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Bridgend County Borough Council



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

*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.*



Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 / 643147 / 643694

Gofynnwch am / Ask for: Michael Pitman

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Friday, 14 June 2019

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, 20 June 2019 at 14:00.**

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 31/07/2019 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
4. Approval of Minutes 3 - 6
To receive for approval the minutes of the 09/05/2019
5. Public Speakers
To advise Members of the names of the public speakers listed to speak at today's meeting (if any).
6. Amendment Sheet 7 - 8
That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

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

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

JPD Blundell
NA Burnett
RJ Collins
SK Dendy
DK Edwards
RM Granville

Councillors

MJ Kearn
DRW Lewis
JE Lewis
DG Owen
JC Radcliffe
JC Spanswick

Councillors

RME Stirman
G Thomas
MC Voisey
KJ Watts
CA Webster
AJ Williams

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 9 MAY 2019

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 9 MAY 2019 AT 14:00

Present

Councillor G Thomas – Chairperson

JPD Blundell	NA Burnett	DK Edwards	RM Granville
MJ Kearn	DRW Lewis	JC Radcliffe	JC Spanswick
MC Voisey	CA Webster	AJ Williams	

Apologies for Absence

RJ Collins, JE Lewis, RME Stirman and KJ Watts

Officers:

Rhodri Davies	Development & Building Control Manager
Lee Evans	Senior Planning Officer
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Rod Jones	Senior Lawyer
Robert Morgan	Senior Development Control Officer
Leigh Tuck	Senior Development Control Officer

251. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor JC Radcliffe – P/19/148/FUL – Prejudicial interest as he spoke against the application in the form of an objector, who had pre-determined this item. Councillor Radcliffe retired from the meeting whilst this application was being debated.

Councillor RM Granville – P/19/59/FUL and P/18/868/FUL – Prejudicial interests as he spoke against the applications as an objector, who had pre-determined both these items. Councillor Granville retired from the meeting whilst the applications were being debated.

Councillor MJ Kearn – P/14/38/BCB – Prejudicial interest – As Chairperson of Pyle Community Council and due to him supporting local constituents objections to the application. Councillor Kearn retired from the meeting whilst this application was being debated.

252. SITE VISITS

RESOLVED: That a date of Wednesday 19 June 2019 (and not 31 July 2019 as detailed on the meeting Agenda) was agreed by Committee for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.

253. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 28 March 2019, be approved as a true and accurate record.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 9 MAY 2019

254. PUBLIC SPEAKERS

<u>Planning App. No.</u>	<u>Site</u>	<u>Speakers</u>
P/19/148/FUL	Cildaudy Farm	Local Member - Cllr J Radcliffe Llangynwyd Lower Community Council - Cllr M Jones Applicant - Mr Paul Thomas, Landsker Childcare Ltd, Cildaudy Road, Coytrahen

255. AMENDMENT SHEET

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

256. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

RESOLVED: That the summary of Development Control Committee Guidance as detailed in the report of the Corporate Director – Communities, be noted.

257. P/19/148/FUL - CILDAUDY FARM, CILDAUDY ROAD, COYTRAHEN

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

Proposal

Change of use to 4 bed Residential Children's Home.

258. P/14/38/BCB - 40B STURMI WAY, VILLAGE FARM IND ESTATE, PYLE

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

Subject to the amendment to Condition 12 of the report as follows and the additional Condition 13:-

12. No development shall commence until a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. The plan will seek to ensure that traffic does not queue onto the highway at any time when the site is in operation and shall include details of all the measures which will be used to achieve this object and all details of how the operation of the approved plan will be monitored. The approved plan shall be implemented upon the commencement of beneficial use of the site and reviewed on at least an annual basis to determine if the approved plan is working effectively and, if it is not working effectively, to agree what further measures are required which may include the imposition of Traffic Regulation Orders where it is deemed necessary. The traffic management plan shall remain in operation for as long as the site is in use.

Reason: In the interests of highway safety.

14. No development shall commence until a scheme for the provision of directional signage directing traffic to the CRC has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for bilingual signage along the B4281 and the A48 corridors. The signage scheme shall be implemented in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety.

Proposal

259. Change of use to Household Waste Recovery Centre.
P/19/59/FUL - DELFRYN, HEOL LAS, MAUDLAM

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

Subject to Conditions 3 and 8 of the report, being amended as follows:-

3. The first floor above the triple garage shall be used for holiday and ancillary accommodation only and for no other purposes (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the Local Planning Authority retains effective control over the use of the holiday let and to prevent the holiday accommodation being used as permanent residential accommodation.

8. The driveway access of Delfryn shall be retained at a minimum of 3.65 metres in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Proposal

260. Change of use to Holiday Let above triple garage; alterations to approval P/16/539/FUL to include alterations to glazing, entrance door and roof finish to rear.
P/18/868/FUL - THE OLD BARN, MAWDLAM

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

Proposal

Alterations and extensions to existing structure and conversion to 3 dwellings.

261. APPEALS

RESOLVED: (1) That the Appeals as detailed in the report of the Corporate Director – Communities, received since his last report to Committee, be noted.

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 9 MAY 2019

- (2) That the Inspector appointed by Welsh Ministers to determine the following Appeal has directed it be part ALLOWED and the Enforcement Notice varied (Appendix A):-

<u>Code No.</u>	<u>Subject of Appeals</u>
C/18/3216164 (1845)	Non-compliance with approval P/13/425/FUL School House, School Terrace, North Cornelly.

- (3) That the Inspector appointed by Welsh Ministers to determine the following Appeals has directed that they be DISMISSED:-

<u>Code No.</u>	<u>Subject of Appeals</u>
D/19/3220063 (1849)	Retention of feather edge wooden fence at the front and side of property 28 Cemetery Road, Maesteg (Appendix B.)
H/19/3221319 (1852)	Advertising board for Jackson Cabs side of 4 Sunnyside, Bridgend. (Appendix C.)

262. TRAINING LOG

RESOLVED: That the report of the Corporate Director – Communities listing up and coming training sessions for Members as part of the Committees Training Log, be noted.

263. URGENT ITEMS

None.

The meeting closed at 15:53

DEVELOPMENT CONTROL COMMITTEE 20 JUNE 2019

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.

<u>ITEM NO.</u>	<u>PAGE NO.</u>	<u>APPLICATION NO.</u>
9	25	P/19/166/FUL

A Panel site visit was undertaken on Wednesday 19 June 2019.

The Local Ward Member (Cllr. J. Tildesley) and the agent for the development (C2J Architects) attended the site visit.

The occupier of Llwyn On who has already objected to the development wishes to point out that two large trees have been felled at the front of the property which is not in keeping with the proposed ecological assessment and report submitted with the application. This was noted at the Panel Site Visit yesterday and the agent confirmed that they are not the subject of a Tree Preservation Order and that they were felled as they were a danger to users of the highway.

10	39	P/19/256/FUL
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Since the report was compiled, the Highway Authority has submitted their comments which confirms that they have no objection to the proposal subject to the imposition of a condition controlling the use of the garage and storage area for domestic purposes only.

A condition controlling the use of the store area is already attached to the recommendation and the following supplementary condition will be added to control the future use of the garage element:

The garage shall be used for domestic purposes only and for no other purposes whatsoever, including the carrying out of a trade or business.

Reason: To safeguard the character and amenity of the area.

JONATHAN PARSONS
GROUP MANAGER – PLANNING & DEVELOPMENT SERVICES
20 JUNE 2019

Development Control Committee Guidance

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

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

STANDARD CONDITIONS

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

Time-limits on full permission

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

Time-limits on outline permissions

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

Variation from standard time-limits

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

STANDARD NOTES

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

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

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

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

- b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.
- c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter).

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

- d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development
- e. Attention is drawn to the provisions of the party wall etc. act 1996
- f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.
- g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136
- h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)
- i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>
- j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)
- k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk
- l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.
- m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-
 - re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
 - increase in the volume of a building;
 - increase in the height of a building;
 - changes to the site area;
 - changes which conflict with a condition;
 - additional or repositioned windows / doors / openings within 21m of an existing building;
 - changes which alter the nature or description of the development;
 - new works or elements not part of the original scheme;
 - new works or elements not considered by an environmental statement submitted with the application.

- n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).
- o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.
- p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

THE SITE INSPECTION PROTOCOL

The Site Inspection Protocol is as follows:-

Purpose

Fact Finding

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

Request for a Site Visit

Ward Member request for Site Visit

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

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

1. a decision of the Chair of the Development Control Committee (or in his/her absence the Vice Chair) or
2. a request received within the prescribed consultation period from a local Ward Member or another Member consulted because the application significantly affects the other ward, and where a material planning objection has been received by the Development Department from a statutory consultee or local resident.

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

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

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

Inappropriate Site Visit

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

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

Format and Conduct at the Site Visit

Attendance

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

Officer Advice

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

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

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

Code of Conduct

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

Record Keeping

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

Site Visit Summary

In summary site visits are: -

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

Frequently Used Planning Acronyms

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

REFERENCE: P/18/635/FUL
APPLICANT: Mr T Wilkins 23 Nottage Mead, Porthcawl, CF36 3SA
LOCATION: Rear of 23 Nottage Mead Porthcawl CF36 3SA
PROPOSAL: Erection of a detached 4 bed dwelling
RECEIVED: 1 August 2018
SITE INSPECTED: 7 September 2019

APPLICATION/SITE DESCRIPTION

The application seeks full planning permission for the erection of a four bedroom, two storey, detached dwelling on land north west of 23 Nottage Mead, Porthcawl.

The site currently benefits from Outline planning permission for the erection of a two storey detached dwelling on the land allowed on appeal, however the applicant seeks to make a number of changes to the approved scheme and has therefore submitted a full application instead of a Reserved Matters application. The changes include the following:

- 4 bedroom dwelling as opposed to 3;
- Change in design to include the removal of the rear dormer and erection of two, central, two storey projecting gable extensions on the front and rear elevations with first floor balconies;
- Extension of garden curtilage to serve proposed dwelling;
- Change in parking layout

The land currently forms part of the rear garden of 23 Nottage Mead. The proposed dwelling will measure approximately 11m x 13.5m and to a height of some 7.4m with a pitched roof. The dwelling will comprise two, two storey front projecting gables, one on the front elevation and one on the rear elevation measuring some 6m x 4.5m, to a height of 7m with a pitched roof and first floor balconies. The projecting gables will be set down 0.4m from the main ridge of the roof. The front elevation will also comprise two dormer windows at first floor level, each measuring approximately 2.1m x 2.6m with a height of 2.1m with a pitched roof and three Velux roof lights inserted into the first floor on the rear elevation. The materials to be used in the development comprise Riven edge dark roof slates and white cement render with a natural stone cladding to the front projecting gable and grey aluminium doors and windows. The balconies will be finished with a frameless glass balustrade.

Proposed Elevations:





Jonathan Parsons
Group Manager
Planning and Development Services

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

P/18/635/FUL

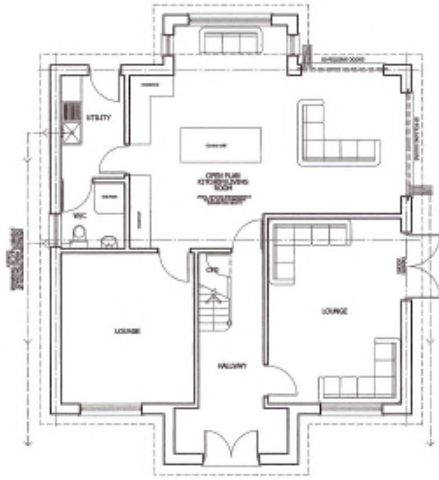
23 Nottage Mead
(Rear of)
Porthcawl

Scale: 1: 1,250
Date: 14/06/2019

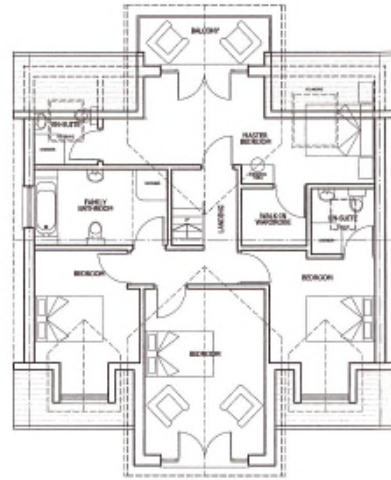
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The ground floor will comprise two separate lounge areas, open plan kitchen and dining room, hallway, W/C and utility room and the first floor will comprise 3 bedrooms (one with en-suite) and a master bedroom with an en-suite, walk-in wardrobe and a family bathroom.

Proposed Floor Plans:



PROPOSED GROUND FLOOR PLAN
SCALE 1:100



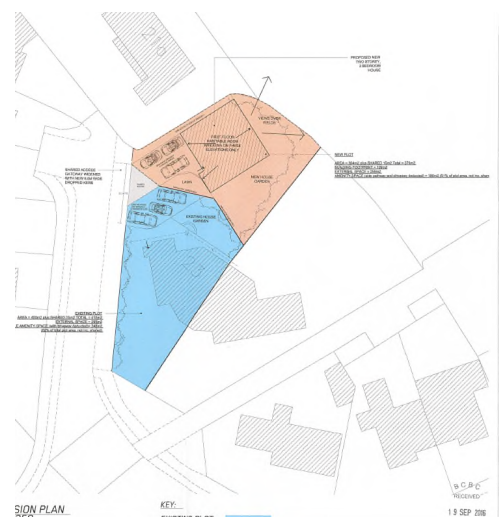
PROPOSED FIRST FLOOR PLAN
SCALE 1:100

Initially, the application proposed the erection of a garage on the site however, due to the concerns raised by the Local Planning Authority, the garage has now been omitted from the application. Amended plans were also received to include the extension of the garden curtilage for the proposed dwelling located to the south of the site. A site inspection revealed the presence of a pond on the site. Following further consultation with the Council's Ecologist, a Great Crested Newt survey was requested due to the location of the application site. The applicant submitted the requested survey, undertaken by MPS Ecology on the 7 May 2019.

Access to the site is via Nottage Mead with a proposed shared access by both existing and proposed dwellings, three parking spaces to serve No.23 and four parking spaces to serve the proposed dwelling, each within the respective curtilages and a 1.8m wooden fence to provide a boundary between both properties.

Proposed Site Plan:

Approved Site Plan under P/16/502/OUT:



The proposed dwelling is located within the settlement boundary of Porthcawl as defined by Policy PLA1 of the Bridgend LDP 2013 and is sited at a slightly lower level than 23 Nottage Mead. The application site is located on the eastern side of the internal cul-de-sac within Nottage Mead which serves nos 11-23 inclusive and in close proximity to the turning head. The proposed development plot is located to the north of the host dwelling, 23 Nottage Mead, and is currently the rear garden of the property. The application site is surrounded by residential properties to the east, west and south and to the north of the site are open fields.

RELEVANT HISTORY

P/16/502/OUT - Demolition of existing single garage and construction of a new 3 bedroom detached property – Allowed on Appeal – 17/03/2017.

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 4 September 2018.

CONSULTATION RESPONSES

Porthcawl Town Council – No objection.

Head of Street Scene (Highways) – No objection subject to a number of conditions regarding materials for parking area and vision splays.

Head of Street Scene (Drainage) – No objection subject to a condition requested the submission of a comprehensive drainage scheme subject to works commencing on site.

Destination and Countryside Manager (Ecology) – No objection subject to a condition requesting details of a site clearance method statement for reptiles and nesting birds prior to site clearance.

Dwr Cymru/Welsh Water Developer Services – No objection subject to standard advisory notes.

Heads of Public Protection (Contamination) – No objection subject to standard advisory notes.

REPRESENTATIONS RECEIVED

Three letters of objection to the proposed development have been received from the following neighbouring properties:

15 Nottage Mead, Porthcawl has raised the following concerns:

- Proposed development will adversely affect not only us but residents at numbers 13, 17, 19, 21 and 21A and also those living in Nottage Meadows who have not been informed of this development and therefore have no input on how the development affects them;
- Result in increased parking on the public highway and emergency and waste disposal vehicles struggling to gain access ;
- The required widened gateway will reduce available parking on the highway resulting in increased congestion;
- Nuisance and disturbance whilst construction is in progress and access that will be required by construction vehicles;

- Impact on existing sewerage system;
- Location of pond on site and potential of protected newt species;
- No indication of neighbour consultees listed on the planning online register;
- Impact of overshadowing on all opposite and adjacent properties'
- Loss of view across the Grove Golf Club;
- Reduction in value of properties;
- Privacy issues as proposed property looks directly into our front bedroom window.

21A Nottage Mead Porthcawl has raised the following concerns:

- The proposal is not suitable for the area;
- General appearance, scale, height and design is overpowering to adjacent properties and will overshadow the property and affect privacy;
- Decrease the amount of space for parking on the public highway as a result of the widened driveway for the proposed dwelling;
- Emergency and waste disposal vehicles struggling to gain access;
- Parking problems in the hammerhead;
- Further problems experienced with access for plant preparing the site and delivery of building materials.

25 Nottage Mead, Porthcawl has raised the following concerns:

- The height of the detached dwelling and the overbearing gable end on the eastern elevation will affect the light and air the property currently receives;
- The proposed French doors on the ground floor/kitchen will overlook the rear garden and affect privacy;
- The detached double garage is far too close to the boundary and will block light and air;
- Concerns over the scale of the proposed dwelling;
- Concerns regarding off street parking and an additional dwelling will create more upheaval and double parking;
- Impact on the main sewer and concerns of effect of land drainage on the property.

COMMENTS ON REPRESENTATIONS RECEIVED

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

Inevitably a development so close to existing properties is going to result in some noise and disturbance during the construction period. If the Council were minded to grant planning permission, a planning condition could be imposed controlling the hours of work, in order to preserve the residential amenities of the area.

Right to a view and devaluation of properties are not material planning considerations.

The properties located at Nottage Meadow are not considered to be located in close proximity to the proposed development and therefore, were not consulted as part of the planning application process, however, a site notice was erected outside the application site advertising the proposed development.

The double garage has now been omitted from the application.

In view of the location of the pond on the site, the applicant submitted a Great Crested Newt Survey prepared by MPS Ecology which indicated that Great Crested Newts at the site were not present at the site.

PLANNING POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan (LDP) 2006-2021, which was formally adopted by the Council in September 2013, within which the following Policies are of relevance:

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

Supplementary Planning Guidance

SPG02 - Householder Development

SPG08 – Residential Development

SPG19 – Biodiversity and Development

National Planning Policy and Guidance

National planning guidance in the form of Planning Policy Wales (Edition 10, December, 2018) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

Technical Advice Note 12 – Design (2016)

Technical Advice Note 18 – Transport (2007)

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.

APPRAISAL

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

The application seeks full planning permission for the erection of a four bedroom, two storey, detached dwelling on land north west of 23 Nottage Mead, Porthcawl.

Background

From viewing the planning history, it is noted that the Local Planning Authority refused an

Outline application for the erection of a dwelling on the site on 2 November 2016 which was later allowed on appeal on 17 March 2017 by the Planning Inspectorate. The application site was then sold to a new owner and a new application submitted to make design changes to the approved Outline planning application.

The proposed changes include the following:

- 4 bedroom dwelling as opposed to 3;
- Change in design to include the removal of the rear dormer and erection of a two, centrally located, two storey projecting gable extensions on the front and rear elevations with first floor balconies;
- Extension of garden curtilage to serve proposed dwelling due to loss of garage;
- Change in parking layout

The main issues to consider in this application are the principle of the development, the impact on the character and appearance of the existing dwelling, street scene and surrounding area, impact on neighbouring amenities and drainage, ecology and highway safety.

Principle of the Development

The application site lies within the settlement boundary for Porthcawl as designated by Policy PLA1 of the Bridgend Local Development Plan 2013. 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 dwelling is considered acceptable and accords with Policy COM3.

Impact on the character and appearance of the existing dwelling, street scene and surrounding area

With regard to the impact of the proposal on the existing dwelling, 23 Nottage Mead, the Inspector considered the relationship between the proposal and the host dwelling in the previous appeal and stated:

The new dwelling is capable of being designed so that there would be no direct window to window relationships involving habitable rooms and although any windows on the principal rear elevation would be close to the common boundary, views would be oblique. In any case there is an alternative private garden space to the front which would be available to the occupiers of the host dwelling as a matter of choice. I accept that the existing first floor dormer of the host dwelling would overlook the side garden of the proposed development but there would be some privacy to the rear garden and I do not consider that this on its own would amount to a reason for withholding planning permission.

The proposed design changes now include the removal of the rear dormer and erection of two, centrally located, two storey projecting gable extensions on the front and rear elevations with first floor balconies. Due to the orientation of the proposed dwelling, it is not considered to have a significant adverse impact on the occupiers of the host property.

