintained by the Highway Authority and, as such, this area will be cut on an annual basis. Further, the hedgerow on the boundary of the property to the east and the single large bush to the west are under the control of the applicant. The LPA has also confirmed the hedgerow does not form part of the protected trees along the site boundary of Railway Terrace.

With regards to the site layout, it is noted that the applicant has indicated that he will be using chippings to create the parking and turning area. In order that particulate material is not carried out onto the footway and highway, a condition is recommended to be attached to any consent granted requiring the details of this. In addition it is noted that the applicant wishes to use the existing access gate into the site and whilst this may have been acceptable for the sites current sporadic use, it is considered that the proposal would increase the use of the site access and, in order to mitigate any vehicles waiting on Lamb Row, a further condition has been requested requiring the gate to be set back 5 metres from the back edge of the carriageway so that vehicles using the site can keep Lamb Row clear and ensure the free flow of traffic.

Accordingly and subject to the imposition of appropriate conditions, the proposed development accords with Policy SP2 (6) and SP3 of the Bridgend Local Development Plan 2013 and Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

Initially, the Council's Drainage Officer raised an objection to the proposed development due to the submission of limited information and the potential to increase flood risk at the site. However, additional information has been submitted in relation to the above and the details are considered acceptable subject to the imposition of two conditions to any granted consent regarding infiltration tests and a drainage scheme to be submitted and agreed by the LPA prior to any works commencing on the site, which accords with Policy

SP2 (13) of the LDP.

Protected Trees

The application site comprises a cluster of protected trees that are located on the north eastern boundary of the site. In order to facilitate the proposed dwelling, works are proposed to be carried out to two protected sycamore trees that on the site. The applicant has submitted a tree survey undertaken by Clay Williams Associates to establish the health, safety and condition of the two trees and also to determine what impact they may have on the proposed development. All other trees on the site are to remain in situ.

It is worth noting that recently works have been undertaken to some of the trees located on the boundary of the site. These works were undertaken by Western Power to facilitate the erection of power lines in the area and not as part of the development subject to this report. The tree report carried out by Clay Williams Associates concluded that the two identified sycamore trees, whilst healthy, are poor specimens and do not provide any significant public amenity value to the area. The report gives the following recommendations:

- Tree reference (1) – Due to the adverse effect the tree is having on the adjacent tree reference (2) and also the fact that it is leaning heavily to one side with significant weight from its one sides canopy, making it dangerous and vulnerable to collapse. Therefore it is recommended that this tree is felled in the interest of safety and this will then allow the adjacent tree reference (2) to thrive.
- Once tree reference (1) is removed, tree reference (2) should be able to thrive. As the tree is multi-stemmed, it has lost some of its shape and therefore it is recommended that the tree is crown lifted with a 20% reduction to encourage re-growth and more compact but dense canopy.

The Council's ecologist initially assessed the submitted information and requested additional information regarding a clearance methodology for the site. Additional information was submitted and assessed and it was recommended that a root protection condition is attached to any consent granted in order to protect the roots of the other trees located on the boundary of the site, whilst the development is being undertaken on site.

Accordingly, it is considered that the proposed development accords with Policy SP2 (10) of the LDP and SPG19: Biodiversity and Development: A Green Infrastructure Approach.

Mineral Safeguarding Area

The application site is located within a mineral safeguarding area and therefore Policy ENV9 of the LDP applies.

Policy ENV9 states:

Development proposals within mineral safeguarding areas, either permanent or temporary, will need to demonstrate that:

- 1) *If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and*

- 2) *In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and*
- 3) *In the case of temporary development, it can be implemented and the site restored within the timescale the mineral is likely to be required.*

The purpose of safeguarding areas is to preserve mineral resource for future generations. The application site lies within close proximity to Cornelly quarry which is currently active although it lies within the settlement surrounded by existing housing. There is limited prospect of extending the quarry towards the settlement. The Council's Public Protection section has been consulted and has raised no objections to the proposed development but has included a number of notes regarding site contamination to the applicant. In view of this, it is considered that the proposed development would have no significant impact on the possible working of the resource will have no significant adverse impact on the occupiers of the proposed development and therefore accords with Policy ENV9 of the LDP. Quarry activities are monitored under separate conditions.

Other Matters

Biodiversity/Ecology

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 LPAs 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

Given the nature of the development it is considered that, overall, there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act 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.”

CONCLUSION

The application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect the character of the area or adversely affect the privacy or visual amenities nor so significantly harms neighbours' amenities and highway safety to warrant refusal.

RECOMMENDATION

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

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

Amended Drawing No. PKP/Site Plan/PLN01 (A)

PKP/GF/PLN02 (A)

PKP/FF/PLN03 (A)

PKP/RF/PLN04 (A)

PKP/SECT/PLN/05 (A)

PKP/NWELEV/PLN/06

PKP/SWELEV/PLN/07(A)

PKP/NEELEV/PLN/08 (A)

PKP/SEELEV/PLN/09 (A) received 19 June 2017)

Tree Survey undertaken by Clay Williams Associates (received 18 April 2017.)

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

2. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority.

Development shall be carried out in accordance with the agreed details.

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

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

Reason: To ensure that the general amenities of the area are protected.

4. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including the future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial use.

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

5. No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial use.

Reason: To ensure that effective satisfactory management and disposal of surface water is provided for the proposed development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include all proposed planting and landscaping such as schedule of plants/trees, species and number/densities, hard surfacing materials and implementation programme.

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

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

8. The proposed means of access shall be laid out with vision splays of 2.4m x 15m to the east and 2.4m x 16m to the west measured to the centre line of the carriageway before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety

9. No structure, erection or planting exceeding 0.6 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

10. The first 5 metres of the access measured from the back edge of the footway shall be completed in permanent materials prior to the development being brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

11. The entrance/gates shall be set back not less than 5 metres from the nearside edge of carriageway at all times.

Reason: In the interests of highway safety.

12. The turning and parking areas as shown on drawing number PLN01.(A) shall be provided before the development is brought into beneficial use and retained for the purposes of parking and turning in perpetuity.

Reason: In the interests of highway safety.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which comes within Parts 1 (Classes A, B and C) of Schedule 2 of this Order, without the prior permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority future control over the scale of development as well as the installation of new windows or dormers or the extension of the property to the rear, in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage as hereby extended without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the scale of development.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows other than as hereby approved shall be inserted into the south west elevation of the dwelling hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy and residential amenities of adjoining neighbouring occupiers.

16. No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for tree and root protection measures including barrier fencing for all existing trees and hedgerows on and adjacent to the site. The agreed scheme shall be implemented prior to and for the duration of the development of

the site.

Reason: In the interests of biodiversity and to preserve the character and appearance open countryside.

17. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) The application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect the character of the area or adversely affect the privacy or visual amenities nor so significantly harms neighbours' amenities and highway safety to warrant refusal.

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

c) The applicant may need to apply to Dwr Cymru / Welsh Water (DCWW) 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

d) The applicant is also advised that some public sewers and lateral drains may not be recorded on the maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

e) The Public Protection Section draws your attention to the possibility of gases (landfill gases, vapours from contaminated land sites and naturally occurring methane and carbon dioxide, but not radon gas) being generated at the site or land adjoining thereto and recommend investigation and monitoring of the area.

f) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing within 2 days to the Public Protection Section, all associated works should stop and no further development should take place until a scheme to deal with the contamination found has been approved.

g) Any topsoil [natural or manufactured] or subsoil, to be imported, should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.

h) Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.

i) Any site won material including soils, aggregates, recycled materials should be

assessed for chemical or other potential contaminants and only chemical or other potential contaminants material should be reused.

j) The contamination assessments and the effects 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 the safe development and secure occupancy of the site rests with the developer.

k) 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.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers
None

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

This application was deferred from the meeting of the Development Control Committee on 25 May 2017, following an inspection of the site by the Committee Members and to allow officers to discuss with the development company, the construction of the footpath/cycleway link connecting the site to the adjacent housing development. A copy of the original report, amended to reflect additional information and comments received from consultees is reproduced below. A number of the planning conditions have been re-worded and others omitted in the light of the information received.

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.

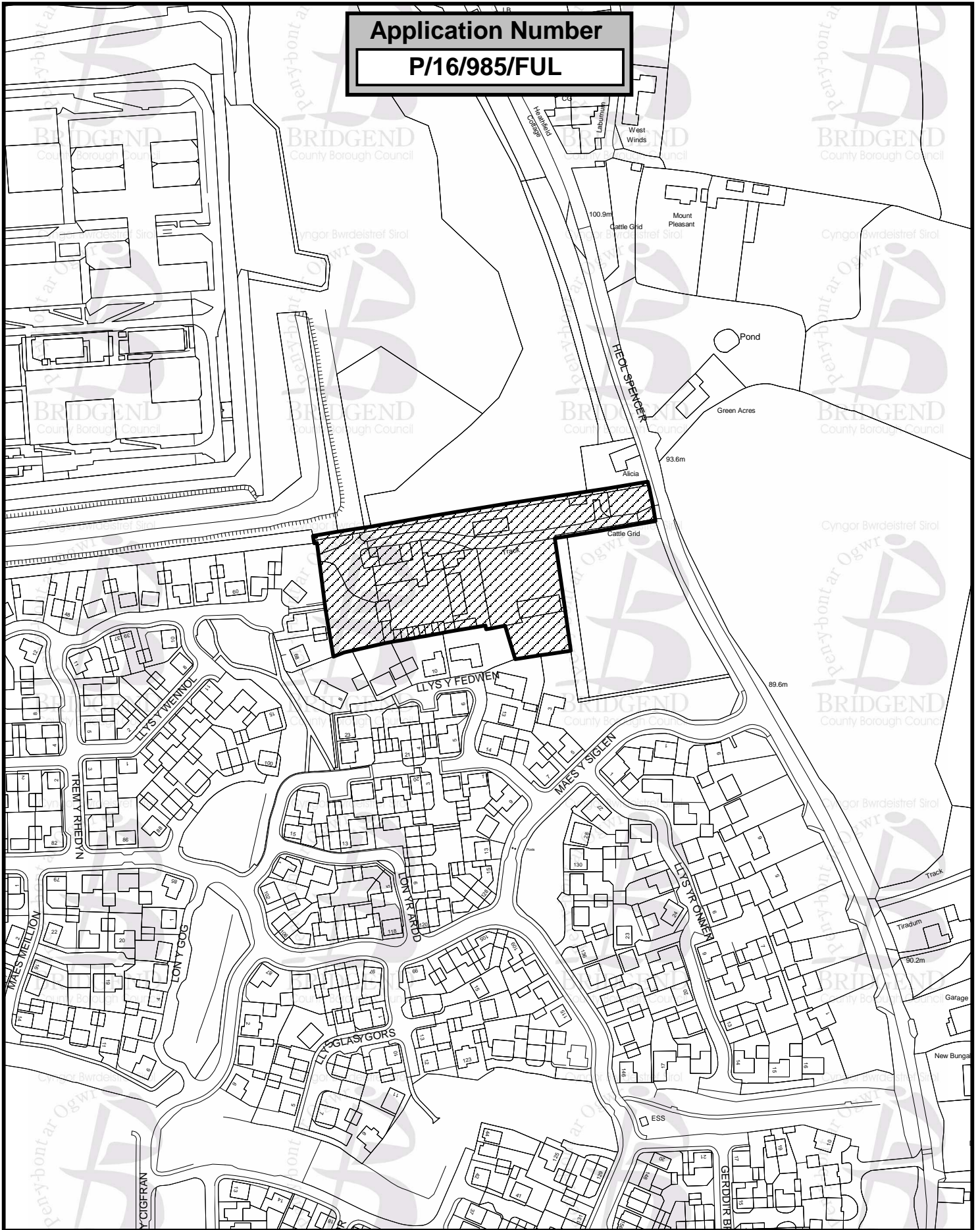
The principle of the site being developed for housing (14 units) was first established under permission P/11/881/OUT which, following the signing of a Section 106 obligation was issued on 8 January 2014. The outline permission was subsequently extended until 8 December 2019 (P/16/847/RLX refers).

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 western 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.

Application Number

P/16/985/FUL



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Scale 1:2,500

Date Issued:
29/06/2017

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
Ferry-bont ar Ogwr

BRIDGEND
County Borough Council

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



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 sq.m (Plot 15) to 138 sq.m (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. The proposed development at Parc Farm is subject to a Section 104 agreement. We therefore do not require the imposition of a condition requiring the agreement of a comprehensive drainage scheme for the development.

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.

The provision of the connecting footpath/cycleway is however critical to this development to 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 initial draft of

the planning conditions required the connection to be made prior to works commencing on the proposed housing but this was queried by the developer who indicated the practical difficulties of such an approach whilst also confirming that the section of intervening fence was within the ownership of Persimmon Homes. That company has indicated their intention to offer their section of the footpath/cycleway for adoption and have agreed for the fence to be removed, albeit a barrier will need to be erected to ensure there is no unauthorised access during construction. Wales and West Housing Association have confirmed that they are committed to providing the footpath /cycleway link, and are anxious that it should be facilitated to permit their future tenants, access to the facilities of the Parc Derwen development. Further, given that there is no financial long term benefit in keeping the footpath /cycleway under private control, it is certain that the two sections of path will be offered for adoption at the earliest possible date. On the basis of this information and, subject to the imposition of a condition that requires the connection to be made prior to the occupation of any dwelling on the Parc Farm site, it is accepted that concerns about the provision of the route have been addressed.

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 21 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 adjoins 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 towards 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 treatments 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 2.4hectares 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.

(ii) 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 F

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
Integral Geotechnique - July 2016 - Site Investigation Report Ref:
11730/AF/16/SI/Rev A
Integral Geotechnique - 20/02/17- Site Investigation Report Ref: 11730/AF/17/GR
The Coal Authority - 29/6/16 - Non Residential Mining Report Ref:
510011892245001)

Drainage Layout Ref: 2198/525 - Revision B - received on 12 June 2017.

All foul and surface water drainage connections shall be made in accordance with 'Drainage Layout Ref: 2198/525 - Revision B' prior to any dwelling served by the connecting drainage works being occupied.

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 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. 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.

6. 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

7. Prior to the commencement of development 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.

8. Prior to any construction commencing, 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.

9. 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.

10. No development shall take place 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 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.

11. No dwelling on the site shall be occupied until the pedestrian/cycle link to the south of Plots 21-24 shall be 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 shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of highway safety.

12. 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 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.

13. 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.

14. 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.

15. Notwithstanding the submitted drawings, no works shall commence on the construction of the proposed roads until details comprising traffic calming 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.

16. 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 enlarged turning head 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.

17. 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.

18. 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

19. The remediation scheme approved under Condition 18 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

20. 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

21. 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

22. 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 Local Planning Authority.

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

23. * 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

REFERENCE: P/16/549/OUT

APPLICANT: The Welsh Ministers c/o Ove Arup & Partners Ltd, 4 Pierhead Street, Cardiff, CF10 4QP

LOCATION: Land East of the A48 (Crack Hill) Brocastle Bridgend CF31 5AU

PROPOSAL: Development of up to 71,441sq.m of B1, B2 and B8 employment floorspace, including access, car parking, diversion of public rights of way, site remediation, drainage, landscaping and associated engineering operations.

RECEIVED: 11 July 2016

SITE INSPECTED: 21 August 2016

APPLICATION/SITE DESCRIPTION

Welsh Ministers have submitted this outline planning application which proposes to develop a business park comprising almost 72,000 square metres of commercial floorspace for a range of uses from office development to general industrial uses on land to the east of the A48 in Brocastle, Bridgend. All matters of detail apart from means of access are reserved for future consideration.

An Environmental Statement (ES) has accompanied the application and this document considers the environmental effects of the proposed development. During the preparation of the ES, relevant statutory and non-statutory consultees were contacted by the applicant's agent. Two fully bilingual public drop-in exhibitions were held on the 15 and 18 March 2016 at Carnegie House, Bridgend Town Council and Treoes Village Hall. The exhibitions offered members of the public and other stakeholders the opportunity to discuss the proposed plans for the site with the project team and representatives of the Welsh Government

The application site lies on the south-eastern edge of Bridgend and comprises agricultural land covering an area of approximately 46.9ha. The northern boundary of the site is formed by the Waterton Industrial Estate and the east is bounded by rising open countryside. The southern boundary encompasses a small residential development comprising the Grade II listed Brocastle House, a care home and private assisted living apartments and the west of the site is bounded by the A48. The A48 also forms the border between Bridgend County Borough Council and the Vale of Glamorgan Council.

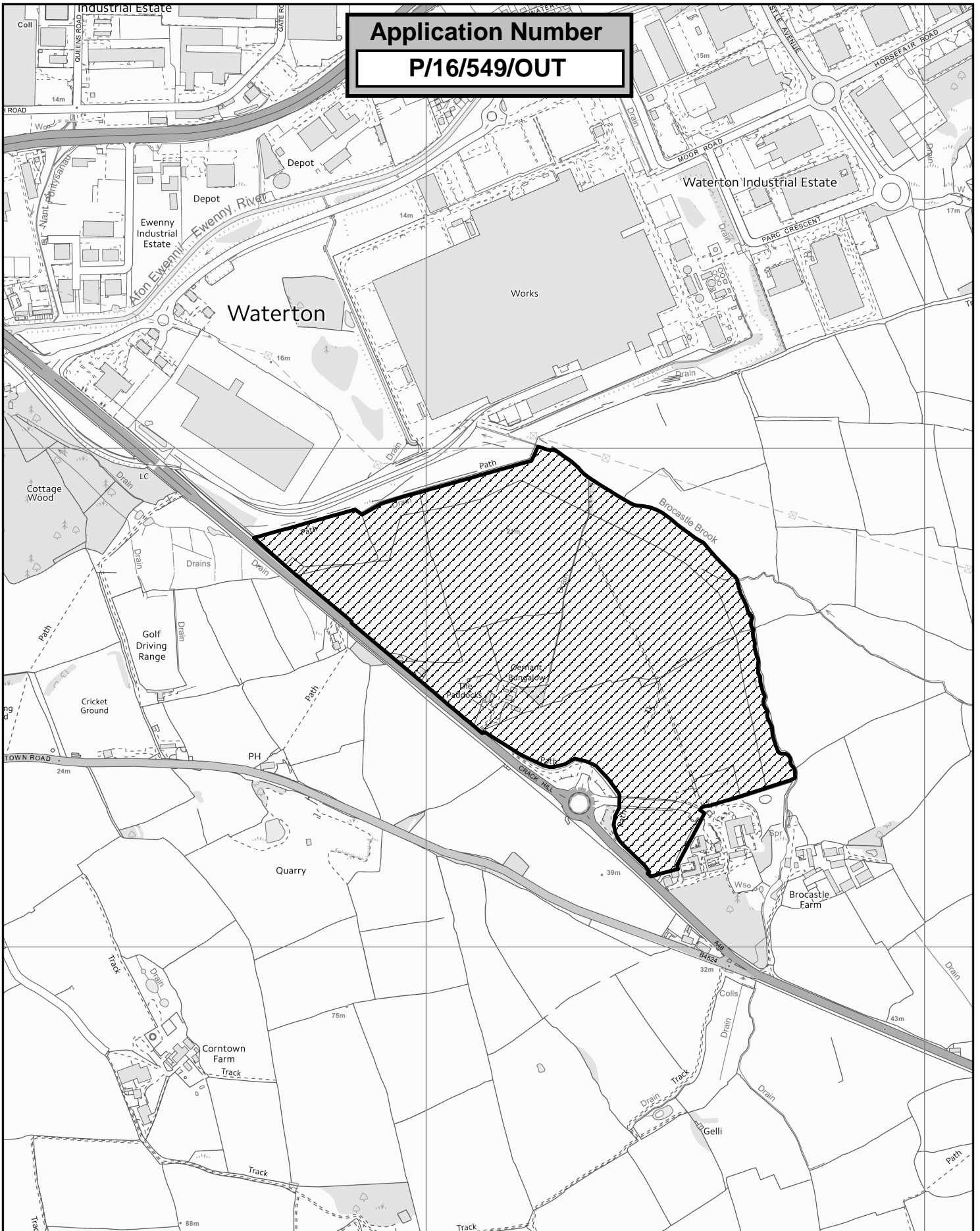
The site rises from 15m above Ordnance Datum in the north of the site to 40m AOD in the south of the site. Oernant Bungalow and the Paddocks are properties located midway along the southern boundary of the site with access from the A48. Both properties have short term tenancies. Plas Newydd is located to the west of The Paddocks and is derelict.

Minor watercourses and field ditches flow southwards along the north-west facing boundary and diagonally across the centre of the site. The eastern/north-eastern edge of the site follows Brocastle Brook, which lies in an enclosed valley.

The land to the north and north west of the site is predominately urban with industrial and business park development, leading to Bridgend town centre. The area to the east, south and west is relatively rural, with scattered dwelling and farmsteads. The village of Treoes lies further to the east. A railway level crossing crosses the A48 approximately 200m from the north-west corner of the application site and provides rail freight access to the adjoining Ford engine plant.

Application Number

P/16/549/OUT



Scale 1:10,000

Date Issued:
26/06/2017

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



A High Voltage 11kv overhead cable dissects the south-west corner of the site boundary. It enters the site centrally along the western boundary and heads to the centre of the proposed development. It then heads south to an existing WPD transformer substation located near the existing retirement flats and houses south of the site boundary. The HV cable supplies Plas Newydd, Oernant Bungalow and the nursing home. An existing 275kv National Grid overhead cable also crosses a small proportion of the north-east corner of the site

The site is currently accessed from an existing four arm roundabout on the A48 to the south-east of the site. The roundabout has been designed with a single carriageway spur of approximately 7.5m width, which includes segregated pedestrian footway and cycle way provision.

The illustrative masterplan (see below) that accompanies the application sets out the proposed layout of the development which would be constructed on a series of plateaux. The supporting documents indicate that the heights of buildings have been limited to 16m to reduce the visual impact of the development on the surrounding landscape features. The larger buildings will be located to the centre and north of the site where the site levels are generally lower and away from the boundaries with existing buildings.



Figure 1: Illustrative Masterplan

The main access onto the site would lead from the existing roundabout off the A48 road, heading northwards via a new roundabout into the north-east corner of the site. From this new roundabout, a new arterial road would branch to the west. The supporting documents confirm that the highway network within the site has been designed to avoid the need for removal of important habitat features. The proposed road design includes a 7.3m wide, two-lane carriageway. Access roads to individual plots are spaced along the main internal highway. The location of the new north eastern roundabout would allow for the future construction of the Brocastle Link road (connecting to Waterton Industrial Estate) if required in the future.

Improvements to the existing bus stops along the A48 are proposed as part of the development and it is intended that the site access road would also be wide enough to incorporate a bus route should this be required in the future.

The Public Rights of Way through the site would be retained and improved. Footpath 19 crossing the north of the site would be diverted, with the entry to the site from the A48 re-positioned to connect with the existing bus stop location near The Paddocks. The footpaths would be clearly demarcated with suitable crossing points added where the site access road is crossed. A 2m footway would be provided along the access roads.

Within the development it is proposed that each building would have associated employee parking facilities outside in accordance with the Council's approved parking standards.

The proposed masterplan allows for retention of existing hedgerows and seeks to minimise breaks in hedgerows where possible. In addition, a new hedgerow is proposed to be planted along the ecological enhancement area which is proposed predominantly along the north and east boundary of the site. The existing hedgerow along the A48 would be retained, but lowered in height. This would allow inter-visibility of the development from the A48, whilst retaining this landscape feature. Additional woodland and hedgerow planting would be native species and compatible with the existing ecology of the site. It is proposed that areas of open grassland would be created around development plots where possible.