With regard to the character and appearance of the street scene and surrounding area, the Inspector stated;

The indicative site layout shows that the proposed dwelling would be set back from the road broadly in line with No 21A, with a front driveway and small lawn in common with the prevailing housing layout in this part of Nottage Mead. The spacing between the development and its neighbours would also be broadly comparable to the houses opposite

and the surrounding area generally. The proposed rear garden for the new dwelling would have a short depth but this would not be readily apparent from within the public street scene and in any event this is not a particularly qualifying feature of the area's context. Given that there would be visual gaps between the proposal and adjacent dwellings which would allow views towards the open vista beyond, the development would not appear cramped or out of place. I note that the indicative parking layout is tight but this is a minor point of detail which could be addressed at the reserved matters stage.

In view of the above, the proposed development is considered acceptable as the footprint of the dwelling remains unchanged to that approved in the outline application. Whilst the indicative design of the dwelling has changed since the previous approval, the current design is not considered to be detrimental to the overall character of the area, which comprises a mix of dwelling types.

With regard to the proposed amenity space, an amended plan was received on the 27 December 2018 proposing an extension to the garden area of the proposed dwelling. Whilst the extension will result in a reduction of amenity space to serve the host dwelling, the Inspector concluded in her decision that the land described as the 'front garden' of the No.23 was significantly screened by a wall and hedgerow enclosure which would provide a private and useable space for the occupants:

The proposal would invariably reduce the external outside space for No 23, however a large area of garden would be retained to the south. Whilst this might be described as being the 'front' garden, it nevertheless benefits from a wall and hedgerow enclosure which provides significant screening from public view. I have no reason to believe that the hedge is under threat and it clearly wouldn't be in the interests of the property owners to remove it. Therefore and even with minor amendments to the parking layout, this area of garden would provide a private and useable space for the occupants of No 23. There are no specific standards regarding acceptable amenity space but an 'L' shape garden to the side and rear of the proposed dwelling as indicated would not be an unusual layout for a residential garden in a built-up area and I consider that it is of sufficient size to allow for an acceptable standard of living for future occupiers.

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

Impact on neighbouring amenities

From assessing the submitted plans, it is noted that due to the orientation of the proposed dwelling, the main habitable windows and proposed balcony area will overlook the main parking area and driveway to serve the dwelling and the parking area of 23 to the front of the site and open countryside to the rear. The relationship between the proposed dwelling and the host property is also considered acceptable as there is no direct window to window relationship involving habitable rooms. No windows are proposed in the first floor side elevations of the proposed dwelling, apart from one which will be obscurely glazed as it serves a bathroom, however, it is considered necessary to attach a condition requesting that no further windows are inserted into the side elevation of the proposed dwelling in order to protect the privacy and existing amenities of the neighbouring properties. The proposed dwelling will also be positioned approximately 26m from the neighbouring property, no 21A, and over 40m from 24 Nottage Mead. Accordingly, due to the orientation of the dwellings and the separation distances involved, it is considered that the proposed dwelling will have no significant effects on the privacy and amenities of the neighbouring properties, 21A and 24 Nottage Mead, and therefore accords with Policy SP2(12) of the LDP (2013) and the Council's Supplementary Planning Guidance SPG02:Householder Development.

Highway Safety

The Council's Transportation Officer has assessed the submitted scheme and has noted that this application is a resubmission of a previously allowed application for a single dwelling on appeal. The previous application attracted an objection from the Highway Authority due to inadequate off-street parking to serve the new and parent dwellings. As a result of that previous objection the applicant has sought to overcome those objections. The submitted scheme now meets the Highway Authority's parking standards as set out in SPG17 and is considered acceptable.

With regards to the vision splays for the two proposed accesses it is noted that the applicant has indicated that there will be a 1.8m high boundary fence located along the boundary between the two properties, however, the extent of the fence between the parent dwelling and the new dwelling is considered to obstruct the vision splays for vehicles emerging from the proposed dwelling. As a result of those concerns, it is considered necessary to attach a condition to request details of the position, height and materials of the boundary treatment to be agreed by the Local Planning Authority (LPA) prior to the development being brought into beneficial use.

Accordingly, the proposed development accords with Policy SP2(6) of the Bridgend Local Development Plan (2013) and the Council's Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

The Council's Drainage Officer has raised no objection to the proposed development subject to the imposition of a condition to any granted consent requiring a comprehensive and integrated 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.

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"

Following further consultation with the Council's Ecologist, a Great Crested Newt survey was requested due to the location of the application site. The applicant submitted the requested survey, undertaken by MPS Ecology, on 7 May 2019 which indicates a negative result for Great Crested Newts at the site. In view of this, the Council's Ecologist was satisfied with the conclusions of the report but considered it necessary for a condition to be attached requesting a site clearance method statement for reptiles and nesting birds prior to any site clearance being undertaken on site as the rubble piles, brash piles and rough grassland offer potential for such species. 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.

CONCLUSION

Having regard to the above and in view of the planning history of the site, the proposal is recommended for approval because the development complies with Council policy and guidelines and it is considered that the scheme would not have an unacceptable impact on the character of the existing property, street scene or wider area and will not adversely affect privacy or visual amenities nor so significantly harm neighbours' amenities or highway safety as to warrant refusal.

The issues raised in the representations from neighbouring occupiers have been taken into account during the determination of the application however, it is considered that on balance, they do not outweigh the other material considerations in favour of the development including the back stop position of the extant permission.

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 Site Location Plan, Site Plan and Drawing No. PL01 REV. 9 received on 27 December 2018 and the Great Crested Newt eDNA survey received on 7 May 2019.

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 dwelling 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 including hard and soft landscaping 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. The parking area for both the proposed dwelling and the host dwelling shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the agreed layout prior to the development being brought into beneficial use and shall be retained for the purpose of parking in perpetuity.

Reason: In the interests of highway safety

6. No development shall commence until a scheme of boundary treatment for the host dwelling and the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for a suitable vision splay onto the highway. The agreed boundary treatment shall be implemented before the development is brought into beneficial use and shall be retained thereafter in perpetuity.

Reason: In the interests of highway and pedestrian safety.

7. 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

8. Notwithstanding the provisions of the Town and 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 development shall be carried out which comes within Parts 1 (Classes A, B and C) of Schedule 2 of this Order.

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.

9. Notwithstanding the provisions of the Town and 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 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.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modifications) no windows other than as hereby approved shall be inserted into the side elevations of the dwelling hereby permitted.

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

11. No development shall commence until details of a site clearance method statement for reptiles and nesting birds has been submitted and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

Reason: In the interests of biodiversity and nature conservation.

12. No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

13. Clearance, Demolition or Construction Works shall not take place outside the hours of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Public Holidays.

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

14. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) The proposal is recommended for approval because the development complies with Council policy and guidelines and it is considered that the scheme would not have an unacceptable impact on the character of the existing property, street scene or wider area and will not adversely affect privacy or visual amenities nor so significantly harm neighbours' amenities or highway safety as 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

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) To satisfy Condition 4 the following advisory notes should be followed:

- Provide confirmation of how surface water is disposed from existing properties;
- Provide foul and surface water drainage layout for the scheme;
- Provide agreement in principle from DCWW for foul and surface connections to the public sewers.

f) Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. The Highway Maintenance Inspector for the area can be contacted at Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend or 01656 642541.

g) It is a requirement under Section 153 of the Highway Act 1980 that any gates must be located and fitted so as not to open out over the highway.

h) 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.

i) 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.

j) 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.

k) 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.

l) 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.

m) 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.

n) 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.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None

REFERENCE: P/19/166/FUL

APPLICANT: Mrs T Bowen c/o C2J Architects & Town Planners, Unit 1A Compass Business Park, Pacific Road, Cardiff, CF24 5HL

LOCATION: Bryn y Mor Heol Broom Mawdlam CF33 4PW

PROPOSAL: Demolition of existing dwelling and construct a replacement dwelling

RECEIVED: 13th March 2019

SITE INSPECTED: 25th March 2019

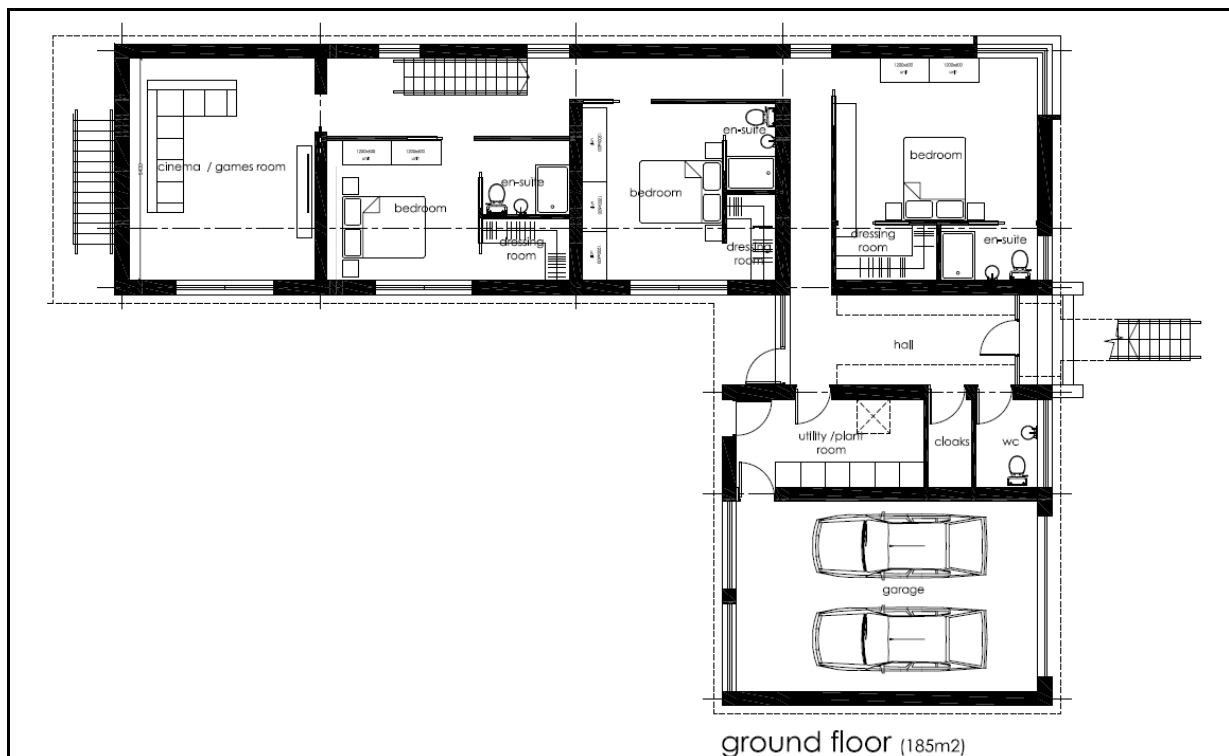
DESCRIPTION OF PROPOSED DEVELOPMENT

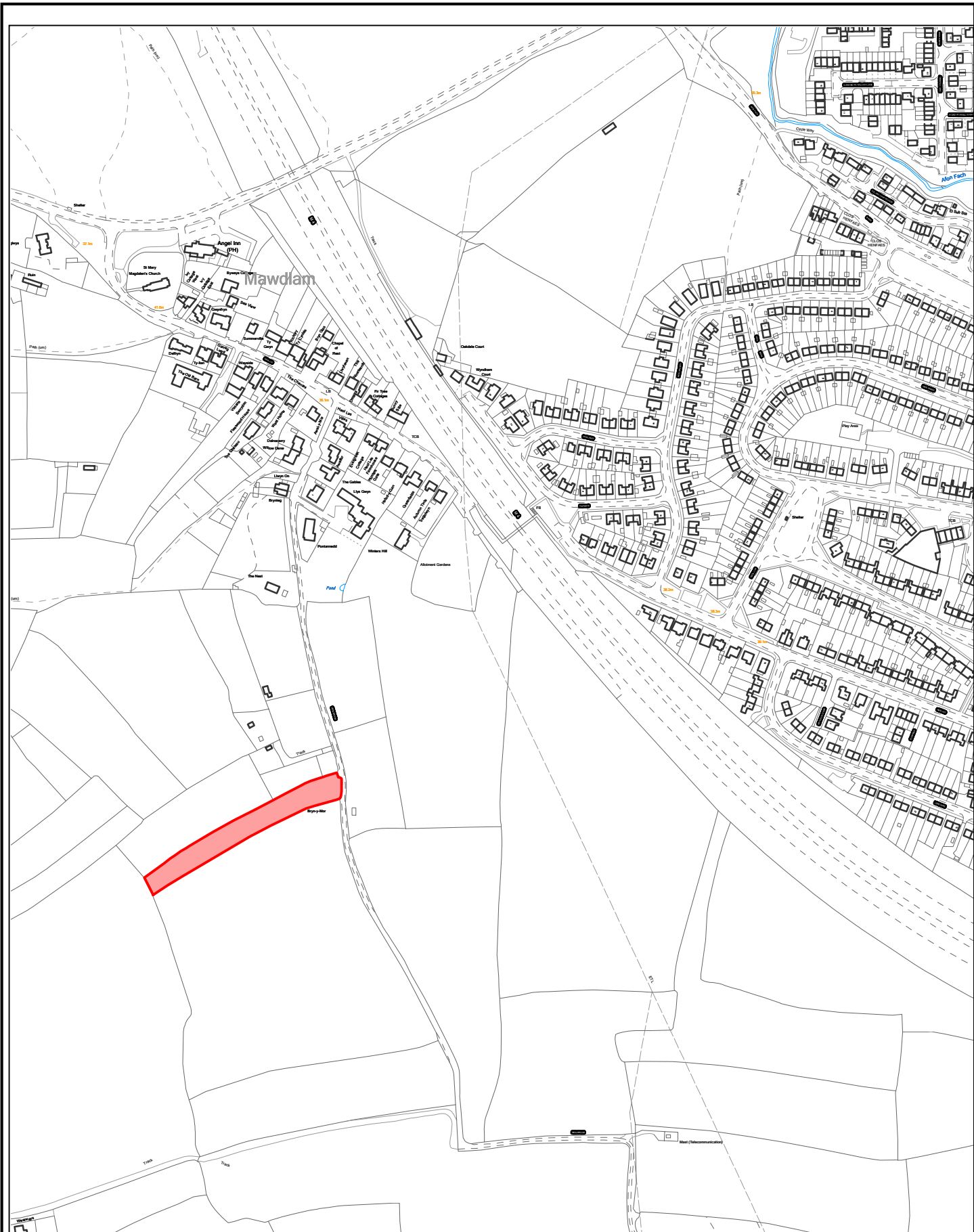
Full planning permission is sought for the erection of a replacement dwelling at Bryn y Mor, Heol Broom, Mawdlam.

The proposal seeks consent for the demolition of an existing single storey dwelling and detached garage and replacement with an L-shaped dwelling of 220 square metres. The existing dwelling is shown below:



The new dwelling comprises an internal double garage at ground floor level with a hallway, utility/plant room, cloakroom and WC with three bedrooms with ensuite and dressing rooms together with a cinema/games room, as shown below:





Jonathan Parsons
Group Manager
Planning and Development Services

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

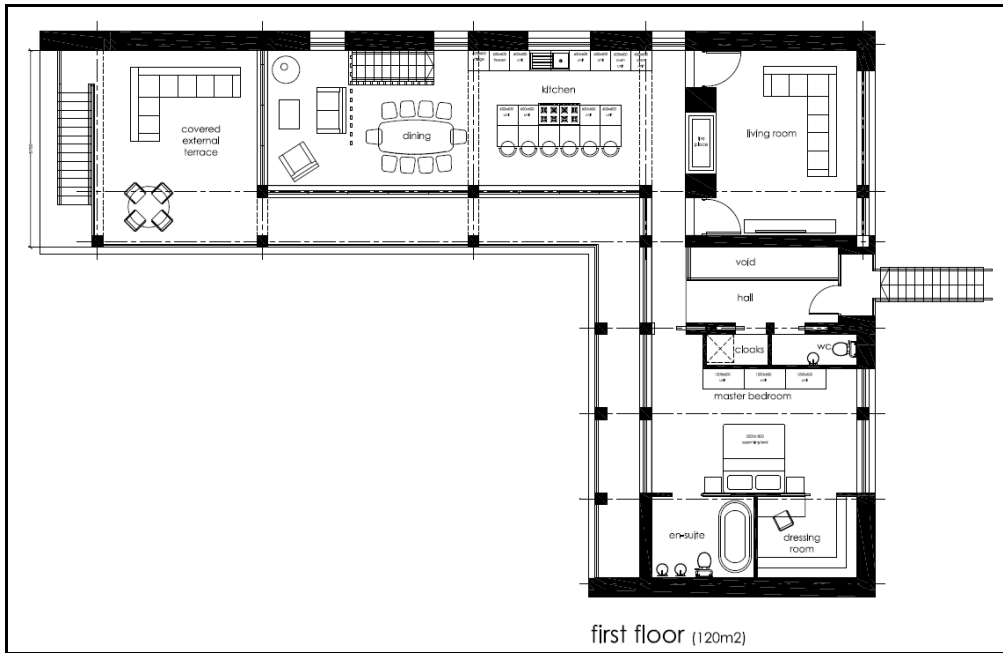
P/19/166/FUL

Bryn y Mor
Heol Broom
Mawdlam

Scale: 1: 5,000
Date: 14/06/2019

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Ordnance Survey 100018813.
Forestry Commission, ©Crown Copyright and database right 2011. Ordnance Survey 100025498.

The first floor comprises a hallway with cloakroom and WC, a master bedroom with ensuite and dressing room, a living room, kitchen/dining room and covered external terrace, as shown below:



The dwelling will be accessible via entrances to both the ground and first floor and is contemporary and bespoke in its design, as shown below:



The dwelling will be positioned towards the eastern boundary of the residential plot on the footprint of the existing property and detached garage, albeit larger. The dwellinghouse will have facing stone elevations with timber panel detailing and a profile metal roof in grey colour. The windows will be powder coated aluminium to match the roof.

SITE DESCRIPTION

The application site is located within the countryside, as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013). It is situated approximately 240 metres to the south of the small settlement of Mawdlam.

The site is accessed via an existing single width adopted highway, Heol Broom, which lies adjacent to the eastern boundary of the site. The highway is bordered with mature hedgerow and can be characterised as a country lane. The site is bordered to the north, south and west by open countryside.

Public Right of Way COR/27/2 (Footpath 27 Cornelly) runs along the southern boundary of the application site. The southern boundary of the site is bordered by a semi-mature treeline.

The plot itself comprises an existing residential property which is currently unoccupied. The property is positioned towards the eastern boundary of the relatively large, elongated rectangular-shaped plot, as demonstrated below:



The existing property is single storey and faces east. It has roughcast render elevations with a concrete tile roof and a detached flat-roof garage to the north. The front of the property benefits from a driveway with turning area off the existing vehicular access point at the north-eastern corner of the site. The site is flat with level access to the Public Right of Way to the south and Heol Broom to the east.

RELEVANT HISTORY

No relevant planning history.

PUBLICITY

This application has been advertised through direct neighbour notification and the erection of a site notice. Three letters of objection have been received in response to the consultation undertaken.

The first letter of objection was received from the occupier(s) of Llwyn On, Heol Broom. It states *the modern design of the building is not in keeping with its rural surroundings or the type of houses close to the site* and that the structure will dominate the pastoral countryside landscape in which it is situated. The letter refers to the countryside location of the application site and notes that the proposed property is larger than the footprint of the existing property, stating *the development has the potential to open up Mawdlam to piecemeal development along Heol Broom which is not acceptable*.

In addition, concerns are raised about the additional vehicle access point along Heol Broom, which is dangerous as the lane is single width and visibility is poor. The objector raises a concern about the additional access point providing potential to build further properties at the rear of the site in the future.

Concerns are also raised about vehicular access during the construction phase of the development, as the lane is unsuitable for heavy vehicles and *it is impractical to have access to the site for large builders lorries*.

The occupier(s) of Carreg Lwyd, Heol Las, have also lodged an objection to the proposed development on the grounds that the proposed dwelling is *far too big for the plot and resembles something you'd see on an industrial estate*. The letter states that the materials proposed are out of keeping with other properties within the village of Mawdlam and that the building is outside of the settlement boundary, within the countryside.

The letter also raises a concern about highway safety, querying the impact of the proposed development on the highway through the village of Mawdlam, which lies to the north of the application site. The objector raises a query about deliveries to the site via the single width access lane as there are no turning or passing points along the road.

The third letter of objection received from the occupier(s) of 12 Curwen Terrace, North Cornelly refers to the design of the proposed dwelling, stating that it *is wholly inappropriate, out of scale and would seriously detract from the current environment of the generally open countryside*. The letter states that the materials are inappropriate and that the finish is more akin to an industrial unit rather than a domestic dwelling.

RESPONSE TO OBJECTIONS RECEIVED

The matters raised in the letters of objection received from the occupier(s) of Llwyn On, Heol Broom, Mawdlam which refer to the additional access point are considered to have been addressed through negotiation. The additional access point has been omitted from the scheme and the only access point proposed is the existing vehicular access point on the most north-eastern corner of the application site.