The applicant's agent has confirmed that, during the development of the masterplan, changes to the design layout have been made to make allowances for environmental constraints identified during the assessment process. These have included ecological constraints on the site, primarily related to hedgerows; using historic records of ground investigations and undertaking a comprehensive analysis of the topography of the site to identify areas appropriate for development; major drainage infrastructure and flood zone area in the northern part of the site; sustainable development principles which take account of new primary legislation and the Wellbeing of Future Generations (Wales) Act 2015, which places a duty on public bodies to sustainably meet defined goals

The ES suggests that the site would be developed in two phases although this may be subject to change:

- Phase 1 (4 months): all the earthworks (including the construction of development plateaux, roads and car parking areas); and
- Phase 2 (approximately 18 months): development of the infrastructure to serve each development.

It is expected that developers would occupy each development plot in phases and that this would be driven by market demand.

The secure location of site offices, plant and material storage would need to vary as works progress but it is currently anticipated that the works would progress in a south-north direction.

A detailed phasing plan would be developed by the appointed contractor, to acknowledge all constraints and to ensure no disruption to the highway network or nearby land uses. Throughout the works, the site perimeter would be fenced and appropriate security measures implemented, to ensure public safety and to restrict access to the site.

Construction traffic would be routed via main roads to the strategic highway network via the A48, to the A473 and Junction 35 of the M4, thereby minimising construction traffic impacts on local roads. Other measures such as road cleaning/sweeping operations would also be implemented in the vicinity of the site to control dust and dirt on the adjacent highways. It is estimated that construction would last approximately 18 months.

The Environmental Statement that accompanies the application describes the predicted environmental effects of the project and they are summarised below:

AIR QUALITY

During construction, activities have the potential to affect local air quality as a result of dust emissions. Mitigation measures have been proposed for the construction phase which will be included within a Construction Environmental Management Plan. These measures would reduce the effect of dust emissions to levels that would not be significant.

Emissions from vehicles associated with all stages of construction and operation have been assessed and predicted concentrations are well within the relevant air quality objectives for the area. The effect on local air quality during operation was judged to be not significant.

CULTURAL HERITAGE

The cultural heritage assessment looked at the potential for cultural heritage or archaeological assets to be disturbed or damaged as a result of the project, for example by affecting their setting within the existing landscape or through physical damage during construction.

Within the Brocastle site there are no designated cultural heritage features. Two scheduled monuments, Ewenny Priory and the Corntown Causeway Enclosure, situated 1.3km and 950m respectively from the development site boundary will not be directly affected by the development. There are a number of hedgerows which are classified as being 'important' as defined by the Hedgerow Regulations 1997. As well as the ecological contribution these make, they also make a contribution to defining the landscape of the area. The proposed development would result in the removal of short sections of the historic hedgerow however, the majority of the historic hedgerow will be retained which would serve to preserve the significance of this feature as part of the local grain of the historic landscape. The assessment concludes that the loss of these short sections of hedgerow would not be a significant effect.

ECOLOGY

A range of ecological surveys were undertaken, including habitats, hedgerow and tree surveys. Further species specific surveys were undertaken for reptiles, birds, dormice, otters, water voles and bats.

There are no internationally important designated sites located within the 5km of the study area. Similarly, there are no nationally important statutory sites such as Sites of Special Scientific Importance (SSSIs) within 2km. A number of hedgerows at the site are classed as 'Important' under the Hedgerow Regulations 1997 in terms of species diversity. The species specific surveys confirmed that the site is used by a typical assemblage of breeding birds. Field signs of badger were recorded, though no setts were found. No water voles were recorded during surveys. Dormice were recorded, albeit at low levels, with the data suggesting a single dispersing animal. Whilst no bat roosts have been confirmed within the site, field survey results suggest a roost of pipistrelle bats is present nearby. Several trees and buildings have potential to support roosts and the site is used by a range of foraging bats. On this basis, it has been assumed the site is of local value for bats.

Development of the masterplan has aimed to maintain the ecological value of the application site, where possible, and to provide enhancement of that value through various measures, including habitat retention (notably hedgerows, wooded areas and stream corridors). New habitats are to be created including extensive new hedgerow planting, provision of grassland areas, attenuation ponds and an extensive ecological enhancement zone along Brocastle Brook. Additional native planting would be undertaken throughout the site and invasive alien plants would be eradicated.

Good practice mitigation measures are to be employed during construction to minimise impacts to habitats and species, including pollution prevention control, sensitive lighting design and careful site preparation. In addition, operational phase lighting is to be designed to avoid impacts to bats (notably lesser horseshoes) in the vicinity of the ecological enhancement area. This would ensure the dark corridor within the enhancement area is maintained in the operational phase for bat species and other wildlife which need dark areas.

Overall, the proposed development is not predicted to have a significant negative impact on ecology and the mitigation and enhancement measures would provide local benefits for wildlife in the operational phase.

GROUND CONDITIONS

The site has not been developed or used for purposes other than farming and agriculture. This land use has resulted in the presence of localised areas of made up ground associated with sheds, infilling of ponds or disposal of agricultural waste. These areas may constitute potential sources of contamination, which may pose minor to moderate risks to human health and the water environment. Future targeted ground investigations at the detailed design stage will enable risks to be assessed and appropriate mitigation measures to be incorporated into the scheme, particularly with respect to site drainage systems and building foundations.

NOISE

During construction, noisy activities will include piling, rock crushing and concrete batching. Predicted noise from the centre and even near the boundaries of the construction areas with mitigation would be well below the potential significance threshold level for all the surrounding receptors. Changes in traffic during construction would be negligible, with respect to noise, and hence would be not significant.

During operation and based on the proposed masterplan, combined noise levels from all plant and machinery (e.g. air conditioning units) will not exceed the noise criteria agreed with the Council. This would be achieved by acoustic mitigation design, such as fan outlet attenuators, plant enclosures, acoustic screening and acoustic louvres.

The predicted construction noise levels are within acceptable limits however, at one location, section 9.4.1.2 of the report states that for a short period of time the vibration levels might lead to complaints. Therefore it is important that liaison with the occupants/manager of the care home and Shared Regulatory Services is undertaken when this phase of the work is being undertaken. This is also a recommendation in that section of the report. As such, the hours of operation that have been adopted for construction work will be Monday-Friday 08:00-18:00 hours as opposed to 07:30-19:00 hours. All other operational hours on the remaining days have stayed the same i.e. Saturdays 08:00-13:00 hours and no work audible outside the site boundary on Sundays or Bank Holidays.

Baseline noise levels have been undertaken in order to determine suitable noise limits to impose on the development for all plant/machinery and commercial operations and proposed limits are imposed at different specified locations.

LANDSCAPE AND VISUAL IMPACTS

The proposed development has been designed to minimise effects on the visual amenity and character of the local landscape. This has included retaining existing topography and vegetation as much as possible and proposing a layout that is sensitive in terms of building position, height and orientation. The height of the proposed buildings has been limited to 16m. This is to reduce the visual impact on the surrounding landscape context. The taller and larger buildings are to be located towards the centre and north of the application site, where the levels are lower.

Once constructed, the use of land will be as mixed industrial and office use which would appear to be a logical extension and continuation of the existing Waterton Industrial Estate situated to the north and north-east of the proposed development site.

The majority of existing field boundaries, within and on the periphery of the application site, would be retained and reinforced. Exceptions to this would be five new gaps created in internal boundaries to accommodate the proposed internal access roads. A number of landscaping mitigation measures are proposed including:

- Reinforce the existing northern and north-eastern boundary with a concentration of specimen native trees, defining the outer edge of the ecological enhancement zone;
- A new mixed species hedgerow defining the inside edge of the ecological enhancement zone for aesthetic value and to provide a natural plot boundary;
- Gap infill planting of the existing hedge along the western site boundary and maintaining the hedge at a lower height would screen views into the development from the west and south-west;
- The incorporation of street trees; and
- Reinforcement and enhancement of retained internal field boundaries.

No significant effects have been predicted in relation to landscape during operation. With respect to visual impacts a significant effect has been identified from the Bridgend Circular Walk (a recreational route which runs directly through the site).

WATER RESOURCES

Water resources on the site have been considered in terms of surface water and groundwater quality, risk of flooding and storm water drainage.

There are seasonal ditches within the site boundary, which feed into Brocastle Brook, which borders the site. The Brocastle Brook itself feeds into the River Ewenny, approximately 500m to the north-west of the site. A small section to the north of the site along Brocastle Brook is within the floodplain however, the proposed development would be situated outside the area of flood risk and the site is therefore, not considered to be at risk of fluvial flooding.

During construction, the risk of any sediments or potentially polluting substances reaching the water courses would be mitigated through good site practice and management. It is considered that there would be no significant effects on water resources during the construction phase.

The proposed development would decrease the permeability of the site when compared to the existing situation. This would lead to an increase in storm water runoff and downstream flooding however, attenuation basins and other sustainable drainage systems

(SuDS), such as permeable paving under car parking areas of the commercial development and attenuation basins within the site, would be incorporated. As a result, runoff rates will be controlled to Greenfield rates. This would minimise this impact and result in no significant effects on the water environment.

With regard to foul water drainage, Dwr Cymru/ Welsh Water (DCWW) has indicated that the proposed development can connect to the existing public sewerage system which has capacity to take additional loads.

SOCIO-ECONOMIC

Overall, the assessment identified significant benefits of the development in terms of supporting up to 3,000 net additional jobs in the local area. There could also be other additional economic benefits as these additional jobs attract further spending and investment. No significant negative socio-economic effects were identified.

TRAFFIC AND TRANSPORT

The number of deliveries of building materials is expected to vary during the construction programme, resulting in peaks and troughs during the overall time period however, in general, heavy goods vehicles associated with the proposed construction are not expected to present any capacity problems on the road network due to the minimal trips per hour made by such vehicles. In addition, the contractors for the site will be required to prepare and implement a Construction Traffic Management Plan.

The Transport Assessment has looked at the effect that the proposed development at Brocastle will have on the local highway network. This included carrying out capacity assessment at each of the junctions within the assessed network to determine whether the additional traffic generated by the development and other committed developments can be accommodated. The Transport Assessment concluded that the proposed development at the Brocastle site does not significantly affect the performance of the local highway network.

RELEVANT HISTORY

Outline planning permission was granted for business and industrial development (Classes B1, B2 & B8) on land at Brocastle, Bridgend on 21 April 1998 (P/98/25/OUT refers).

Outline planning permission was granted for business industry and a hotel (P/97/929/OUT refers) on 9 April 1998. The planning permissions were subject to a number of subsequent amendments to vary or remove conditions.

Planning permission was later granted on 23 May 2001 for an access road and drainage at the site (P/00/1106/FUL refers) and renewed in 2003 (P/03/183/RLX refers).

Full planning permission was also granted on 20 July 2004 (P/04/473/FUL refers) for the installation of a foul and surface water drainage scheme at the site. The works granted under the most recent planning permission have been implemented.

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 expired on 11 August 2016

CONSULTATION RESPONSES

Group Manager Public Protection: No objection subject to conditions.

Vale of Glamorgan Borough Council: No objection but would provide the following comments for your consideration:

‘The application would utilise an access off an existing roundabout on the A48, within the Bridgend Authority area, and in addition, the likely principal route for traffic including vehicles utilising the M4 would be via Bridgend. The application should nevertheless consider the impacts upon the highway network within the Vale Authority area, given the proximity to the Authority’s boundary.

It is noted that, due to the outline nature of the application, that full assessment of the visual impact will be undertaken during any reserved matters application. Nevertheless, it is considered that the application should have regard to the presence of a designated ‘Green Wedge’ (in VOG), located to the south west on the opposite side of the A48, as well as from wider viewpoints within the rural areas of the Vale to the east.

Welsh Water Developer Services: We would request that if you are minded to grant planning consent for the development that our recommended conditions and notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water’s assets.

Bridgend & District Ramblers: No objections to the proposed development.

Councillor E Venables: I would like to raise some concerns and objections to the above proposed planning application. The nearest residential area to this development is Brocastle. There are a number of residents of the Care Home who have severe dementia and high nursing needs. There are also residents in small flats who are all elderly but also have health problems. These are criteria set by Hafod Care.

1. Unit no. 9 is very close to current residential units. As you know those units are occupied by older people. Would it not be possible for unit 9 to be positioned further away from the residential units? There would be a lack of privacy for the current residences. Could unit 9 be a single story unit instead?
2. Although it states that residents were contacted by a leaflet. I am concerned that they would not have been able to attend the consultation in Treoes village as it may have been too far for them to come due to their age and health problems. I would like to know how many of Brocastle residents actually attended the consultation. I would also like to know whether relatives of residents of the Care Home were consulted. Residents of the care home, in general, do not have capacity so therefore I would like to have seen close relatives consulted.
3. The construction phase is extremely long. I think this will have a detrimental effect on residents. Both noise and dust will impact the residents. I think that this impact will be increased due to the elderly nature and health problems of all the residents.
4. The current access to the public transport is extremely dangerous for the residents of Brocastle. Crossing a wide 40mph road is difficult for them. Would it be possible to require a pedestrian crossing near the bus stop?
5. I would query as to why these units are being built as there are a number of empty units in the near vicinity.

Natural Resources Wales: We have no objections in principle to the development but recommend that you should only grant consent for the proposed development subject to our recommended conditions.

South Wales Police Designing Out Crime Officer: General observations on the development have been provided which should be considered in the future layout and design of the business park.

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

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

REPRESENTATIONS RECEIVED

Letters of objection have been received from the following residents:

D Mardon	1 Cadwgan Court, Brocastle
B Hoey	2 Cadwgan Court, Brocastle
K E Thomas	3 Llewellyn Court, Brocastle
C Baker	4 Llewellyn Court, Brocastle
M Paget	Brocastle Lodge, Brocastle

The following is a summary of the objections received:

1. The proposed development is not compatible with the Care Home and accommodation that adjoins the site
2. The noise and dust during construction would be a disturbance to residents and could affect the residents' health and well-being. When operational, the noise from traffic will still have a significant impact.
3. Is there a need for the development given the empty units on existing industrial sites in the County Borough?
4. Site would be better used for a care facility or medical centre.
5. Lack of consultation with residents at the pre-application stage.
6. Site claims to have good links to the M4 but directly accesses the A48 and already busy section of highway
7. Unit 09 would by virtue of its scale have a significant impact on Brocastle Lodge (Grade II Listed Building) - the introduction of new planting on this plot would minimise the impacts on the Listed Building and existing residential units in Brocastle.
8. Units will result in loss of daylight and will overshadow existing properties.

Mr and Mrs Grabham of 1 Eifion Court, Brocastle support the proposal.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the representations received:

1. The proposed development accords with the site's allocation in the Bridgend Local

Development Plan (Policy SP9 (1) refers). The illustrative masterplan and parameters indicate that consideration has been given to the relationship of the development to existing properties in terms of the use and scale of development. Some opportunity exists to supplement the existing landscaping buffer that separates Cadwgan Court and Llewellyn Court and the nursing home from the development on Plots 8 and 9 through the introduction of additional planting. Controls can also be imposed on the siting and scale of the development at these more sensitive locations on the development site.

2. Inevitably construction works associated with this development will result in some disturbance to residents. It is considered that a Construction Method Statement would address this issue and minimise disruption for the local residents. The ES recognises that the proposed development has the potential to affect noise sensitive receptors around its boundary during construction and operation.

Operationally, the detailed design of the development would need to ensure that the combined noise levels from all plant and machinery from commercial activities on the site does not exceed the noise criteria agreed with the Council prior to submitting this application and this will be achieved by acoustic mitigation design, such as fan outlet attenuators, plant enclosures, acoustic screening and acoustic louvres. The development must comply with the noise limits cumulatively for all plant/commercial noise emissions on the site and this will be secured by a suitably worded planning condition.

3. The site is allocated as a strategic employment site in the adopted Bridgend Local Development Plan under Policy SP9 (1). The LDP describes the site as,

"One of the most important and prestigious greenfield inward investment sites within the South Wales M4 corridor. The site is in a highly accessible and desirable location on the outskirts of Bridgend, on the A48 towards Cowbridge. Brocastle represents one of the largest greenfield employment sites in south-east Wales and is located immediately adjacent to Bridgend's focussed area of growth, closely linked to the Waterton Industrial Estate and south of the existing Ford factory, the County Borough's largest private sector employer..." (Paragraphs 2.3.85 and 2.3.86 of the LDP refer).

The applicant's agent has indicated in the planning submission that, in order to bring this important site forward to the market and to compete with other locations along the M4 corridor, it is necessary to obtain a new outline planning permission for employment development. The site is allocated for development and is recognised by the Council as an important and desirable strategic site. Securing permission is key to securing the site's status as a viable opportunity in the property portfolio of the County Borough and is essential in order to attract inward investors.

4. The site is allocated for development in the Bridgend Local Development Plan as a strategic employment site. As such the developer has not considered an alternative use. During the development of the masterplan, the developer has indicated that changes to the design have been made to make allowances for environmental constraints that were identified during the preparation of the ES.

5. On 1 August 2016, the requirement to undertake pre-application consultation, as set out in Section 17 of the Planning Act Wales 2015, came into force. This application preceded that date but it is understood that two public drop-in exhibitions were held on the 15 and 18 March 2016 at Carnegie House, (Bridgend Town Council) and Treoes Village Hall. The exhibitions offered members of the public and other stakeholders the opportunity to discuss the proposed plans for the site with the project team and representatives of the Welsh Government. Comprehensive consultations have been undertaken as part of the application in accordance with the requirements of the legislation.

6. The Transport Assessment (TA) that accompanied the application has considered existing road conditions, existing and future travel demand, highway capacity and the impacts of construction traffic. A Travel Plan has also been included within the assessment. The Assessment and review indicate that the Waterton and Coychurch signalised roundabouts will suffer from capacity issues as a result of traffic growth and previously committed development. The proposed development is forecast to exacerbate these issues. It is considered that some improvements to both these junctions may be possible by revalidating and upgrading the MOVA signal controllers together with associated infrastructure. Whilst this will not fully mitigate the impact of the development, the site is allocated for employment purposes and therefore any consequential impacts on the highway network would be outweighed by the socio-economic benefits to the local economy through new employment opportunities. Furthermore, through a series of planning conditions that will promote 'Active Travel' to the site and seek improvements to highway junctions on the network that serve the development, the transportation impacts of the development will be lessened.

7. Brocastle Lodge is not separately listed but is covered as a building within the grounds of the Manor House which is a Grade II Listed Building. Over recent years the setting of the Manor House has dramatically changed with the development of the nursing home and residential accommodation. The new building works had special regard to the setting of the Listed Building and there is no reason why development on Plot 9 should not be able to achieve a similar outcome but it will be critical that the existing hedgerows and vegetation that separate the Lodge from the development site are retained. Furthermore, careful consideration will need to be given at the detailed stage as to the siting and scale of the development particularly the height, to ensure that the setting of the curtilage of this Listed Building is safeguarded.

8. An objector has offered a general objection that the development will result in loss of daylight and will overshadow existing properties. Such an assessment is difficult to make as the application does not seek approval for the design of the buildings. Based on the indicative position of the buildings from the masterplan, Unit 9 will be nearest, measuring 40m on the plan. The Plot is sufficiently large enough to accommodate a development of the parameters indicated on the application but a greater distance away from the respective properties. It is considered that all the new units could be sited and designed to prevent any unreasonable domination and loss of outlook.

The Vale of Glamorgan Council made reference to the impact of the development on the visual amenities of the area. A Landscape and Visual Impact Assessment (LVIA) has however been undertaken for the proposed development and it is concluded that the proposed development has been designed to minimise effects on the visual amenity and character of the local landscape. Mitigation measures are to retain existing topography and vegetation as much as possible. Furthermore, the proposed layout provides a sensitive approach in terms of building orientation. When the proposed planting establishes, the resulting beneficial effects would balance out the slight adverse character effects arising from the introduction of the development. Similarly, for visual receptors, as the planting measures establish over a period of up to 15 years, the residual effects on visual amenity would be reduced.

APPRAISAL

The application is referred to Committee to consider the objections raised by local residents.

The application site lies within the settlement boundary for Bridgend and the Bridgend

Strategic Regeneration Growth Area (Policy SP1). The site is also allocated as a strategic employment site under Policy SP9. Policy SP9 (1) allocates 20ha of land at Brocastle as a strategic employment site. The Policy states that, in order to meet the varying requirements of business and to provide access to employment and training for all residents, a range and choice of vacant sites on 120 hectares of land is identified and protected for employment (B1, B2 and B8 uses) purposes. Land is allocated and safeguarded for the establishment of high quality 'strategic employment sites'. Such sites must be developed, in accordance with a development brief/masterplan, to the highest environmental standards. Preferred uses on the site are ICT, Energy and Environment, Advanced Materials and Manufacturing, Creative Industries, Life Sciences and B1 Financial and Professional services.

Land to the north of the site has been identified as Waterton Industrial Estate under Policy REG1 (8), which seek to protect allocated land for employment development falling within B1, B2 and B8 uses. The Waterton Industrial Estate is located within Bridgend's Strategic Regeneration Growth Area and a waste treatment facility, allocated under Policy SP7 (5), is located within it. A small area of land to the south of the application site is allocated for 34 residential units under Policy COM1(9) and the majority of the western boundary of the site is allocated under Policy PLA7(2), which aims to provide improved links to the National Cycle Network (NCN) in the Vale of Glamorgan.

The illustrative masterplan submitted in support of the application broadly reflects the aspirations of the 'Brocastle Framework Masterplan (2011) and is therefore considered to be acceptable in meeting the requirements set out in the Bridgend Local Development Plan.

Policy SP2 states that all development should contribute to creating high quality, attractive, sustainable places which enhance the community they are located in, whilst having full regard to the natural, historic and built environment. The application has sought to demonstrate compliance with the criteria of the Policy SP2 as follows:

Criterion 1: The proposed employment development complies with all relevant national policy and guidance;

Criteria 2, 3 and 4: The proposed development can be designed to reflect the scale and massing of the surrounding industrial estates and open landscape surrounding the site. Building scales have been carefully considered in the masterplan layout. Structured landscaping features would also be protected, retained and enhanced to help screen long distance views and to help visually separate development plots. The site is Greenfield, however, it is allocated for employment development and its Greenfield nature is noted in the LDP as an attractive feature for prospective developers;

Criterion 5: The proposed land uses at the site B1, B2 and B8 comply with the strategic allocation within the LDP;

Criteria 6, 11, 12 and 15: The proposed development is located in a sustainable location within the settlement boundary. The development incorporates the existing Public Rights of Way and provides a new walking/cycling into the site along the A48. In addition, the proposed development would contribute to the improvement of two bus stops along the A48 Crack Hill.

The planning submission contends that the viability of neighbouring developments (including the existing residential properties) would not be affected and, whilst this statement is not contested, there is a need to control the development such that it will broadly follow the illustrative masterplan. It is noted that the units on those plots closest to

the existing nursing home and properties on Cadwgan Court and Llewellyn Court (Units 8 and 9) will be used for industry and offices and will have a maximum height of 16m and 10m respectively above the finished ground levels. The plan also suggests that distances between the respective developments will range between 40m and 100m based on the Masterplan. Opportunity does exist to maximise the space between existing and new uses and this will be carefully considered at the detailed stage and will be controlled through conditions on this outline planning consent.

Criterion 7: The proposed development incorporates natural surveillance and overlooking of public open space and car parks, where practicable;

Criteria 8, 9 and 13: The Specialist Officer for air quality has advised that the assessment undertaken to ascertain the potential impacts and significance of construction works has been undertaken in accordance to IAQM guidance "Guidance on the assessment of dust from demolition and construction, January 2014". The methods and approach used to determine the potential impacts, addresses dust emissions are accepted by the Council.

The impacts and risk associated with dust emissions during construction phase activities, as detailed by the applicant, should be controlled by condition.

In terms of the operational phase of the development, it will be necessary to undertake a more detailed model to assess air quality and a condition should be imposed requiring a revised Air Quality Assessment.

Criterion 10: The proposed layout has taken into consideration existing biodiversity features on the site and incorporates mitigation and enhancement measures;

Criterion 14: An Energy Assessment has accompanied the application and this outlines how the proposed development would make a positive contribution towards tackling the causes, of and adapting for, the impacts of climate change.

Policy PLA4 refers to climate change and peak oil. An Energy Assessment has been submitted in support of the application (Criteria 1-3, 5, 6 and 8). With regard to the other criteria of the Policy, a Transport Assessment has been undertaken which considers sustainable travel and provides a travel plan; the development incorporates environmental mitigation and an ecological enhancement corridor; the site is not at risk of flooding and the illustrative masterplan also incorporates Sustainable Urban Drainage techniques, which are designed to secure greenfield run-off rates. The applicant has also indicated that the development would seek to ensure BREEAM - Excellent development at the site.

Policy SP3 refers to strategic transport planning principles. The Policy provides a number of criteria and the proposed development is compatible with the Policy as follows:

Criteria 1, 3 and 10: The proposed development would provide a cycle link off the A48 and maintains existing Public Rights of Ways (subject to diversion). The site is served by two bus stops along the A48, with links to Bridgend Town Centre and the Vale of Glamorgan;

Criterion 4: The accompanying Transport Assessment sets out the framework for a Travel Plan, giving an outline plan and proposes a number of initiatives that would reduce the need and reliance on the private car. The Transport Assessment (TA) that accompanied the application has also considered existing road conditions, existing and future travel demand, highway capacity and the impacts of construction traffic. Subject to mitigation that will be achieved through a series of planning conditions that will promote 'Active Travel' to the site and seek improvements to highway junctions on the network that serve the development, the transportation impacts of the development will not be so significant

as to warrant a refusal of planning permission.

Criteria 5 and 7: Criterion 7: The proposed development would utilise one entrance point off the Brocastle roundabout on the A48. The A48 then joins the A473 at Waterton roundabout and both roads form part of Bridgend's core road network, which leads directly to Junction 35 of the M4. These routes are appropriate for freight traffic;

Criterion 8 is not relevant to the proposed development.

Criterion 9: The proposed development can be designed in accordance with the Bridgend's Parking Standards Strategic Planning Guidance (SPG) - Policy PLA11 of the LDP is also addressed;

Criteria 2, 8 and 11 are not relevant to the proposed development;

Strategic Policy SP4 of the LDP refers to the conservation and enhancement of the natural environment and states that development which will conserve and, wherever possible, enhance the natural environment of the County Borough will be favoured.

The proposed development is accompanied by a comprehensive assessment of the natural environment through the supporting ES. The sustainable development of the site and its conservation of the natural environment are central to the scheme, with natural features retained and enhanced where possible.

Policy ENV 6 states that proposals for development or redevelopment will be required to in the first instance, retain, conserve, restore and enhance, wherever possible, natural features. The proposed development protects and enhances natural assets at the site through the preservation of existing biodiversity features and the provision of a new ecological enhancement corridor. Furthermore, the designs incorporate new structural planting across the site and environmental enhancement.

In terms of protected species, detailed surveys have been undertaken as part of the EIA. The ecological assessment has concluded that, with mitigation, the effects of the proposed development would not be significant and this view is accepted by the Council's Ecologist.

Policy ENV 7 refers to natural resource protection and public health and outlines development proposals will only be permitted where they would not affect health, biodiversity and/or local amenity. The ES has considered air quality, noise, ground contamination and water quality and, subject to mitigation that will be secured by conditions, the development will be compliant with the policies of the development plan.

Policy SP5 refers to the conservation of the built and historic environment and requires development to conserve, preserve or enhance the built and historic environment of the County Borough and its setting. The proposed development is located adjacent to two Grade II Listed Buildings: Brocastle Manor and Brocastle Courtyard. The ES has assessed the proposed development's impact on these Listed Buildings and concluded that the proposed development would have a neutral effect of no significance. No adverse comments have been received from consultees on this matter and the findings of the ES are accepted.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when determining planning applications which affect a Listed Building, special regard shall be paid to the desirability of preserving the building, its setting and any architectural or historic interest it possesses.

In this case the Listed Building is set within its own grounds the boundary of which is surrounded by mature trees. The character of the surrounding area has changed considerably over recent times with the development of adjacent sites. Whilst careful consideration will be given at the design stage, particularly with regard Unit 9 it is not considered that the setting of the Listed Building will be materially harmed.

Policy SP14 states that applications for development should include material proposals which deal with the fair and reasonable infrastructure requirements of the development. The Policy sets out a number of criteria that should be considered relevant to the proposed development, including improvements to highway and public transport networks, protection, enhancement and management of the natural and historic environment and initiatives to manage and mitigate the impacts of climate change. The proposed development would incorporate the provision of a new cycle path and improvements to the existing bus stops adjacent to the site and these will be secured by planning conditions.

CONCLUSION

Overall the development complies with the Council's planning policies and would achieve national and local policy objectives of achieving a sustainable development by minimising impact on ecology and habitats, supporting existing green infrastructure and using the site's natural features to provide a layout that responds to its semi-rural location thus creating a high quality development. The development will also support inclusive access and active travel and provide connectivity to Bridgend Town Centre and links to the Vale of Glamorgan. Furthermore, the development can be designed to minimise its potential visual impact and any impacts on the amenity of those residents that adjoin the site.

RECOMMENDATION

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

1. The development hereby permitted shall be carried out in accordance with the following approved documents:
 - a) Design and Access Statement - Arup - July 2016
 - b) Transport Assessment - Arup - July 2016
 - c) Tree Survey - Treescene - October 2015
 - d) Energy Statement - Encraft - received on 11th July 2016
 - e) Site Location Plan - Figure 1
 - f) Application Area - Figure 2
 - g) Illustrative Masterplan and Parameters - Figure 3
 - h) Landscape Mitigation Plan - Figure 4

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

2. The proposed development site shall be limited to the following land uses/parameters:
 - up to 4 Office units (B1 Use Class*) providing no more than 16,258sqm of Office floor space in total
 - up to 5 Industrial units (B2 Use Class*) providing no more than 55,183sqm of industrial floor space in total;

*B1 and B2 uses are in accordance with the provisions of the Town and County Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order with or without modification)

Reason: In the interests of the free flow of traffic, highway safety and to maintain the operational capacity of the network.

3. The mitigation measures set out in the documents listed below shall be carried out as prescribed in those documents unless provided for in any other condition attached to this permission:

a) Chapter 5 of the Environmental Statement - Air Quality - 'Opportunities for Mitigation or Enhancement - paragraphs 5.4.2 to 5.5.1

b) Chapter 7 of the Environmental Statement - Ecology - 'Opportunities for Construction Mitigation or Enhancement - paragraphs 7.8.2.1 to 7.9.2

c) Chapter 8 of the Environmental Statement - Ground Conditions - 'Opportunities for Mitigation or Enhancement - paragraphs 8.6.1 to 8.7.2

d) Chapter 9 of the Environmental Statement - Noise - 'Opportunities for Construction Mitigation or Enhancement - paragraphs 9.5.2.1 to 9.5.3.2

e) Chapter 10 of the Environmental Statement - Landscape and Visual Impact - 'Opportunities for Construction Mitigation or Enhancement - paragraph 10.6.2

f) Chapter 11 of the Environmental Statement - Water Resources - 'Opportunities for Construction Mitigation or Enhancement - paragraphs 11.5.4 and 11.6.6

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

4. No development shall commence until a scheme for the provision of enhanced bus stop facilities on route A48 at Brocastle House and The Paddocks including pedestrian crossing facilities has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall be supported by a Stage 2 Road Safety Audit. The bus stops and crossing facilities shall be completed in permanent materials in accordance with the approved scheme prior to any individual units being brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable transport and highway safety.

5. No development shall commence until a scheme for the provision of a pedestrian/cycle route along route A48 from the common boundary of Bridgend County Borough and Vale of Glamorgan Council to the existing facilities at the Site access roundabout has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall incorporate suitable crossing facilities of the rail line serving the Ford Engine Plant and the signalised junction of the A48 with the Ford Access Road and be supported by a Stage 2 Road Safety Audit. The pedestrian/cycle and crossing facilities shall be completed in permanent materials in accordance with the approved scheme prior to any individual units being brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting active travel, sustainable transport and highway safety.

6. No development shall commence until a scheme for the provision of a pedestrian / cycle route along route A48 from the common boundary of Bridgend County Borough and Vale of Glamorgan Council to the north western side of Waterton Roundabout has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall incorporate suitable crossing facilities of the A48 and A473 arms of the roundabout and be supported by a Stage 2 Road Safety Audit. The pedestrian/cycle and crossing facilities shall be completed in permanent materials in accordance with the approved scheme prior to any individual units being brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting active travel, sustainable transport and highway safety.

7. No development shall commence until a scheme of upgrade works to the Waterton Roundabout signalised junction has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall include an initial assessment of the operation of the junction and incorporate upgrade of the MOVA (Microprocessor Optimised Vehicle Actuation) system together with validation of the system. The upgrade works shall be completed in accordance with the approved scheme prior to any individual buildings being brought into beneficial use and a further revalidation of the system undertaken five years after the upgrade works are completed and retained in perpetuity.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

8. No development shall commence until a scheme of upgrade works to the Coychurch Roundabout signalised junction has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall include an initial assessment of the operation of the junction and incorporate upgrade of the MOVA (Microprocessor Optimised Vehicle Actuation) system together with validation of the system. The upgrade works shall be completed in accordance with the approved scheme prior to any individual units being brought into beneficial use and a further revalidation of the system undertaken five years after the upgrade works are completed and retained in perpetuity.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

9. A comprehensive travel plan shall be submitted as part of any reserved matters application for individual units on site and shall contain targets, physical measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the site. The agreed travel plan shall be implemented within 6 months of the occupation of the building and shall be subject to periodic review and monitoring, with annual reports prepared by the occupier and submitted to the Local Planning Authority.

to and approved in writing by the Local Planning Authority for each individual unit on the site and implemented within 6 months of the beneficial use of the individual units. Such a plan

Reason: In the interests of promoting sustainable modes of transport to and from the site.

10. No development shall commence on any phase of the development until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, roof/yard water, highway drainage and land drainage will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented through the various phases of the development and prior to any building being occupied.

Reason: To ensure effective drainage facilities are provided for the proposed development.

11. No development shall commence until a 'Construction Environmental Management Plan' (CEMP) to minimise dust emissions arising from construction activities on the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development and shall include the control measures as detailed in section 5.4.2 of Chapter 5 of the Air Quality Assessment contained in the Environmental Statement 'Land at Brocastle, Bridgend. Environmental Statement Volume II. The construction phase shall be implemented in accordance with the agreed scheme with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phases.

Reason: In the interests of safeguarding the amenities of existing residents.

12. No development shall commence until a revised Air Quality Assessment (AQA) has been submitted to and agreed in writing by the Local Planning Authority. The AQA should address the following additional scenario which would encapsulate a cumulative air quality impact:

Year of 2026 (projected year of opening for Parc Ewenni), providing projected concentration levels for traffic derived N02 & PM10 (both from the natural increase in traffic and the increase that will be generated as a result of this development) at the already designated sensitive receptors. The 2026 scenario should look to examine a cumulative effect whereby both the Parc Ewenni and Brocastle developments will be in place.

Where the Air Quality objectives are indicated to be exceeded, mitigation measures shall be included in the revised report. The mitigation measures and a program of implementation shall be submitted to and agreed in writing by the Local Planning Authority prior to any development commencing.

Reason: In the interests of limiting air pollution resulting from the development

13. No development shall commence until a Construction Method Statement ('the CMS') has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Construction Method Statement.

The Construction Method statement shall address the following matters;

1. Details of the phasing of construction works, including timescales;
2. Details of equipment to be employed, operations to be carried out and hours of operation

3. Mitigation measures to be applied in accordance with the guidance in BS228 (2014)

4. A scheme for implementing effective liaison with the local residents where they are likely to be affected by the noise/vibration at any particular phase of the work and details of how complaints will be dealt with, in particular with respect to complaints being likely at location 3 for vibration when construction activities are taking place close to the care home

5. A scheme of monitoring for vibration at location 3 when that phase of work is being undertaken.

Reason: In the interests of safeguarding the amenity of residents.

14. The rating level of the combined noise from all plant and machinery operating together from the development when brought into beneficial use (including the application of any tonal penalty where deemed necessary), when undertaken in accordance with BS4142 in free field conditions at any of the locations listed below, shall not exceed the noise levels shown below in Table 1 below:

Noise sensitive receptor (see figure 9.1 of chapter 9 noise of Environmental statement volume II	Threshold values in dB, LA _{Tr} (free field conditions)	
	Day (07:00-23:00)	Night (23:00-07:00)
	LA _{eq} 1hour	LA _{eq} 15mins
Location 1-Corntown Country Inn	54	48
Location 2- Waterton House	52	45
Location 3-Brocastle Manor Care Home	47	35
Location 4-Liagan Farm	46	35

Prior to the development being brought into beneficial use, once it is known who the end users will be, a noise report shall be submitted to the Local Planning Authority demonstrating that the noise from all plant, machinery and operations will not exceed the limits in table 1 above.

Reason: In the interests of safeguarding the amenity of local residents.

15. A written scheme of contamination investigation for the site, in general accordance with that reported in the Environmental Statement, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, in accordance with the approved scheme, no development or any development phase, infrastructure scheme or landscaping area shall be commenced until:

a) that part of the site has been subjected to a detailed scheme for the investigation and recording of contamination has been submitted to and approved in writing by the Local Planning Authority;

b) detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the "Contamination Proposals") have been submitted to and approved in writing by the Local Planning Authority;

c) for each part of the development, contamination remediation proposals relevant to that part (or any part that would be affected by the development) have been carried out either before or during such development as appropriate;

d) if during development works any contamination is encountered which has

not been previously identified and is derived from a different source and/or of a different type to those included in the "Contamination Proposals", revised "Contamination Proposals" have been submitted to and approved in writing by the Local Planning Authority before they are implemented;

e) if during development work site contaminants are found in areas previously expected to be clean, their remediation has been carried out in line with the "Contamination Proposals" approved under paragraph (b) or (d), as appropriate, above.

Reason: In the interests of safety.

16. The details submitted pursuant to discharging landscaping as a Reserved Matter for any development phase shall follow the principles of the Landscape Mitigation Plan (Figure 4) and the measures set out in paragraph 10.6.2 Secondary Mitigation of Chapter 7 of the Environmental Statement - Arup - July 2016

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

17. The details submitted pursuant to discharging landscaping as a Reserved Matter shall include new woodland buffer planting of at least 10 m depth between the proposed development and the private assisted living apartments at Cadwgan Court, Llewellyn Court, Glyndwr Court and the dwelling known as Brocastle Lodge.

Reason: In the interests of protecting the amenity of residents, the setting of the Listed Building and to promote nature conservation.

18. The development hereby permitted shall not be commenced nor shall the felling of any trees take place until a programme and scheme for the carrying out of a survey to identify the presence or otherwise of bats on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme and programme shall take account of seasonal usage and the timing of development on each development phase. The survey shall be carried out in accordance with the approved scheme and programme and shall contain recommendations for measures to protect any bats found before, during and after development, which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The protection measures shall be fully implemented in accordance with the approved details.

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

19. Prior to the commencement of any works within a particular development phase, further surveys shall be undertaken within that area to determine the presence and/or location of, but not limited to, the following species:

- a) badgers
- c) otters and holts
- d) water voles

The surveys shall be carried out in accordance with a programme which shall have been submitted to and approved in writing by the Local Planning Authority taking into account seasonal usage. The results of the surveys, along with measures

before, during and after development for the protection of any species found, shall be submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be fully implemented in accordance with the approved details.

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

20. The plans and particulars submitted in accordance with the Reserved Matters shall include a Habitat Management Plan (HMP) addressing avoidance, mitigation, compensation, enhancement and restoration of the site and shall include the following:

- a) Purpose and conservation objectives for the proposed works
- b) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

No development shall commence until the HMP has been submitted to and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and all features shall be retained in that manner thereafter.

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

21. The plans and particulars submitted in accordance with the Reserved Matters shall include a Construction Environment Management Plan (CEMP: Biodiversity) and shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification "biodiversity protection zones".
- c) Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

No development shall take place (including demolition, ground works, and vegetation clearance) until the CEMP - Biodiversity has been submitted to and agreed in writing by the Local Planning Authority. The CEMP - Biodiversity shall be

adhered to and implemented throughout the construction period strictly in accordance with the agreed details.

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

22. The plans and particulars submitted in accordance with the Reserved Matters shall include a Landscape and Ecological Management Plan (LEMP) addressing the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

No development shall take place (including demolition, ground works, vegetation clearance) until the LEMP has been submitted to and agreed in writing by the Local Planning Authority. The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.

The agreed plan shall be implemented in accordance with the agreed details.

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

23. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

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

24. Prior to the commencement of any development phase, detailed lighting plans in accordance with the submitted lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The lighting plans shall be implemented as approved.

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

25. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

Overall the development complies with the Council's planning policies and would achieve national and local policy objectives of achieving a sustainable development by minimising impact on ecology and habitats, supporting existing

green infrastructure and using the site's natural features to provide a layout that responds to its semi-rural location thus creating a high quality development. The development will also support inclusive access and active travel and provide connectivity to Bridgend Town Centre and links to the Vale of Glamorgan. Furthermore, the development can be designed to minimise its potential visual impact and any impacts on the amenity of those residents that adjoin the site.

In order to satisfy Condition 10, the following advisory notes should be considered:

- Provide further information regarding the watercourse bisecting the site — if Figure 11.5 is correct, a Flood Defence Consent application must be submitted to the Local Authority outlining the proposed alterations and culverts. Current information is contradictory
- Provide confirmation of agreement from NRW regarding the discharge of surface water to the Brocastle Brook.
- Provide confirmation from NRW that a Flood Consequence Assessment is not needed for this development
- Provide confirmation of acceptability from DCWW of connection to the foul sewerage system, due to the conflicting advice within the application
- Submit a detailed design for a highway drainage scheme including its discharge point.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers

None

REFERENCE: P/16/290/FUL
APPLICANT: Mr Michael Harris Cartref, 25 Cefn Glas Road, Bridgend, CF31 4PG
LOCATION: Land Adj To 25 Cefn Glas Road Bridgend CF31 4PG
PROPOSAL: Detached Dwelling
RECEIVED: 12 April 2016
SITE INSPECTED: 10/05/2016

APPLICATION/SITE DESCRIPTION

The application proposes the construction of a detached dwelling on land adjacent to 25 Cefn Glas Road, Bridgend.

The indicative layout originally submitted with the application showed a dwelling with a footprint measuring 8m by 9m with a gable roof, the ridge of which was set at approximately right angles to the road. The principal elevation of the property would therefore face north westwards towards 25 Cefn Glas Road and the side elevation would face onto Cefn Glas Road. The ridge height of the proposed property was to reach 8.75m above the adjoining highway. A single storey garage structure was proposed in the south western corner of the site and attached to the rear elevation of the proposed dwelling. This structure measured 5m by 3m with a gable roof reaching 3.65m in height. The eastern site boundary with the highway was shown as a 1.5m stone wall, which was to be set back to allow for the provision of a new pavement in accordance with a New Street Order that applies to Cefn Glas Road.

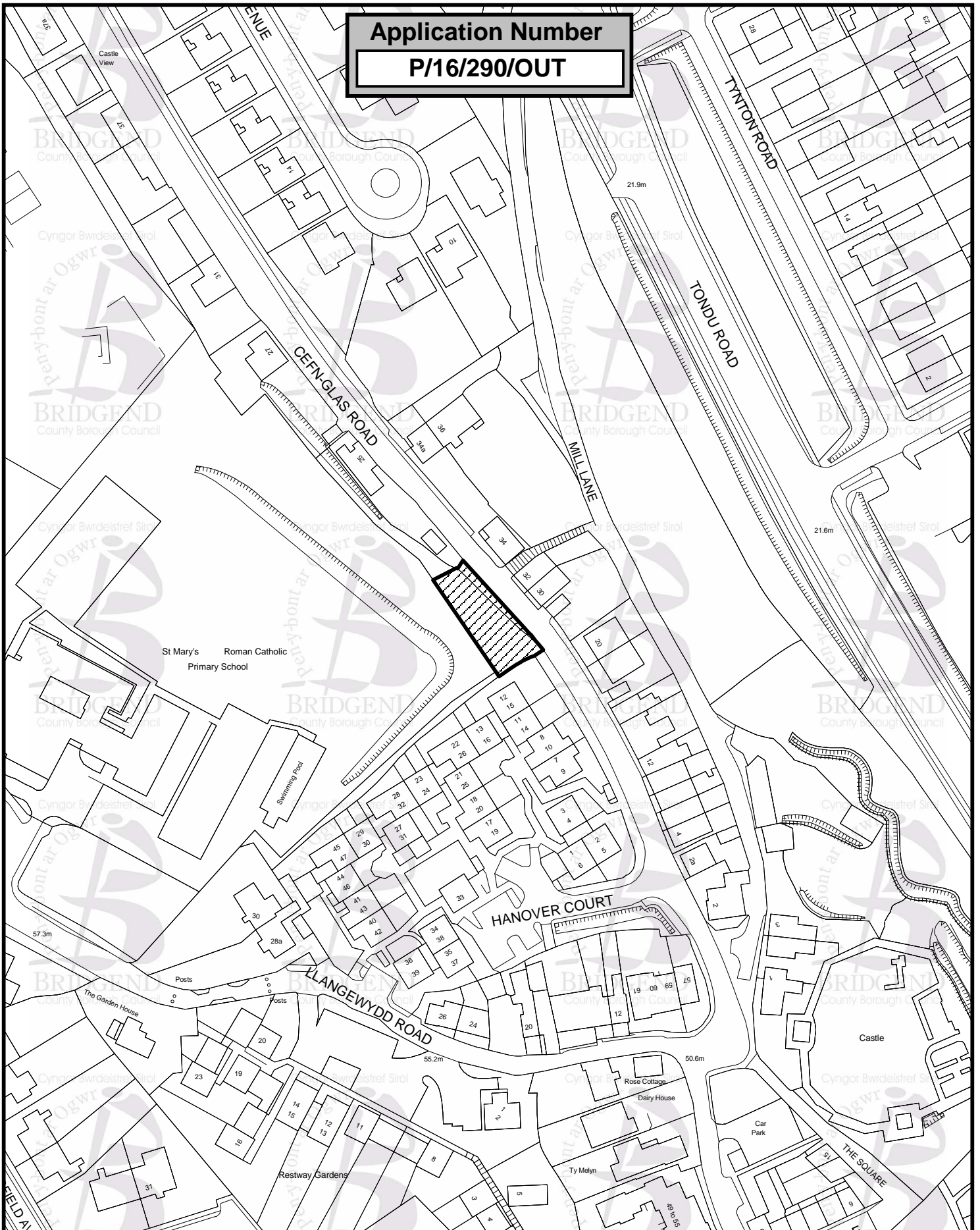
As a result of lengthy discussions with the applicant, amended plans have been submitted showing details of a completely revised scheme. Whilst the original submission sought outline planning permission, on the basis of the now detailed plans and its location within the Conservation Area, it is considered reasonable to assess the application as being for full planning permission.