Each planning application received by the Local Planning Authority is considered on its own merits and as such, any future applications for dwellings within Mawdlam or its surrounding area will be considered in accordance with the relevant planning policies and supplementary planning guidance. Therefore the comments received which state *the development has the potential to open up Mawdlam to piecemeal development along Heol Broom which is not acceptable* will not be addressed further in the consideration of this planning application. Notwithstanding the above, it should be noted that developments in the open countryside are strictly controlled.

The other matters raised in the objections received are addressed in the appraisal section of the report.

CONSULTATION RESPONSES

CONSULTEE

Rights of Way
28th March 2019

COMMENTS

No objection subject to the developer being reminded that any building material is not permitted to be stored on the Public Right of Way during the construction of development.

Dŵr Cymru Welsh Water
29th March 2019

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

Land Drainage
4th April 2019

No objection.

Public Protection
2nd April 2019

Recommends the inclusion of informative notes.

Ecology
9th April 2019

No objection.

Cornelly Community
Council
3rd May 2019

Objects to the development on highway safety and design grounds.

Transportation, Policy
and Development

No objection subject to the inclusion of the recommended planning conditions and informative notes.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards
Policy ENV1	Development in the Countryside
Policy SP12	Housing
Policy SP5(4)	Areas of Archaeological Significance

Supplementary Planning Guidance 02	Householder Development
Supplementary Planning Guidance 17	Parking Standards

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 Edition 10	
Planning Policy Wales TAN 12	Design

APPRAISAL

This application is being presented to the Development Control Committee to consider the objections received to the scheme, from residents and Cornelly Community Council. Cllr J Tildesley has also requested that this application be the subject of a panel site visit.

PRINCIPLE OF DEVELOPMENT & DESIGN

The application site is located within the countryside, as defined by Policy PLA1 of the Local Development Plan (2013); as it comprises land lying outside of the designated boundaries.

It states at paragraph 4.1.9 of Local Development Plan (2013) that “the countryside should be protected for its own sake (i.e. for its beauty, landscape quality, natural resources, and its agricultural, ecological, geological, physiographic, historical, archaeological and recreational value)”. Therefore, development in the countryside “will be strictly controlled”, and relevant policies will not be set aside lightly in the interests of maintaining the integrity of the countryside.

Policy ENV1 states that development in the countryside should benefit the rural economy, whilst maintaining or enhancing the environment. It stipulates that all development will be strictly controlled but may be acceptable where it is necessary for the direct replacement of an existing dwelling, according to criterion (8).

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”.

The letters of objection received in response to the consultation undertaken all refer to the design and size of the dwelling, stating its *modern design is not in keeping with its rural surroundings*, it is *far too big for the plot* and that it *is wholly inappropriate, out of scale and would seriously detract from the current environment of the generally open countryside*.

The proposed replacement dwelling is substantially larger than the existing detached dwelling with garage; it represents a 128% increase in floor space, however, whilst the dwelling is larger, its overall height of 6.8 metres is less than the existing dwellinghouse, which measures 7.1 metres. As such, the proposed replacement dwelling will have less of a visual impact from public vantage points than that of the existing dwellinghouse. The reduction in height by 0.3 metres demonstrates that the proposed dwelling will not be an overly intrusive feature that will detract from the countryside in which it is located. In addition, the boundary treatments along the northern, southern and western boundaries of the site are defined by natural hedgerow and semi-mature treelines that are to be retained. The boundary treatments will restrict views into the site from the north, south and west.

Cornelly Community Council consider the dwelling *dominate[s] the surrounding landscape*. Other objections also refer to the size of the dwelling and its impact on the surrounding landscape. As indicated above, whilst the proposed dwelling is larger in terms of its footprint, its overall height is less than that of the existing dwelling. Together with the boundary treatments along the northern, southern and western boundaries that will be retained, it is considered that the dwelling would not be a dominant feature within the rural landscape or detract from the character of the surrounding area.

The 0.47 hectare residential plot is substantial and it is therefore considered that the proposed replacement dwelling is not too large for the residential plot, as suggested by the objectors. The position of the dwelling is such that it will provide for sufficient private amenity space at the rear (west) with car parking and a turning facility at the front (east).

The dwelling is contemporary in style and is designed to be sympathetic to the surrounding countryside through the use of a limited pallet of materials. The elevations will be finished in stone with timber panel detailing. This is rustic yet contemporary in nature and is considered to be appropriate in terms of finish.

The roof of the dwelling will be the most prominent design feature. It will be heavily glazed on the eastern and southern elevations. The feature is not dissimilar to design features used in typical agricultural buildings. Hence, the materials used are considered to be appropriate as they will integrate with the surrounding agricultural landscape and will promote the use of materials and design features typically found within a countryside location.

Cornelly Community Council objects to the development on the grounds that the dwelling is *not in keeping with the rural area...or the design and type of dwellings at Mawdlam village*. It states *the proposed building far exceeds the size of other buildings in the area*. The settlement of Mawdlam is characterised by dwellings of a mix of house types, including bungalows, semi-detached and detached dwellings of varying design and appearance. There is no uniformity within the streetscene and therefore no defined character. Notwithstanding this, the application site is positioned around 240 metres to the south of the demarcated settlement boundary of Mawdlam and is characterised as open countryside which is rural in nature. The dwelling is considered to be in keeping with its rural surroundings, as justified above, and is not within the vicinity of the village of Mawdlam to warrant comparison with other dwellings within the settlement. Each planning application is assessed on its own merits with regards to the character of the surrounding

environment. The introduction of the replacement dwelling will not result in the addition of a visually incongruous feature that would warrant a refusal on such grounds.

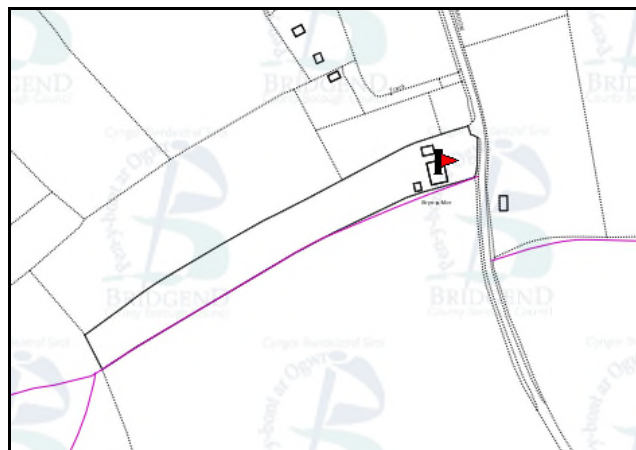
It is acknowledged that the size of the dwelling does not strictly comprise a direct replacement of the existing dwelling and detached garage at the application site as it is substantially larger, however, given the above, it is considered that the exemplar bespoke design of the proposed dwelling, which is intended to integrate with the surrounding countryside in which it is located, accords with criterion (8) of Policy ENV1 of the Local Development Plan (2013). No objection has been raised by the Development Planning Section who consider that the proposed development is a direct replacement and therefore the proposal is considered to be acceptable in principle and appropriate in its design and appearance.

NEIGHBOUR AMENITY

Given that the closest residential property is situated 210 metres to the north of the application site, no concerns are raised which relate to neighbour amenity. The proposed development will not adversely affect the existing levels of privacy or amenity afforded to nearby residential properties.

RIGHTS OF WAY

Public Right of Way COR/27/2 (Footpath 27 Cornelly) runs along the southern boundary of the application site. As shown in the map below, the approximate alignment of the footpath as it is currently shown on the definitive map is shown coloured in solid purple:



Footpath 27 Cornelly

The Rights of Way Section of Bridgend County Borough Council do not object to the development proposal as none of the works associated with the development will directly or adversely affect the footpath. It is recommended that the developer is advised that the erection of scaffolding or storage of building materials on the footpath is not permitted as access must be maintained along the footpath at all times for members of the public.

Subject to the inclusion of an informative note, it is considered that the proposed development is acceptable from a Public Right of Way perspective, as the alignment of the footpath will not be affected by the proposed development.

ECOLOGY

An Ecological Assessment undertaken by Ethos Environmental Planning dated March 2019 was submitted in support of the application. The assessment concludes that the on site habitats which will be impacted by the proposed development are limited to amenity grassland, scrub and a section of non-native, species-poor hedgerow to the east of the site. The high-quality habitat on the site, which comprises broadleaved woodland, hedgerows and semi-improved grassland is proposed to be retained and enhanced.

The existing dwelling and detached garage were assessed as having negligible bat roost potential based upon the tight fitting roofs and land of access points for bats.

No objection is raised by Bridgend County Borough Council's Biodiversity, Policy and Management Officer, subject to the recommendations of the ecological assessment being conditioned.

Therefore, subject to the imposition of the recommended planning conditions, the application is acceptable from an ecology perspective and is compliant with Policy ENV1 of the Local Development Plan (2013) and the Council's biodiversity duty.

HIGHWAYS

The Transportation, Policy and Development Section initially raised concerns about the proposed development because a second access point was proposed. This access point was subsequently omitted from the development scheme to overcome the comments received. The objections received from Cornelly Community Council and third party objectors which relate to the additional access point are also addressed through its omission from the scheme.

Subject to the imposition of the recommended planning conditions, the application is considered to be acceptable from a highway safety perspective, in compliance with Policy PLA11 of the Local Development Plan (2013).

LAND DRAINAGE

Subject to the imposition of the recommended planning condition and informative notes, the proposed development is considered to be acceptable from a land drainage perspective.

ARCHAEOLOGY

The site lies within an area of archaeological significance as identified in the proposals map and Policy SP5(4) of the LDP. However, the Glamorgan Gwent Archaeological Trust has not provided any comments and it is considered unlikely that the site will contain any archaeological resources. However, a condition is attached to ensure an Archaeological Watching Brief is undertaken during the construction period.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations 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 comprising 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 well-being goals/objectives as a result of the proposed development.

CONCLUSION

The proposal is considered to be acceptable in principle in terms of a replacement dwelling in the countryside. The existing dwelling on this site is of limited architectural merit and, whilst the footprint of the replacement dwelling is larger, its maximum height is less than the existing property due to its contemporary design. It is considered that the dwelling will sit well within the rural context of the site and, on balance, the replacement dwelling is considered to be appropriate in terms of its size, scale and prominence, in accordance with Policy SP2 of the Local Development Plan (2013). No objection is received from the Transportation, Policy and Development Section and the application is considered to be acceptable from a neighbour amenity perspective. Subject to the imposition of the recommended planning conditions, the application is recommended for approval.

RECOMMENDATION

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

1. The development shall be carried out in accordance with the following drawing numbers:
 - "AL(90)01" received on 13 March 2019
 - "AL90)10" received on 13 March 2019
 - "AL(90)11" received on 13 March 2019
 - "AL(0)05" received on 13 March 2019
 - "AL(0)06" received on 13 March 2019
 - "AL(90)10 Rev A" received on 30 April 2019

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 dwelling 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 commence, apart from the demolition of the existing dwellinghouse and detached garage, until a scheme for the comprehensive drainage of the site, showing how foul water and surface water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the dwelling.

Reason: To ensure that effective drainage facilities are provided for the proposed development, to prevent overloading of the public sewerage system.

4. The access drive and parking facility shall be completed in permanent materials in accordance with the details prior to the development being brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety.

5. The entrance gates shall be set back not less than 5 metres from the nearside edge of carriageway.

Reason: In the interests of highway safety.

6. Prior to the commencement of development, a 5-year biodiversity management plan for all habitats within the site boundary should be submitted to and approved in writing by the Local Planning Authority. The biodiversity management plan shall be implemented in accordance with the approved details.

Reason: To ensure that retained and newly created habitats (including woodland, grassland and hedgerows) are managed appropriately in the long-term in order to benefit biodiversity.

7. Prior to works commencing on site, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority which addresses how the retained trees and hedgerows will be protected during works in line with British Standard recommendations BS5837:2012. The development shall be implemented in accordance with the agreed details and shall be retained in place for the duration of the works.

Reason: In the interests of good arboricultural practice.

8. Prior to the commencement of development a sensitive lighting plan shall be submitted and approved in writing by the Local Planning Authority. The lighting plan should be implemented in accordance with the agreed details and shall be retained in perpetuity.

Reason: In the interests of biodiversity.

9. No development or site clearance shall commence until the local planning authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the local planning authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the local planning authority within two months of the archaeological fieldwork being completed.

Reason: To ensure a satisfactory form of development.

10. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

The proposal is considered to be acceptable in principle. On balance, it is considered to be appropriate in terms of its size, scale and prominence, in accordance with Policy SP2 of the Local Development Plan (2013). No objection is received from the Transportation, Policy and Development Section and the application is considered to be acceptable from a neighbour amenity perspective.

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

The applicant is reminded that at no scaffolding or building material will be permitted to be stored on Public Right of Way COR/27/2 (Footpath 27 Cornelly) at any time. The Right of Way must be accessible to members of the public at all times.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

The applicant may need to apply to Dŵr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also confirm to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dŵr Cymru Welsh Water's maps of public sewers because they were originally privately owned and transferred into public ownership by nature of the Water Industry (Schemes for Adoption or Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dŵr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant is reminded that from 7 January 2019, new developments over 100m² of construction area require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before construction work begins. The applicant shall submit a sustainable drainage application form to the Bridgend County Borough Council SuDs Approving Body (SAB). Further information in relation to the new legislation including the sustainable drainage application forms can be obtained from the following link:
<https://www.bridgend.gov.uk/residents/recycling-waste-andenvironment/environment/flooding/sustainable-drainage-systems/>

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.

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.

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. 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.

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.

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.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None

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REFERENCE: P/19/256/FUL
APPLICANT: Mr S Evans 2 Bragdy Cottages, Byeastwood, Coity, CF35 6BN
LOCATION: 2 Bragdy Cottages Byeastwood Coity CF35 6BN
PROPOSAL: Detached double garage with store over
RECEIVED: 12 April 2019
SITE INSPECTED: 2 May 2019

DESCRIPTION OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a replacement garage at 2 Bragdy Cottages, Coity. The pair of garages lie to the west of a pair of semi-detached dwellings and this application seeks changes to the garages.

The garage will be detached from the existing garage positioned to the south west of the existing dwellinghouse and will measure 6.1 metres in width, 6.2 metres in depth and 5.1 metres in maximum height. It will have rendered elevations with a slate roof.

The garage will have a pitched roof with garage door on the south westerly facing elevation. No windows or doors are proposed to be installed on any other elevation. Two velux windows will be installed onto the north facing roof slope to serve the storage room above.

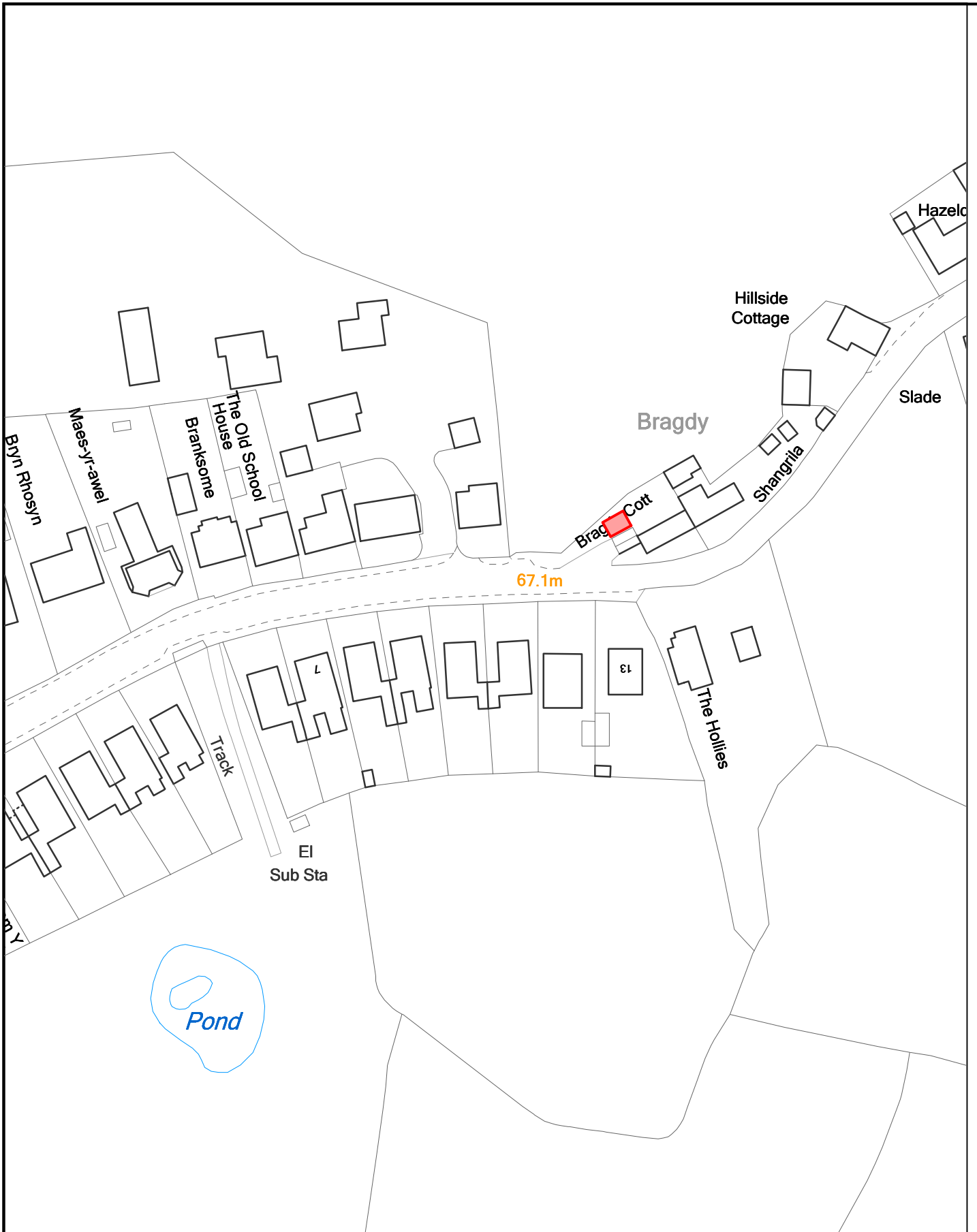
SITE DESCRIPTION

The application site lies within the countryside, as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013); it lies beyond the demarcated settlement limits but lies adjacent to the eastern settlement limit of Coity.

It is accessed from Heol yr Ysgol that lies adjacent to the south western boundary of the application site. The site is bordered to the north and east by open countryside. The area to the west and south of the site is characterised as residential, with properties of varying size, scale, character and appearance surrounding the application site.

The site itself comprises a pair of semi-detached dwellinghouses positioned close to the southern boundary of the application site. The properties have smooth render elevations and benefit from private amenity space at the rear (to the north). The western area of the application site comprises a hardstanding area with a pair of semi-detached garages which serve the properties, as shown below:





Jonathan Parsons
 Group Manager
 Planning and Development Services

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

P/19/256/FUL

2 Bragdy Cottages
Byeastwood
Coity

Scale: 1: 1,250
 Date: 14/06/2019

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RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/08/733/FUL	Two storey extension at rear and conservatory	Conditional Consent	29/08/2008

PUBLICITY

This application has been advertised through direct neighbour notification. A petition was received on 1 May 2019 signed by the occupier(s) of the following properties:

- 11 Heol yr Ysgol, Coity
- 12 Heol yr Ysgol, Coity
- 13 Heol yr Ysgol, Coity

The petition raises an objection to the development on the grounds that the garage will disrupt views of the countryside currently afforded to the aforementioned properties. It states that the height of the garage is not acceptable and the design will look strange and prevent the property from looking coherent. In addition, concerns are raised which relate to loss of light, overshadowing and loss of privacy.

It is stated that *“the addition of ‘velux’ windows and a balustrade staircase [inside] masks a possible future use of the proposed ‘garage and store’ for accommodation purposes”*.

In addition to the above, concerns are raised about the significant disturbance caused during the construction phase of development, in particular from noise, traffic and delivery of building materials. The owners vehicles will have to be parked on the road whilst development is undertaken which is inconvenient for residents and visitors. The petition calls for the Highways Department to erect temporary traffic control lights during the construction of the garage for safety reasons.

Concerns are also raised about the presence of asbestos in the existing garage to be replaced and the low-lying electricity cable.

Factors to be taken into account in making planning decisions must be planning matters; that is, they must be relevant to the proposed development and use of land in the public interest. The objections raised which relate to the impact of views into the countryside, the presence of asbestos and the low-lying electricity cable are not considered to be planning matters and will not be considered further.

No further representations were received within the consultation period which expired on 8 May 2019.

CONSULTATION RESPONSES

CONSULTEE	COMMENTS
Cllr A Williams 29 April 2019	No objection.

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
Policy ENV1	Development in the Countryside

In the determination of a planning application, regard should also be given to the local 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 Edition 10
Planning Policy Wales TAN 12

Design

APPRAISAL

This application is presented to the Development Control Committee because of the number of objections received during the consultation period.

PRINCIPLE OF DEVELOPMENT

The application site is located within the countryside, as defined by Policy PLA1 of the Local Development Plan (2013); it comprises land lying outside of the designated boundaries.

It states at paragraph 4.1.9 of Local Development Plan (2013) that “the countryside should be protected for its own sake (i.e. for its beauty, landscape quality, natural resources, and its agricultural, ecological, geological, physiographic, historical, archaeological and recreational value)”. Therefore, development in the countryside “will be strictly controlled”, and relevant policies will not be set aside lightly in the interests of maintaining the integrity of the countryside.

The proposal comprises the replacement of an existing garage which serves the property currently known as number 2 Bragdy Cottages, Coity. The development is considered to be compliant with criterion (7) of Policy ENV1 of the Local Development Plan (2013) and as such, it considered to be an acceptable form of development in this countryside location.

DESIGN

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”.

Whilst the application site is within the countryside, it is situated adjacent to the settlement boundary of Coity and is surrounded to the west and south by residential properties that vary in size, scale, character and appearance. As such, the proposed garage will not impact the character of the rural countryside and would have such a minimal visual impact upon the surrounding character and appearance of the area that it is not considered to be so detrimental to the visual amenities to warrant a refusal on such grounds.

The garage is of an appropriate design and is considered suitable in height. The petition raised concern about the overall height of the garage. This matter is considered to have been addressed through the submission of an amended plan which demonstrates a reduction in the overall height of the garage by 0.5 metres, to 5.1 metres.

It is acknowledged that the garage would be more visually prominent than the existing garage, owing to the fact that it has a pitched roof rather than a flat roof, however, it is not

considered to be an overly prominent addition that would be detrimental to the character of the streetscene.

Note 23 of Supplementary Planning Guidance Note 02 *Householder Development* (SPG02) states that “garages and outbuildings should be sited and designed so as to complement the existing house and to ensure there is no adverse effect on adjacent properties”.

The garage will be finished in materials to match the host dwellinghouse and will be sited in the position of the existing garage which it proposes to replace. The proposal is therefore considered to be compliant with the guidance contained within SPG02.

The replacement of the existing garage positioned to the south west of the existing dwellinghouse is considered to be an appropriate form of development, in accordance with guidance contained within SPG02 and Policy SP2 of the Local Development Plan (2013). It is therefore acceptable in design terms.

NEIGHBOUR AMENITY

The replacement garage will not impact the existing levels of privacy or amenity afforded to the occupier(s) of neighbouring properties and as such, no concerns are raised which relate to neighbour amenity.

The petition raises an objection to the development on the grounds that the proposed garage would cause loss of light, overshadowing and a loss of privacy. The position of the garage is such that the closest neighbouring property is positioned 25 metres to the south east of the garage and as such it will cause no impact upon the light or privacy of the occupier(s) of the property.

The petition also raised concern about the garage being used as accommodation in future. Whilst the store room above the garage can be used as an ancillary space used in connection with the dwellinghouse, the use of the building as a separate unit of accommodation or for any trade or business use would require a further planning application. In addition, the proposed velux rooflights are in the northern roof slope of the building facing away from number 1 Bragdy Cottages.

HIGHWAYS

Supplementary Planning Guidance 17 : Parking Standards states that “garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m”. The garage space is considered to be of sufficient size to accommodate one off-street parking space and as such, the proposal is considered to comply with the guidance contained within SPG17.

The Transportation, Policy and Development Section were consulted on 17 April 2019 but to date, no comments have been received.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

Section 3 of the Well-being 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

CONCLUSION

The proposed development is considered to be appropriate in size, scale and prominence, in compliance with criterion (3) of Policy SP2 of the Local Development Plan (2013) and is therefore acceptable from a design perspective. No concerns are raised which relate to neighbour amenity or highway safety and as such, the proposal is recommended for approval. The representations received from neighbouring residents have been taken into account, however, as described above, they do not outweigh the merits of the proposal, which, on balance, is considered to be acceptable.

RECOMMENDATION

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

1. The development shall be carried out in accordance with the "Location Plan" and "Block Plan" received on 12 April 2019 and the "Elevations" received on 14 May 2019.

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

2. The first floor of the garage hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling.

Reason: For the avoidance of doubt as to the extent of the planning permission granted and to ensure that the Local Planning Authority retain effective control over the use of the property.

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

The proposed development is considered to be appropriate in size, scale and prominence, in compliance with criterion (3) of Policy SP2 of the Local Development Plan (2013) and is therefore acceptable from a design perspective. No concerns are raised which relate to neighbour amenity or highway safety and as such, the proposal is recommended for approval.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO DEVELOPMENT CONTROL COMMITTEE

20 JUNE 2019

REPORT OF THE GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Foodstore Site, Salt Lake North, Porthcawl, Planning Development Brief

1. Purpose of Report

- 1.1 For the Development Control Committee to consider the Foodstore Site, north end of Salt Lake, Planning and Development Brief (attached as Appendix 1) and approve its content as a material consideration in the determination of any future planning application for the site.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 The approval of the Planning Development Brief will contribute to the following Corporate priorities:-

1. Supporting a successful economy – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.

3. Smarter use of resources – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

- 3.1 In November 2007, the Porthcawl Regeneration Supplementary Planning Guidance (SPG) was adopted by the Council. This provided for new homes within a 100 acre waterfront site with major retail in the form a large format foodstore and leisure developments, community provision, new road systems, land set aside for health provision, and other areas of public amenity, including new sea defences along Eastern Promenade and the Sandy Bay frontage.
- 3.2 The Bridgend Local Development Plan (LDP) adopted in 2013 reaffirmed the general planning policy outlined in the SPG by allocating the site as a Mixed-Use Regeneration Scheme under Policy PLA3(8). The LDP proposes 1050 new dwellings for the whole of the Porthcawl Waterfront up to 2021, with an additional 300 dwellings anticipated to be delivered beyond the plan period. New retail, leisure and

commercial development are also proposed, although the scale of this is not prescribed or confirmed in the plan.

- 3.3 The original plan in the adopted SPG envisaged a large foodstore located on Hillsboro Place Car Park that would have necessitated the stopping-up of the Portway to create the required land area. Since 2008 there have been several attempts to deliver development on that site. However, the supermarket allocation has received little interest due to the changes seen recently in the foodstore market resulting in a lack of demand for a large format foodstore and the associated cost of enabling works. The Council concluded that the large superstore which was originally to be the main driver of the scheme is undeliverable.
- 3.4 Fundamental changes to the foodstore market has led to the demand being reduced from a 50,000 sq ft store to a smaller scale store of up to 25,000 sq ft. As a result there is no longer an associated requirement for the Portway to be closed which has allowed for a rethink on the optimum location of the smaller store and the principal car park for the town centre. Following an assessment of options, the current strategy set out in the report to Council, dated 21 November 2018, is based on the store being located at the northern end of Salt Lake, and retention of the Hillsboro Place Car Park as the primary town centre car park along with the retention of the Portway as the main arterial route to and through Porthcawl. A fundamental element of the masterplan is the delivery of a new foodstore in order to meet unmet shopping demands and to act as a catalyst for future development opportunities within the Salt Lake area.
- 3.5 This report provides an update to the Masterplan in respect to the foodstore site and sets the planning and development parameters, namely updating the Council's positions in respect to its location, size, design, access and overall quality for any new development proposal associated with this site.
- 3.6 The site does not currently benefit from an extant planning permission. However, the site sits within Porthcawl's Waterfront Regeneration Area, described by Local Development Plan Policy PLA3(8).
- 3.7 As part of the disposal process, and given that a planning permission is not being pursued prior to marketing, it is necessary to investigate any issues which may constrain the site's potential in order that a degree of certainty can be given to potential bidders on the site's suitability and capability for redevelopment. This requires consideration of highways access, site constraints and opportunities, and design and development parameters associated with the delivery of the foodstore site and new link road. To inform prospective bidders and demonstrate the site's considerable potential as a gateway site into Porthcawl, the Council has drafted a planning and design framework in order to promote the site, safeguard it from inappropriate forms of development, and ensure that a high quality scheme is achieved through the planning process.

4.1 Current Situation

4.1 The Planning Development Brief attached as Appendix 1 considers the context for the redevelopment of the site and puts forward a number of development parameters and design principles, which can be used to guide the sites' redevelopment.

4.2 In summary the document comprises:

- The key delivery objectives - which sets out the Council's requirements for a high quality development that will maximise the potential of this site, improve access and respond to local context;
- Site and wider context - which includes an overview of the site including its boundary, location, history and key characteristics;
- The Planning Policy context against which the site will be assessed including national planning policy, legislation and the adopted Local Development Plan. It also includes the emerging regeneration strategy and retail tests undertaken which support the principle of development in this location;
- The overarching design principles and development parameters for the site, including guidance on:
 - General Principles
 - Wider Impact, Integration and the Public Realm
 - Building Materials
 - Sustainability and Environmental Considerations
 - Public Realm Design Code
 - Highways Design
 - Walking, Cycling and Bus Access
 - Car Park
- Planning Obligations, Planning Conditions, and Highways Agreement
- Planning Submission Requirements

5. Effect upon Policy Framework & Procedure Rules

5.1 The Planning Development Brief will represent a material consideration in the determination of future planning applications for the site.

6. Equality Impact Assessment.

6.1 There are no equality implications regarding this report.

7. Financial Implications

7.1 There are no immediate or direct financial implications as a consequence of this report and accompanying Planning Development Brief although it is envisaged that the document will encourage more developers to bid for the site.

8. Well-being of Future Generations Act (2015)

8.1 The Brief has been prepared in accordance with the 7 Well-being goals and the 5 ways of working as identified in the Well-being of Future Generations Act (2015)

9. Recommendations

9.1 That the Development Control Committee:

- a) Approve the Foodstore Site, Salt Lake North, Porthcawl, Planning Development Brief as Development Control Guidance to be used as a material consideration in the determination of future planning applications for the site; and
- b) Delegate authority to the Group Manager of Planning and Development to make any necessary factual and/ or cartographical amendments to the document that may be required prior to formal publication.

Jonathan Parsons
Group Manager Planning & Development Services
20 June 2019

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Background documents

1. Council Report dated 21 November 2018, Porthcawl Regeneration Scheme Update
2. Bridgend Local Development Plan (2013)
3. 7 Bays Project, Porthcawl Waterfront Supplementary Planning Guidance (2007)

PLANNING DEVELOPMENT BRIEF

APPENDIX 1

**FOODSTORE SITE
SALT LAKE NORTH
PORTHCAWL**

JUNE 2019

BRIDGEND COUNTY BOROUGH COUNCIL



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INTRODUCTION

The purpose of this Planning Development Brief is to clarify the planning and design framework which should be acknowledged and used in the formulation of detailed proposals. This document has been approved by the Council's Development Control Committee as Development Control Guidance at its meeting on 20 June 2019, making it a material consideration in the determination of any future planning applications for the site. The planning and design framework is intended to promote the site, safeguard it from inappropriate forms of development, and ensure that a high quality scheme is achieved through the planning process. This updates the current planning guidance by providing more updated and focussed guidance related to the foodstore site.

The site sits within the Porthcawl Strategic Regeneration Area. Its overarching Vision is set out in the adopted Supplementary Planning Guidance (SPG) (2007) for the Seven Bays Project, which states:

'The regeneration of the waterfront is a key element in the future development of Porthcawl as a premier seaside resort. This will be achieved through a combination of quality design of buildings and the surrounding environment, comprising residential, leisure, cultural, tourism and retail uses. Central to this will be a revitalised harbour area incorporating the reuse of historic buildings, new leisure facilities and a fully refurbished harbour set within a prestigious and vibrant waterfront.'

Following on from the earlier successes of the rejuvenated Marina and Jennings developments, a new foodstore represents the next phase of the area's development and is a critical component of the wider Masterplan for Porthcawl. This scheme represents the first element to be developed on the Salt Lake site and will act as a catalyst for the regeneration of the wider area.

OBJECTIVES

The key objectives of this Brief and the site have been identified as follows:

- Provide a distinct and enhanced Gateway into Porthcawl;
- Delivers a new foodstore which improves the commercial vitality and viability of the town centre;
- Improve the quality of pedestrian and cycle links to and through the site and, in particular, increase footfall between the town centre, the development site and Eastern Promenade, in accordance with the Active Travel Act (2013);
- Development to be robust, practical and respond to the local context (i.e. heritage, townscape quality, setting) and future masterplan aspirations;
- Achieve a comprehensive and cohesive approach to development including the position, size, layout, access and servicing of the foodstore and car park;
- Achieve an appropriate level of car parking which is managed by the operator to enable linked trips to the town centre;
- Utilise high quality 'soft' and 'hard' landscaping to soften the site boundary, particularly in areas of blank, or inactive frontages;
- Provide innovation in building design and environmental sustainability, particularly through the choice of high quality materials that responds to local context;
- Provide a high quality public realm; and
- Deliver a new access road to the development site.

THE SITE AND WIDER CONTEXT

Location

Porthcawl lies approximately half way between Wales' two largest cities, Cardiff and Swansea, around 25 miles from both. Situated on the main entrance to Porthcawl, the site is located within 5 miles of junction 37 of the M4 and is connected to it by the A4229.

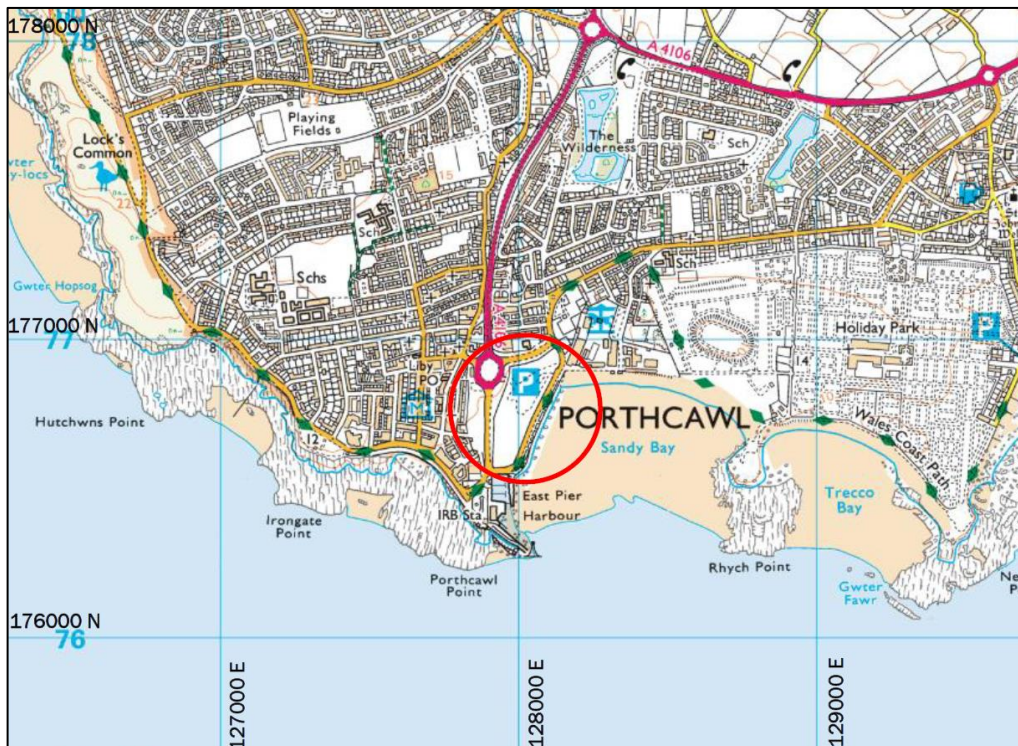


Figure 1 - Site Location Plan

The site is wholly owned by the Council and is located at the northern end of the Porthcawl Waterfront Regeneration Area. It has an extensive industrial maritime history but has most recently been used as car park and temporary site compound for nearby building works.

The site is bound by:

- To the north: immediately by Eastern Promenade road, followed by buildings associated with Porthcawl Fire Station and residential areas extending more than 1km;
- To the east: immediately by grass/gravel surface land associated with Salt Lake car park, followed by Eastern Promenade road. Sandy Bay beach is some 70m east, with Coney Beach fair to the north of the beach and Trecco Bay Caravan Park and the Bristol Channel;
- To the south: immediately by grass/gravel surface land associated with Salt Lake car park which extends approximately 290m further south. This is followed by a small marina;
- To the west: Immediately by a roundabout off Eastern Promenade and The Portway, followed by Hillsboro Place Car Park and Porthcawl Town Centre.

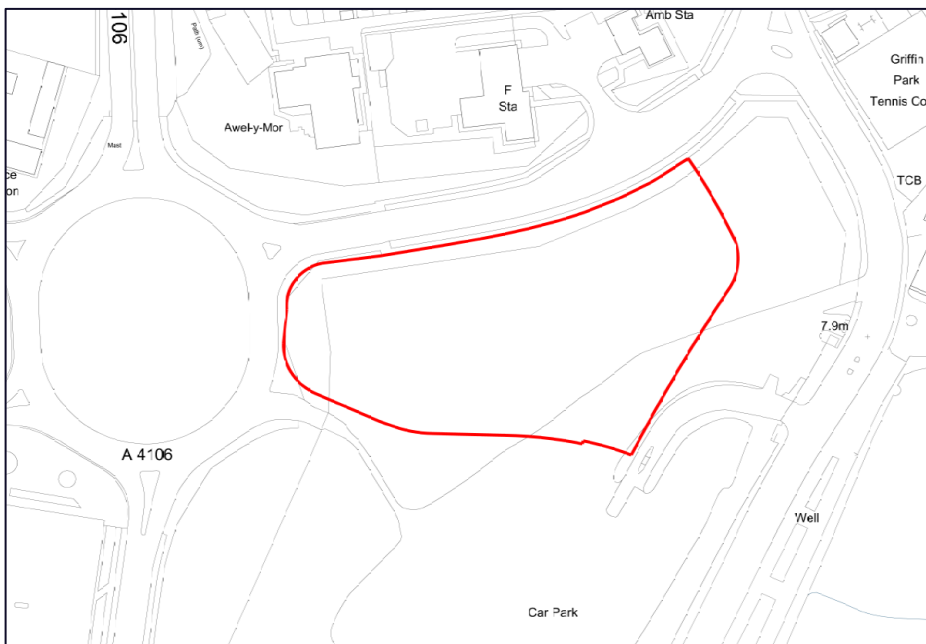


Figure 2 - Site Plan from Ordnance Survey

The site is located in the north west corner of the Salt Lake car park. The National Grid Reference of the approximate centre of the site is (SS) 282011, 176911 and the closest postcode is CF36 5TS. The proposed foodstore site comprises an irregular shaped parcel of land of around 70m length (north to south) and 140m width (east to west) measured from its central points, occupying an area of approximately 0.9 hectares.



Photo 1 – Site Plan Aerial Photo

The general topography of the wider area is relatively flat, gradually sloping to the coast to the south/south east. The site itself is generally flat and level and falls eastbound from 9.8m on the roundabout's footpath down to 7.5m in the north-east corner.

Vehicular access to the site is currently gained via a barriered entrance to the south west portion of the development site, where the new access road is to be built. Further barriered access points are also present to the east of the site off Eastern Promenade which currently provides access to the public car park within Salt Lake. There are no trees on the site.

Site History

There is a rich maritime industrial history which has been assessed from a review of available historical Ordnance Survey County Series and National Grid maps. The salient features from historical maps and County Series maps are summarised in the following table.