The amended layout now shows an "L" shaped dwelling located 7m away from the southern site boundary and 1.3m away from the western boundary with the adjoining school. The main section of the proposed house will measure 7.5m in depth by 8m in width with a gable roof reaching 8m at its ridge. A two storey annex will project 5m from the northern elevation and measure 3.5m wide also with a gable roof reaching 6.6m to the ridge. A single storey porch is to be attached to the southern elevation. This will project 1.4m from this principal elevation and measure 2m in width with a ridged roof reaching a maximum height of 3.25m. Between the dwelling and the southern site boundary there is to be a hard surfaced area, which will be used for the parking of 3 cars. The site layout plan also indicates that the existing stone boundary wall, which is approximately 1.8m in height, will be rebuilt to enclose the eastern site boundary with Cefn Glas Road. This proposed replacement stone boundary wall has been slightly realigned to allow for the provision of a new pavement approximately 1.2m in width along the frontage of the plot.

The proposed dwelling will accommodate a lounge/living room, kitchen, utility room, cloaks, hall and dining room/study on the ground floor. Four bedrooms, one of which has an en-suite, and a family bathroom are to be provided at first floor level. The external finishes of the proposed new dwelling are to be colour washed smooth render with a brick soldier course band around the middle of the building and brickwork window headers. Fibre cement slates will cover the roof with soffits, barge boards, rainwater goods and window frames finished in white.

Application Number

P/16/290/OUT



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Scale 1:1,250

Date Issued:
26/06/2017

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 Siroi
Pen-y-bont ar Ogwr



BRIDGEND
County Borough Council

The application site is located on the western side of Cefn Glas Road and is elevated above the adjoining carriageway level by approximately 1.5m to 2m. The land is partially enclosed by close boarded fencing approximately 2m in height. A number of mature trees exist adjacent to the western plot boundary with the neighbouring St. Mary's Roman Catholic Primary School. The adjoining development to the south of the application site comprises a Sheltered Housing Complex for the Elderly known as Hanover Court and opposite the proposed development site is a vacant plot of land and a pair of semi-detached dwellings with a garage. Departmental records confirm that full planning permission for a dwelling on this vacant plot was granted in 2001, which has lapsed but a new application (P/16/360/OUT) relating to this land is currently undetermined. 25 Cefn Glas Road lies approximately 25m, at its nearest point, to the north of the application site although a detached garage serving that property is located just over 5m away from the northern application site boundary. It is noted that the application site boundary includes the access to this garage. The revised site layout drawing is annotated to demonstrate that the proposed new dwelling's finished floor level will be set at approximately 500mm above the adjacent carriageway level. Calculations of the quantity of materials that would be required to be removed from the site to achieve this have now been submitted.

RELEVANT HISTORY

P/11/896/OUT - Outline application for a detached dwelling - REF - 11/06/12

PUBLICITY

The application has been advertised on site. Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 11 May, 2017.

CONSULTATION RESPONSES

Bridgend Town Council No objections subject to the comments regarding drainage from Dwr Cymru/Welsh Water being taken into account.

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

Welsh Water Developer Services - No objection subject to condition.

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

REPRESENTATIONS RECEIVED

Three letters of objection have been received from local residents. The grounds of objection can be summarised as follows:-

Highway Safety - The application site is located at the narrowest section of Cefn Glas Road and lacks pedestrian footways. There are significant levels of on street parking in the vicinity as properties opposite do not benefit from any off street parking facilities. Cefn Glas Road is reasonably highly trafficked particularly given the recent residential development approved at the former Ysgol Bryn Castell site to the north and congestion occurs in this vicinity due to the parked cars.

Access - In addition to the above traffic issues, objectors consider that the access is poorly located with the vision for vehicles emerging from the site being obscured by parked cars. One objector considers that in the absence of a turning facility within the

curtilage of the site, vehicles would be unable to use the proposed off street parking spaces shown on the revised plans as there would be insufficient space to reverse into/out of the spaces due to on street parking opposite.

Domination and Overshadowing - The height of the proposed dwelling combined with the difference in land levels will adversely impact on the properties opposite the application site due to the close proximity resulting from the narrowness of the road at this location. The amended plans, which show a larger dwelling are considered to exacerbate these concerns.

Loss of Privacy - Due to the difference in land levels, the proposed development will result in loss of privacy to first floor bedroom windows in the properties opposite the application site. It is noted that the amended house plans include windows in the side elevation serving habitable room windows which will look directly into windows in the front elevation of 32 Cefn Glas Road.

Loss of Trees - The application form states that no trees will be removed as a result of the development but it is clear that a number of trees will be required to be felled to facilitate the construction of the proposed dwelling.

Impact on the Conservation Area - The proposed development will result in the removal of the existing stone boundary wall which will be detrimental to the appearance of the area, which lies within a Conservation Area.

Inappropriate Materials - The originally proposed materials included concrete tiles and white UPVC, which objectors consider to be inappropriate for this Conservation Area location.

Lack of Detail - Initially objectors considered that the outline application contained insufficient information to enable proper assessment of the proposed development. Whilst acknowledging the details of the design of the dwelling now submitted, objectors remain concerned over the lack of information relating to the proposed earthworks to achieve the proposed land levels.

Pavement Provision - Objectors consider that the proposed footway provision will further narrow the highway making it impossible for emergency vehicles and buses to use Cefn Glas Road. In addition, one objector questions whether the provision shown on the revised site layout would be wide enough of accommodate pushchairs or wheelchairs.

COMMENTS ON REPRESENTATIONS RECEIVED

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

Access & Parking - The Highways Department notes the on street parking that occurs in the vicinity of the application and also that the road fronting the site can be busy in the peak periods. As a result of the on street parking, it is evident that vehicles need to operate a give and take system when using this section of Cefn Glas Road, which is detrimental to the free flow of traffic. The amended proposals now include sufficient off street parking facilities within the curtilage of the proposed new dwelling to meet the Authority's parking guidelines. One objector acknowledges this provision but considers that a turning facility should also be provided as vehicles are likely to be unable to access the parking spaces due to on street parking opposite the application site. The Highways Department is satisfied with the submitted parking arrangements and have not required the provision of a turning facility.

It is noted that the indicative layout shows the slab level of the proposed dwelling set just above the existing level of the highway and in this position, there would be significant earthworks required to achieve these levels. In light of the traffic conditions, there is the potential for such excavations and the removal of material to cause significant disruption to the local highway network. The applicant has now calculated the amount of material that would be required to be removed and has investigated the number of lorry movements required to remove this material. Given that this element of the construction phase would be for a temporary period, it is considered that a condition requiring a Construction Management Plan would adequately control this issue. It is also noted that the indicative layout sets back the site boundary to make provision for a pavement in order to meet the requirements of a New Street Order albeit that the pavement shown measures between 1.2m to 1.5m wide rather than the standard 1.8m. This facility would be of significant benefit to pedestrian and highway safety in the immediate area.

One objector considers that the provision of the pavement, as indicated on the amended site layout, narrows the highway which, combined with the level of on street parking that occurs in this location, will make it impossible for emergency vehicles and buses to access the area. The requirement forms part of a New Street Order that has been applied to Cefn Glas Road by the Highway Authority, due to the lack of continuous pedestrian footways. The scheme aims to improve pedestrian safety. Notwithstanding the requirement, the proposed development does not narrow the existing carriageway width.

Domination and Overshadowing - Objectors consider that the narrowness of road at this point, combined with the difference in land levels, will result in the proposed development being constructed in close proximity to and elevated above the properties on the opposite side of Cefn Glas Road (Nos 30 & 32). The amended plans now position the main section of the new dwelling directly opposite 30 Cefn Glas Road with the two storey annex element opposite 32 Cefn Glas Road. The amended layout shows that there would be approximately 10m between the side elevation of the proposed new dwelling and the front elevation of No 30 increasing to 12.5m between the two storey annex and the front elevation of No 32. Although relating to household extensions, the Authority's Supplementary Planning Guidance (SPG) 02 provides guidance on the manner in which the issue of unreasonable domination can be assessed. The SPG advises that unreasonable domination is an issue where a main window to a habitable room in an adjacent dwelling will directly overlook a proposed development. For unreasonable domination to be demonstrable, the extension must be either:-

- (a) Higher than a line, perpendicular to the window wall, rising at 25 degrees to the horizontal from the mid point of the affected windows; or
- (b) Closer than 10.5m.

It is emphasised that this is only a general indicator of the possibility of dominance and not a rigid definition of unreasonable dominance. In this case, albeit that there is only 10m distance between the proposed dwelling and 30 Cefn Glas Road, the amended design of the property only marginally infringes the daylight protection zone of the ground floor window in this neighbouring property. With regard to the impact on No 32, due to the increased distance and the reduced ridge height of the two storey annex, the proposed development will not infringe the daylight of the ground floor window. It is considered that, on balance, the impact on these neighbouring properties will not be so significant as to warrant refusal of the scheme for this reason.

Loss of Trees - The proposed development will require the removal of some trees adjoining the western boundary with the Primary School Grounds, these are not protected

by a Preservation Order. It is considered that these trees do not provide significant public amenity value and therefore removal to facilitate development could be acceptable subject to a condition requiring the remainder of the site to be landscaped.

Impact on the Conservation Area - Objectors point out that the application site lies within the Newcastle Hill Conservation Area and consider the proposed development will adversely impact on the existing rubble stone wall fronting onto Cefn Glas Road to the detriment of the character of the area. In addition, residents consider that the materials identified in the application for the external finishes of the proposed dwelling are inappropriate for the area and particularly the Conservation Area setting. The amended layout shows that a new rubble stone wall of similar height to the existing will enclose the eastern site boundary onto Cefn Glas Road. It is considered that an appropriately worded condition can ensure the provision of this replacement feature. Similarly a condition to control the external finishes of the proposed dwelling could be imposed in the event that the Authority were minded to approve the scheme.

Loss of open space - Whilst one objector considers the proposed development will result in the loss of a green area, this land is not public open space and has previously been completely enclosed by 2m high close boarded fencing.

Loss of Privacy - Concern has been expressed by an occupier of one of the properties opposite the application site regarding the potential for anyone entering or leaving the proposed new dwelling to look into first floor bedroom windows at their property. It is considered that due to the siting of the proposed development and the setting of the ground floor level at the same level as the highway, the concern regarding the impact on the privacy of these windows at the neighbouring property has been addressed. It is noted, however that the eastern elevation of the two storey projecting annex contains two windows, one at ground floor level and one at first floor level. Both of these are secondary windows to the dining room/study and bedroom that they serve. It is considered that the replacement rubble stone boundary wall will safeguard the privacy of the neighbouring dwelling opposite from the ground floor window but a condition requiring the first floor window to be obscurely glazed is considered necessary.

Lack of Detail - One objector considers the submission to contain insufficient detail and in particular in relation to the earthworks. Whilst it is acknowledged that the information submitted is limited in its extent, an appropriately worded condition can, it is considered, control the construction methodology including removal of material from the site.

APPRAISAL

The application is referred to Committee to allow Members to consider the objections received from local residents.

Although the original application sought to establish the principle of the development of a detached dwelling on land to the south of 25 Cefn Glas Road, Bridgend, the submission has been amended with a revised site layout and detailed designs for the proposed dwelling now provided. In the circumstances, it is considered reasonable to deal with the application as one for full planning permission. The amended layout retains the position of the proposed dwelling towards the southern section of the plot with a driveway/parking area adjacent to the southern site boundary. The submitted plans also indicate that the slab level of the proposed dwelling will be close to the existing level of Cefn Glas Road, which runs along the eastern site boundary. The proposed dwelling is shown with its principal elevation facing north/south and its gable (side) elevation facing the highway.

Policy COM3 of Bridgend Local Development Plan (LDP) states that residential

developments within settlement boundaries on windfall and small scale site, or the re-use of vacant or under-utilised land will be permitted where no other LDP policy protects the building or land or an existing or alternative use. In principle, therefore, the redevelopment of the land may be acceptable.

Policy SP2 of the LDP requires all development to contribute to creating high quality, attractive, sustainable places, which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. In respect of this application, it is considered that criteria 1, 2, 3, 4, 6, 10, 12 & 13 would be relevant to this application.

The first criterion requires compliance with all relevant national policy and guidance, which is principally set out in Planning Policy Wales (Ed 9 Nov 2016). Paragraphs 4.9.1 and 4.9.2 state that, "Previously developed (or brownfield) land should, wherever possible, be used in preference to greenfield sites, particularly those of high agricultural or ecological value..."

4.9.2 Many previously developed sites in built up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- In and around existing settlements where there is vacant or under-used land, commercial property or housing;
- In suburban areas close to public transport nodes, which might support more intensive use for housing ..."

In Chapter 9 of PPW, paragraphs 9.3.1 and 9.3.2. require new housing developments to be well integrated with and connected to existing settlements. The sensitive infilling of small gaps within small groups of houses or minor extensions to groups may be acceptable, though much will depend on the character. It is therefore considered that the principle of constructing a new detached dwelling on the application site would be compatible with this guidance.

The following criteria of Policy SP2, namely 2, 3 & 4, require any development proposals to have a design of the highest quality that respects and enhances local character and distinctiveness, be of an appropriate scale and size and thereby constitutes an efficient use of the land, which maximises its potential whilst respecting that of the surrounding development. It was noted during the site inspection that the surrounding area is characterised by a mix of detached, semi-detached and terraced housing of varying size and design. It is considered that the design and scale of the proposed dwelling is not dissimilar to other dwellings to the north of the application site and in its external finishes and detailing would be compatible with the dwellings on the eastern side of Cefn Glas Road. With regard to scale, on the basis that the finished floor level is to be set at a level close to that of the adjoining highway, it will, it is considered, have an appropriate scale and size that will be comparable with the properties on the opposite side of the road. On the basis that the development constitutes the re-use of under-used land at a density which respects the surrounding development, it is considered that the submitted proposals will meet the requirements of these three criteria.

Criterion 6 seeks to ensure that development proposals incorporate good linkages to ensure efficient access to the site. As indicated in the observations received from the Highways Department, the submitted proposals include the setting back of the site frontage and the provision of a pedestrian footway along the eastern site boundary with Cefn Glas Road. In addition, the revised plans now make provision for three off street parking spaces on the southern side of the proposed dwelling, which satisfies the requirements of the Authority's SPG 17 : Parking Guidelines.

On the basis that the finished floor level of the proposed dwelling is to be set close to the level of the adjoining highway, there would be significant engineering works required to reduce the existing land levels to achieve the indicated slab levels. The applicant has calculated that the mass of earth to be removed from the site is approximately 300 tonnes. A local haulage company has been contacted to provide vehicle dimensions and the load capacity of their lorries and on this basis, it has been estimated that the removal of material will take between 15-20 loads. Whilst the Highway Authority acknowledge the constraints of Cefn Glas Road, it is considered that, due to the temporary period required for the earthworks to be undertaken, a condition requiring a robust construction method statement would adequately control this phase of the development to mitigate the impact on neighbouring properties and highway safety. A condition requiring certification of the retaining structure(s) necessary following the removal of the material is also required in the interests of safety. In addition, it is considered that cross sectional drawings showing how the site will be developed in terms of the relationship of the proposed dwelling to the private amenity space on the northern side of the site are also considered necessary.

The next criterion (10) seeks to safeguard biodiversity and green infrastructure. Local residents in their objections to the scheme have highlighted that a number of trees, currently growing along the boundary with the adjoining Roman Catholic Primary School, will need to be removed to facilitate the development. As indicated in the preceding section, these specimens are located adjacent to the western site boundary and do not provide significant public amenity value to the street scene. The trees are not protected by a Preservation Order and therefore it is considered that their removal during the appropriate season could be accepted. With regard to the remainder of the land, it is noted that this has been used as a private garden area to serve 25 Cefn Glas Road and does not represent a significant biodiversity value.

The penultimate criterion (12) seeks to ensure that the viability and amenity of neighbouring uses and their occupiers will not be adversely affected. In this case, notwithstanding the objections raised by the occupiers of dwellings on the opposite side of Cefn Glas Road, it is considered that for the reasons outlined in the preceding section of the report, a dwelling sited in the position shown on the layout will not unreasonably dominate or overshadow these neighbouring properties. It is also considered that, with its principal elevation facing northwards, the design of the dwelling, without windows in its main gable elevation that would serve a habitable room respects the privacy of dwellings on the opposite side of Cefn Glas Road. As indicated in the preceding section of the report, however, a condition requiring the first floor window in the side elevation of the two storey annex, which is a secondary window serving a bedroom should be required to be obscurely glazed in order to prevent unreasonable overlooking of these neighbouring properties. Views from the proposed ground floor window in this side elevation of the annex will be adequately screened by the replacement stone wall.

The site layout provides that the amenity space to serve the proposed new dwelling will be located on its northern side, but it is not clear whether this area will remain elevated above the highway. As indicated above, a condition seeking to confirm this land level and its means of enclosure is considered necessary in order to mitigate any adverse impact on the dwellings on the opposite side of Cefn Glas Road.

The final criterion requires development proposals to incorporate appropriate arrangements for the disposal of foul sewage, waste and water. These details are not currently available but could be required by the imposition of a condition to provide a comprehensive and integrated drainage scheme.

The site also lies within the Newcastle Hill Conservation Area where LDP Policy SP5

requires that development proposals will only be permitted where it can be demonstrated that they will not have a significant adverse impact on an identified heritage asset such as a Conservation Area and its setting. Previously, the Conservation and Design Team expressed concern over the loss of the existing rubble stone wall, which forms the boundary of the site with the highway. In view of the fact that this section of Cefn Glas Road is subject to a New Street Order requiring boundaries to be set back a minimum of 4.75m from the centre line of the adjacent carriageway to facilitate a future widening/improvement scheme, it is noted that such a highway improvement scheme can simply require the relocation of this boundary wall thereby retaining this feature. Similarly, therefore, an appropriately worded condition could secure its replacement in the event that the proposed development was considered to be acceptable. As such and in view of the above, it is considered that the development will not have an adverse effect and will improve and enhance the Conservation area.

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 LPAs 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"

Given the nature of the site as the former garden area serving the adjoining residential property, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

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.

Whilst determining this application Policies COM3, SP2 & SP5 of the Bridgend Local Development Plan were considered.

CONCLUSION

This application is recommended for approval because the development complies with national and local policy and guidelines and will not adversely impact on privacy or highway safety or visual amenities nor so significantly harms the amenities of neighbouring properties as to warrant refusal of the scheme. The revised detailed proposals are considered compatible with the preservation of the character and appearance of the Newcastle Hill Conservation Area.

RECOMMENDATION

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

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers JGA17-05/01, 02, 03, 04.

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

2. Notwithstanding the requirements of Condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building 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. Notwithstanding the requirements of condition 1, no development shall take place until details including cross sectional drawings showing the proposed floor levels of the building in relation to existing ground levels and the finished levels of the site and the proposed garden levels 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. No development shall commence on site until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that the retaining walls, necessary to facilitate the development will be designed and constructed so as to prevent subsequent ground movement. Any retaining wall shall be constructed in accordance with the design and constructional details so certified before the dwelling is brought into beneficial use and will be maintained in perpetuity..

Reason: In the interests of safety.

5. No development shall commence on site, including any works of demolition/site clearance/earth moving, until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Statement shall include the following details:-
 - i. The routeing of HGV construction traffic to and from the site; to avoid Cefn Glas Road to the south of the site and using Cefn Glas Road/Merlin Crescent and Bryn Golau junction to the north
 - ii The parking of vehicles of site operatives and visitors to the site;
 - iii The management of loading and unloading of plant and materials;
 - iv Any storage of plant and materials used in constructing the development;
 - v Details of how the land will be temporarily retained during the excavation works;
 - vi Wheel washing facilities;
 - vii Measures to control the emission of dust and dirt during the excavation and construction phases;
 - viii Timetable/programme for the excavation works including timing of the vehicle movements to and from the site;
 - ix Any temporary traffic and pedestrian management along Cefn Glas Road during the excavation and construction phases.

The development shall thereafter be undertaken in accordance with the agreed Method Statement throughout the excavation of the land and construction of the development.

Reason: In the interests of highway safety.

6. Notwithstanding the requirements of Condition 1, the eastern site boundary fronting onto Cefn Glas Road shall be set back and a footway, 1.8m in width shall be constructed, which shall approximately link into the existing footways abutting the flats at Hanover Court and providing a dropped kerb arrangement to the north, prior to the development being brought into beneficial use. The footway shall be implemented in permanent materials and retained as such thereafter ion perpetuity.

Reason: In the interests of highway safety.

7. Notwithstanding the requirements of Condition 1, driveway/parking area adjacent to the southern site boundary shall be implemented in permanent materials before the dwelling is brought into beneficial use and retained for access/parking purposes thereafter in perpetuity.

Reason: In the interests of highway safety

8. Notwithstanding the requirements of Condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment which shall include for the construction of a replacement rubble stone wall

along the eastern site boundary fronting onto Cefn Glas Road, details of means of garden enclosure and a timetable for its implementation. Development shall thereafter be carried out in accordance with the agreed plan and timetable.

Reason: To ensure that the general amenities of the area are protected.

9. 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 shall be erected other than those expressly authorised by this permission.

Reason: In the interests of visual and residential amenities.

10. No development shall commence on site until there has been submitted to and agreed in writing with the Local Planning Authority a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road, roof/yard water (surface water) and land drainage run off, including an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details before the dwelling is brought into beneficial use. No further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system and to ensure effective drainage facilities are provided for the development in order to ensure that floor risk is not increased.

11. Notwithstanding the requirements of Condition 1, the first floor window in the eastern (side) elevation of the projecting two storey annex serving bedroom 1 shall be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity prior to the development being brought into beneficial use. Thereafter the obscure glazing to this window shall be retained in perpetuity.

Reason: In the interests of privacy and residential amenities

12. The proposed means of access shall be laid out with vision splays of 2.4m x 21m 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.

13. No structure, erection or planting exceeding 0.9m in height above adjacent carriageway level shall be placed within the vision splays at any time.

Reason: In the interests of highway safety.

14. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) This application is recommended for approval because the development complies with national and local policy and guidelines and will not adversely impact on privacy or highway safety or visual amenities nor so significantly harms the amenities of neighbouring properties as to warrant refusal of the scheme. The revised detailed proposals are considered compatible with the preservation of the character and appearance of the Newcastle Hill Conservation Area.

(b) The observations received from Dwr Cymru/Welsh Water on 20 May 2016 and 25

April 2017 are attached for the developer's information and consideration.

(c) 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.

(d) The developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:

- i) obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
- ii) indemnify the County Borough Council against any and all claims arising from such works;
- iii) give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, 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/17/157/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

This application was deferred from Committee on 25 May 2017 to enable the Site Panel to visit. Reproduced below is the original Report.

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.