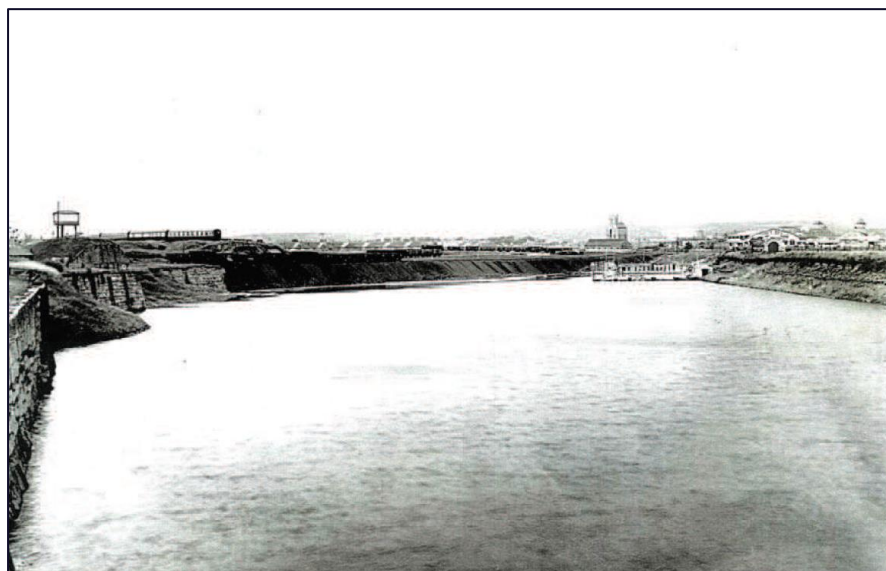


Photo 2 (top) - Historic Photos facing the future foodstore site (southward)

Photo 3 (bottom) - the view facing northward towards the future foodstore site from the southern end of Salt Lake. Source: National Railway Museum

Date	On Proposed Foodstore Site	In Vicinity of the Site
1880-1884	<p>The site is indicated to be within a shipbuilding yard on the north/north west edge of Porthcawl Dock. A 'Smithy' is indicated in the south east, adjacent to a masonry wall and slipway leading to the dock water's edge, which encroaches slightly in the south east.</p> <p>The site surface is shown to be a mix of rough pasture, shingle and sand. Railway lines are indicated to enter the site in the north and south, tending south east and north east respectively.</p>	<p>Porthcawl Dock continues to extend approximately 300m south of the site. The associated slipway extends from on site to approximately 40m south where the water's edge is located. Large sloping masonry walls are shown along the edge of the slipway and the southern wall extends some 30m into the dock. A further sloping masonry wall is shown adjacent to 'Porth-cawl Sands' beach which is shown 60m south east.</p> <p>The 'Outer Basin' of the Dock is shown some 300m south and the East Pier is shown some 550m south, adjacent to the harbour entrance.</p> <p>A large number of railway/tramway lines are indicated approximately 60m west of the site, trending north to south with some terminating at the edge of the dock. Railway land is also identified on the south and eastern edge of the dock, extending to the north east. A tank is indicated at the termination of two railway/tramway lines some 90m south west of the site and 4no. further unnamed square structures are also indicated in the area of the tank. A saw mill is also shown about 150m south west. A 'Gas Works' is indicated around 200m north east and two wells have been identified between approximately 150-500m north and north west. A site of human remains (found A.D. 1846) is shown around 400m north west. Residential areas are shown some 200m north west and 250m south west.</p>
1889-1900	<p>The Smithy is no longer indicated and there is no indication the site remains part of a shipbuilding yard. Additional railway lines are indicated.</p>	<p>The number of railway/tramway lines to the west have increased and are now located within a few metres of the south west corner of the site. 3no. railway lines now also extend to the edge of the dock wall, terminating at a 'Coal Tip', approximately 60m, 130m and 180m south of the site.</p> <p>The residential areas to the north, west and south west have expanded.</p> <p>A 'Tumulus' is shown around 400m north west in the position where the site of human remains (found A.D. 1846) was identified above, indicating a mound of earth and stones raised over a grave.</p> <p>'Porthcawl Water Works' is now shown adjacent to the north boundary of the gas works. The Wells previously identified are no longer indicated.</p>
1919	<p>An additional railway/tramway line is indicated through the centre of the site and the existing had moved slightly. Earthworks are apparent on the west boundary associated with the railway land.</p>	<p>A tank is indicated approximately 110m to the north west amongst the railway land. The railway/tramway lines on-site extend into the gas works and appear to be connected to a 'Tank' and 'Engine Shed' approximately 220m east. The tramway then extends further east and terminates 900m east of the site in 'Newton Burrows' sand dunes.</p> <p>The coal tips are no longer indicated, and the railway lines no longer terminate at the dock edge. Associated railway lines along the dock and to south west have been dismantled. The residential areas to the north and south have expanded further and are now joined to form one area.</p> <p>The Gas works has expanded with an additional tank indicated. The water works are no longer indicated.</p>

1943 - 1948	The south west corner is shown to be part of the now infilled dock, with the surface indicated to be shingle/rough ground. The rail/tram line through the centre is no longer shown, however an additional line is indicated in the north, running parallel with the other line. A road/track is indicated to extend through the site.	The former dock has been infilled, however the 'Outer Basin' remains. The railway land to the west is shown to have expanded and been modified and a tank is now shown approximately 40m south west and 60m north west, with a railway station now shown some 180m south west. The railway to the east of the site is now indicated to be a miniature railway, extending south west to north east along the extent of the road, now named Eastern Promenade. Coney Beach Amusement Park is now shown 100m east of the site, with the tank and railway shed previously identified in this area now removed. The residential/ commercial development to the west and north has continued. The gas works are no longer indicated; however, the tanks remain present. The beach is now named Porthcawl Sands.
1965 - 1968	The south west corner is now shown to be part of a larger car park, where the former dock was infilled. Some earthworks are shown adjacent to the railway lines across the site, which have been modified.	Some of the railway lines to the west of the site appear to have been removed/decommissioned and 2no. 'water points' are shown 70m south west. The surrounding areas have been developed further with residential and commercial buildings. One of the gas tanks has been removed.
1976 - 1980	The railway land has been removed and the site is indicated to be within a car park. An access road from the east (leading into Slat Lake Car Park) marginally crosses the site in the south east.	The railway land and tanks to the west have been removed and a new road and roundabout are now shown directly adjacent to the west boundary which extends south (The Portway). The car park to the south has expanded beyond the limits of the former dock with an additional car park indicated to the west of the Portway. The existing Fire Station and Police stations are now shown 30m north and 100m north west respectively. The layout of Porthcawl now resembles the present day following further development of the area and the beach has been renamed Sandy Bay. Trecco Bay Holiday Park is now shown approximately 800m east.
1991 - 2014	No significant changes identified.	The surrounding area is largely the same as the present-day layout. The gas works is no longer indicated.
2018- 2019	An Alun Griffiths Construction (UK) Ltd site compound has been positioned in the west of the site. No further significant changes identified.	No significant changes identified.

Table 1 – Summary of Site and Surrounds (Salt Lake) History

PLANNING POLICY

The following section provides an overview of the relevant planning policy against which any development proposal will be assessed.

National Policy, Guidance and Legislation

The Well-being of Future Generations Act (2015)

Planning Policy Wales (Edition 10, 2018)

The Active Travel (Wales) Act (2013)

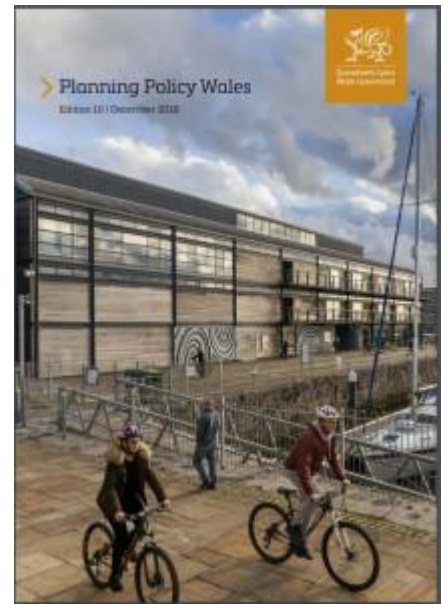
Design Guidance Active Travel (Wales) Act (2013)

TAN 4: Retail and Commercial Development (2016)

TAN 12: Design (2016)

TAN 15: Development and Flood Risk (2004);

TAN 18: Transport (2007)



Local Policy

Bridgend Local Development Plan (LDP)

Some policies are of greater significance to any proposed development, although many more generic policies will also have an impact on the regeneration of the site.



- Strategic Policy SP1: Regeneration-Led Development
- PLA2: Implementation of Regeneration Strategies
- Policy PLA3: Regeneration and Mixed Use Development Schemes

-
- Strategic Policy SP2: Design and Sustainable Place Making
 - Strategic Planning Policy SP3: Strategic Transport Planning Principles
 - Strategic Policy SP4: Conservation and Enhancement of the Natural Environment
 - Policy PLA4: Climate Change and Peak Oil
 - Policy PLA7: Transportation Proposals (3) (9)
 - Strategic Policy SP5: Conservation of the Built and Historic Environment
 - Strategic Policy SP10: Retail and Commercial Hierarchy

<https://www.bridgend.gov.uk/media/1899/written-statement.pdf>

SPG 17: Parking Standards (2011)

The Council's Parking Standards should be read in conjunction with the Active Travel (Wales) Act (2013) and its Design Guidance (2013), the Local Development Plan, and Supplementary Planning Guidance for Porthcawl. The SPG denotes the site as being located in zone 3.

https://www.bridgend.gov.uk/media/1851/spg_17_-_parking_standards_volume_1.pdf

<https://www.bridgend.gov.uk/media/1856/spg17-volume-2-written-text-and-map-index.pdf>

7 Bays Project, Porthcawl Waterfront: Supplementary Planning Guidance (2007)

The site forms part of the wider 'Porthcawl Waterfront Regeneration Area' as defined by LDP Policy PLA3(8), an area allocated for mixed use development in the Bridgend Local Development Plan (2013) and is the subject of the Seven Bays Project - Porthcawl Waterfront - Supplementary Planning Guidance (SPG) 2007.

<https://www.bridgend.gov.uk/media/1862/view-the-adopted-porthcawl-waterfront-planning-guidance.pdf>

The adopted Masterplan (2007) includes both the Salt Lake and Hillsboro Car Park Site (Phase 1) and area north of the Sandy Bay (Phase 2 on figure 3) which comprises over 100 acres on the coastline of South Wales. The regeneration of the waterfront will create a vibrant new focus that will bring social, economic, environmental and cultural benefits for the town itself and the wider area. Phase 1 also covers the marina / harbour area (blue, green area and surrounds in figure 3) which has been partially completed with the recent additions of the Jennings Building (live-work units and 3 food and beverage units), a new harbour kiosk, and consent for a new Maritime Centre (mixed community and leisure uses).

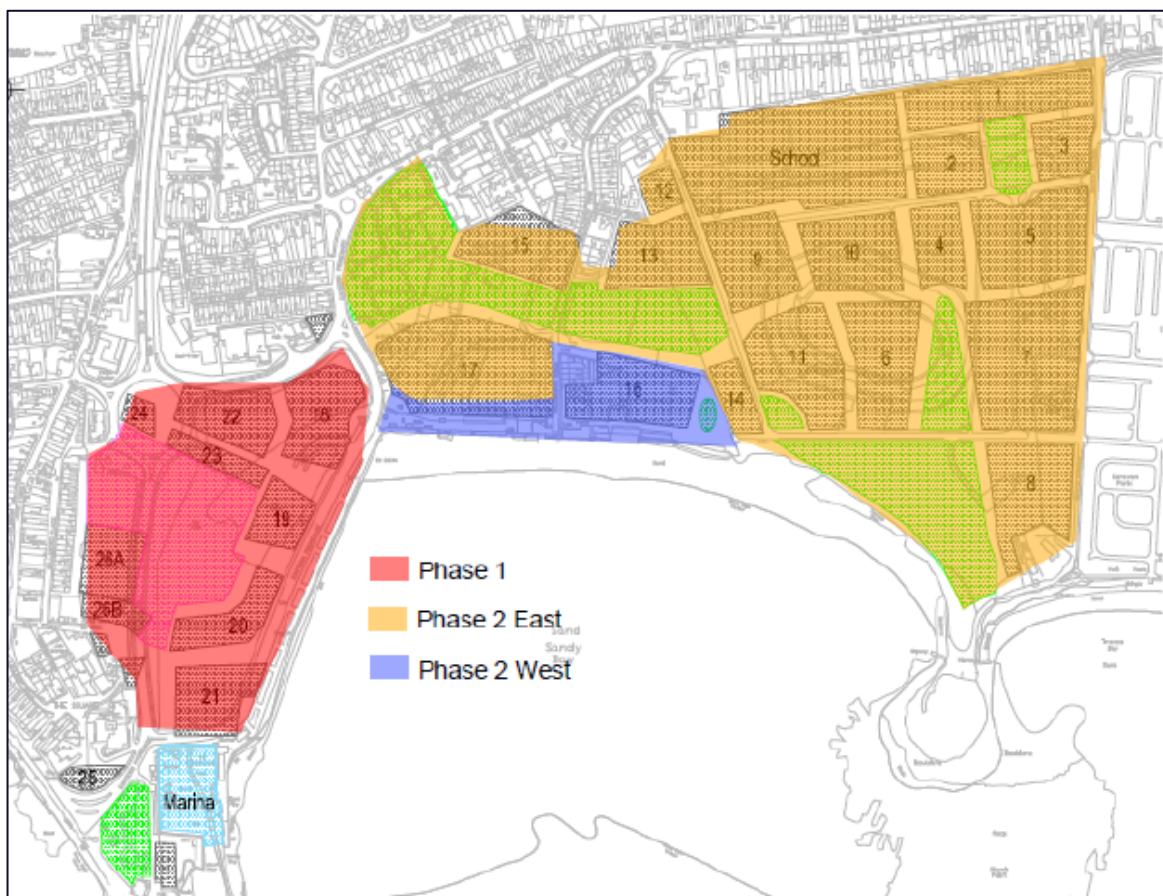


Figure 3 - Salt Lake and Hillsboro Car Park (Phase 1) and Sandy Bay (Phase 2) Developments

The regeneration builds on the vision for Porthcawl which aims to create a premier seaside resort of regional significance through the comprehensive regeneration of this

key waterfront site. It proposes a broad distribution of a variety of land uses across the area, including residential, leisure, retail and community provision. It also includes significant new areas of attractive open space along the seafront. Key elements of the waterfront will be the creation of new, high quality promenades between the harbour and Trecco Bay, and the regeneration of the harbour area itself.

Replacement Bridgend LDP - Candidate Site Register (2019)

The Candidate Site Register, published in January 2019, identifies all sites which have been submitted to the Council for consideration as new site allocations in the replacement Bridgend LDP. Aside from the Salt Lake site, only one other site has been submitted for consideration for the development of new commercial uses which is found in Porthcawl, Sandy Bay (Phase 2).

Emerging Porthcawl Regeneration Strategy

A revised regeneration strategy has been prepared for Porthcawl. This will inform the replacement LDP and is considered within this Planning Development Brief. An overview of the Porthcawl regeneration strategy is provided in the Report to Council dated 21 November 2018 (Item no. 241).¹

The commercial and retail uses proposed in the commercial core area have not been delivered, as envisaged in the Porthcawl Waterfront SPG. The supermarket allocation has received little market interest due to the changes seen recently in the food store market and the significant cost of the enabling highways works, and site configuration

¹ <http://ballot/ieListDocuments.aspx?CId=142&MId=3221&Ver=4>

works which would have involved stopping-up The Portway and relocating the existing Hillsboro Place car park.

Current market research indicates that while there is no market interest for a large superstore (up to 4,645 sqm gross), there is strong market interest for a smaller foodstore in Porthcawl.

The Council's revised regeneration strategy incorporates retaining the Phase 3 Salt Lake site as the main car park serving the town centre thereby retaining the Portway as the primary vehicular route serving Porthcawl and providing a smaller food store on the Phase 1 Salt Lake site to meet the unmet qualitative need for a main food shopping provision in Porthcawl. The Council aims to reinvest receipts from the supermarket development (phase 1) to fund improvements to Hillsboro Place car park (phase 3) and bring forward other development sites across Salt Lake. The proposals for Phase 3 includes reconfiguring the car park, increasing the number of parking spaces and improving access arrangements and the potential for new commercial leisure facilities along key town centre links.

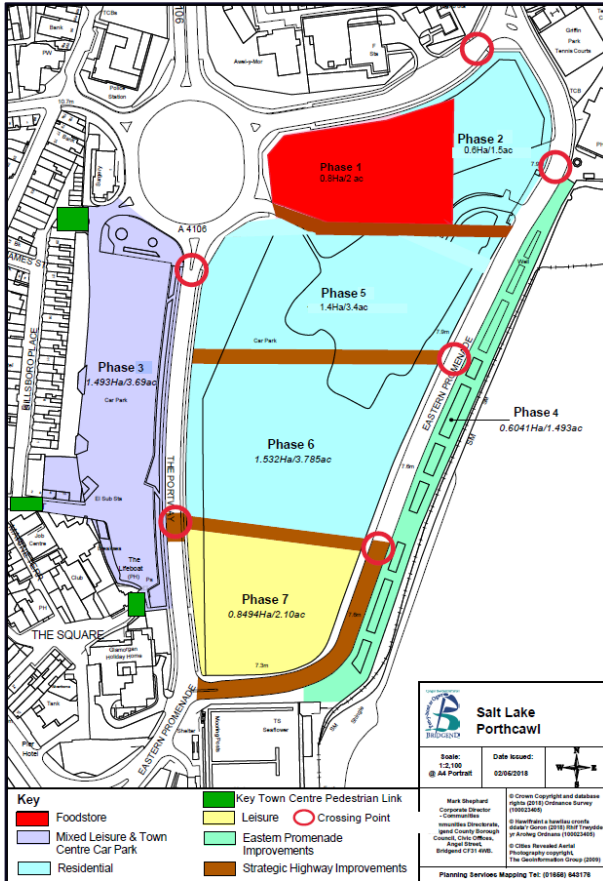


Figure 4 –Regeneration Phasing Plan

The foodstore site, referred to as Phase 1 in figure 4 (red shaded area) is considered an important ‘gateway’ site for Porthcawl. It forms the first phase of development within the wider Salt Lake Site and the redevelopment of the site with improved links will improve access between Porthcawl Town Centre, the Eastern Promenade (seaside promenade) and beach at Sandy Bay. The first phase of the site’s regeneration fronts onto the existing highway on its north and east border. A new access road is expected to be built off an existing spur off the A4016 roundabout and provide access to the

foodstore site and residential areas which are to be developed as part of a subsequent development phases along the foodstore site’s eastern and southern boundaries. Thus, the delivery of the new access road will act as a catalyst for unlocking wider site development.

RETAIL TESTS

The Site is located on the periphery Porthcawl Town Centre, as defined in the Local Development Plan.

Planning Policy Wales ed.10 (Chapter 4) sets out guidance around the tests necessary for new commercial development coming forward at the edge and out of town centre locations in order to ensure that any retail proposal does not undermine the Town Centre's vitality and viability. This includes the requirement to test a proposal against its need and impact as well as providing an assessment of whether there are more suitable, available and viable sites more centrally located (the sequential test).

Since 2008 there have been several attempts to deliver a new foodstore on the regeneration site. However, these never came to fruition and the Council concluded that the larger format superstore originally intended was undeliverable. However, evidence accumulated by the Council suggests that a smaller scale food store (circa 20-25k sq ft) is achievable. This has enabled a revisit of the key assumptions around the masterplan, namely the closure of the Portway and Hillboro Place Car Park. The emerging regeneration strategy reflects the Portway being retained as the main entrance point to Porthcawl and that Hillboro Place Car Park be retained as the primary town centre and tourism car park. As a result, it has been necessary to identify an alternative site for new commercial development. A sequential assessment and retail (needs) study undertaken on behalf of the Council concluded that no suitable and available 'alternative' town centre sites existed and that the top end of Salt Lake was suitable, achievable and readily available.

The main findings and recommendations were as follows:

- Planning Policy Wales requires local authorities to allocate sites to accommodate identified quantitative and qualitative retail needs in the development plan and adopt a sequential approach to the selection of sites for retail development;
- The retail evidence base identifies a qualitative need to provide a supermarket in Porthcawl to improve accessibility to main food shopping provision and reduce convenience expenditure leakage;
- The Porthcawl Waterfront SPG (2007) contains an allocation for a large format supermarket up to 4,645 sqm gross within the commercial core character area. However, this development has not come forward due to the associated cost of enabling works and the lack of demand for a large format foodstore;
- The emerging regeneration strategy for Porthcawl recognises that while there is no market interest for a large format supermarket at the present time, there is strong market interest for a smaller supermarket on the Phase 1 Salt Lake site;
- The Phase 1 Salt Lake site occupies an edge of centre location being 50m outside of the commercial centre boundary. In identifying sequential sites in and on the edge of Porthcawl town centre which could accommodate the identified qualitative need for a supermarket over the Replacement LDP period (2018-2033), the search reviewed information from the following sources: replacement LDP candidate sites, LDP development sites and existing vacant sites and units;
- The Salt Lake phase 3 site is the only site identified which occupies a sequentially preferable location however it is not considered to be available or suitable and

marketing evidence suggests that it is unlikely that the Phase 3 site could be brought forward for a supermarket development over the Replacement LDP period.

Therefore, land at the northern end of Salt Lake Car Park is considered to be the most suitable alternative location for a new food store / commercial development because of its close proximity to Porthcawl Town Centre, existing and future residential areas and its 'gateway location' into the tourist resort of Porthcawl. Commercial development in this location is considered compatible with national and Local Development Plan policy given there are no sequentially preferable sites in Porthcawl which are available and suitable to accommodate the identified need for a supermarket over the Replacement LDP period.

DEVELOPMENT AND DESIGN PRINCIPLES

Planning Policy Wales (Edition 10, 2018) sets out that:

‘Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.’



Photo 4 - Marina, Porthcawl



Photo 5 - Jennings Building, Porthcawl

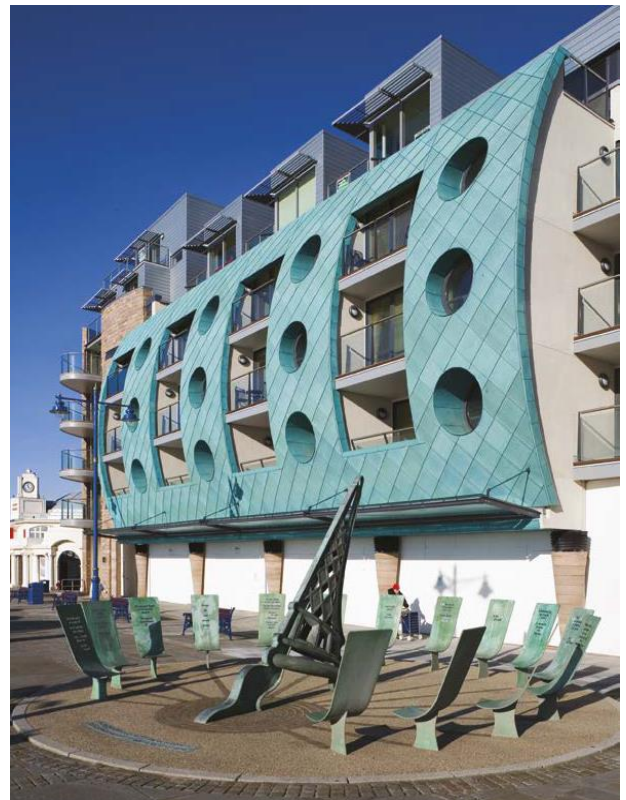


Photo 6 - Esplanade House, Porthcawl

The value of good design is recognised as being essential to the development and to the sustainable regeneration of Porthcawl. A poor quality environment is both economically and socially unacceptable. Poor design is now proven to be costly. The new development will be required to successfully regenerate this important part of the town and improve place perception and sense of place. The Development Principles which are described have been produced in order to help guide detailed design work and future planning applications. These Principles identify aspects of design which are considered important to the Council whilst providing the future developer (and their design team) ample scope for interpretation and innovation.

General Principles

- The primary use for the development site is A1 – Food Store. To ensure that the wider regeneration area maintains or enhances the vibrancy, vitality and attractiveness of Porthcawl Town Centre, the following uses will not be permitted: A2, A3, D1, D2, and any Sui generis uses (e.g. petrol filling stations);
- Deliver a high quality commercial building in recognition of the site’s ‘gateway’ location which serves as a signpost for Porthcawl and the wider regeneration area in its design, height, materials and elevational treatment;
- To promote the objectives of the Active Travel (Wales) Act 2013 and consider the needs of walkers, cyclists and public transport users (both visitors and employees) through managing vehicular traffic and the provision and improvement of active travel routes and related facilities, particularly those which address public safety and convenience;
- Incorporates a new foodstore of up to 2,322 sqm (GIA) with all necessary parking which enhances the town centre’s vitality and viability;

-
- Maximises active frontage facing onto the public realm and care must be taken to avoid a building layout/orientation that results in blank elevations fronting onto public streets;
 - Creates a building of no greater than 3 storeys (residential equivalent) in height (acknowledging the higher floor to ceiling heights in commercial developments);
 - Creates Minimum finished floor levels of 7.35m AOD, to tie into wider minimum site levels, but to ultimately be informed by recommendations of the site specific flood consequence assessment associated with the proposal;
 - Given the nature of the uses anticipated in the masterplan area, a contemporary, vibrant and dynamic architectural approach should be taken;
 - The scale and grain of large volume buildings can often be assimilated into the street scene by the elevational expression of structural bays and columns, subdividing large expanses of elevation. Bay widths addressing the street scene should be as narrow as possible. The horizontal emphasis of elevational design should be avoided as this tends to draw attention to the excessive width of these buildings;
 - Large areas of flat roofs should be avoided for the same reasons as above and instead, a varied and interesting roofscape should be created;
 - The Brief does not prescribe a particular architectural approach, but it does require proper attention to “place-making”. In Porthcawl this depends upon principles that are well illustrated in the historic urban form and scale of the Harbour area / town centre and which are the basis for creating a development designed for human interaction and enjoyment and which responds to and celebrates its maritime setting, the culture and heritage of Porthcawl;

- Any planning submission must provide a reasoned justification as part of a design and access statement, details of which should be provided in accordance with TAN 12 (2016) and further guidance provided by Design Commission for Wales (DCW) on behalf of Welsh Government (2017):

<https://gov.wales/docs/desh/publications/160504-technical-advice-note-12-en.pdf>

<https://beta.gov.wales/sites/default/files/publications/2018-09/design-and-access-statements.pdf>

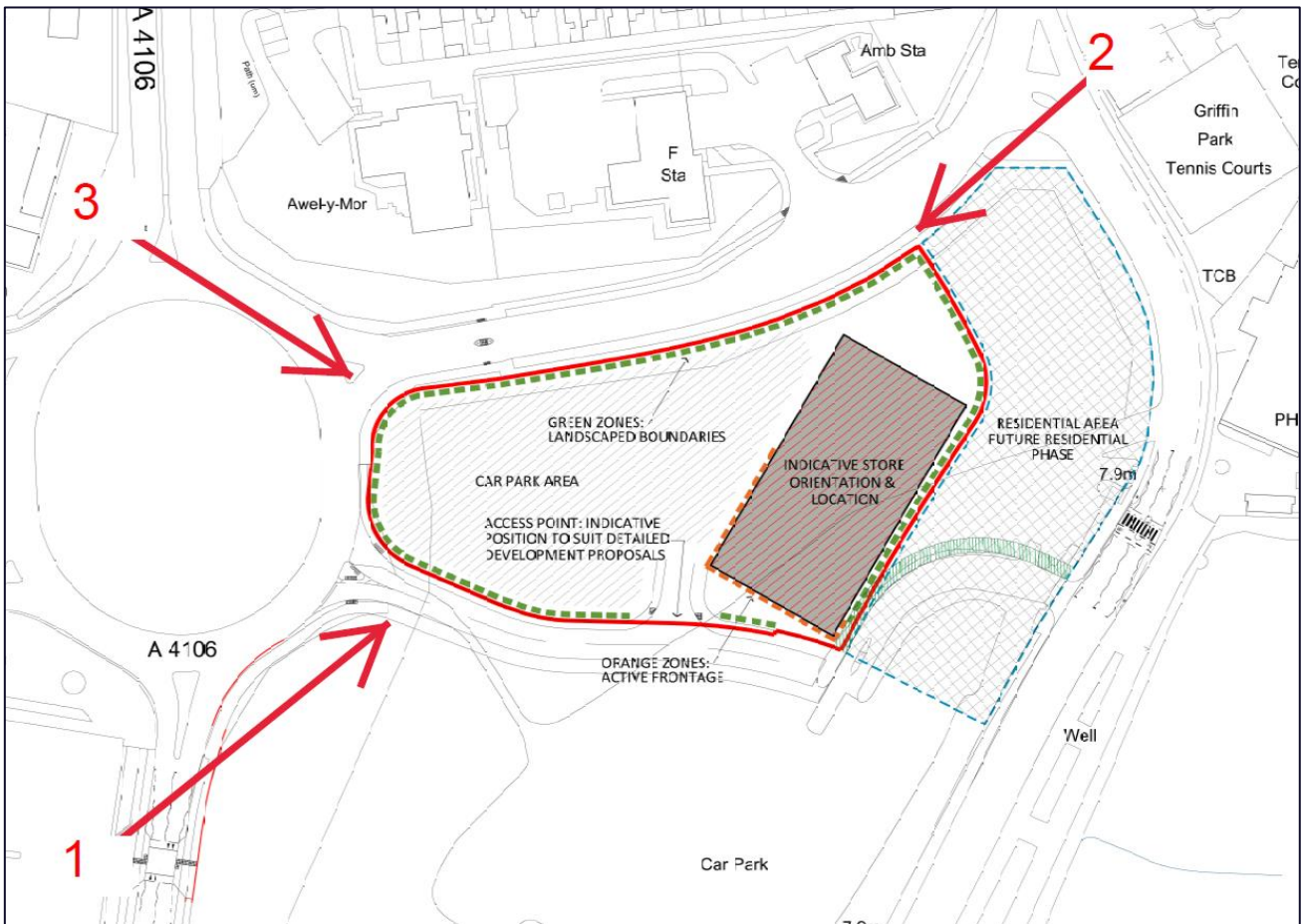


Figure 5 – Key Frontages and Views



Photo 7 - View 1 - Gateway Entrance – View from ‘The Portway’ heading North.



Photo 8 - View 2 – View from the ‘Eastern Promenade’ heading South



Photo 9 - Views 3 - Gateway Entrance – View form the A4106 heading South

Wider Impact, Integration and the Public Realm

- The main entrance must front onto both the car park and new access road providing active frontages particularly at ground floor level with windows, glazed atrium, and main entrances into the foodstore. The entrance should be clearly visible from the public highways, as far as possible;
- The contemporary buildings should have well-designed roofline silhouettes and facades;
- Minimizes the impact (e.g. noise, fumes, vibrations, other nuisance) on future adjoining residential areas including plant and equipment, and service and delivery areas and integrate such areas into the overall design of the building. Waste management storage and processing facilities are likely to be significant issues requiring adequate space, screening and access. These should be shown on the design and layout drawings;
- Takes into account future development proposals and seamlessly links to the wider strategic regeneration area and provides a sensitive design solution which minimises any impact on future residential development facing onto the southern and eastern boundaries of the site. Figure 5 illustrates the location of adjacent residential development. Any Proposal should must avoid compromising the place-making principles of the wider masterplan;
- Careful landscape design should be used to ensure appropriate boundary enclosure, create shade for building elevations, to oxygenate the air in parking areas, to screen and shelter spaces, to maintain and enhance biodiversity, and to ensure sustainable drainage. Particular attention must be paid to the treatment of prominent views to the site (e.g. Western, northern and southern boundaries which will experience longer distance views and greater exposure to the general

public) and the quality of landscaping treatments should reflect this prominence and proper screening of the car park and service areas;

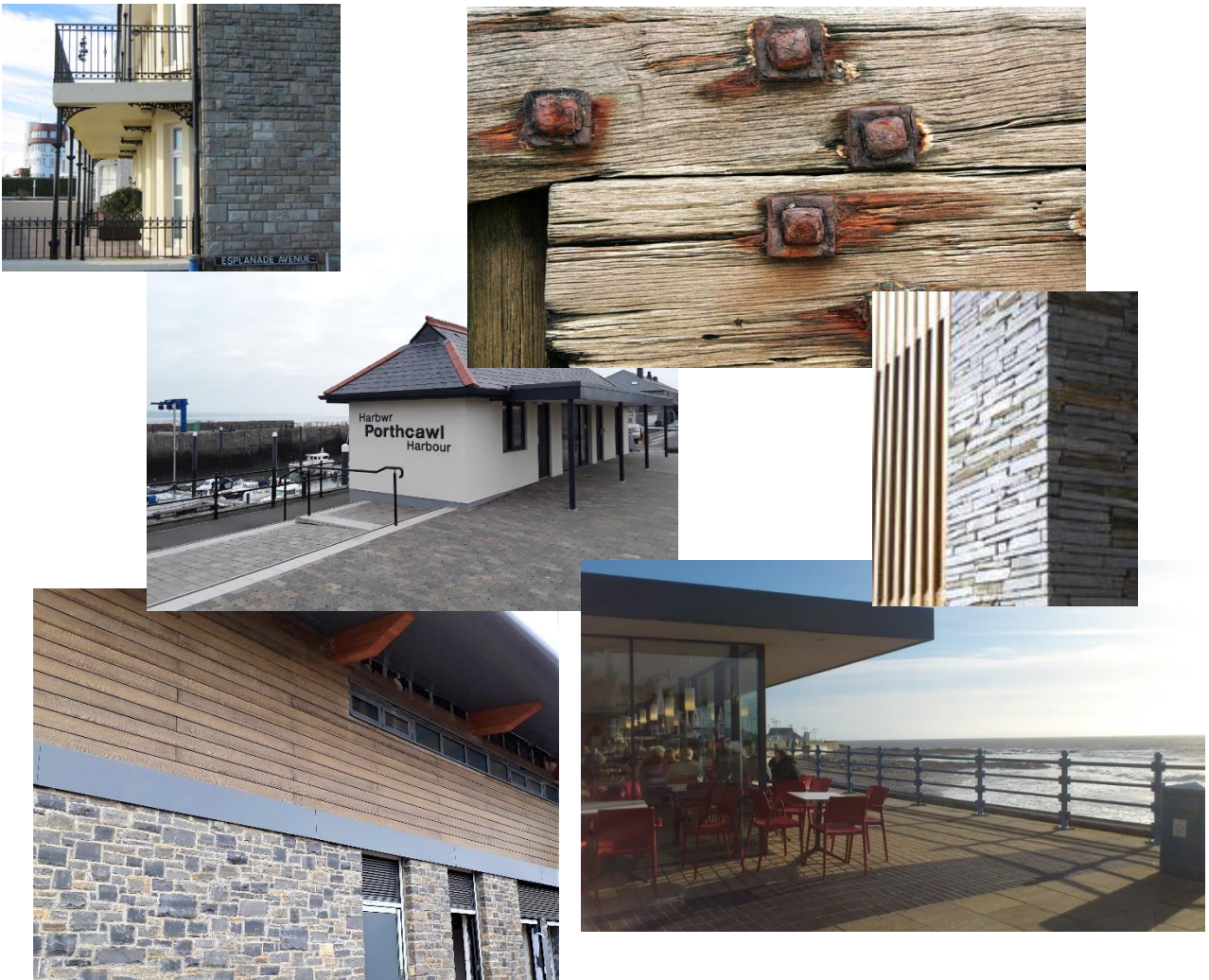
- Choice of materials, particularly for the public realm should aim to respond the public realm design code set out in table 2;
- Facilitates ease of pedestrian access, legibility and movement to the foodstore and across the site / car park from the adopted road network; and
- Development must contribute to street continuity and enclosure. In particular, buildings should be located in close relationship to the established street frontages and/or should recognise their 'role' in the street.

Building Materials

- Use of materials which are robust and weathers well, given its coastal location. The choice and distribution of materials can help to articulate and add interest to a façade and influence the overall character of a development as well as particular streets. The cumulative effect of using a wide range of standardised materials can result in 'fussy' or 'busy' elevations and streetscapes and can contribute to the erosion of a sense of place and local distinctiveness. The use of a relatively limited palette of materials can be extremely effective in creating a strong character for a street;
- Use of cladding may be explored, particularly where they complement the main elevation treatment but care should be taken to avoid a warehouse-type appearance and the scheme should be bespoke and imaginative;
- Apply a contemporary approach to appearance and detailing through the provision of large areas of glazing, natural stone (e.g. blue lias stone) and other

natural materials or equivalents which are more robust given the local character and maritime conditions; and

- As with the use of glazing and materials, the design of roofs can add interest and character to a development. The following elements need to be considered:
 - Roofing materials;
 - Construction form and detailing;
 - Roof pitch and shape; and
 - Eaves overhang, fascias and bargeboards.



Photos 10 – 15 - Good examples of high quality materials selected to reflect local context

Sustainability and Environmental Consideration

- Achieve a minimum BREEAM VERY GOOD standard;
- Demonstrate in an energy assessment that heating, cooling and power systems have been selected to minimize CO₂ emissions along with resource use. This should be in-line with any strategy agreed by the Council and cover both construction and operations;
- Phase 1 may require Sustainable Drainage Systems (SuDS) for surface water, though will be subject to ground conditions and the final drainage strategy for the site. Nevertheless, it will be requirement under Schedule 3 of the Flood and Water Management Act 2010 to consult on any proposal, the details of which will need to be approved and adopted by the SuDS approving body (the SAB). Early engagement with the SAB's officers should be undertaken to agree the drainage strategy in respect to the development site;
- From a review of topographical plans and NRW flooding maps, the site is not indicated to be at risk of flooding by rivers and the sea, however a low to high risk is indicated on the roundabout adjacent to the western site boundary; and
- The southerly aspect of the buildings should be capitalised for passive solar gain. The use of natural lighting as part of a whole building energy strategy should be mirrored in the overall architectural solution.



Photos 16 - 20 – Good examples of imaginative and modern store design which addresses local context

Public Realm Design Code		
LOCATION/ITEM	PRODUCT	EXAMPLES OF PRODUCT TYPE / SUPPLIER (FOR GUIDANCE PURPOSES)
VEHICULAR CARRIAGEWAY	Macadam	N/A
CROSSING POINTS AND SHARED SURFACES	Pennant Stone Setts Concrete Block Paving	Marshalls Tegula
PEDESTRIAN FOOTWAYS	Resin Bound Gravel Concrete Block Paving Pennant Stone Flags Pennant Stone Setts Granite	Sureset Permeable Paving Hardscape Kellen Breccia Range Hardscape Kellen Liscio Range Marshalls Tegula Hardscape Granite
TACTILE PAVING	Pennant Stone Flags Precast Concrete	
VEHICULAR EDGES	Silver Grey Conservation Kerb	Marshalls Ltd
PEDESTRIAN EDGES	Silver Grey Conservation Edging Aluminium Edging	Marshalls Ltd Exceledge Ltd
WALLING	Blue Lias Timber Groynes	RP Williams-Jones, Bridgend Purpleheart Hardwood
STREET FURNITURE SEATING BOLLARDS LITTER BINS WAYMARKING / SIGNAGE RAILINGS	See Supplementary Planning Guidance (2007) Stainless steel should be Grade 316	

CYCLE STANDS	'Fin' Cycle Stand (Grade 316 Satin Polished Finish)	Furnitubes As specified for Porthcawl Cycle Route Scheme
STREET LIGHTING	Lighting	Aubrilum 'Dôme' Column and Bussy Bracket Aubrilum 'Catelam' Column and Bracket Urbis Hestia
TROLLEY SHELTER	Stainless Steel (Grade 316) & Glass	
TREE SPECIES	<p>To include only tree species suitable for coastal location.</p> <p>Semi mature, 30-35cm girth minimum. Root balled or container grown. Clear stem to 2.2m. Underground guying as recommended.</p> <p>Semi mature 30-35cm girth minimum (if available) otherwise largest stock available, 12-14cm girth minimum. Root balled or container grown. Clear stem to 2.2m.</p>	<ul style="list-style-type: none"> • Examples: • Pinus nigra Austriaca • Pinus pinea • Quercus ilex • Sorbus aria 'Majestica' <p>Pinus pinea available as multi-stem (Hillier Nurseries) for added interest.</p> <ul style="list-style-type: none"> • Tamarix tetrandra • Tamarix gallica • Tamarix aestivalis <p>Planted as a combination of Tamarix tetrandra or Tamarix gallica and Tamarix aestivalis for extended flowering period.</p> <p>Integrate uplighters within tree pits in hard paved areas.</p>
TREE PITS & GUARDS	Tree Pit System Tree Guard	GreenBlue Urban (including root protection, irrigation, aeration, guying, StrataCell structural root zone, resin bonded stone surface. Topsoil - To BS 3882:2015 GreenBlue Urban 'Ullswater'
SHRUB SPECIES	To include only shrub species suitable for coastal location.	Examples: Atriplex, Berberis, Cordyline, Erica, Escallonia, Euonymus, Fuchsia, Griselinia, Hebe, Ilex, Lavandula, Phormium, Pyracantha, Rosa, Tamarix.
SHRUB PLANTERS	Stainless Steel (Grade 316) Hardwood Including integral anchor plates, approved self-watering system and reservoir in base.	

PERENNIALS AND BULBS	To include only species suitable for coastal location.	
ORNAMENTAL GRASSES	To include only species suitable for coastal location.	
GRASS SEED MIXES	To include only grass mixes suitable for coastal location.	

Table 2 – Public Realm Design Code

Highways Design

Transportation and accessibility is fundamental to the success of the scheme as the site forms the first phase of Salt Lake’s redevelopment and will link the town centre to the regeneration site and to the Eastern Promenade and Beach at Sandy Bay. The following section sets out the highways improvements expected.

Vehicular Access

The site has one existing point of access from the A4106 (The Portway) roundabout, which is used to serve the existing surface level ‘Salt Lake’ car park. The existing access is not considered suitable to serve new development, as in its current form it cannot accommodate Heavy Goods Vehicle (HGV) movements needed to service a retail development.



Photo 21 – Existing Access of the A4016 Roundabout

It is therefore proposed to upgrade the south-eastern arm of the A4106 roundabout to facilitate a new two-way access road to the first phase of redevelopment. The access road has been designed to accommodate access to the foodstore and future residential phases.

The redesigned roundabout arm is illustrated in figure 6.