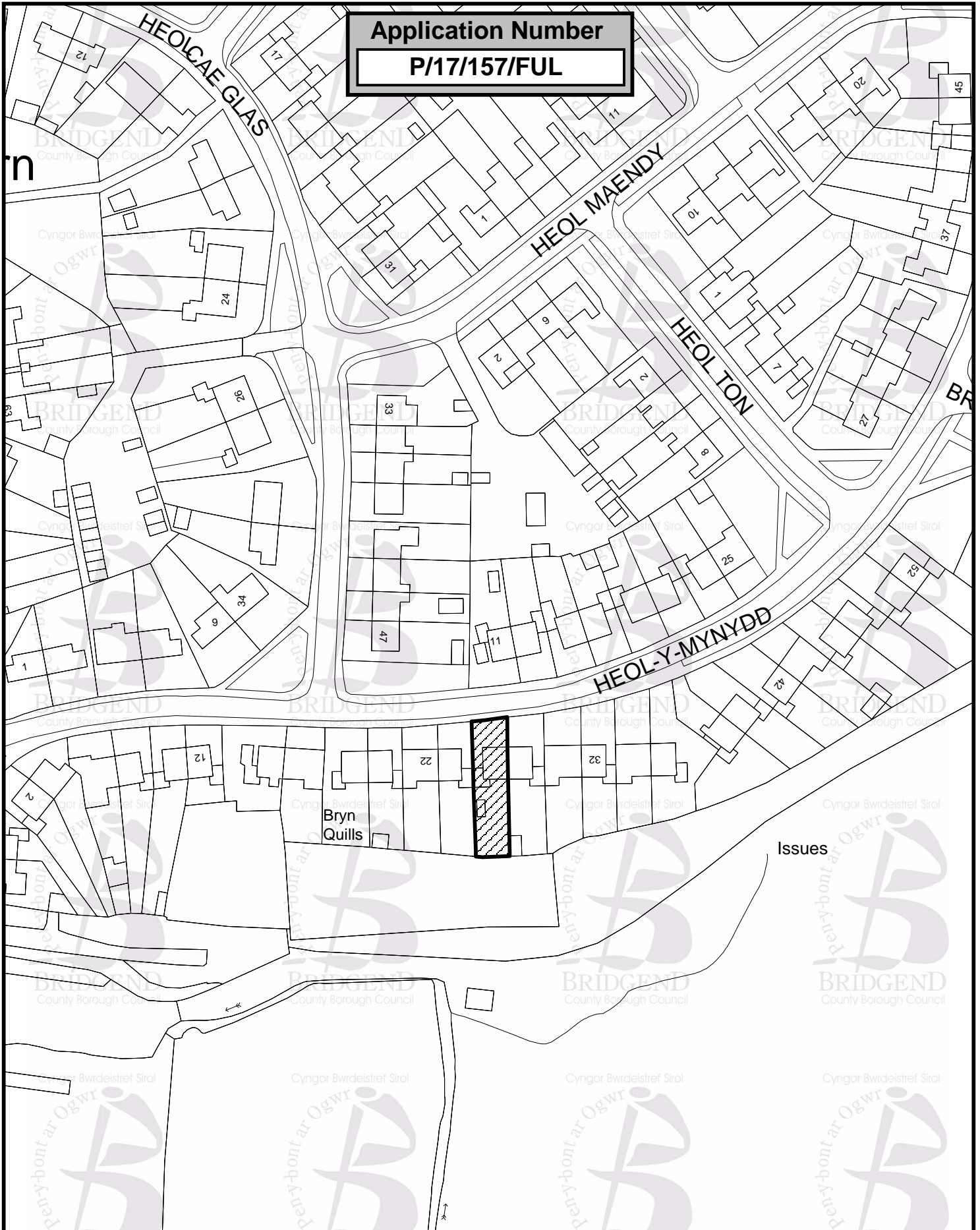
The site itself comprises a semi-detached, two storey property which faces north. The dwelling is positioned forward of the centre of the residential plot of around 300 square metres, adjacent to the eastern boundary of the application site and 28 Heol y Mynydd. The land slopes gently from east to west.



Streetscene View of 26 Heol y Mynydd

Application Number

P/17/157/FUL



Scale 1:1,250

Date Issued:
26/06/2017

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



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

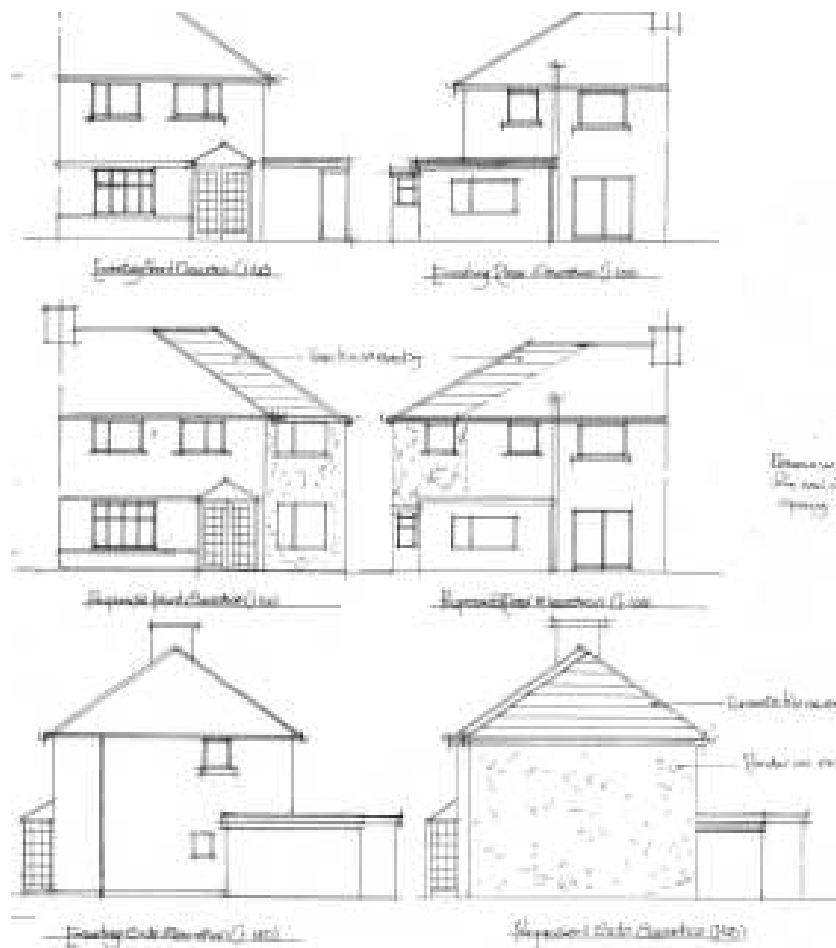
The application was originally referred to the 13 April 2017 Development Control Committee at the Local Member's request. It was deferred to the next scheduled meeting following declarations of interest and an insufficient number of Members to be quorate.

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/17/443/FUL

APPLICANT: Mr Sion Emery Ael y Don, Ty Fry Road, Cefn Cribwr, CF32 0BB

LOCATION: Ael-y-Don Ty Fry Road Cefn Cribwr CF32 0BB

PROPOSAL: Two storey extension to rear & side to provide open plan kitchen / living & wc to ground floor & extend bedroom 3, new master bedroom with ensuite to first floor

RECEIVED: 23 May 2017

SITE INSPECTED: 21 March 2017 and 20 June 2017

APPLICATION / SITE DESCRIPTION

Full planning permission is sought for the erection of a two-storey side and rear extension at Ael Y Don, Ty Fry Road, Cefn Cribwr.

The rear aspect of the extension would have a larger ground floor element measuring 10.2m in width with a projection of 7.0m from the existing rear elevation of the building. The first floor aspect of the proposed rear extension would measure 7.45m in width with a projection of 5.0m, increasing to 6.0m to the southern side of the extension. It would have a flat roof design incorporating a veranda/balcony area to its rear aspect at first floor level. The side extension would have a 2.3m width and pitched, hipped roof design extending to a maximum height of 6.6m from ground level. The extension would have a rendered finish with uPVC door openings. The proposal would allow the enlargement of an existing bedroom and the creation of a fourth bedroom with en-suite at first floor level within the property. At ground floor level a kitchen/family room, wc and utility room would be created.

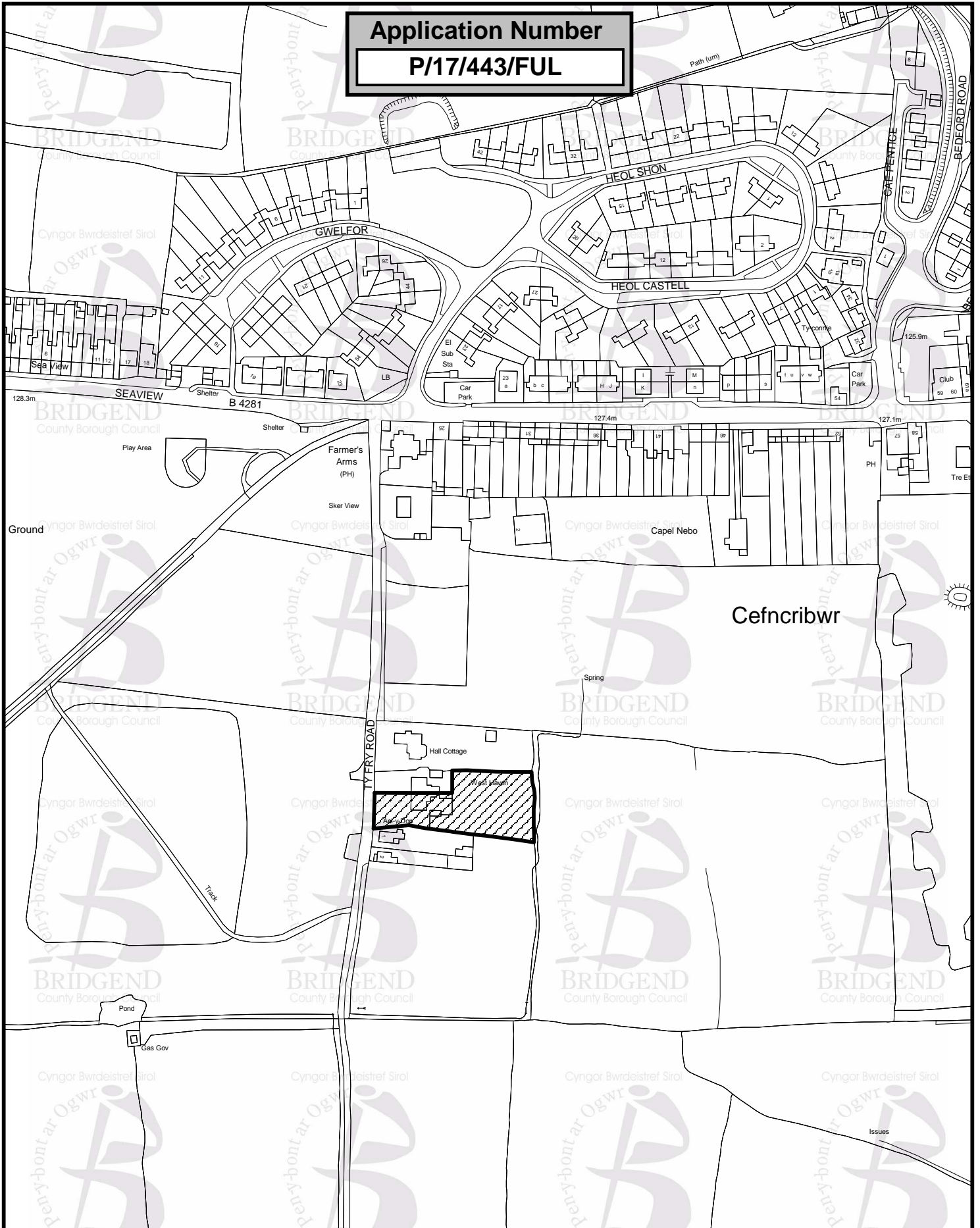
The application property comprises a semi-detached house with a large residential curtilage that is located within a small cluster of remote properties along Ty Fry Road, Cefn Cribwr. The plot benefits from a large rear garden, side garden and front garden that provides off street car parking. Open countryside flanks the rear and front of the site with the application site being situated outside the settlement boundary of the village of Cefn Cribwr.



FIGURE 1. STREET/FRONT VIEW OF APPLICATION PROPERTY

Application Number

P/17/443/FUL



Page 100

Scale 1:2,500

Date Issued:
26/06/2017

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
Pen-y-bont ar Ogwr

BRIDGEND
County Borough Council

The planning application represents the resubmission of a previously refused scheme at the site to erect a side and rear extension (P/17/168/Ful refers) that was considered harmful to the visual amenities of the locality and detrimental to the residential amenities of neighbouring residential properties. The applicant has subsequently revised the scheme in an attempt to overcome the earlier refusal reasons whereby the scale of the first floor aspect of the extension has been reduced and set away from the neighbouring adjoining semi-detached property, a pitched roof design has been introduced to the more visible side extension, finishing materials have been altered to match the existing host dwelling and all the side windows proposed within the extension would now be obscurely glazed in nature.

RELEVANT HISTORY

P/17/168/FUL - Two storey extension to the rear and side of the property for open plan kitchen/living utility and w.c to the ground floor, extend bedroom 3 and new master bedroom with en-suite to the first floor - Refused 19 April 2017.

P/15/194/FUL - Single storey rear extension & double two storey domestic garage, store, study & gym in rear garden - Granted 24 July 2015.

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 26 June 2017.

NEGOTIATIONS

The applicant discussed several revisions with the Planning Office prior to submitting this planning application following the refusal of the earlier planning application (P/17/168/FUL refers).

CONSULTATION RESPONSES

Head of Street Scene (Highways) - No objection.

Cefn Cribwr Community Council Consulted 05 June 2017 - no comments received.

REPRESENTATIONS RECEIVED

Letters of Objection have been received from the following:

Beth Baker 3 Ty Fry Road, Cefn Cribwr

J R Ricketts Hall Cottage, Ty Fry Road, Cefn Cribwr

K G Ricketts Hall Cottage, Ty Fry Road, Cefn Cribwr (owner of West Haven).

G E Davies, 2 Ty Fry Road, Cefn Cribwr

The following is a summary of the planning objections/concerns received by residents:

1. The application shows little alteration to the previously refused scheme at the site.
2. There would be an adverse impact on the residential amenity and privacy of the neighbouring properties with the development unreasonably dominating the outlook of the adjoining properties.
3. The extension would have a direct impact on the privacy and pleasantness of no. 2 Ty Fry Road and result in loss of daylight to West Haven that will generate a need for more electricity use and increase the amount of CO2 emissions.
4. The extension would feel even more oppressive and dominant given Ael Y Don is elevated in nature when compared to 2 and 3 Ty Fry Road.
5. The side windows would overlook neighbouring properties and, if such windows are considered reasonable, it is suggested that these be completely frosted to ensure the privacy of neighbours and those living in Ael Y Don.

6. The proposed balcony would have direct views of neighbouring properties and impact on the privacy of neighbours. When permission was sought for a single storey extension at the site a restrictive condition prevented the use of the roof as a balcony, which should still apply to the current application.
7. The extension would increase the floor area of the original dwelling by more than 50 per cent and would create a discordant and clashing feature that is out of character with the surrounding area.
8. The extension still remains very large and overpowering particularly in comparison with the existing house and the other houses in Ty Fry Road and the wider rural setting.
9. The development would result in the overdevelopment of the plot with the site already benefitting from a large garage/study outbuilding.
10. Concerns raised regarding the drainage of the development.

COMMENTS ON REPRESENTATIONS RECEIVED

1. The applicant has undertaken significant changes to the design and scale of the development proposal in comparison to the earlier refused scheme at the site for the erection of a two-storey rear/side extension. The changes include: the introduction of a pitched roof to the side aspect of the extension, a reduction in the width and proposed projection of the first floor rear aspect of the extension and a change in the proposed finishing materials of the extension from cladding to a rendered finish that is now in-keeping with the host dwelling. The application also now details the use of obscured windows within all the side windows proposed within the extension.

2-6 The impact of the scheme on the residential amenities currently enjoyed in the locality is further considered in the appraisal section of this report with the revised proposal considered acceptable in terms of its impact on the neighbouring residents.

7-8 The visual impact of the development proposal is fully considered in the appraisal section of this report and on balance the scheme is considered acceptable in this regard.

9. It is considered the development would not result in the overdevelopment of the plot given the spacious curtilage of the application site that benefits from a front, rear and side garden area with adequate amenity and vehicle parking/turning space being retained at the site.

10. Whilst acknowledging the concerns raised regarding the drainage of the development it is considered that such a householder planning application does not raise such adverse drainage implications to warrant a recommendation to refuse the planning application in this regard. The drainage of the development would also be subject to Building Regulations approval with the proposed extension being situated on existing hardstanding and, as such, would not generate any significant additional surface water.

APPRAISAL

The application is referred to the Development Control Committee for determination in view of the objections received from local residents (4 letters of objection being received against the planning application at the time of writing this report).

Whilst determining this application Policy SP2 and ENV1 of the Bridgend Local Development Plan (2013) and Notes 1,2,3,6,8,9,11,12,13 and 16 of Supplementary Planning Guidance 02 Householder Development (SPG02 - 2008) were considered. Policy SP2 of the Bridgend Local Development Plan (2013) specifically 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'.

The application seeks planning permission for the erection of a new extension to this semi-detached property that is situated within a small row of residential properties within Cefn Cribwr. The application site is located outside any designated settlement boundary and, as such, it is considered to be within the countryside. The bulk of the proposed two-storey extension would be hidden behind the host property and, as such, it would not be significantly visible from public positions. The element which extends around the side elevation would be visible from the nearest public position being Ty Fry Road.



FIGURE 2. SCHEME AS REFUSED (P/17/168/FUL REFERS)



FIGURE 3. SCHEME AS PROPOSED

The key considerations in the determination of the application are considered to be the impact of the development on the existing character and appearance of the host property and the surrounding locality and the impact of the development on the existing levels of residential amenity and privacy currently enjoyed by neighbouring residential properties.

The proposed works are considered acceptable in terms of their design and overall visual appearance. It is acknowledged the works represent a significant change to the appearance of the existing property with a large extension being proposed in this instance. However, the majority of the addition is proposed to the rear aspect of the building with the more visible side aspect of the extension incorporating a simplistic and sympathetic design that appears subservient to the host property. In comparison to the earlier refused submission (P/17/168/FUL refers) the applicant has significantly revised the scheme whereby a pitched roof to match and harmonise with the host building has been introduced to the most prominent side aspect of the extension. In addition the scale and dimensions of the first floor rear aspect of the extension have been reduced to better relate to the host dwelling. It is also noted that the extension would now incorporate a rendered finish to reflect the finishes of the host property.

Given the application site is situated outside the settlement boundary, regard in this instance has been given to Note 13 of SPG 02 Householder Development that seeks to limit and ensure extensions in the countryside are modest in size and subordinate to the original building. It is acknowledged the collective footprint of the proposed addition would breach 25% of the gross residential footprint of the existing dwelling. However, given the applicant has reduced the size of the proposed addition in relation to the

previously refused scheme, the relatively sympathetic design of the proposed addition and the fact the proposed works would be undertaken to a relatively modern property with spacious curtilage (in comparison to a historic cottage or converted barn for example), on balance, the scheme is considered acceptable in visual amenity terms.

The planning history of the site also highlights an extant permission exists for the erection of a large, flat roofed single storey extension at the property (P/15/194/FUL refers) of comparable footprint to the proposal. Furthermore, the majority of the extension, including the flat roofed aspect that would be erected to the rear of the existing building, would have limited public visibility. On balance and with due regard to the revisions undertaken to the proposal in comparison to the earlier refused scheme at the site, it is considered that the development proposal would not have such a significant adverse impact on the visual amenities of the area or the character and appearance of the wider countryside to warrant a recommendation to refuse the planning application.

In terms of the impact of the scheme on residential amenity and privacy, the development is also considered acceptable. SPG 02 Householder Development Notes 1 and 2 in particular advise new extensions should respect the residential amenity and privacy of neighbouring properties and should not unreasonably dominate the outlook of an adjoining property. The proposed extension, in the main, would be erected alongside a single storey extension positioned to the rear elevation of the neighbouring semi-detached property, known as West Haven. The ground floor aspect of the proposed extension is of comparable projection to the existing neighbouring extension at West Haven, with the first floor aspect of the rear extension being smaller in projection and set away from the direct boundary with the adjacent semi-detached property by approximately 2.75 metres. As such, the two-storey extension would not form an overbearing feature or unreasonably dominate the outlook of the adjoining property.

A small non-habitable room window would be positioned within the north facing first floor aspect of the extension although, as detailed on the submitted plans, this would be obscurely glazed in nature that could also be ensured by means of a recommended planning condition should planning permission be granted for the development. Given the recessed nature of the first floor aspect of the extension when compared to the ground floor aspect it is proposed to introduce a balcony/veranda area to the addition at first floor level. On the basis the sides of the balcony area are appropriately screened by a solid screen from the adjacent properties to prevent any direct overlooking of the neighbouring garden spaces (controlled by means of a recommended planning condition should permission be granted), such a feature is considered acceptable, and would relate to the neighbouring properties in a similar manner to the existing rear windows within the property.

The proposal seeks consent for the insertion of a number of side windows within the south facing elevation of the addition facing toward the rear garden area of 2 Ty Fry Road. Nevertheless, each of these windows would be obscurely glazed and thereby ensure the scheme has no overlooking impact on the adjacent property that is set approximately 7m from the application site. Although the application site is set at a higher level than 2 Ty Fry Road, given the side garden area/parking space that exists to the side of the property and the offset between the proposed siting of the extension and this neighbouring property, the proposal would not have any adverse overbearing or overshadowing impact on this adjacent property. In summary, the planning application is considered acceptable in terms of its impact on residential amenity and privacy levels currently enjoyed in the locality.

Turning to the impact of the scheme on highway safety, the proposed extension would be erected to the rear and southern side of the existing building. A large front hardstanding/vehicle parking area exists at the site that would remain unaffected by the proposal and would provide an adequate level of off-street car parking provision at the site. The Transportation Officer has considered the proposal and advises that the scheme raises no adverse highway safety concerns.

CONCLUSION

Notwithstanding the objections received and with due regard to the amendments undertaken to the scheme, this application is recommended for approval subject to the imposition of conditions, on the basis the development complies with planning policy and guidelines and would not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

RECOMMENDATION

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

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

Proposed plans and elevations Draw.No 1703-02A received 23 May 2016.

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 external surfaces of the approved extension shall match those used in the existing building.

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

3. Notwithstanding the requirements of condition no.1, the window openings positioned within the side facing elevations of the extension shall be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity. The windows shall be fitted prior to the beneficial use of the extension hereby approved commencing and shall then be retained in perpetuity.

Reason: In the interests of residential amenity.

4. Notwithstanding the requirements of condition no.1, prior to the beneficial use of the balcony/ roof terrace hereby approved commencing, a 1.8m high solid and obscure screen shall be erected along both side elevations of the balcony/roof terrace (facing north and south). The screening shall be retained in perpetuity.

Reason: In the interests of residential amenity.

Advisory notes

a. This application is recommended for approval subject to the imposition of conditions, on the basis the development complies with planning policy and guidelines and would not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

b. The applicant is advised that given the proposed extension approaches and would be built close to the boundary of the site due regard must be given to the provisions of the Party Wall etc Act 1996. This Act puts in place a framework of notifications and agreements between neighbours to ensure that development can take place without detriment to adjoining owners.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers
None

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Application Ref: **P/15/368/OUT**

Applicant: JRT, MARDAN (STEVENAGE) LTD C/O C2J ARCHITECTS UNIT 1A
COMPASS BUSINESS PARK PACIFIC ROAD OCEAN PARK CARDIFF

Location: **LAND AT PARC EWENNI EWENNY INDUSTRIAL ESTATE BRIDGEND**

Proposal: **CONSTRUCTION OF UP TO 240 RESIDENTIAL UNITS, 1123 SQ. METRES OF A1/A2/A3/D1/D2 DEVELOPMENT, PUBLIC OPEN SPACE AND HIGHWAY WORKS**

The above mentioned application was considered by the Development Control Committee held on 7 January 2016 (see copy of the original report attached as Appendix 1) when it was resolved to grant outline consent, subject to the applicant entering into a Section 106 Agreement to :-

1. Provide 20% of the residential units as affordable housing units in accordance with the Authority's adopted Supplementary Planning Guidance 13 with the type of units, location within the site, affordable tenure, transfer price and timescale for the transfer to a Registered Social Landlord agreed with the Council.
2. Provide a financial contribution in accordance with the formula and cost guidance contained in Supplementary Planning Guidance 16 towards the provision of additional nursery and primary school places in the school(s) identified as serving the Parc Afon Ewenni Regeneration site.
3. Provide outdoor recreation space in accordance with Policy COM11 of the LDP with arrangements for future management and maintenance to be agreed in writing with the Council.
4. Provide £8,000.00 to fund necessary Road Traffic Orders and signage to achieve appropriate speed restrictions within the development site.
5. Either provide a financial contribution of £475,793.25 to cover the cost of the provision of an active travel route from the application site to the signalised junction of the A473 with the Bridgend Retail Park or alternatively provide the route in accordance with a scheme agreed with the Local Planning Authority in conjunction with the Highway Authority.