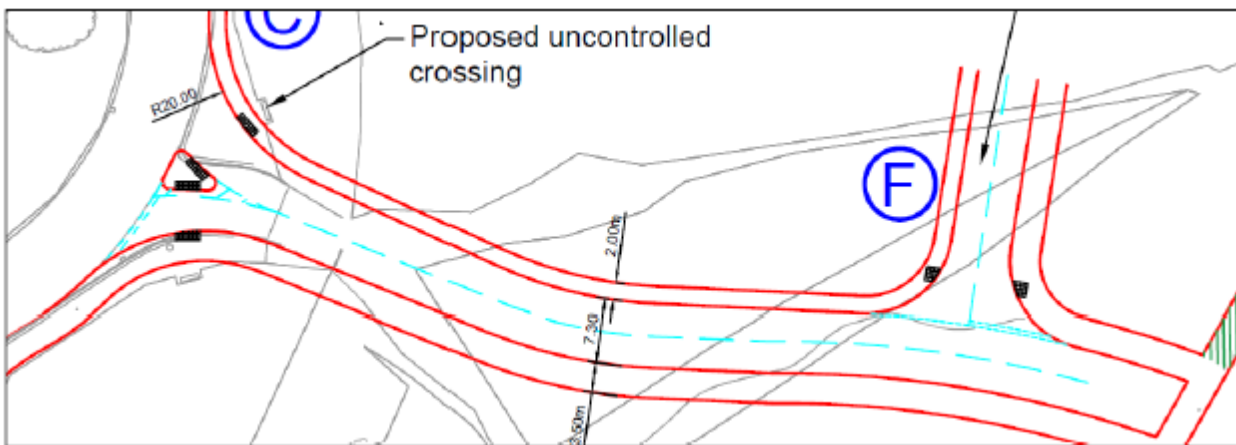


Figure 6 – Redesigned roundabout and new access road

The amended roundabout scheme has been tracked using Autotrack software to ensure it is able to accommodate large servicing vehicles. The layout has been tracked for a 12m long rigid HGV and a 16.5 m articulated HGV.

Access Road Design

Any improvements made to the adopted highway and provision of a new access road must be built to adoptable standards. This road will then be extended by subsequent plot developer in order to access future adjacent residential development. The new access road will not provide a direct vehicular access onto the Eastern Promenade. The road is expected to be up to 7.3m wide with a minimum 2m wide footpath on the north side and a minimum 3.5m wide shared footpath/cycleway on the south side. The width of the road may reduce, subject to further discussions with the highways authority, in light of the final proposal along with the extent of the road in order to facilitate a safe vehicle turn-around.

As the road is coming forward in advance of neighbouring plots, there will be a need to provide temporary accommodation works in order to ensure access for pedestrians and cyclists through to the Eastern Promenade. This is annotated as criteria (G) on figure 9.

Tree planting along the access road is necessary to achieve visual and physical cohesion across the masterplan area. Semi-mature trees should either be planted in small tree pits adjacent to the highway or if appropriate in larger landscaped areas adjacent to the site boundary. In order to minimise litter being collected in the landscaped area, low hedges should be avoided and species should be selected to minimise maintenance requirements. Appropriate species set out in the public realm design code.

Walking, Cycling and Bus Access

Active travel is critical to ensuring the development is sustainable. A pedestrian and walking strategy identifies the most appropriate routes to and from the foodstore site, which take into account desire lines to key destinations such as the town centre, Eastern Promenade and Sandy Bay.

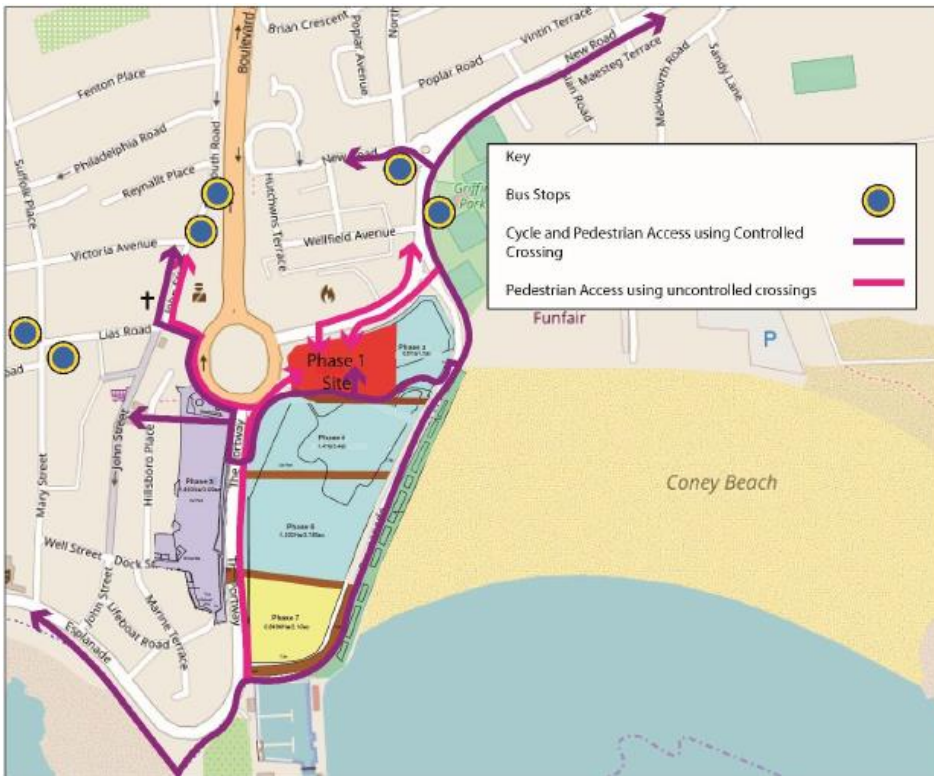


Figure 7 Pedestrian and Walking Access Strategy

The bus stops illustrated in figure 7 are served by a number of bus services linking the site with several local and regional destinations. These bus services are summarised in the following table. All bus stops are well within what is considered to be a reasonable walking distance from the site.

Location	Service Number	Destination	Daytime Frequency
Eastern Promenade	X2	Porthcawl - Bridgend - Cardiff	3 per hour
Eastern Promenade	803	Rest Bay - Porthcawl - Danygraig	1 per hour
Lias Road	61	North Cornelly - Porthcawl	1 per hour
Lias Road	63	Porthcawl - Bridgend	2-3 per hour
Lias Road	85	Sandsfield Estate Port Talbot - Porthcawl	3 during am & 5 during pm
Lias Road	172	Aberdare - Porthcawl	1 per hour
Lias Road	803	Rest Bay - Danygraig	1 per hour
Lias Road	X2	Porthcawl - Bridgend - Cardiff	3 per hour
Church Pl	803	Rest Bay - Porthcawl - Danygraig	1 per hour
John St/South Rd (Stop 3)	85	Sandsfield Estate Port Talbot - Porthcawl	3 during am & 5 during pm
John St/South Rd (Stop 3)	172	Aberdare - Porthcawl	1 per hour
John St/South Rd (Stop 2)	265	Kenfig Hill - Porthcawl Comp.	1 during am & 1 during pm
John St/South Rd (Stop 2)	803	Rest Bay - Danygraig	1 per hour
John St/South Rd (Stop 1)	61	North Cornelly - Porthcawl	4 during am & 4 during pm
John St/South Rd (Stop 1)	63	Porthcawl - Bridgend	2-3 per hour
John St/South Rd (Stop 1)	X2	Porthcawl - Bridgend - Cardiff	3 per hour per

Table 3 – Local Bus Service

Table 3 demonstrates that the site is well served by public transport. It is understood that services provided by bus numbers 61 and 803 may be amended following changes to bus funding. It is expected that planning contributions may be expected from any developer in order to upgrade the bus shelter facility on the Eastern Promenade opposite Griffin Park (northbound side).



Figure 8 - Location of proposed pedestrian and cycle infrastructure improvements

To facilitate the access strategy for the foodstore, a number of highways improvements are necessary, which are listed below and illustrated in Figure 8. The location and detail are to be agreed with the highways authority and will become a condition of any planning consent.

These include –

- A. New Toucan crossing with raised table on The Portway;
- B. Continuation of the pedestrian / cycle route and provision of a new uncontrolled crossing across the Hillsboro Place car park access to the town centre;
- C. New uncontrolled crossing of the new access road, adjacent to the roundabout;
- D. New cycle Zebra crossing markings on the existing Eastern Promenade crossing;
- E. New tactile paving and pedestrian central island at the existing zebra pedestrian crossing on Eastern Promenade (adjacent to the A4106 roundabout). The exact location of this will be dictated by the siting of the foodstore and the store entrance;
- F. New 3.5m shared pedestrian / cycle route on the southern side of the new access road and a new 2m pedestrian route on the northern side; and
- G. Temporary 3.5m wide shared footway / cycleway connection to the existing Zebra crossing on Eastern Promenade.

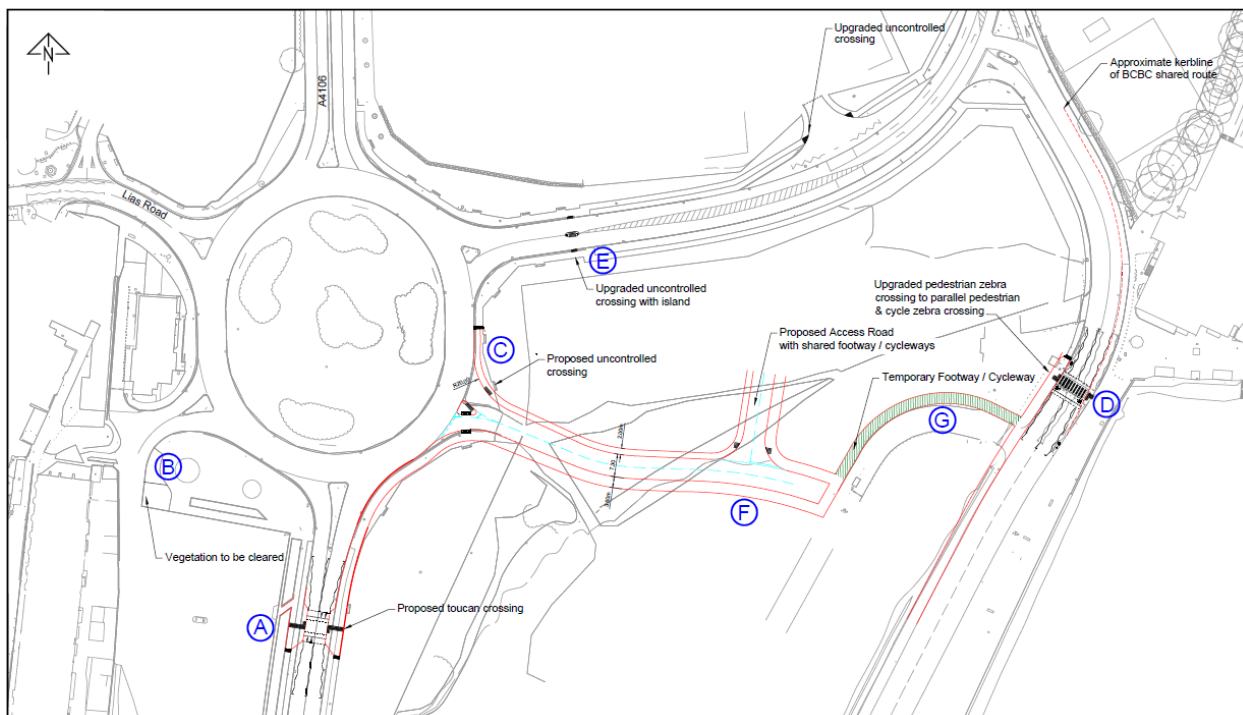


Figure 9 - Access Strategy

Car Park

In terms of car parking provision, Supplementary Planning Guidance 17 sets out the parking standards for new development. The site falls within zone 3, as set out in the SPG.

The car park should be able to be designed so that it is well integrated with the wider public realm and provide a safe environment.

A Transport Assessment (TA) is required as part of the foodstore scheme along with a travel plan which will demonstrate, amongst other things, how sustainable travel and the Active Travel (Wales) Act 2013 and associated Design Guidance has been considered and incorporated into the design and management of the scheme.

Active Travel routes run near to the site and are found in the following link, with additional routes anticipated for the Eastern Promenade, and link towards New Road <https://www.bridgend.gov.uk/residents/roads-transport-and-parking/active-travel-routes/>

Appropriate levels of bicycle parking and electric car (with passive provision for charging facilities) should be provided along with priority parking and easy, legible and direct pedestrian, bicycle and wheelchair access through the car park should be a priority.

PLANNING OBLIGATIONS, CONDITIONS & HIGHWAYS AGREEMENT

Dependent upon proposed uses and quantum of additional development, the Council may require the developer enter into appropriate legal agreements . Policy SP14 of the Local Development Plan sets out the Council’s policy in respect to planning obligations/agreements. Legal Agreements may take the form of a section 106 agreement (TCPA 1990), s38 and s278 agreement (Highways Act 1980) or planning condition associated with any consent.

The following list covers elements that may be sought via planning obligations, conditions or highways agreements associated with any development proposal. Though it should be noted that this list is not exhaustive and is subject to change based on the details of the final scheme agreed.

Transport

1. Various elements set out in the Access Strategy set out in figure 9;
2. A travel plan;
3. Provision of on-site cycle parking, facilities and associated infrastructure informed by the Travel Plan;
4. Bus shelter improvement;
5. New road infrastructure offered to the Council’s Highways Authority for adoption (s38 Agreement);
6. Works to the adopted highway (s278 Agreement);

Environmental Sustainability

7. Assessments confirming achievement BREEAM Very Good;

Other

8. Provision of Training and Local labour. This may include the delivery of apprenticeships, volunteering/work experiences, and community initiatives; and
9. A Construction Traffic Management Plan which details how the scheme will be delivered. This should demonstrate how it minimises the impact of the construction activity on the surrounding community, both for the construction on site and the transport arrangements for servicing the site.

PLANNING SUBMISSION REQUIREMENTS

Within any planning application, the Council would expect to see, as a minimum, the following documents to ensure timely validation:

- All plans, drawings, images (including topographical plan, site location plan, site layout plan, proposed floorplans and elevations, landscaping scheme, visualisations)
- Arboricultural report, including tree survey
- Archaeological assessment
- BREEAM report (pre-application assessment; tracker and results)
- Construction Management Plan
- Design & Access statement
- Energy Strategy
- Ecological Survey and Report
- Flood Consequences Assessment
- Heritage Impact Assessment
- Land contamination assessment
- Landscape design proposals
- Lighting Scheme
- Planning statement
- Transport Assessment and travel plan (scope tbc with Highway Authority)
- Waste management strategy and site waste management plan
- Pre-Application Consultation Report

Any proposal classed as a major development (more than 1000 sq. m.) the developer will also need to undertake a Pre-Application Consultation (PAC) Process, the result of which will be a PAC Report that has to accompany the planning application.

Separate to the planning application, the developer will also need to apply for Sustainable Drainage System (SuDS) approval through the SuDS Approving Body (SAB).
Contact: the Council's Land Drainage section

You can refer to the benefits of seeking pre-application advice from the LPA in the document and include this link to the Guidance:

<https://www.bridgend.gov.uk/residents/planning-and-building-control/pre-application-planning-advice/>

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REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

20 JUNE 2019

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

1. Purpose of Report.

- 1.1 The purpose of this report is for the Development Control Committee to nominate three Members to form the Committee's Site Visit Panel, which is to comprise of the Chairperson, Vice-Chairperson and a third Member and to also nominate a reserve Member to sit on the Panel should any of the three nominated Panel Members be unavailable.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

- 2.1 The establishment of necessary Committees and other bodies fulfils the requirements of the Constitution and enables the Authority to work towards the successful achievement of all its Corporate Priorities.

3. Background.

- 3.1 At a meeting of the Development Control Committee on 31 May 2012 the Committee agreed to establish a Site Visit Panel.
- 3.2 The Committee at the above meeting appointed 4 of its Members to form the Panel, in order to undertake visits of planning application sites, with the composition of this Panel being as detailed in paragraph 1.1 of this report.

4. Current situation / proposal.

- 4.1 The Annual Meeting of Council of 15 May 2019, approved the membership of the Development Control Committee and the Committee is required to consider the membership of the Site Visit Panel.

5. Effect upon Policy Framework and Procedure Rules.

- 5.1 This report accords with the Council Procedure Rules as set out in Part 4 of the Authority's Constitution.

6. Equality Impact Assessment.

- 6.1 There are no equality implications regarding this report.

7. Well-being of Future Generations (Wales) Act 2015 Implications

- 7.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The following is a summary to show how the 5 ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

- Long-term - The approval of this report will assist in the long term planning of the business associated with one of the Council's Regulatory Committees, in both the short term and in the long-term.
- Prevention - Having a Development Control Site Visit Panel, promotes good governance
- Integration - The report supports all the wellbeing objectives.
- Collaboration - The proper composition of the Development Control Committee Site Visit Panel assists the Committee in achieving effective decision making.
- Involvement - Establishing a Site Visit Panel allows Members to be better apprised of planning applications to be considered by Committee, in the presence of key representatives, for example local Members, Town/Community representatives, objectors from the local community, applicants/their agents, together with representation from any other key statutory undertakers, where appropriate.

8. Financial Implications.

8.1 The cost implications relating to the report will be met within existing budgets allocated for Members allowances.

9. Recommendation.

9.1 That the Development Control Committee nominate Members to sit as its Site Visit Panel, to include:

- The Chairperson of the Development Control Committee;
- The Vice-Chairperson of the Development Control Committee;
- A third Member;
- A reserve Member (to sit on the Panel should any of the above be unavailable).

K Watson
Head of Legal and Regulatory Services

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Postal address: Democratic Services
 Legal and Regulatory Services
 Civic Offices
 Angel Street
 Bridgend CF31 4WB

Background documents:

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

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

20 JUNE 2019

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

NOMINATION AND APPOINTMENT TO THE RIGHTS OF WAY SUB-COMMITTEE

1. Purpose of Report.

- 1.1 The purpose of this report is for the Development Control Committee to nominate and appoint Members to the Rights of Way Sub-Committee.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

- 2.1 The establishment of necessary Committees and other bodies fulfils the requirements of the Constitution and enables the Authority to work towards the successful achievement of all its three Corporate Priorities.

3. Background.

- 3.1 The remit of the Development Control Committee includes for the nomination and appointment of 6 of its Members to form the Rights of Way Sub-Committee, with the Chairperson and Vice-Chairperson of the Development Control Committee fulfilling the same role for the Rights of Way Sub-Committee.
- 3.2 The Annual Meeting of Council on 15 May 2019 approved changes to the membership of the Development Control Committee and, as a result of this, the nomination and appointment of Members to the Rights of Way Sub-Committee needs to be considered.

4. Current situation / proposal.

- 4.1 The Rights of Way Sub-Committee currently consists of six Members of the Development Control Committee and it is proposed that no change is made to the number of Members on the Sub-Committee.
- 4.2 The political balance of the Sub-Committee, based upon the number of Members it comprises of, is as follows:-

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

5. Effect upon Policy Framework and Procedure Rules.

5.1 This report accords with the Council Procedure Rules as set out in Part 4 of the Authority's Constitution.

6. Equality Impact Assessment.

6.1 There are no equality implications regarding this report.

7. Well-being of Future Generations (Wales) Act 2015 Implications

7.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The following is a summary to show how the 5 ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

- Long-term - The approval of this report will assist in the long term planning of the business of the Council in both the short term and in the long-term.
- Prevention - The proper composition of Council Committees meets the requirements of the Local Government and Housing 1989 Act in achieving political balance and the allocation of Committee seats which supports the effective decision making of the Council.
- Integration - The report supports all the wellbeing objectives.
- Collaboration - Consultation has taken place with the Group Leaders and Independent Members regarding the allocation of memberships of Committees and other bodies and the allocation of Chairs to these, where appropriate.
- Involvement - Advance public notice of Council Committee meetings can ensure that the public and stakeholders can engage in these meetings. Agendas and minutes of all public meetings will be available in the Welsh language in compliance with the Welsh Language Standards.

8. Financial Implications.

8.1 There are no financial implications regarding this report.

9. Recommendation.

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

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

K Watson
Head of Legal and Regulatory Services

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Operational and Partnership Services
Civic Offices
Angel Street
Bridgend CF31 4WB

Background documents:

There are no background documents in relation to this report.

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APPEALS

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

CODE NO.	C/19/3229249 (1862)
APPLICATION NO.	ENF/282/18/ACK
APPELLANT	MR W M MORRIS
SUBJECT OF APPEAL	UNAUTHORISED WORKS TO CREATE CAR PARKING AREA MOUNT PLEASANT FARM, FARM ROAD, CEFN CRIBWR
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	ENFORCEMENT

CODE NO.	A/19/3229220 (1863)
APPLICATION NO.	P/19/3229220
APPELLANT	MR W M MORRIS
SUBJECT OF APPEAL	RETENTION OF CAR PARK (PERMEABLE SURFACE) TO SERVE FARM SHOP ENTERPRISE MOUNT PLEASANT FARM, FARM ROAD, CEFN CRIBWR
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The site lies in a rural area and the proposal which constitutes an undesirable and inappropriate form of development outside any existing settlement boundary, is considered to be detrimental to the character and appearance of the existing countryside contrary to established national and local planning policies and would set an undesirable precedent for further applications for similar development in this area contrary to Policies PLA1, ENV1 and SP2 of the Bridgend Local Development Plan 2013 and advice contained in Planning Policy Wales (Edition 10, 2018).
 2. Insufficient information has been submitted with the planning application to assess the potential impact of the development on parking and highway safety in and around the application site, contrary to the requirements of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 10, 2018).
-

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

CODE NO.	C/19/3220905 (1850)
ENFORCEMENT NO.	ENF/79/18/ACK
APPELLANT	MRS ELIZABTH THORNE

SUBJECT OF APPEAL UNAUTHORISED CHANGE OF USE OF LAND TO DOMESTIC GARDEN AREA
1 BLACKFIELD ROW, CEFN CRIBWR

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL ENFORCEMENT NOTICE

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE ENFORCEMENT NOTICE BE CORRECTED AND ALLOWED AND THE ENFORCEMENT NOTICE IS QUASHED.