The timing of the payment of the financial contributions identified above were to be the subject of negotiation during the drafting of the Agreement with the agreed timing included within the terms of the Section 106 Agreement.

On completion of the required Agreement, the Corporate Director Communities was granted plenary powers to issue notice of the granting of an outline planning permission subject to the conditions contained in the Committee Report. The applicant's agent was advised of the resolution and requested to confirm the applicant's willingness to enter the required legal agreement.

No agreement was received from the applicant's agent but in June 2016, a consultant acting for the developers contacted the Section 106 Officer advising that he had been appointed to review the viability of the proposal. Subsequently a viability appraisal demonstrating that, due to the level of costs involved in developing the land combined with the Section 106 obligations required by the Authority, the development was not viable. A

further appraisal appeared to demonstrate that even with the removal of the proposed Section 106 contributions, the developer's profit margin would be lower than the average developer profit achieved on normal development sites. Initially, the agent requested the Council to review the proposed obligation.

The Council appointed an independent assessor to review the viability appraisal submitted by the developer. Whilst this independent review identified a number of concerns relating to the land valuation, the assessment of the area capable of development as opposed to the overall site area and the quantum of development proposed by the application also concluded that the viability of the site was compromised. In light of the foregoing, the advice of the independent assessor on reduced obligations in respect of affordable housing, the education contribution and the active travel element was sought. Two scenarios were considered :-

Appraisal 1 : 5% affordable housing, 50% Active Travel contribution

Appraisal 2 : 5% affordable housing 50% Active Travel contribution and 50% Education contribution.

The advice confirmed that the profit on cost needs to be at a minimum of 20% and that the land values need to be a minimum of £300,000.00 per acre. The sensitivity analysis that accompanied the appraisals highlighted that there would need to be an increase in sales value of approximately 7% in respect of Appraisal 1 or just under 6% increase in sales values for Appraisal 2. In light of the foregoing, it is considered that it is appropriate to revise the Head of Terms proposed to be included within the Section 106 Agreement.

Following further exchanges between the applicant's agent and the case officer, the consortium has requested that the Heads of Terms be amended to:-

- Provide 5% of the residential units as affordable housing units with the type of units, location within the site, affordable tenure, transfer price and timescale for the transfer to a Registered Social Landlord agreed with the Council.
- Provide a 50% financial contribution in accordance with the formula and cost guidance contained in Supplementary Planning Guidance 16 towards the provision of additional nursery and primary school places.
- Provide outdoor recreation space in accordance with Policy COM11 of the Bridgend Local Development Plan with arrangements for future management and maintenance to be agreed in writing with the Council.
- Provide £8,000.00 to fund necessary Road Traffic Orders and signage to achieve appropriate speed restrictions within the development site.
- Either provide a financial contribution of £208,000.00 towards the provision of an active travel route from the application site to the signalised junction of the A473 with the Bridgend Retail Park or alternatively provide the route in accordance with a scheme agreed with the Local Planning Authority in conjunction with the Highway Authority.
- Provide internal road infrastructure through the development site up to the boundary line of:

- (i) The adjoining land to the east of the application site owned by the Local Planning Authority; and
- (ii) A point that is 0.5 metres away from the application site boundary with the land to the west owned by South Wales Police.

It is noted that these terms are those considered by the assessor as Appraisal 2 referred to above and it is therefore considered reasonable, in light of the viability issues, to agree to amend the Heads of Terms.

Furthermore, the process of redeveloping the former depot element of the wider mixed use allocation within the LDP, immediately to the east of the application site, is at a relatively advanced stage and there is a high level of certainty that this will be carried forward for residential use.

The extension of the access through the site and into this land will remove the need to establish an additional, separate access and will provide a much larger developable area whilst removing a non-conforming industrial use. The advantage is that a larger part of this allocated area will be developed strategically in accordance with the aims of the adopted LDP and masterplan.

It is therefore considered that, whilst the reduced contributions is not an ideal situation, this must be looked at in terms of the overall redevelopment of the allocated land and needs to be balanced against the provision of serviced access into the adjoining site. It is considered that the negotiated outcome will assist in facilitating the provision of a crucial part of the infrastructure to the benefit of the regeneration of this area in the wider interest and will not prevent future development from focusing on the provision of other contributions in terms of affordable housing and education.

In view of the above the amended heads of terms is considered acceptable.

RECOMMENDATION

That the terms of the required Section 106 be amended to:-

- Provide 5% of the residential units as affordable housing units with the type of units, location within the site, affordable tenure, transfer price and timescale for the transfer to a Registered Social Landlord agreed with the Council.
- Provide a 50% financial contribution in accordance with the formula and cost guidance contained in Supplementary Planning Guidance 16 towards the provision of additional nursery and primary school places.
- Provide outdoor recreation space in accordance with Policy COM11 of the Bridgend Local Development Plan with arrangements for future management and maintenance to be agreed in writing with the Council.
- Provide £8,000.00 to fund necessary Road Traffic Orders and signage to achieve appropriate speed restrictions within the development site.
- Either provide a financial contribution of £208,000.00 towards the provision of an active travel route from the application site to the signalised junction of the A473 with the Bridgend Retail Park or alternatively provide the route in accordance with a

scheme agreed with the Local Planning Authority in conjunction with the Highway Authority.

- Provide internal road infrastructure through the development site up to the boundary line of:
 - (iii) The adjoining land to the east of the application site owned by the Local Planning Authority; and
 - (iv) A point that is 0.5 metres away from the application site boundary with the land to the west owned by South Wales Police.

**MARK SHEPHARD
CORPORATE DIRECTOR**

Background papers

Appendix 1 : Copy of original report to DC Committee 7/1/2016

RECOMMENDATION : SECTION 106

REFERENCE: P/15/368/OUT

APPLICANT: JRT,MARDAN (STEVENAGE) LTD, LODGEGROUND
C/O C2J ARCHITECTS UNIT 1A COMPASS BUSINESS PARK PACIFIC ROAD OCEAN PARK, CARDIFF

LOCATION: LAND AT PARC EWENNI EWENNY INDUSTRIAL ESTATE BRIDGEND

PROPOSAL: CONSTRUCTION OF UP TO 240 RES. UNITS, 1123M.SQ OF A1/A2/A3/D1 /D2 DEVELOPMENT, PUBLIC OPEN SPACE & HIGHWAY WORKS

RECEIVED: 3rd June 2015

SITE INSPECTED: 10th July 2015

APPLICATION/SITE DESCRIPTION

This application was included on the agenda for the November Committee but a request to defer consideration was granted at the meeting. Reproduced below is the original report. The observations of the Highways Department have now been received and are included within the Consultation Responses with the additional suggested conditions and planning obligation relating to the provision of an active travel route linkage from the application site to the wider community.

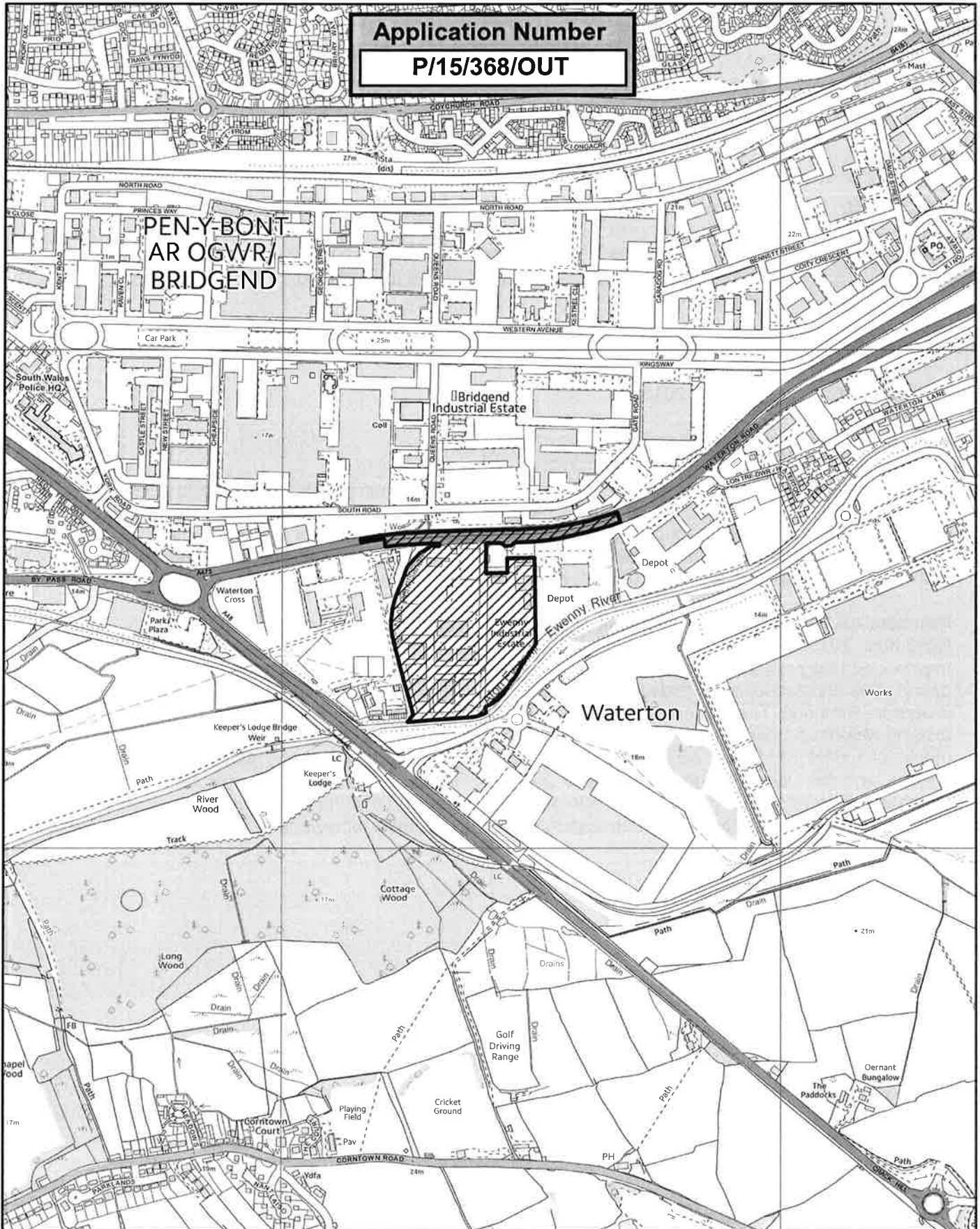
Members will recall that a Development Control Committee Site Visit was undertaken on 25 November 2015. The application proposes the construction of up to 240 residential units together with the provision of 1,123sq.m.of A1/A2/A3/D1 and D2 development, provision of public open space and associated highway infrastructure on land on the southern side of the A473 at Waterton, Bridgend. The site encompasses the car sales enterprise on the western side of the existing western access, the Penybont Gym and commercial unit, all of the units on the Eweny Industrial Estate which are accessed from a secondary access point to the west of Travis Perkins and the John Raymond Transport Depot but excludes the Travis Perkins Builders Merchants. The application is in outline with all matters reserved for future consideration apart from access. The application has been accompanied by a number of reports in respect of the following matters:-

- * Transport Assessment
- * Flood Consequences Assessment
- * Drainage Strategy Report
- * Utilities Report
- * Air Quality Assessment
- * Environmental Noise Assessment
- * Phase 1 Geo Environmental Report
- * Extended Phase 1 Habitat Survey and Bat Emergence Check.

The Indicative Site Layout, which forms part of the submission, indicates that access into the site will be obtained via a new traffic light controlled junction located adjacent to the watercourse that runs along the western site boundary and approximately where the car sales building currently exists. A principal spine road leads in a southerly direction from the access point until it meets an internal spine road running east-west, which provides linkages into future developments to the west on the South Wales Police Ground and to the east on Council owned land. A commercial hub containing A1/A2/A3 uses and retaining the existing Penybont Gym facility is shown on the western side of the north/south spine road. Residential development is proposed to surround this commercial hub with an area of approximately 1.8 acres of public

Application Number
P/15/368/OUT

**PEN-Y-BONT
 AR OGWR/
 BRIDGEND**



	<p>Scale 1:10,000</p>	<p>Mark Shephard Corporate Director-Communities</p> <p>Communities Directorate, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.</p> <p><i>O/Drive/Plandraw/new MI layouts/ Committee DC Plan</i></p>	<p>(c) Crown Copyright and database rights (2015) Ordnance Survey (100023405)</p> <p>(c) Hawlfraint a hawliau cronfa ddata'r Goron (2015) Rhif Trwydded yr Arolwg Ordnans (100023405)</p> <p>(c) Cities Revealed Aerial Photography copyright, The GeoInformation Group (2009)</p>	
	<p>Date Issued: 18/11/2015</p>			
	<p>Development-Mapping Tel: 01656 643176</p>			

open space located in the south western corner of the site. The separate existing access into Travis Perkins will be retained.

RELEVANT HISTORY

P/10/351/FUL APPROVED 15-07-2010
+conditions
CHANGE USE FROM TRANSPORT DEPOT TO CHILDRENS PLAY & CHILDCARE FACILITY, COMMERCIAL GYMNASIUM & CATERING FACILITY

P/96/374/OUT WITHDRAWN 21-08-1996
RETAIL SALES MOTOR CARS GARAGE AND SHOWROOM FACILITIES

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 16th July, 2015.

NEGOTIATIONS

Considerable discussion has taken place between the Public Protection Department and the applicant's acoustic consultants regarding the submitted Environmental Noise Assessment. In addition the Transport Assessment, which accompanies the submission, has been forwarded to transport consultants acting for the Council for consideration and audit. A report prepared by the Council's consultants has been forwarded to the applicant's agent to seek clarification on a number of aspects of the highway proposals and a rebuttal statement has been received from the applicant's transport consultants. Assessment of this statement is currently ongoing and an update and the formal observations of the Highways Department, if available will be reported to Committee on the Addendum Sheet.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 18th June 2015

Councillor E Venables

Objects to this application on the following grounds:-

1. Installation of traffic lights:-

- (a) Consider that these will extend the journeys of residents living at Waterton Close;
- (b) Same problem will occur for future residents where Council Depot is currently;
- (c) Residents and other travellers may drive into the development site and turn around rather than using Waterton Cross roundabout;
- (d) In the original Masterplan there was to be a roundabout which would alleviate extra journey times and keep A473 free flowing.

2. Displacement of traffic - Traffic may either use the B4181 to travel to Bridgend town or use the road near the Ford Plant to access the A48. This already occurs but consider that more locals will do this if traffic lights are installed.

3. Transport Assessment - this estimates the number of residential units on the entire allocation

within the Local Development Plan and predicts a flow. This prediction does not take into account the redevelopment of the eastern section of the LDP allocation. In addition predictions are based on peak hours whereas there are also high volumes at other times and therefore consider that overall usage should be used.

4. Issues for new residents at Parc Afon Ewenni - some of roads appear not to include turning facilities; footpath connections between the different roads should be included; parking spaces for retail area/gym appear too limited; lack of children's play area; any previous contamination by Ordnance Factory should be dealt with prior to occupation of the site; noise barrier/mitigation would need to be incorporated into redevelopment; visual screening around Travis Perkins and central gym/retail area should be included in the scheme and that residential properties are provided with adequate rear private amenity space rather than at the front of the property.

Head Of Street Scene (Highways)

The proposed development has been supported by a transportation assessment, which has been independently checked by the Council's consultants. Whilst the conclusions indicate that the proposed signalised junction at the site access and the wider highway network will accommodate the development traffic, there will be a delay to through traffic along the A473. It should be appreciated, however, that the current extant uses on the site could generate a significant increase in traffic, particularly heavy goods vehicles along the A473 corridor if returned to full use. With the current multiple accesses onto the westbound carriageway, these movements need to utilise the roundabout junctions at Waterton and Coychurch to undertake "U" turns to access/egress the site, which currently affect the efficiency of the two signalised roundabouts. The proposed access arrangements are considered to improve the current situation by reducing the number of access point, providing an all movement junction to reduce "U" turn movements at the Waterton and Coychurch roundabouts whilst also providing controlled pedestrian/cycle crossing facilities across the dual carriageway.

Whilst the submitted Transport Assessment addresses issues of vehicular movements generated by the development, its content does not fully accord with the Planning Policy Wales and TAN18 in relation to sustainable travel and the provisions of the Active Travel Act have not, therefore, been adequately considered. Despite pre-application advice in this regard and requests for further information, the developer has not provided suitable proposals for the linkages to the wider urban area in accordance with Policy PLA8 of the Local Development Plan. In this respect, the requirements of Policy PLA7 and feasibility work already carried out by the Council's consultants together with the location of reasonable public transport provision, retail and employment facilities and onward links to community facilities have been considered and it has been judged appropriate to require the developer to either provide the linkage or provide a financial contribution to the Authority for the provision of this facility. Without such links, the site would not be considered appropriate for residential use, being remote from services and requiring children residing on the site to be transported to schools.

The assessment of the Transport Assessment indicated that junction design will need to be amended to include for an increase in capacity by providing an extended right turn lane of 45m on route A473 into the site. It is considered that this can be addressed by the imposition of an appropriately worded condition.

The residential site will ultimately need to be covered by a 20mph speed restriction and the developer will also be required to fund the necessary Traffic Orders and signage via a planning obligation.

In light of the foregoing and the fact the development is in outline with all matters reserved other than means of access, the Highways Authority raises no objection subject to conditions.

Head Of Street Scene (Drainage)

No objection subject to condition.

Natural Resources Wales

No objection subject to conditions.

Welsh Water Developer Services

No objections.

Crime Prevention Design S.Wales Police

Detailed observations providing advice on designing out crime and security issues are submitted for the information and consideration of the developer.

Group Manager Public Protection

Concern raised regarding the assessment of potential noise from adjacent Police facility with regard to dogs and firearms training.

REPRESENTATIONS RECEIVED**The Concerns And Objections Received From Local Residents, Can Be Summarised As Follows:-**

Objections received from 6 Duffryn Close, 25 Waterton Close and 15 Waterton Close:-

1. Access from the development site onto the A473 via new traffic light controlled junction will be problematic and cause significant delays for traffic approaching the Waterton roundabout from the east particularly the residents of Waterton Close.
2. It is suggested that access to the development site should be re-directed to the A48.
3. A roundabout controlled junction at the access to the development site would be more appropriate.
4. The additional traffic and the access proposals will represent a safety hazard to school children crossing the A473 and walking to school in Coychurch.

COMMENTS ON REPRESENTATIONS RECEIVED

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

Proposed Traffic Lights - The Transport Assessment demonstrates that, even at peak times, journey times will not be so significant as to warrant refusal of the scheme. Whilst the Masterplan Framework and Delivery Strategy for the wider Parc Afon Ewenni Regeneration Area prepared in November, 2011 contained a suggestion for a roundabout controlled access to the east of the application site, this framework has not been formally adopted as Supplementary Planning Guidance. The Transport Assessment is considered to demonstrate that the proposed traffic lights will adequately control traffic flows. With regard to the future impact in the event that the Council owned land to the east of the application site is redeveloped, this would be a matter to be assessed at that time.

Displacement of traffic - It is considered that both existing users of the A473 and future traffic generated by the proposed development will access both of these alternative routes via the traffic light controlled junction as there will be no direct access across the River Ewenny to the south.

Transport Assessment - Any future redevelopment of the land to the west owned by the South Wales Police Authority or similarly land to the east owned by this Council will have to provide their own transport assessments based on the traffic conditions prevailing at the time of submission.

Internal Issues within Development Site - The application is in outline with all matters other than access reserved for future approval and, therefore, the submitted layout is purely indicative. Appropriate road widths, car parking levels, turning facilities would be matters to be resolved at reserved matters or detailed application stages should this application be approved. Issues relating to contamination, noise mitigation and the provision of adequate screening/landscaping can be satisfactorily addressed by appropriately worded conditions in the event that this submission is favourably recommended.

APPRAISAL

The application is referred to Committee to consider the concerns and objections raised by the Ward Member and local residents.

During the site inspection, it was noted that the land is reasonably flat in nature. Other than the car sales enterprise, much of the northern section of the site is vacant and is already hard surfaced. Much of the southern section of the site is occupied by the existing unit occupied by Penybont Gym and Econotherm Ltd and the remaining six units on the Ewenny Industrial Estate. The eastern sector of the site is currently occupied by John Raymond Transport Depot which comprises lorry parking and staff car parking with three buildings abutting the eastern site boundary. A landscape buffer of mature trees separates the application site from the River Ewenny, which runs to the south of the site and similarly a buffer runs along the western site boundary adjacent to the watercourse that runs in a north/south direction and joins the River Ewenny in the south western corner of the site. An area of grassland/open space lies immediately to the east of application site and surrounds the County Supplies Building.

The indicative site layout shows access obtained by a single traffic light controlled junction with the A473 located slightly to the west of the existing westernmost access. A commercial hub centred on the retained Penybont Gym/Econotherm building is to be surrounded by residential development but an area of public open space will occupy the southernmost section of the site adjacent to River Ewenny.

The application site forms one part of a larger regeneration and mixed use development scheme as allocated by Policy PLA3(4) of the Bridgend Local Development Plan (LDP). The aim of this allocation is the regeneration of a brownfield and under-utilised site within defined settlements that provides an appropriate mix of land uses. The Policy requires implementation of the identified schemes to be in accordance with a master plan/development brief and/or appropriate planning/highway agreements. In this case, a Masterplan Framework and Delivery Strategy document was prepared in November, 2011 but this has not been formally adopted as Supplementary Planning Guidance. Notwithstanding that the application site forms only part of the overall allocation, it is considered that the indicative layout is generally compatible with the uses proposed within the Development Framework Plan contained in that document.

The allocation proposes to deliver a mix of uses comprising residential development (COM1(3)), improvements to the transport network (PLA8(4)), B1/B2/B8 employment development (REG1(6)), a small scale local service centre (REG5(5)), a community building (COM9(6)) and accessible natural greenspace (COM13(7)).

The application includes for the provision of up to 240 dwellings, the provision of 1123sq.m. of A1/A2/A3/D1/D2 development, public open space and associated highway infrastructure. Taking each of the elements in turn, the residential development is considered to be of an acceptable density and is considered to be in accordance with the LDP.

The application triggers Policy COM5 of the LDP, which in this location requires 20% of dwellings to be provided as affordable housing to be transferred to a registered social landlord (RSL) with an appropriate tenure to be agreed between the applicant and the Housing Strategy Department. As the application is in outline and the total number of units is not yet known, the affordable housing requirement should be expressed as a percentage in a Section 106 Agreement.

The application is also subject to the requirements of Supplementary Planning Guidance (SPG) 16 Educational Facilities and Residential Development. The Children's Directorate have been consulted to ascertain the impact the proposed development will have on local education facilities. According to the formula contained in the SPG, the proposal will generate up to 12 Nursery, 53 Primary, 43 Secondary and 9 Post 16 age children. Local Primary Schools are all at capacity and are forecast to remain so for the foreseeable future. A contribution based on the formula and cost guidance in SPG16 is therefore likely to be requested for Nursery and Primary age children from this site. There is, however, sufficient capacity to accommodate Secondary and Post 16 age children generated by the development. It is important to note that the Section 106 Agreement will need to specify how a contribution would be used to provide additional capacity.