A copy of the two appeal decisions is attached as **APPENDIX A**

CODE NO. A/19/3220903 (1851)
APPLICATION NO. P/18/860/FUL

APPELLANT MRS ELIZABTH THORNE

SUBJECT OF APPEAL INCLUSION OF LAND TO NORTH OF EXISTING PROPERTY INTO DOMESTIC CURTILAGE
1 BLACKFIELD ROW CEFN CRIBWR

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL DELEGATED OFFICER

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

A copy of the two appeal decisions is attached as **APPENDIX A**

CODE NO. A/19/3221703 (1853)
APPLICATION NO. P/17/1027/OUT

APPELLANT MR ALAN HEARNE

SUBJECT OF APPEAL OUTLINE APPLICATION FOR 3 DWELLINGS
LAND OFF CONVIL ROAD, BLAENGARW

PROCEDURE HOUSEHOLDER

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

A copy of the appeal decision is attached as **APPENDIX B**

CODE NO. A/19/3221795 (1854)
APPLICATION NO. P/18/890/FUL

APPELLANT MS REBECCA PORTER

SUBJECT OF APPEAL CONVERSION OF EXISTING DISUSED BAKERY TO ONE
BEDROOM DWELLING
FORMER BAKERY, REAR OF 77 NOLTON STREET, BRIDGEND

DECISION LEVEL WRITTEN REPRESENTATIONS

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

A copy of the appeal decision is attached as **APPENDIX C**

RECOMMENDATION

That the report of the Group Manager Planning & Development Services be noted.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background Papers

(see application reference number)

Appendix A



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/04/19

gan A L McCooey BA MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15.05.2019

Appeal Decision

Site visit made on 03/04/19

by A L McCooey BA MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 15.05.2019

Appeal Ref: APP/F6915/C/19/3220905

Site address: 1 Blackfield Row, Cefn Cribwr, Bridgend, CF32 0HB

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

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs Elizabeth Thorne against an enforcement notice issued by Bridgend County Borough Council.
- The enforcement notice, numbered ENF/79/18/ACK, was issued on 2 January 2019.
- The breach of planning control as alleged in the notice is without planning permission, the change of use of agricultural land to a domestic use.
- The requirements of the notice are:
 - i. Cease the use of the land for residential purposes;
 - ii. Remove all the domestic items and paraphernalia from the land including but not limited to the decking, children's play equipment and climbing frame;
 - iii. Erect a 1m high timber post and rail fence along the line marked in green on the attached plan.
- The period for compliance with the requirements is two months after the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.

Appeal Ref: APP/F6915/A/19/3220903

Site address: 1 Blackfield Row, Cefn Cribwr, Bridgend, CF32 0HB

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Elizabeth Thorne against the decision of Bridgend County Borough Council.
- The application Ref P/18/860/FUL, dated 22 October 2018, was refused by notice dated 20 December 2018.
- The development proposed is inclusion of land to the north of the existing property into domestic curtilage.

Decisions

Appeal Ref: APP/F6915/A/19/3220903

1. The appeal is allowed and planning permission is granted for the change of use of the land to the north of the existing property for purposes incidental to use as a dwelling at 1 Blackfield Row, Cefn Cribwr, Bridgend, CF32 0HB in accordance with the terms of the application, Ref P/18/860/FUL, dated 22 October 2018, and the plans submitted with it, subject to the following condition:
 - 1) Notwithstanding the provisions of Schedule 2, Part 1, Classes E and F of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings shall be erected, or hard surfaces provided, on the land the subject of this planning permission.

The reason for this condition is to maintain control over future development so as to ensure that the use of the land does not have a detrimental effect on the character and appearance of the countryside.

Appeal Ref: APP/F6915/C/19/3220905

2. It is directed that the enforcement notice (EN) be corrected: by the deletion of the words "change of use of agricultural land to a domestic use" in paragraph 3 and the substitution of the words "change of use of agricultural land to use for residential purposes" in paragraph 3. Subject to these corrections the appeal is allowed and the enforcement notice is quashed. Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the development already carried out, namely the change of use of agricultural land to use for residential purposes on the land as shown on the plan attached to the notice subject to the condition set out above (for appeal ref. APP/F6915/A/19/3220903).

Procedural Matters

3. The appeals relate to the same matter and arise because a breach of planning control was investigated by the Local Planning Authority, who invited the submission of a planning application. When that application was refused the Council issued the EN to remedy the breach. The description of the proposed¹ development in the planning application is incorrect in referring to the inclusion of the land into the domestic curtilage. Domestic curtilage defines an area of land in relation to a building and not a use of land. The description should be the change of use of land for purposes incidental to use as a dwelling. The breach of planning control refers to change of use to a domestic use again this is inaccurate description of a use. It should refer to the use of the land for residential purposes as used in the first requirement of the EN. I shall make these corrections to the description of the development in the planning appeal and the breach in the EN. I am satisfied that these corrections are necessary and that no prejudice is caused to any party as a result.
4. As the only ground of appeal on the EN is ground (a), I shall deal with both appeals together using the format of an appeal against the refusal of planning permission.

¹ The word proposed is used here in abstract terms as the use has commenced.

Main Issue

5. The main issue in these appeals is the effect of the change of use on the character and appearance of the countryside.

Reasons

6. No. 1 is the end property of a terrace of three dwellings in the countryside. The B4281 at Tycribwr Hill is to the east then reaches a bend before the site and continues as Farm Road to Cefn Cribwr to the west. There are several dwellings and a shed retail premises with outdoor display areas along the road nearby. The existing property has a small front and rear garden and a larger side portion running as far as a large garage to the west. There is a garden of another property and an outbuilding between this side garden and the road. The appeal site is around 0.07 ha. of lawn to the north (rear) of the side garden. The southern and western boundaries comprise existing mature hedges and the northern is a post and wire fence. The northern boundary aligns with those of nos. 2 and 3.
7. The policy context is provided by the Bridgend Local Development Plan. The Council refers to strategic policies defining settlements and requiring good design and compliance with national policy. The site is outside any settlement as defined in Policy PLA1 and the key policy is therefore Policy ENV1 which states that development in the countryside will be strictly controlled. The appeal development is not of a type listed in the Policy as being acceptable. The explanatory text refers to the need to protect the countryside for its own sake e.g. for its beauty and landscape quality. The policy is the starting point for the assessment of new development in the countryside and will not be set aside lightly, in the interests of maintaining the countryside. Both Policy ENV1 and national policy² state that new building in the countryside must continue to be strictly controlled. All new development must be of a scale and design that respects the character of the surrounding area.
8. The appellant sets out the background to the case in terms of the inadequacy of the existing garden areas to provide a safe play area for the family. The existing side garden is narrow and occupied by buildings, an oil tank and a cesspit. The site contains an area of decking, a trampoline and other play equipment. A boat is being stored towards the western end. Reference is made to the highway safety issues in preventing the use of the front entrance onto a busy fast road. The appellant argues that the use of this land would allow for safe play and access contributing to the aims of the Well-being of Future Generations Act and sustainability. There is evidence that the land was purchased around 10 years ago (by the previous owners) to compensate no. 1 for the loss of the garden area along the road, which was given to no. 2.
9. I consider that the case hinges on the effect on the character of the countryside in this area. The character of the area is not exclusively agricultural there are dwellings along the road and some commercial development³. I note that no. 3 has an extensive defined area to the side. The Council has investigated the use of this land and outbuildings and concluded that some of it is in agricultural use. Notwithstanding this, it appears as a developed area with outbuildings and some gardens in views from the road and on the aerial photos supplied by the appellant. The dwellings across the road from Blackfield Row have extensive gardens.

² Paragraph 3.56 of Planning Policy Wales Edition 10.

³ The Shed Centre – which the Council describes as a farm shop

10. Views from the road in front and either side of the site are extremely limited given the location of the site. The views from Tycribwr Hill are also limited, especially from a car, by the hedges along that road and the intervening development. Tycribwr Hill is unlikely to be regularly used by pedestrians because of the traffic volume and speeds on the road and absence of footways. The Council referred to views from the north across the steep valley. I was directed to views from a road running east-west, which is at least 1km away. At this distance, it is difficult to discern the site in any detail. The land appears to sit in with the existing built form and gardens to the south in these views.
11. The site sits well into the existing garden areas with buildings, gardens and access/parking to the south. The size of the land is defined by the existing layout. As noted above there is a common northern boundary with no. 2 and no. 3 that extends in a straight line from the site to Tycribwr Hill. The site has logical boundaries and is not therefore excessive in this context. The domestic paraphernalia on the site cannot be readily viewed from public views or from the adjoining properties given the location to the rear of buildings, the levels of screening and distance of the viewpoints. The Local Planning Authority's concern about the proliferation of such play equipment, etc. is not therefore a significant issue in this case. The circumstances of this site are such that I discern little harm to the character and appearance of this part of the countryside.
12. This case is determined on its own merits and the specific circumstances of this site. It does not or cannot set a wide-ranging precedent that would fetter the Local Planning Authority in dealing with other developments in the area which would be determined on their own merits and context. I therefore make no further comment on the cases referred to by the appellant. I have noted the objections made to the planning application. The Council concluded that the other matters raised were not material planning considerations and I agree with this assessment and the reasons given.
13. A condition restricting permitted development rights for buildings or hard surfaces would ensure that the open character of the land would be maintained if planning permission were granted. I note that the Local Planning Authority was opposed to the appellant's offer of planting to the northern boundary and did not suggest any such condition would be required.

Conclusion

14. I conclude that the development would not offend the requirements of Policy ENV1 or other local and national policies because of its very limited effect on the character and appearance of this part of the countryside. The development cannot readily be seen from the surrounding area due to the factors I have identified above. It would not therefore cause material harm to the open nature of the countryside. The specific circumstances of this site mean that no detrimental precedent would be set by approval of the development.

15. In reaching my decision, I have considered the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. This decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities. For the reasons given above I conclude that the appeals should succeed, planning permission should be granted and the EN quashed.

A L McCooey

Inspector

Appendix B



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/04/19

gan **A L McCooey BA MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15.05.2019

Appeal Decision

Site visit made on 03/04/19

by **A L McCooey BA MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 15.05.2019

Appeal Ref: APP/F6915/A/19/3221703

Site address: Land off Convil Road, Blaengarw, Bridgend, CF32 8BN

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 Alan Hearne against the decision of Bridgend County Borough Council.
 - The application Ref P/17/1027/OUT, dated 30 November 2017, was refused by notice dated 20 September 2018.
 - The development proposed is for 3 dwellings.
-

Decision

1. The appeal is dismissed.

Reasons

2. The appeal site is located to the east of the village of Blaengarw and the A4064 Nanthir Road. The approach is via terraced residential streets, Convil Road (which is steeply sloping) and James Road. The site is accessed from a lane to the rear that emerges at the intersection of Convil Road with James Road. The lane is single width with a gradient of approximately 1:10. It is also a Public Right of Way (Footpath 74 Garw Valley). The site slopes steeply to the front with a level area to the rear. It contains stables and outbuildings accessed from the lane.
 3. Outline planning permission for 3 dwellings on the site was granted in 2013 and renewed in 2016. The Local Planning Authority therefore considers that the development would be acceptable in principle. The application is in outline and seeks approval in principle and for the means of access. Illustrative drawings showing the site layout and indicative house types have been provided.
 4. The sole issue relates to the impact of a different proposed access point on traffic generation and highway safety during construction. The Council claims that the provision of access at a lower level within the site (moving access from the south to the west of the site) would require significant increased excavation and hence at least 240 heavy goods vehicle movements, which would be double those required were the access to be in the previously approved position.
-

5. The Council has supplied detailed estimates of the required excavations in its case. These calculations are based on the sections and plans provided with the application. The appellant's suggestions regarding the provision of retaining walls and changes to the house type were considered at the application stage. It was concluded that none of these measures would significantly reduce the additional excavation that would be required. It is stated that the access as currently proposed would follow the natural contours of the site, but the Council confirm that this route would require additional excavations. The Council disputes that any revised access arrangements had been agreed in discussions with the appellant and it confirmed that no revised house type details were submitted.
6. The constraints are such that lorries would be unable to enter and leave the site in a forward gear. Large construction vehicles would have to reverse into or out of the site at the intersection of Convil Road with James Road. Undertaking such manoeuvres in large vehicles gives rise to potential for pedestrian and vehicular conflicts to the detriment of highway safety. This would be exacerbated by any on-street parking in the vicinity of the junction. Both routes to the site are along streets where on-street parking regularly occurs due to the terraced nature of the properties. There may therefore be a need to reverse large vehicles in a confined situation to the detriment of highway safety. The gradients of both Convil Road and Pretoria Street would add difficulty to any reversing which may be required by any vehicle wishing to give way.
7. I find on the evidence submitted in this case that the revised access point would generate significant additional heavy traffic from the site. These additional traffic movements would be in addition to the normal traffic movements associated with the construction of the dwellings. This additional traffic would be detrimental to the living conditions of residents. The additional reversing manoeuvres outlined above would be detrimental to highway and pedestrian safety. These aspects would be contrary to the relevant criteria in Policy SP2 of the Local Development Plan¹ (and guidance in Planning Policy Wales). I have noted the other issues raised in the objections submitted at the application stage. I agree with the Council's conclusion that these issues would not have justified the refusal of this application for the stated reasons.

Conclusion

8. In reaching my decision, I have taken into account 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 the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.
9. The Council's evidence of the effects of the additional traffic as a result of the revised access was not convincingly refuted by the appellant. I conclude that the reason for refusing planning permission are well-founded. For the reasons given above and taking all relevant matters into account, I conclude that the appeal should be dismissed.

A L McCooey

Inspector

¹ Bridgend Local Development Plan 2006-2021

Scanning the PVS

1. Make sure the PVS@S are all face down before scanning them.
2. Click on Check Postal Votes.
3. Expand step 1.
4. Pick up a Batch Sheet and click on that number on the batch header screen.
5. Click on scan button (bottom left of screen).
6. Click on scan (Green top right).
7. The PVs sheets will start scanning.

When the sheets have scanned

Click on Red Box (top Left)

Click Save

Drop arrow ready for auto check

Click Autocheck

Start the next batch.

Appendix C



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/04/19

gan **A L McCooey BA MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15.05.2019

Appeal Decision

Site visit made on 03/04/19

by **A L McCooey BA MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 15.05.2019

Appeal Ref: APP/F6915/A/19/3221795

Site address: rear of 77 Nolton Street, Bridgend, CF31 3AE

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Rebecca Porter against the decision of Bridgend County Borough Council.
 - The application Ref P/18/890/FUL, dated 5 November 2018, was refused by notice dated 11 January 2019.
 - The development proposed is the conversion of an existing disused bakery to a one-bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would represent an acceptable form of residential development;
 - whether the access and parking arrangements would be acceptable and;
 - whether the living conditions of residents would be acceptable.

Reasons

3. The building is located within Bridgend town centre to the rear of commercial properties. It is accessed from a rear lane, which serves as an access to parking facilities to the rear of the commercial properties (and dwellings above them) and the residential properties in Cheltenham Terrace to the east side of the lane. The two-storey building abuts the lane and has attached buildings to the south. The land to the immediate north of the building is a well-used parking area for commercial properties on Nolton Street. To the immediate west there is a small area of land between the building and no. 77 Nolton Street.
 4. Policy SP2 of the Bridgend Local Development Plan (LDP) requires developments (amongst other things) to contribute to placemaking, have good transport connections and safeguard the amenities of residents.
-

5. Planning Policy Wales¹ emphasises the efficient use of natural resources including land. Paragraph 3.39 acknowledges that planning authorities must prioritise the use of suitable and sustainable previously developed land and/or under-utilised sites. It is recognised, however, that not all previously developed land is suitable for all types of development. The concept of placemaking requires a design-led approach that takes proper account of local context in design in order to ensure that a proposal responds appropriately to its surroundings.
6. The character of the immediate area is defined by rear access to properties and associated parking. The buildings along the lane are mostly garages. The former bakery is a two-storey building. Whilst it is larger, it has no particular architectural merit and fits generally in to the character of the rear lane. In terms of layout and function, the rear lane is clearly distinct to the primary street frontages, and in my judgement, the introduction of an independent dwelling unit with the primary access and frontage onto the lane fails to respect the established housing pattern. Moreover, it fails to have regard to general design principles relating to good quality residential environments insofar as it introduces a dwelling in a poorly lit narrow lane with little natural surveillance or outlook for future residents. The proposed conversion to a separate dwelling would result in a poor form of backland development contrary to the principles of good design and placemaking. This is clearly distinguishable from the situation of the dwellings in the older terraced streets in the town centre referred to by the appellant.
7. It is intended that the occupants would travel primarily by walking. The pedestrian access to the building is via the rear lane. The appeal site is some distance down the lane with one streetlight that is located on the east side of the building itself. The rear lane is narrow with a poor surface and no segregated footways. It is well-used for parking and access to garages. The passing places had parked cars in some of them during my site visit. The wider areas are used for parking and pedestrian safety would be compromised by reversing and manoeuvring vehicles. Residents would have to use the lane and then would have to walk across the parking area to the rear of 73 to 75, as the proposed door would be on the western side facing no. 77. The proposal would also lead to some increased traffic on the lane from service /delivery and visitor traffic, as well as potentially from the occupiers themselves. Traffic using the lane would unacceptably increase the risk of conflict between vehicles and pedestrians. Residents would also have to take refuse and recyclable waste down to the end of the lane, adding to its pedestrian traffic. Or indeed this could deter residents from recycling their waste. The access arrangements would be unsatisfactory for all these reasons.
8. The outlook from the windows on the western elevation would be on to the proposed amenity space, which would be perfectly acceptable. However, the main living room and only bedroom window in the north elevation would be immediately adjacent to a well-used car parking area. I consider that this would be a poor outlook for residents and would be symptomatic of the poor form of backland development referred to above.
9. The site is in a very sustainable town centre location near public transport links and a wide range of local amenities. The proposal does not include any parking provision. Although not referred to in the reason for refusal, this was raised as a concern by the Local Planning Authority. It was also claimed that the dressing room on the plans could be used as a bedroom and that this would increase the parking requirement.

¹ Edition 10 December 2018

10. Planning Policy Wales advises that parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking. As pointed out above the context of the appeal site is ideally located to support travel by means other than the private car. The evidence was that the Local Planning Authority routinely allows reduced car parking for other town centre developments. These considerations were sufficient to lead the Council to conclude that no parking provisions were necessary for the development at no. 77. In all these circumstances, I conclude that the lack of car parking provision would not be a reason to refuse planning permission.
11. The Council had questioned whether there would be any garden area or amenity space associated with the proposal. The land to the west having been included in the planning application for a change of use of no. 77 to a café and 6-bedroom unit. It has been confirmed that some of the land is in the appellant's ownership². I note from my site visit that a fence has been erected on the boundary between the site and no. 77 which defines the available amenity space. I consider this amenity space to be adequate.
12. The proposed bedroom windows in the rear elevation of no. 77 are below ground level and the erection of the fence some metres away will have little effect on their outlook or natural light. The plans for the development at no. 77 show a first-floor shared kitchen window facing the amenity space. This minor degree of overlooking would not be unusual in a town centre location and would not be sufficient grounds to warrant the refusal of planning permission.

Conclusion

13. In reaching my decision, I have taken into account 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 the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.
14. The proposal fails to have regard to the context of the appeal site and would appear out of character with the surrounding development. As explained above, the proposal would result in a poor form of backland development contrary to the principles of good design and placemaking. The pedestrian access to the development would be unsatisfactory for the reasons given. The benefits of the proposal in terms of the re-use of previously development land or under-utilised sites are outweighed by the identified adverse effects. The proposal would therefore be contrary to LDP Policy SP2 and the provisions of national policy. Having taken all relevant matters into consideration, I conclude that the appeal should fail.

A L McCoey

Inspector

² The Local Planning Authority accepted that this was the case.

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>
Peter Remedios, <i>Senior Regeneration Officer</i>	“Workshop on Porthcawl Salt Lake North Site (Foodstore)”	20 June 2019	12.45pm
Jonathan Parsons, <i>Group Manager Development</i> / Richard Matthams, <i>Development Planning Manager</i>	“LDP – Preferred Strategy”	1 August 2019	12.45pm
Jonathan Parsons, <i>Group Manager Development</i> / Richard Matthams, <i>Development Planning Manager</i> / Adam Provoost, <i>Senior Development Planning Officer</i>	“Open Space SPG Workshop”	12 September 2019	12.45pm
Gaynor Thomas, <i>School Programme Manager</i>	“Education contributions – new draft SPG Workshop”	24 October 2019	12.45pm

Recommendation:

That the report of the Corporate Director Communities be noted.

JONATHAN PARSONS GROUP MANAGER – PLANNING & DEVELOPMENT SERVICES

Background Papers

None.

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