With regards to the A1/A2/A3/D1/D2 development, Policy REG5 recognises the important role local shopping and commercial facilities play in serving their communities, especially in areas of housing growth. Policy REG5(3) therefore facilitates the provision of a new locally scaled service centre of up to 2,000sq.m. to serve the wider regeneration site. As such, whilst agreeing the acceptability of this element of the application in principle, it is important to ensure that any consent is conditioned or appropriately tied to a legal agreement to ensure that the commercial elements of the scheme are implemented and not left vacant after the residential development is constructed. As a minimum, this should secure the provision of serviced land ready for construction, ensure appropriate highway access is provided and ensure that the developer carries out any profiling or levelling of the land as deemed necessary.

With regards to the public open space to be provided as part of the proposals, Policy COM 11 of the LDP requires the provision of a satisfactory standard of outdoor recreation space, which is defined as 2.4 hectares per 1000 people. For a proposal of up to 240 dwellings, this amounts to approximately 1.3 - 1.4 hectares to consist of a combination of outdoor sport, children's play space, allotment provision and accessible natural green space. BCBC's open space audits reveal a general deficit of facilities per head of population in this location. The provision of such facilities must also be considered in the context of the wider regeneration scheme.

Finally, with regard to the delivery of Policy PLA8(4) (requiring improvement to the local highway network) as part of the PLA3(4) mixed use development the Highway Department's assessment of the impact of the proposals on the surrounding highway network has now been completed and concludes that subject to appropriate planning obligations relating to road traffic orders and the provision of an active travel route, required by Policy PLA7(4) and conditions, the development is acceptable.

Policy SP14 acknowledges that the provision of planning obligations can affect the viability of residential development and, therefore, the aforementioned requirement can be subject to negotiation.

The application has been accompanied by a Flood Consequences Assessment(FCA) given that the River Ewenny abuts the southern boundary and the Nant Pont Y Sanau runs along the western site boundary. The assessment confirms that the site is predominantly outside the area which is susceptible to flooding with the layout designed so that any highly vulnerable development will not be located within the identified C2 Flood Zones of the above mentioned watercourses. Natural Resources Wales has confirmed that it agrees with the conclusions of the FCA that the site is not at risk of flooding from fluvial sources.

In respect of ecological and environmental issues, a detailed Extended Phase 1 Habitat Survey and Bat Emergency Check were submitted with the application. The Survey confirms that no evidence of protected species was recorded on the site. Given the site is already largely hard surfaced, there will be no significant loss of natural habitats and the indicative layout shows the retention of the trees and hedgerows currently existing along the application site boundaries. In this regard the development proposals are considered to be compatible with Policy ENV6 of the LDP which requires the retention, conservation or enhancement of existing natural features.

Policy ENV7 of the LDP states that development proposals will only be permitted where it can be demonstrated that they would not cause or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity due to air pollution, noise pollution, contamination and water pollution. In this regard the submission has also been accompanied by a Geo-environmental Site Assessment to identify possible land contamination hazards and geotechnical hazards. The report considered the previous history of the site and noted that the former Royal Ordnance Factory occupied the land immediately to the north of the site and includes an area south of the A473 potentially used as a "Burning Ground" for the destruction of any rejected munitions. The report concludes that there is a low/medium risk from unexploded ordnance on the site and Natural Resources Wales considers that the biggest risk from a pollution viewpoint would occur during the construction phase. A number of conditions requiring a pollution prevention method statement and further contamination investigation studies have been recommended to ensure that these issues are adequately addressed. Similarly, a condition requiring a comprehensive and integrated drainage system for the development can be imposed to ensure that effective facilities are provided to serve the development, that flood risk is not increased and in the interests of pollution prevention.

With regard to noise pollution, as indicated in the observations received from the Public Protection Department, notwithstanding that an environmental noise assessment has been provided, there remains concern about the impact of noise emanating from the adjoining South Wales Police Ground, which have not been adequately assessed. It has been acknowledged that, as the application is in outline, conditions requiring further noise surveys to assess the noise generated by the Police Dog Kennels and any external tactical training exercises and the impact on any residential development to be located in the vicinity of these noise sources can be imposed.

During the processing of the application Policies PLA3(4), COM1(3), COM4, COM5, COM9, REG1, REG5, SP2, ENV6, ENV7, PLA7, PLA8 and PLA11 of the Bridgend Local Development Plan were considered.

CONCLUSION

The application is recommended for approval as the development is considered to comply with National and Council policies and guidelines and will not adversely impact on privacy, visual amenities nor on highway safety along the A473. The development proposal represents an opportunity to rationalise access points from the southern west bound carriageway of the A473 and contribute new dwellings including an element of affordable housing in accord with the allocation Policy PLA3(4) of the Bridgend Local Development Plan.

RECOMMENDATION

(A) The applicant enter into a Section 106 Agreement to

* Provide 20% of the units as affordable housing units in accordance with SPG13. The Section 106 Agreement will provide for these units to be transferred to a Registered Social Landlord, with the type of units, location within the site, affordable tenure, transfer price and timescale for delivery to be agreed by the Council.

* Provide a financial contribution in accordance with the formula and cost guidance in SPG16 towards the provision of additional nursery and primary school places in the schools serving the Parc Afon Ewenni regeneration site.

* Provide outdoor recreation space in accordance with Policy COM11 of the LDP with arrangements for future management and maintenance to be agreed in writing by the Council

* Timing of the payment of the financial contributions is subject to negotiation and will be included in the Section 106 Agreement with phased payments likely to be agreeable.

* Provide £8,000.00 to fund necessary Road Traffic Orders and signage to achieve appropriate speed restrictions within the development site.

* Either provide a financial contribution of £400,000.00 to cover the cost of the provision of an active travel route from the application site to the signalised junction of the A473 with the Bridgend Retail Park or alternatively provide the route themselves in accordance with a scheme agreed with the Local Planning Authority in conjunction with the Highway Authority.

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

1 The consent, hereby granted, relates to the development of the land outlined in red on the 1:2500 scale Location Plan (Drawing No SK(00)01) for up to a maximum of 240 residential units, 1,123 sq.m. of A1/A2/A3/D1/D2 development, public open space and highway infrastructure.

Reason : For the avoidance of doubt and confusion as to the nature and extent of the approved development.

2 Before any detailed or reserved matters applications are submitted a comprehensive Development Brief and Phasing Plan covering the entire development site shall be submitted to and agreed in writing by the Local Planning Authority. The Brief and Phasing Plan shall provide a robust framework and establish over-arching principles and parameters, design principles and materials palette, landscaping and programming or phasing of works including the provision of the commercial hub and access thereto. The development within the site shall thereafter conform to the agreed Development Brief and Phasing Plan.

Reason : To ensure that the development is undertaken in an orderly and co-ordinated manner in the interests of visual and residential amenity and highway safety.

3 Prior to the submission of any reserved matters or full applications, a further noise survey shall be undertaken, the scope and methodology of which shall be agreed in writing with the Local Planning Authority prior to the survey being undertaken. Thereafter a report which shall include an assessment of the noise generated from the South Wales Police Dog Kennels and external tactical training exercises involving the use of firearms, and the impact that these could have on the proposed residential developments. The report shall also include a mitigation scheme to demonstrate that noise will achieve an appropriate level, to be agreed with the Local Planning Authority. The mitigation scheme shall thereafter be implemented in full prior to the occupation of any dwellings, which have been indicated in the report as being adversely affected by these noise sources.

Reason : To safeguard the residential amenities of future occupiers on the site.

- 4 Not more than 1 unit or any equivalent floor area up to 300 sq.m shall be used for purposes under Class A3 (Food and Drink) as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order. In addition not more than 1 unit or any equivalent floor area up to 300 sq.m shall be used for purposes under Class A2 (Financial and Professional Services) as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason : For the avoidance of doubt as to the extent of the approved uses within the commercial hub and to ensure that a balance of uses are provided in the interests of the future vitality and viability of the hub.

- 5 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul drainage, highway, surface water, including the means to prevent run off from driveways and parking bays discharging onto the highway, roof and yard water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the agreed scheme prior to the development being brought into beneficial occupation.

Reason : To ensure safe drainage of the site

- 6 A buffer strip a minimum of 7 metres wide, measured from the top of the bank, should be left free from development (including residential gardens) along the bank of the watercourses (River Ewenny and the Nant Pontysanau) and be so retained in perpetuity.

Reason : For the protection of the riparian corridor and the wildlife that uses it for foraging, shelter and movement.

- 7 No development shall commence on site until a Method Statement detailing all necessary pollution prevention measures for the demolition and construction phases of the development has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement should identify the following as a minimum:-
- * Storage facilities for all fuels, oils and chemicals;
 - * Details on any water features on the site and how they will be protected;
 - * Full details of how any watercourse will be crossed or confirmation that this is not applicable;
 - * Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on the site;
 - * Details of the nature, type and quantity of materials to be imported onto the site;
 - * Measures for dealing with any contaminated material (demolition waste or excavated waste);
 - * Details on waste types that will be produced and how they will be managed;
 - * Details of any invasive species that may be present on the site and how they will be managed;
 - * Identification of any buried services, such as foul sewers, so that they are protected;
 - * Details of emergency contacts and procedures.

The development shall thereafter be undertaken in accordance with the agreed Method Statement which shall if necessary be efficiently communicated to all contractors and sub-contractors with any deficiencies rectified immediately.

Reason : In the interests of preventing pollution.

- 8** No development shall commence on site until details of a scheme to deal with the risks associated with contamination of the site has been submitted and agreed in writing by the Local Planning Authority. The scheme shall, as a minimum, comprise the following:-
- * A preliminary risk assessment which has identified all previous use, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks from contamination at the site;
 - * A site investigation scheme based on the above risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site;
 - * The site investigation results and the detailed risk assessment and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - * A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components will require the express consent of the Local Planning Authority. The development shall thereafter be undertaken in accordance with the agreed scheme.

Reason : For the protection of the controlled waters at the site, which are of high environmental sensitivity being on Secondary A Aquifer and to prevent contamination.

- 9** Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the agreed remediation strategy and the effectiveness of the remediation shall be submitted to and agreed in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the Local Planning Authority.

Reason : To demonstrate that the remediation criteria relating to controlled waters have been met and to secure long term monitoring of groundwater quality thereby ensuring that there are no remaining unacceptable risk to controlled waters following remediation of the site.

- 10** If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted to and obtained the written consent of the Local Planning Authority for an amendment to the agreed remediation strategy detailing how this unsuspected contamination shall be dealt with. Thereafter such previously unidentified contamination shall be remediated in accordance with the agreed amendment prior to the development being brought into beneficial use.

Reason : Given the extent and complexity of the site, there is the potential for previously unidentified areas of contamination that could pose a risk to controlled waters unless appropriately remediated.

- 11 No infiltration system for the disposal of surface water drainage into the ground is permitted until details have been submitted to and agreed in writing by the Local Planning Authority. Such permission will only be given for those parts of the site where it has been demonstrated that there is no resultant risk to controlled waters. The scheme shall thereafter be implemented in accordance with the agreed scheme.

Reason : To prevent pollution from inappropriately located infiltration systems.

- 12 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason : To safeguard against the pollution of controlled waters from in appropriate methods of piling.

- 13 There shall be a minimum distance of 12m between front habitable room windows of different dwellings directly facing each other within the development site and a minimum distance of 21m between any other habitable room windows of different dwellings directly facing each other.

Reason : In the interests of privacy.

- 14 The plans and particulars submitted in accordance with the reserved matter in respect of landscaping above shall include:-

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs(c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site.

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

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

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

Reason : To ensure that the general amenities of the area are protected.

- 16 No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority a scheme for the provision of a traffic signal controlled junction at the site access together with closure of existing accesses to Compact Cars/Penybont Gymnastics and Ewenny Industrial Estate and reconfiguration of the Travis Perkins access, broadly in accordance with Drawing No 15441/C/SA/95/100/A03 (Appendix G of the Transport Assessment submitted by Watermans) incorporating road markings, traffic signage and pedestrian and cycle crossing facilities. The scheme shall be accompanied by full engineering details of the junctions, stage 2-4 Road Safety Audits and an Active Travel route audit to support the suitability of the proposed crossings for cyclists. Such a scheme shall be implemented as approved in permanent materials before any dwelling or commercial unit on the development is brought into beneficial use.

Reason : In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

- 17 The easternmost access shall be used to serve Travis Perkins and the County Supplies Depot only and there shall be no vehicular link into or from the development site hereby approved.

Reason : In the interests of highway safety

- 18 Any reserved matters submission shall provide for an internal circular route within the development site suitable for public transport services to serve the development. This route shall be not less than 6.5metres wide with appropriate lane widenings on bends.

Reason : In the interests of highway safety and promoting sustainable travel.

- 19 No individual property or commercial unit shall be served by an individual direct vehicular access onto the A473.

Reason : In the interests of highway safety.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) The application is recommended for approval as the development is considered to comply with National and Council policies and guidelines and will not adversely impact on privacy, visual amenities nor on highway safety along the A473. The development proposal represents an opportunity to rationalise access points from the southern west bound carriageway of the A473 and contribute new dwellings including an element of affordable housing in accord with the allocation Policy PLA3(4) of the Bridgend Local Development Plan.

(b) The developer is reminded that this consent relates to the redevelopment of the site in the proposed manner only and any demolition works, required to facilitate future development, shall

be the subject of separate demolition prior notification submissions, which should include a full demolition method statement.

(c) Foul and surface water shall be drained separately.

(d) No surface water will be allowed to discharge to the public highway or the public sewerage system.

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

(f) The proposed development site is crossed by a 1575mm combined public sewer with the approximate position being marked on the attached observations received from Dwr Cymru/Welsh Water. Under the Water Industry Act, Dwr Cymru/Welsh Water has rights of access to its apparatus at all times. No part of any building will be permitted within 8 metres either side of the centre line of the public sewer

(g) In order to satisfy the drainage conditions, the following information will be required :-

- * Agreement of surface water discharge rate to existing watercourses including main river;
- * Submission and agreement of hydraulic design, including an in principle agreement from Dwr Cymru/Welsh Water with regard to adoption;
- * Submission and agreement of details with regard to the management of any existing land drainage;
- * Submission and agreement of management and maintenance regime for any private elements of the attenuation system;
- * Obtaining appropriate consents in relation to any works affecting adjacent watercourses including the main river.

(h) The observations received from Crime Prevention Design Advisor are attached for the developer's information and consideration.

(i) The developer is advised that any future development on the site should include for future internal accesses to the adjoining allocated development sites to the east and west of the application site.

**MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None

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.
AS 8a	15	P/14/388/FUL

The site was inspected by the Development Control Committee on Wednesday 6 January 2016. The Ward Member and agent were in attendance.

The agent submitted a letter on 5 January 2016 advising that he would not be able to attend the Development Control Committee due to other long standing work commitments. The agent requested that the Committee be informed that this should not be regarded as disrespectful on the applicants and agents behalf.

Recommendation

The following condition be added:-

14. No structure, erection or planting exceeding 0.9m above carriageway levels shall be placed within the vision splay areas as shown on drawing CD/PR/01 at any time.

Reason: In the interests of highway safety.

The following note be added:-

- p) The developer is advised to undertake appropriate ground investigations to ensure there is suitable ground stability within the site.

AS 8b	27	P/15/368/OUT
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The recommendation that the applicant enter into a Section 106 Agreement to provide a financial contribution of £400,000.00 to cover the cost of the provision of an active travel route from the application site to the signalised junction of the A473 with the Bridgend Retail Park or alternatively provide the route themselves in accordance with an agreed scheme was based on a verbal indication of estimated costs. Since the completion of the report additional observations have been received from the Highways Department in which agreement to the removal of condition 6 (active travel route) proposed in the original observations has been confirmed and the estimated costs for the provision of a sustainable safe walking and cycling route has been increased to £475,793.25 which will be index linked from January 2016.

ASA - In Condition 8, in the final section of the requirement, the wording should be amended to read:-

'Any changes to these components will require the written consent of the Local Planning Authority. The development shall thereafter be undertaken in accordance with the agreed scheme'.

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APPEALS

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

CODE NO.	D/17/3177172 (1804)
APPLICATION NO.	P/16/969/FUL
APPELLANT	MISS T SHERRIFF
SUBJECT OF APPEAL	NEW SINGLE STOREY SIDE/REAR EXTENSION AND RETENTION OF FIRST FLOOR REAR EXTENSION: 1 PRINCESS STREET, MAESTEG
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The development by reason of its siting, scale, massing, bulk and design, has an overbearing and dominating impact on the neighbouring property, 2 Princess Street resulting in a significant and unreasonable loss of residential amenity, contrary to Policy SP2 of the adopted Bridgend Local Development Plan (2008) and Note 3 of Supplementary Planning Guidance 2: Householder Development.

CODE NO.	D/17/3176992 (1805)
APPLICATION NO.	P/17/71/FUL
APPELLANT	MR N G THOMAS
SUBJECT OF APPEAL	REMODELLING OF DWELLING TO INCLUDE NEW ROOF SHAPE, ALTERATIONS AND EXTENSION OF EXISTING BUNGALOW AND LOFT CONVERSION INCLUDING DORMERS & DETACHED GARAGE/STORAGE BUILDING WITH FIRST FLOOR AND DORMERS: PENYBRYN, BRIDGEND ROAD, BRYNCETHIN
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed rear extension, by reason of its size, scale and prominence, represents an excessive, incongruous and overly prominent form of development that will have a detrimental impact on the character of the host dwellinghouse and will be out of keeping with the established form and character of the area, contrary to Policy SP2 of the Local Development Plan (2013) Supplementary Planning

Guidance Note 02 Householder Development, and advice contained within Planning Policy Wales (Edition 9) (2016).

2. The proposed rear extension, by reason of its scale and proximity to neighbouring properties, particularly Royston House to the north, would result in an overbearing form of development having a detrimental impact on the residential amenities of the occupiers of the neighbouring properties, contrary to Note 1 of Supplementary Planning Guidance Note 02 Householder Development, Policy SP2 of the Local Development Plan (2013) and paragraph 1.2.1 of Planning Policy Wales (Edition 9) (2016).
3. The proposed dormer windows on the southern roof slope of the proposed extension would unreasonably overlook the private rear garden of the adjoining property at Tre Tomas having a detrimental impact on the residential amenities and privacy of adjoining occupiers contrary to Note 6 of Supplementary Planning Guidance Note 02 Householder Development, Policy SP2 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9) (2016).
4. The proposed rear balcony would result in actual and perceived overlooking of adjoining properties to the detriment of the residential amenities of neighbouring properties, contrary to advice within Supplementary Planning Guidance Note 02 Householder Development, Policy SP2 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9)(2016).

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

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
DECISION	This appeal has been withdrawn as the Appellant has not paid the required fee.

CODE NO.	A/17/3168308 (1797)
APPLICATION NO.	P/16/567/OUT
APPELLANT	MR M KHALIQ

SUBJECT OF APPEAL ERECTION OF 2 THREE BED DETACHED DWELLINGS
(RESUBMISSION OF REFUSAL P/16/332/OUT): LAND REAR
OF 44 HEOL LLAN, NORTH CORNELLY

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL DELEGATED OFFICER

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS
TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE
DISMISSED.

A copy of this appeal decision is attached as APPENDIX A.

CODE NO. A/17/3170739 (1799)

APPLICATION NO. P/16/636/RLX

APPELLANT HOMECARE CARE LTD

SUBJECT OF APPEAL 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

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL OFFICER DELEGATED

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO
DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE
ALLOWED SUBJECT TO CONDITIONS.

A copy of this appeal decision is attached as APPENDIX B.

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
(see application reference number)

APPENDIX A



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 21/04/17

gan **P J Davies BSc (Hons) MA MRTPI**
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 18.05.17

Appeal Decision

Site visit made on 21/04/17

by **P J Davies BSc (Hons) MA MRTPI**
an Inspector appointed by the Welsh Ministers
Date: 18.05.17

Appeal Ref: APP/F6915/A/17/3168308

**Site address: Land forming part of 44 Heol Llan, North Cornelly, Bridgend
CF33 4DP**

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr M Khaliq against the decision of Bridgend County Borough Council.
 - The application Ref P/16/567/OUT, dated 1 July 2016, was refused by notice dated 26 September 2016.
 - The development proposed is erection of 2 No 3 bed detached dwellings (resubmission following refusal of App ref P/16/332/OUT).
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the proposal on highway safety and residents living conditions.

Reasons

Highway Safety

3. The appeal site forms part of the rear service yard to a parade of shops which include a reasonably large convenience store. An area immediately to the rear of the shops would be retained for servicing the commercial units and it would appear from the indicative site layout that access to this yard and the dwellings would be shared via an existing entrance from Clos Y Capel.
 4. I have not been given any details as to the pattern and type of servicing need that the shops currently generate, but given the scale and nature of the convenience store which is open throughout the day and into the late evening, it is likely that deliveries would be made on a regular basis. Moreover, deliveries would also be likely in moderate to large vehicles. The smaller retail units would have less demand for servicing but given their commercial function this need would still arise in some form. The area of the service yard to be retained is small and from my own observations it would be difficult for delivery vehicles to turn or manoeuvre within this space. Although the application is made in outline, there is no information before me such as
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swept path diagrams to demonstrate that delivery vehicles would be able to enter and leave the yard in a forward gear. The proposal would therefore lead to the potential for awkward reversing movements on Clos Y Capel which would prejudice the free and safe flow of traffic. Whilst it is stated that deliveries take place to the front of the shops, this is an area reserved for customer parking, including disabled customers. Delivery traffic would be likely to obstruct these facilities and result in a risk of pedestrian and vehicular conflict. This does not therefore perform a satisfactory means of servicing the shops and rendering the rear service yard unattractive or unable to be used because of its restricted nature would result in a reliance on the customer car park for servicing. This would cause a material risk to the safety of pedestrians and a danger of vehicular conflict.

5. The proposed dwellings would also have parking and turning requirements, but it is not clear how these arrangements would be accommodated within the site. The area to the front and side of the dwellings would be limited and in the absence of outline information that illustrates that the development can be safely served by parking and turning facilities, I am unable to conclude that the proposal would provide a safe access to the development.
6. On the available evidence I conclude that the proposal would cause significant harm to highway safety interests, contrary to the objectives of Policy SP2 of the Bridgend Local Development Plan (LDP) which amongst other things seeks to ensure efficient access.

Living Conditions

7. The front of the site is enclosed by a solid wall and beyond that is a grass verge which is not part of the application site. The outlook for the occupiers of the proposed dwellings towards Clos Y Capel cannot therefore be controlled or assured. The rear of the dwellings would face the back elevation of the convenience store which has a strong utilitarian appearance resulting in an unattractive rear aspect for the future occupiers. In these circumstances, the proposed dwellings would have a poor and confined living environment. Further, the dwellings would be close to a number of unsightly and noisy extraction units on the external wall of the shops. Although boundary treatments could provide a degree of visual screening, there would be some impacts from noise and odour and it has not been demonstrated that these effects would be acceptable. Whilst it does not appear that the extraction units are causing existing residents undue concern, it would be inappropriate in my view to allow housing within close proximity to a noise and odour source without first establishing whether any adverse effects can be managed. For the above reasons I conclude that the proposal would be harmful to residents living conditions contrary to one of the general aims of LDP Policy SP2 to protect local amenity.

Other Matters

8. I acknowledge that the principle of housing would be acceptable in this location and that the design and appearance of the dwellings is capable of being addressed under the reserved matters. I also note that the appeal site was part of a previous more comprehensive housing scheme. However in the latter case and unlike the current scheme, this included the verge to the front of the site and demonstrated parking provision.
9. One of the Council's reasons for refusal refers to drainage arrangements for the development. In this regard, the site is crossed by mains sewers which place restrictions on the siting of the development. Although the appellants states that there

is sufficient space to overcome this constraint, this has not been proven to any substantiated degree. Nonetheless, as I have found the development unacceptable for a number of other reasons I do not seek to address this matter further in this decision.

10. In reaching my decision, I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WCFG Act.
11. For the above reasons, and having regard to all other matters raised, I conclude that the appeal is dismissed.

P J Davies

INSPECTOR

APPENDIX B



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 04/05/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22.06.2017

Appeal Decision

Site visit made on 04/05/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22.06.2017

Appeal Ref: APP/F6915/A/17/3170739

Site address: The White House, Briary Way, Brackla, Bridgend CF31 2PT

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Gareth Williams Homestyle Care Ltd against the decision of Bridgend County Borough Council.
 - The application Ref P/16/636/RLX, dated 4 August 2016, was refused by notice dated 16 November 2016.
 - The application sought planning permission for change of use of existing dwelling to residential care home and two storey extension without complying with conditions attached to planning permission Ref P/15/183/FUL, dated 12 June 2015.
 - The conditions in dispute are Nos 1 and 4 which state that: '*The use of the property as a Residential Care Home shall accommodate a maximum of four residents in need of care at any one time*'; and '*Notwithstanding the submitted plans the two attic rooms shall be used solely to provide ancillary amenities and facilities for residents of the Care Home and shall not be used as sleeping accommodation at any time*'.
 - The reasons given for the conditions are: '*To ensure that the Local Planning Authority retains effective control over the use of the property*'; and '*To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety*'.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of existing dwelling to residential care home and two storey extension at The White House, Briary Way, Brackla, Bridgend CF31 2PT in accordance with the application Ref P/16/636/RLX, dated 4 August 2016, without compliance with condition numbers 1 and 4 previously imposed on planning permission Ref P/15/183/FUL, dated 12 June 2015 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect, and subject to the conditions set out in the attached schedule.

Main Issues

2. This is the effect that varying or removing the disputed conditions would have on the character and appearance of the area, and residents living conditions.
-

Reasons

3. The appeal property is a large residential care home situated in a suburban area characterised by predominantly detached dwellings in substantial plots. The care home currently accommodates 4 residents in need of care and a number of staff. Removing or varying the disputed conditions would result in an additional three bedrooms with associated internal and external alterations which include roof lights. Although the rooms were unoccupied at the time of my visit the roof lights have been installed. As well as accommodating 3 additional residents in care, the proposal would also create a need for 3 additional day staff and a night staff.
4. There is no doubt that increasing the number of residents and staff at the premises would increase on site activity and generate additional vehicular movements. Nonetheless the proposed use would remain residential in nature and the appearance of the building would retain its domestic character. There would be no principal change to the general use of this large dwelling and additional traffic arising from the extra staff would not be significant in the context of this established built-up area. The appeal property is a substantial building in a generous plot that is capable of occupation by a large family. Although, the nature of the existing care use requires additional support staff, I do not consider that removing condition 4 and varying condition 1 would result in any noticeable character changes to the existing building. Relative to the size of the appeal property and its large grounds, I consider that the proposed intensified occupation would be proportionate and in keeping with the character of the surrounding area.
5. In terms of residential amenity, I have no reason to believe that increasing the number of residents at the appeal property would cause undue noise or disturbance for nearby residents. The care home is set back from the road and orientated away from other dwellings. In particular the separation distances from dwellings in Briary Way are quite significant, and the dwellings to the east are on considerably higher ground and served by a different access. The roof lights are situated within the upper part of the roof plane so that views are mostly restricted to the skyline. Any direct views of adjacent dwellings are very difficult to achieve and given the distances and angles involved, there would be no unacceptable loss of privacy. Sufficient off-street parking would be provided which accords with the Council's standards and I note that there is no objection from the highway authority. It is unlikely therefore that the proposal would result in any additional manoeuvring or parking on the highway that would disturb nearby residents. Whilst I have had regard to local representations, the effect of varying the existing planning permission would be relative to the scale of the existing building and the surrounding area. There would therefore be no material harm to the character of the area or residents' living conditions, and removing condition 4 and varying condition 1 to allow occupation by 7 residents would comply with the aims of Policy SP2 of the Bridgend Local Development Plan.
6. The Council has suggested a number of conditions which largely follow the previously imposed conditions. In addition to the plans compliance condition, a condition relating to the provision of parking is necessary in the interests of highway safety. Conditions restricting the use of the premises to a care home, and occupation by a maximum of 7 residents are necessary to ensure effective control over the use of the premises in the interests of the general amenities of the area.
7. In reaching my decision, I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its

contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WCFG Act.

8. For the above reasons and having regard to all other matters raised I conclude that the appeal is allowed.

P J Davies

INSPECTOR

Schedule of Conditions

- 1) The use of the property as a residential care home shall accommodate a maximum of seven residents in need of care at any one time.
- 2) The development hereby approved shall not be brought into beneficial use until nine parking spaces have been laid out within the curtilage of the site in accordance with the approved parking layout plan Drawing No 01 Rev A. The parking spaces shall thereafter be retained in perpetuity.
- 3) The premises shall be used as a residential care home for persons in need of care as described in the submitted supporting statement and for no other purposes including any other purpose in Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
- 4) The development shall be carried out in accordance with the following approved plans and documents: Drawing Nos HCL/15/02C; HCL/15/03B; HCL/15/04A; HCL/15/05; HCL/15/06; the submitted supporting statement received 8 August 2016; the amended parking plan Drawing No 01 Rev A.

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PROPOSED DESIGNATION OF PRESWYLFA COURT CONSERVATION AREA AND PROPOSED ARTICLE 4 DIRECTIONS

1. Purpose of Report

1.1 The purpose of this report is to advise Members of a potential threat to the setting of 13 Grade II Listed Buildings at Preswylfa Court, Bridgend, an area which has been also assessed for potential conservation area designation. This report identifies the need for conservation area designation and outlines a further opportunity to protect the special character of the area for future consideration.

2. Connections to Corporate Improvement Objectives/Other Corporate Priorities

2.1 Local Authorities have a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment Act 2016 to pay “special” regard to the setting of buildings of special architectural or historic interest (listed buildings) and to review their areas from time to time for potential conservation area designation.

3. Background

3.1 The buildings that formed part of the original Preswylfa Children’s Home or “Cottage Homes” date from between 1880 and 1902 and were listed Grade II in 1997. During the 1990’s, the site was the subject of a sensitive redevelopment scheme which preserved the character of the 13 listed buildings around the central green, whilst enabling a sensitive infill housing development, intermittently dispersed between the historic buildings as shown in **Appendix 1**. The design and materials of the new development were carefully controlled at that time through the planning process to avoid any harm to the setting of the listed buildings and the historic character of the area.

3.2 The need for an assessment of the Preswylfa Court area for potential conservation area status was identified in the Council’s previously adopted Unitary Development Plan and this assessment was undertaken in 2014 by Heritage and Regeneration Solutions as part of a programme of appraisals of existing and proposed conservation areas. The appraisal document for the Preswylfa Court area concluded that;

“ it is a notable group of historic buildings and landscaped environment within a particularly attractive setting of detached and semi - detached suburban housing including buildings and gardens of significant townscape interest and architectural quality” . It was recommended that a conservation area be designated and that a management plan be prepared.

The report proposed a conservation area that included both Preswylfa Court and part of Merthyr Mawr Road. A copy of the full appraisal document is available on request.

4. Current Position

4.1 Officers have recently received an increasing number of inquiries and concerns relating to minor / incremental alterations particularly to the unlisted buildings within

Preswylfa Court. Whilst alterations, extensions and demolition to the listed buildings can be controlled, alterations to the more recent infill properties, including changes to the roof materials, windows and doors, external materials, boundary treatments and external painting are classed as permitted development and are therefore outside of the control of the local planning authority.

4.2 Conservation area designation will control some of these alterations (including alterations to the roof, demolition and the application of external wall finishes/cladding) and Members are therefore requested to authorise consultation to be undertaken with interested parties including building owners / occupiers on the proposed conservation area boundary identified in **Appendix 2**. Members will note that whilst the appraisal in 2014 assessed Preswylfa Court and the surrounding urban area, the proposed conservation area in this report only includes those buildings in Preswylfa Court as this area is regarded as being of “special” quality as it contains the oldest buildings, the earliest of which were built in an arts and craft style around a planned open space, the asymmetrical two storey houses being built slightly later. Members should also note that there is an imminent threat to the character and the setting of the listed buildings in this area.

4.3 Article 4 Directions can also be utilised to withdraw permitted development rights from the building owners within conservation areas. The local planning has a duty to pay “special” regard to the effect of development on the special architectural or historic interest of listed buildings and their settings. The making of Article 4 directions in this area to reinforce control subject to conservation area designation will be the subject of a further report.

5. Effect Upon Policy Framework & Procedure Rules

5.1 Local Authorities have a statutory duty to consider whether areas merit the designation of a conservation area. Strategic Policy SP5 in the adopted LDP will also be relevant in the determination of planning applications.

6. Equality Impact Assessment

6.1 A screening exercise using this Authority’s Equality Impact Assessment Toolkit has been undertaken. There will be no impact on any groups identified and communications will be presented bi-lingually.

7. Financial Implications

7.1 There are no direct financial implications from this report.

8. Recommendations

8.1 Members are recommended to:

8.1.1. Approve the proposed boundary in **Appendix 2** for the proposed Preswylfa Court Conservation Area for consultation purposes, and

8.1.2 Receive a further report following consultation on the proposal with affected parties.

MARK SHEPHARD
Corporate Director – Communities

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Regeneration Projects & Built Environment
Civic Offices, Angel Street
Bridgend, CF31 4WB

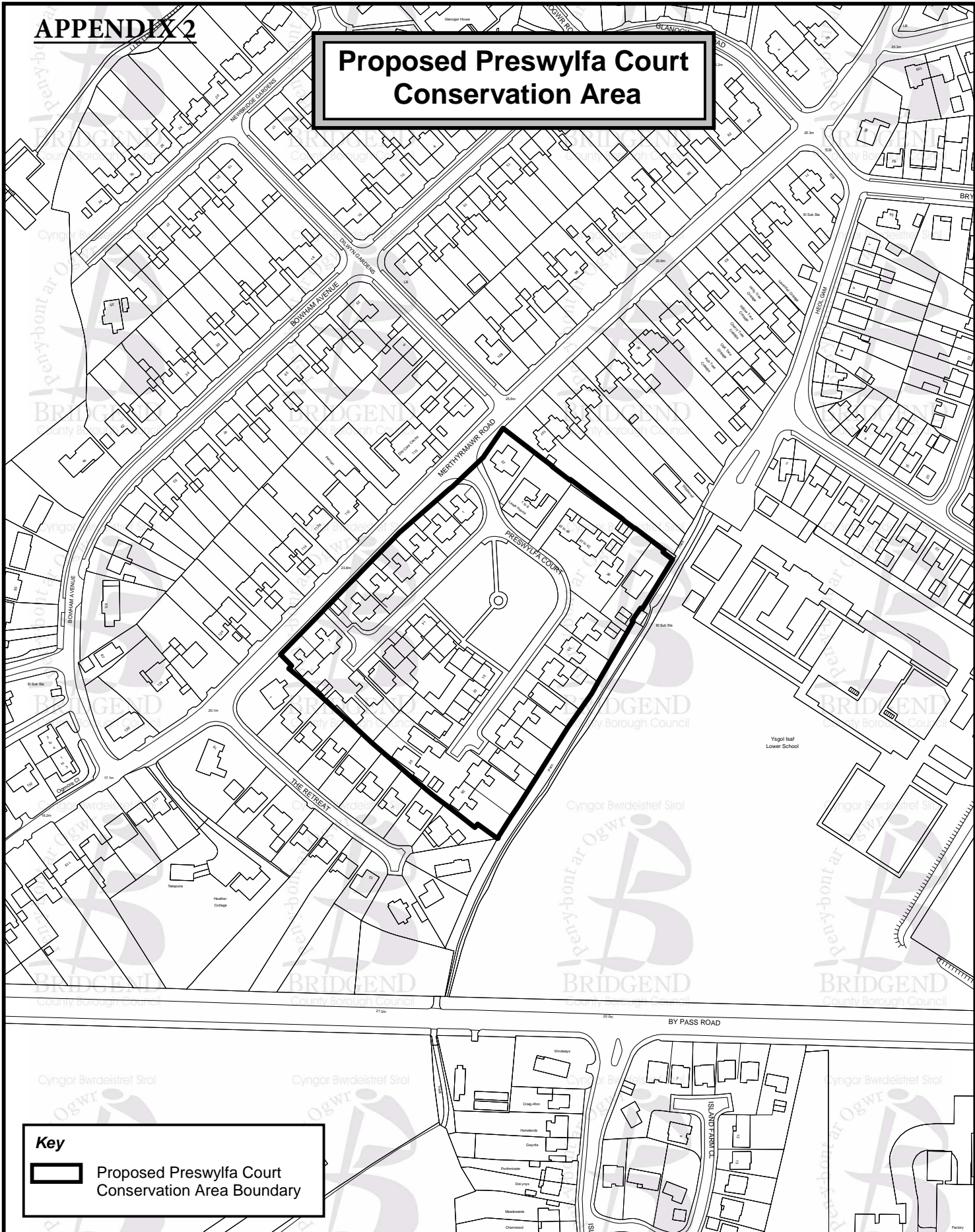
Background documents


Preswylfa – Potential Conservation Area Review April 2014 – Heritage and
Regeneration Solutions


APPENDIX 1



Proposed Preswylfa Court Conservation Area



Key
 Proposed Preswylfa Court Conservation Area Boundary


Page 143

Scale 1:2,500
Date Issued: 26/06/2017
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 Sirof
 Ffeirys-bont ar Ogwr

BRIDGEND
 County Borough Council

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Emerging Supplementary Planning Guidance (SPG) and Development Control Guidance (DCG)

1. Purpose of Report

1.1 To provide an update on the progress of the following 'Supplementary Planning Guidance' and 'Development Control Guidance' documents:

- Supplementary Planning Guidance: Outdoor Recreation Facilities (2017);
- Development Control Guidance: Householder Alterations and Extensions Design Guide (2017); and
- Development Control Guidance: New Residential Development Design Guide (2017).

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

2.1 The Bridgend Local Development Plan (LDP) is one of the high level strategies which must be prepared and approved for the County Borough. The LDP should express, in appropriate land-use terms, those community priorities (expressed in the Community Strategy and its successor, the Single Integrated Partnership Plan) that relate to the development and use of land provided they are in conformity with national and international policy. A key objective (inter alia) of the adopted LDP is to ensure the provision of outdoor recreation facilities and that new residential development and alterations and extensions to existing properties contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located.

3. Background

What is Supplementary Planning Guidance (SPG)?

3.1 The purpose of Supplementary Planning Guidance (SPG) is to expand on the policies contained in the adopted Local Development Plan (LDP) providing further guidance on specific topic areas which aids stakeholders in translating the policies into sustainable development proposals in accordance with national and local land use objectives.

3.2 Whilst guidance contained in SPG is consistent with the relevant LDP policies, it does not possess full statutory status as conveyed by the provisions of the Town and Country Planning Act. However, its status will be that of a 'material consideration' in the determination of planning applications and appeals within the relevant topic/land-use area and will be afforded 'substantial weight' in future planning decisions of the Local Planning Authority, Welsh Government and the Planning Inspectorate in Wales.

What is Development Control Guidance (DCG)?

3.3 Similar to SPG, Development Control Guidance (DCG) expands upon policies contained within the adopted LDP providing further guidance on specific topic areas or

key development sites. The fundamental difference between the two is that DCG is not subject to public consultation and is therefore afforded 'less weight' when determining planning applications compared to a SPG that has been subject to public consultation. However, it is important to note that 'Development Control Guidance' if approved by this Committee will still be a 'material consideration' in the determination of future planning applications.

Bridgend Design Guidance

- 3.4 The suite of documents commonly referred to as 'Design Guidance' by this LPA includes existing SPG 08: Residential Development and SPG02: Householder Development.
- 3.5 SPG 08: Residential Development was published in 2005 with the main purpose to improve the standard of design in new residential development. SPG02: Householder Development was published in 2008 with the intended purpose to provide guidance on extensions and alterations to detached, semi-detached, terraced houses and bungalows. This document is aimed at helping members of the public who are considering improving their home.
- 3.6 Both these documents are currently being re-drafted to reflect the latest national and local planning policy and to make them more user-friendly for Councillors, members of the public and planning professionals. The fundamental purpose of both these documents will remain the same and will supplement LDP Policy SP2 'Design and Sustainable Place Making'.
- 3.7 Rather than classifying the updated 'Design Guidance' documents as SPG it is considered more efficient for this Committee to approve these documents as 'Development Control Guidance'. The rationale for this approach is in response to the fact that national policy on 'design' changes on a regular basis and it is important that Bridgend's guidance is kept up-to-date and consistent with national policy. As such, it is anticipated that Officers will be required to regularly amend and update these documents. The consequence of adopting these documents as SPG would result in Officers having to undertake a period of consultation every time an amendment or update is made to the documents. It is considered that this is not an efficient use of resources, however, if Development Control Committee is minded to approve the 'Design Guides' as DCG their status will still be that of a 'material consideration' in future planning decisions of the Local Planning Authority, Welsh Government and the Planning Inspectorate in Wales.
- 3.8 In line with current practice it is normal for DC Committee members to be involved in the drafting of guidance. This is usually on a voluntary basis and interested members may be nominated to meet with officers to assist in the preparation of the Design Guide.

Outdoor Recreation Facilities SPG

- 3.9 Access to well-designed open space for sport, play and general recreation is important for the health and well-being of communities, enhancing the quality of life for new and existing residents of Bridgend County Borough. Green spaces in the built-up area make a huge contribution to the quality of the environment. They include formal recreation facilities (including playing pitches), equipped and unequipped children's play areas (including Multi Use Games Areas (MUGAS), informal kickabout areas, allotments and more general amenity open space, including areas of accessible natural green space.
- 3.10 The Local Planning Authority receives many planning applications each year for new housing development. New residents create a demand for the improvement of existing and the provision of new recreational facilities. The drive for a more efficient use of land is resulting in higher residential densities that require the highest possible standard of landscape and design for the spaces around new development to ensure the wellbeing of local communities.
- 3.11 National Planning Policy, as contained in Planning Policy Wales (2016) and Technical Advice Note 16: Sports, Recreation and Open Space (2009), recognises the importance of providing high quality public open space and outdoor recreational facilities.
- 3.12 The policy framework for the provision of open space in the Borough is contained within Policies:
- COM11: Provision of Outdoor Recreation Facilities;
 - COM7: Protection of Social and Community Facilities;
 - COM12: Provision of Playing Fields;
 - COM13: Provision of Accessible Natural Greenspace;
 - COM14: Provision of Allotments and Community Food Networks;
 - ENV5: Green Infrastructure; and
 - ENV6: Nature Conservation.
- 3.13 The SPG will explain in greater detail the Local Planning Authority's approach towards safeguarding existing areas of open space which contribute to the recreational, amenity or nature conservation resources of the Borough. It will set out the basis upon which open space provision for new housing developments are assessed, including how much open space is to be provided and what type of provision will be sought. The Guidance is likely to be of particular benefit to those considering development proposals which either involve the loss of open space or propose additional housing. It will enable developers, landowners and potential objectors to understand how the Local Planning Authority considers development proposals and the standard of provision sought.
- 3.14 The SPG will incorporate the findings of the latest assessment of outdoor sports and children's play space within the Borough undertaken by the Development Planning

Section. The assessment will be made available for Members consideration in due course. An indicative overview from the initial findings of the assessment is shown in the table below. The cells coloured red indicate a deficit in the provision of open space, whereas cells coloured green indicate where the standards have been met.

Sub-Area	Outdoor Sports	Children's Play Space	Allotments	Natural Greenspace
Llynfi Valley	-0.381 ha	-5.551 ha	+1.88 ha	+83.27 ha
Garw Valley	-4.8 ha	-3.309 ha	-0.51 ha	+170.45 ha
Ogmore Valley	+12.683 ha	-2.611 ha	+0.11 ha	+136.32 ha
Pencoed	+13.686 ha	-5.944 ha	+0.64 ha	+7.72 ha
Valley Gateway	+0.1 ha	+0.912 ha	-0.21 ha	+131.56 ha
Bridgend	-8.8 ha	-1.5 ha	-5.18 ha	+20.40 ha
Pyle/Kenfig/ Cornelly	-0.42 ha	+10.498 ha	+1.77 ha	+72.14 ha
Porthcawl	+0.081 ha	-6.165 ha	+1.15 ha	+7.19 ha

3.15 The draft SPG will be presented to the Development Control Committee (DCC) to seek approval to consult formally with other interested parties, outside bodies and the public on the content of the draft SPG. The comments arising from the formal public consultation will be reported back to the DCC along with any suggested changes to the document. The SPG will subsequently be presented to the DCC by Officers to seek a recommendation that the 'Council' adopts the document as SPG to the adopted Bridgend Local Development Plan.

4. Current Situation

Outdoor Recreation Facilities (SPG)

4.1 The SPG will assist the Local Planning Authority in the determination of planning applications which relate to the provision of open space and will supplement policies contained within the LDP.

Design Guidance (DCG)

4.2 The draft 'Design Guides' will assist the Local Planning Authority in the determination of planning applications which relate to new residential development, householder

alterations and extension and will supplement policies contained within the LDP, providing detailed guidance and supporting information, particularly in relation to LDP Policy SP2 'Design and Sustainable Place Making'.

5. Next Steps

- 5.1 The draft 'Outdoor Recreation Facilities' SPG has been the subject of internal consultation and agreement. The next step will be to seek approval from this Committee to consult formally with other interested parties, outside bodies and the public on the content of the draft SPG.
- 5.2 The draft 'Design Guides' have also been the subject of internal consultation. The next step will be for this Committee to consider and approve these documents as 'Development Control Guidance'.

6. Effect upon Policy Framework & Procedure Rules

- 6.1 The draft Outdoor Recreation Facilities SPG and Design Guides (DCG) will expand upon the existing land-use planning policy framework contained within the Local Development Plan, providing greater clarity and advice to developers and Planning Officers when submitting and determining planning applications which relate to design and outdoor recreation facilities in the County Borough of Bridgend.
- 6.2 Both the SPG and DCG documents, when adopted, will represent a material consideration in the determination of future planning applications.

7. Equality Impact Assessment.

- 7.1 An Equalities Impact Assessment Screening is currently being undertaken, however, the proposed recommendations are unlikely to have an impact on equality issues.

8. Financial Implications

- 8.1 None.

9. Recommendations

- 9.1 That the Development Control Committee notes the content of this report and to seek expressions of interest from Members to become a Design Champion for residential development in the County Borough.

Mark Shephard
Corporate Director Communities

Contact Officer
Richard Matthams
Development Planning – Team Leader

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e-mail: richard.matthams@bridgend.gov.uk

Background documents

None.

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>
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 and Glamorgan Gwent Archaeological Trust</i>	"Review of Historic Environment Records in Wales guidance"	28 September 2017	12.45pm
Rhodri Davies, <i>Development Group, BCBC</i>	"Enforcement"	9 November 2017	12.45pm
Kwaku Opoku-Addo, <i>Highway Services, BCBC</i>	"Community transport"	21 December 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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